



PLAN COMMISSION STAFF REPORT

ITEM NO: 2 APPLICATION NO. 0015-2018

MEETING DATE: April 16, 2018

SUBJECT: Amendment to an adopted planned development ordinance

PETITIONER(S): Church Church Hittle & Antrim
Fluid Waste Services – Owner

SUMMARY: Permit a reduction of landscape requirements on Lot 1 in Cumberland Farms Industrial Park

LOCATION: 21239 State Road 19

WAIVERS REQUESTED: Arterial Road Bufferyard Shrub Plantings
Building Base Landscape Area and Plantings
Perimeter Parking Lot Plantings
Interior Parking Lot Island Spacing

RECOMMENDATION: Forward to the Common Council with a favorable recommendation

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Planning Terms

Planned Development – A large-scaled unified development consisting of a parcel or parcels of land, controlled by a single owner to be developed as a single entity. The area of land in which a variety of residential, commercial, and/or industrial uses are planned and developed as a whole according to the adopted preliminary development plans and approved detailed plans, with more flexible standards, such as lot sizes, uses and setbacks, than those restrictions that would normally apply to a specific zoning district.

Preliminary Development Plan - The initial development plans as proposed for a Planned Development following approval by the Plan Commission and adoption by the Common Council of said drawings and Planned Development (PD) ordinance including any waivers from the underlying zoning district regulations and commitments by the developer for said real property.

Text Amendment - A modification that clarifies or preserves the written provisions of an adopted ordinance or creates a new provision. It may correct an error or inconsistency or meet the challenge of changing conditions.

Procedure

The application was filed January 29, 2018 for a public hearing at the April 16, 2018 Plan Commission meeting after a petitioner requested continuance at the March 19, 2018 meeting. The Plan Commission votes on a recommendation to the Common Council for adoption, denial, or no recommendation. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

Correspondence

None.

Summary

The request is to amend text of the original planned development ordinance and allow for the waiver of some provisions of the landscape requirements of the Unified Development Ordinance for Lot 1 in Cumberland Farms Industrial Park. The original planned development ordinance (Ordinance #76-9-06) was approved in October 2006 and permitted a variety of office, commercial, and industrial uses with access off of an internal street. To date, there has only been a building constructed on Lot 1 along State Road 19, which received a conditional certificate of occupancy in February 2017.

The petitioner is asking for relief from some of the landscaping required in their original approved landscape plan. The original plan included all the interior and perimeter parking lot landscaping, buffer yard plantings, and building base landscaping required by the Unified Development Ordinance, and Ordinance #76-9-06 (original PD ordinance for Cumberland Farms Industrial Park) stated that perimeter landscaping, building base landscaping, parking lot landscaping, and screening of outside storage areas would meet the standards specified by the Unified Development Ordinance. As the petitioner has come closer to completion of this project, they began to modify some of the elements of the approved plan. Based upon those changes, Staff informed the petitioner that the proposed changes would require an amendment to their approved planned development ordinance.

The petitioner is requesting waivers from four sections of the Unified Development Ordinance. The first waiver is for building base landscape area and plantings. The Unified Development Ordinance requires a continuous ten (10) foot planting area around the perimeter of new buildings constructed. This building has some overhead doors for their trucks, and that area would be permitted to be relocated to another area of the building base area. The easiest way to imagine the relocation is to calculate the area of the ten foot strip around the building, and then just verify that the landscape areas around the building is equal to at least the area that was determined. The approved plans showed a large landscape planting bed on the east side of the building that wrapped around the south side of the building to the first overhead door. The area was approximately 2050 square feet. The petitioner did not install that building base landscape planting bed when the site was constructed, and instead just installed concrete for the access drive to the back of the building up to the edge of the building.

The second waiver is for arterial buffer yard shrubs plantings. The Unified Development Ordinance requires that a lot abutting an arterial road or expressway maintain a landscape buffer with a minimum of 3 canopy trees at least 3 ½ inch caliper and 33 shrubs for every 100 linear feet of property frontage. The petitioner has shown on their submitted plan that they would be installing shrubs along the portion of the property that includes the parking lot. As a substitution, they are proposing some evergreen trees at the north portion of the property, along with some additional evergreen trees in front of the parking lot. The evergreens on the northern part of the frontage serve the purpose of both the canopy trees and the shrub plantings, but their substitution for other plantings is not explicitly permitted by the Unified Development Ordinance.

The third waiver is for perimeter parking lot landscape plantings. The Unified Development Ordinance requires the perimeter of a parking lot to be planted with 2 canopy trees and 33 shrubs per 100 linear feet of exterior parking lot length. The petitioner has proposed to install shrubs along the west and southwest portion of the parking lot adjacent to the parking spaces. They are requesting to not install any shrubs along the north, east or south portion of the parking lot in front of the overhead doors. The petitioner has proposed the installation of 6 evergreen trees along the entry drive directly south of the overhead doors on the building to try to provide some screening that would be given by the shrubs. For them to provide full

screening benefit from State Road 19 they need to shift to the west slightly based upon the angle of viewing from State Road 19.

The fourth waiver is for interior parking lot plantings and area. The Unified Development Ordinance requires a minimum percentage of the paved area be maintained as interior parking lot landscaping, and also has requirements that each parking row shall be terminated at each end with a landscape island and a parking row shall not span more than 100 feet unbroken by a parking island. Each parking island is to be planted with one canopy tree and 5 shrubs. The petitioner has submitted plans that show landscape rows on the northern part of the parking lot with only a tree, as well as at the southeast corner of the lot. They also chose to not install a parking island on the curve in the parking lot at the southwest corner of the building. That area has been striped, but that parking row is also more than 120 feet in length.

Item	Description	Analysis
<i>Surrounding Land Uses</i>	North – Sentinel Storage East – Vacant South – Vacant West – Vacant	This is Lot 1 of Cumberland Farms Industrial Park. The ground to the east and south are part of the same planned development and would likely develop in a similar manner to the subject site.
<i>Comprehensive Master Plan and Future Land Use</i>	The Comprehensive Master Plan indicates this area as Industrial	This can include a variety of light and heavy manufacturing and consideration should be given to location, buffering, and negative impacts of these uses.
<i>Traffic Circulations and Thoroughfare Plan</i>	Internal network of private drives that access at a single point onto State Road 19.	<i>Not Applicable</i>
<i>Environmental and Utility Considerations</i>	Not Applicable	Not Applicable
<i>TAC Comments</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

Fiscal Analysis

Not Applicable

Attachment

Exhibit 1	Aerial Photograph
Exhibit 2	Zoning Map
Exhibit 3	Approved Landscape Plan
Exhibit 4	Proposed Landscape Plan
Exhibit 5	Illustration of waiver areas
Exhibit 6	Amended Cumberland Farms Industrial Planned Development Ordinance

Recommendation

Staff recommends that this petitioner be forwarded with a favorable recommendation to the City Council for adoption of the text amendment to the Cumberland Farms Industrial Park Planned Development Ordinance as per the submitted application 000015-2018.

Motions

1. Motion to forward this petition with a favorable recommendation to the City Council for adoption of the text amendment to the Cumberland Farms Industrial Park Planned Development ordinance as per submitted application 000015-2018 subject to the following waivers and conditions:

Waivers

- Arterial Road Bufferyard Shrub Plantings
- Building Base Landscape Area and Plantings
- Perimeter Parking Lot Plantings
- Interior Parking Lot Island Spacing

Conditions

- Shift the proposed evergreen plantings approximately 50 – 70 feet to the west of the current location on the submitted drawings.
2. Motion to forward this petition with an unfavorable recommendation to the City Council for adoption of the text amendment to the Cumberland Farms Industrial Park Planned Development ordinance as per submitted application 000015-2018. (support with reasons)
 3. Motion to continue application 000015-2018 until the April 16, 2018 meeting.