

**PLANNING APPROVAL,  
PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT**

**Date: October 5, 2006**

**NAME** Larry M. Tew

**SUBDIVISION NAME** Willard Subdivision, First Addition, Resubdivision of Lots 3 & 4, and Resubdivision of Lots "A" & "B" of the Resubdivision of Lots 1 & 2

**LOCATION** 2760 Macmae Drive  
(East and South sides of Macmae Drive at its South terminus)

**CITY COUNCIL DISTRICT** District 4

**PRESENT ZONING** B-3, Community Business District

**AREA OF PROPERTY** 3 Lots / 9.3 ± Acres (Subdivision)  
1 Lot / 6.1 ± Acres (PUD)

**CONTEMPLATED USE** Planning Approval to allow warehousing in excess of 40,000 square feet in a B-3, Community Business District, Subdivision approval to combine two lots of record into one lot and adjust existing buffers for all included lots and one drainage/utility easement for one lot, and Planned Unit Development approval to allow three warehouse buildings and one office building on a single building site.

**TIME SCHEDULE FOR DEVELOPMENT** Immediate

**ENGINEERING COMMENTS** Recommend NO reduction of drainage easements due to the existence of an outfall pipe from Macmae Drive. When the outfall requires maintenance, the full width will be required for probable excavation and vehicle access. The easement along Bolton's Branch is necessary for maintenance vehicles. In addition, the sanitary sewer easement should not be reduced without the approval of the MAWSS.

Any stormwater that currently flows across the property (from the west) must be accommodated. And the minimum finished floor elevation is required on any lot affected by the AE flood zone.

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the

COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.

**TRAFFIC ENGINEERING**

**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

**URBAN FORESTRY**

**COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

**FIRE DEPARTMENT**

**COMMENTS**

Will have to comply with 508.5.1 for fire hydrant location, B105.2, C103 for number of fire hydrants and Chapter 9 Fire Protection Systems.

**REMARKS**

The applicant is requesting Planning Approval to allow warehousing in excess of 40,000 square feet in a B-3, Community Business District, Subdivision approval to combine two lots of record into one lot and adjust existing buffers for all included lots and one drainage/utility easement for one lot, and Planned Unit Development approval to allow three warehouse buildings and one office building on a single building site. Distribution / warehouse uses require Planning Approval in B-3 districts if they exceed 40,000 square feet: 60,000 square feet is proposed. Distribution / warehouse uses that exceed 40,000 square feet are allowed by right in B-5, Office-Distribution, I-1, Light Industry, and I-2, Heavy Industry Districts.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD and Planning Approval are site plan specific, thus any changes to the site plan will require Planning Commission approval.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the

minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

Lots 1-5 of the Willard Subdivision, First Addition, were approved by the Planning Commission at its January 8, 1987 meeting. An interior lot line adjustment between lots 1 and 2 was approved by the Planning Commission at its December 15, 2005 meeting.

The purpose of this application, as it relates to Subdivision approval, is to combine the existing lots 2 and 3 into one lot, and to reduce the 75-foot buffer strip depicted on the South and East sides of existing lots 1-4 to 15 feet along the South property line, and to varying widths along the East property line (essentially to conform to the existing drainage easement width of approximately 20 feet). It also appears that the existing 15 foot drainage easement near the Southeastern corner of the existing Lot 2 will be eliminated: all other existing drainage and utility easements will remain.

Engineering has recommended that all existing drainage easements be kept at their current size. Engineering also indicates that the area generally has drainage problems, thus development on the site must fully comply with the stormwater management and flood control requirements.

The applications for Planning Approval and Planned Unit Development approval specifically relate to the new lot that will be created by the combination of existing lots 2 and 3. The site will be developed to include a 4,000 square foot office building and three 20,000 square foot warehouse buildings, for a total of 60,000 square feet of warehouse space. No outside storage has been proposed. As designed, the development exceeds all landscaping and parking requirements, all buildings are a minimum of 25-feet from adjacent residential development, and a six-foot privacy fence is depicted along the East and South sides of the site where it abuts existing residential development. The required stormwater detention is depicted on the site plan. The revised site plan also depicts the maneuvering of tractor-trailer vehicles on the site, and it appears that there is adequate room for truck access and movement.

A concern regarding this site is Macmae Drive's intersection with U.S. Highway 90. Macmae Drive does not have a signalized intersection with U.S. Highway 90, thus tractor-trailers entering Macmae from the East or exiting Macmae to turn left will have to cross multiple lanes of traffic. Frequent truck traffic making turning movements, combined with the speed of traffic on Highway 90 may cause significant traffic conflicts at the intersection.

Properties to the East and South of the site under consideration, in the Mertz Court and Belvedere Park subdivisions, are developed with single-family residential homes. The buffers depicted on the plat and on the site plan meet or exceed those required by the Subdivision Regulations and Section 64-4.D. of the Zoning Ordinance. However, maintaining at least a 25-foot landscaped area (to act as a buffer after construction) and minimum building and development setback, as well as providing the depicted 6-foot high privacy fence along the South property line, which would still accommodate the construction that has been proposed, is recommended. Noise from frequent truck movements is also a concern, and an increased landscaped area may help ameliorate the problem, especially for the residences located South of

the site. The noise issue may be exacerbated if the site is operated late at night or during early morning hours.

It appears that additional landscaped area could be provided along the Eastern portion of the site, which is currently depicted as being paved, and that includes some employee parking. A paved area North of the proposed detention area, between the building and Bolton's Branch, appears unnecessary, and could be converted to landscape area with trees (trees located outside of the sewer easement). South of the detention area, it appears that the warehouse employee parking area could be shifted to the West to allow additional landscaping and trees (trees located outside of the sewer easement) to provide some vegetative buffering between the development on the site and the homes located in the Mertz Court subdivision.

Properties to the North and West of the site are commercially-zoned, thus no buffering would be required. Existing commercial uses adjacent to the site in question are compatible with the proposed use of the site.

As the proposed new development will be adjacent to existing residences, the applicant should ensure that any lighting provided on the site will comply with the Zoning Ordinance requirement that states that lighting "*shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic.*" A note should be placed on the PUD site plan reflecting the Zoning Ordinance lighting requirement.

The site plan was revised to depict the location of the storage area for the dumpster, with screening that complies with Section 64-4.D.9. of the Zoning Ordinance.

The Eastern portion of the site includes a drainage easement containing the northern arm of Bolton's Branch of Dog River, and floodplains associated with the tributary may occur on a portion of the site. The potential presence of floodplains indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

## **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this application is recommended for Approval, subject to the following conditions: 1) full compliance with Engineering comments (*Recommend NO reduction of drainage easements due to the existence of an outfall pipe from Macmae Drive. When the outfall requires maintenance, the full width will be required for probable excavation and vehicle access. The easement along Bolton's Branch is necessary for maintenance vehicles. In addition, the sanitary sewer easement should not be reduced without the approval of the MAWSS. Any stormwater that currently flows across the property (from the west) must be accommodated. And the minimum finished floor elevation is required on any lot affected by the AE flood zone. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.*) 2)

revision of the site plan to include the following as a note on the site plan, “*Lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic, per the requirements of Section 64-4.A.2. of the Zoning Ordinance*”; 3) revision of the site plan and plat to depict a 25-foot wide landscaped vegetative buffer (natural or created) area along the South property line, where the site abuts existing residential development in the Belvedere Park subdivision, in addition to the 6-foot high privacy fence and landscaping depicted on the site plan; 4) revision of the site plan to depict a reduction in the paved area on the Eastern portion of the site, and the provision of additional landscaped area and trees (trees to be located outside of the sewer easement), to create a green buffer between the site and the Mertz Court subdivision – to be coordinated with Urban Forestry; 5) placement of a note on the site plan stating that the Planning Approval and PUD approval are site plan specific, and that any changes to the site plan will require Planning Commission review and approval; 6) placement of a note on the final plat and site plan stating that approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities; 7) provision of a revised site plan to the Planning Section of Urban Development prior to the recording of the final plat; 8) completion of the Subdivision process; and 9) full compliance with all other municipal codes and ordinances.

**Planned Unit Development:** Based upon the preceding, this application is recommended for Approval, subject to the following conditions: 1) full compliance with Engineering comments (*Recommend NO reduction of drainage easements due to the existence of an outfall pipe from Macmae Drive. When the outfall requires maintenance, the full width will be required for probable excavation and vehicle access. The easement along Bolton’s Branch is necessary for maintenance vehicles. In addition, the sanitary sewer easement should not be reduced without the approval of the MAWSS. Any stormwater that currently flows across the property (from the west) must be accommodated. And the minimum finished floor elevation is required on any lot affected by the AE flood zone. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant’s responsibility to confirm or deny the existence of regulatory wetlands.*); 2) revision of the site plan to include the following as a note on the site plan, “*Lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic, per the requirements of Section 64-4.A.2. of the Zoning Ordinance*”; 3) revision of the site plan and plat to depict a 25-foot wide landscaped vegetative buffer (natural or created) area along the South property line, where the site abuts existing residential development in the Belvedere Park subdivision, in addition to the 6-foot high privacy fence and landscaping depicted on the site plan; 4) revision of the site plan to depict a reduction in the paved area on the Eastern portion of the site, and the provision of additional landscaped area and trees (trees to be located outside of the sewer easement), to create a green buffer between the site and the Mertz Court subdivision – to be coordinated with Urban Forestry; 5) placement of a note on the site plan stating that the Planning Approval and PUD approval are site plan specific, and that any changes to the site plan will require Planning Commission review and approval; 6) placement of a note on the final plat and site plan stating that approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities; 7) provision of a revised site plan to the Planning Section of Urban

Development prior to the recording of the final plat; 8) completion of the Subdivision process; and 9) full compliance with all other municipal codes and ordinances.

**Subdivision:** Based upon the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) full compliance with Engineering comments (*Recommend NO reduction of drainage easements due to the existence of an outfall pipe from Macmae Drive. When the outfall requires maintenance, the full width will be required for probable excavation and vehicle access. The easement along Bolton's Branch is necessary for maintenance vehicles. In addition, the sanitary sewer easement should not be reduced without the approval of the MAWSS. Any stormwater that currently flows across the property (from the west) must be accommodated. And the minimum finished floor elevation is required on any lot affected by the AE flood zone. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.*); 2) depiction of the size of each lot in square feet on the final plat; 3) depiction of a 25-foot wide building and parking setback along the South property lines, where the lots abut existing residential development in the Belvedere Park subdivision, and placement of a note on the plat stating that the this setback area shall be landscaped to provide a buffer, or left in its natural state; 4) placement of a note on the final plat and site plan stating that approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities; 5) placement of a note on the plat stating that access is denied to Belvedere Circle East; 6) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing and recording of the final plat; and 7) full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



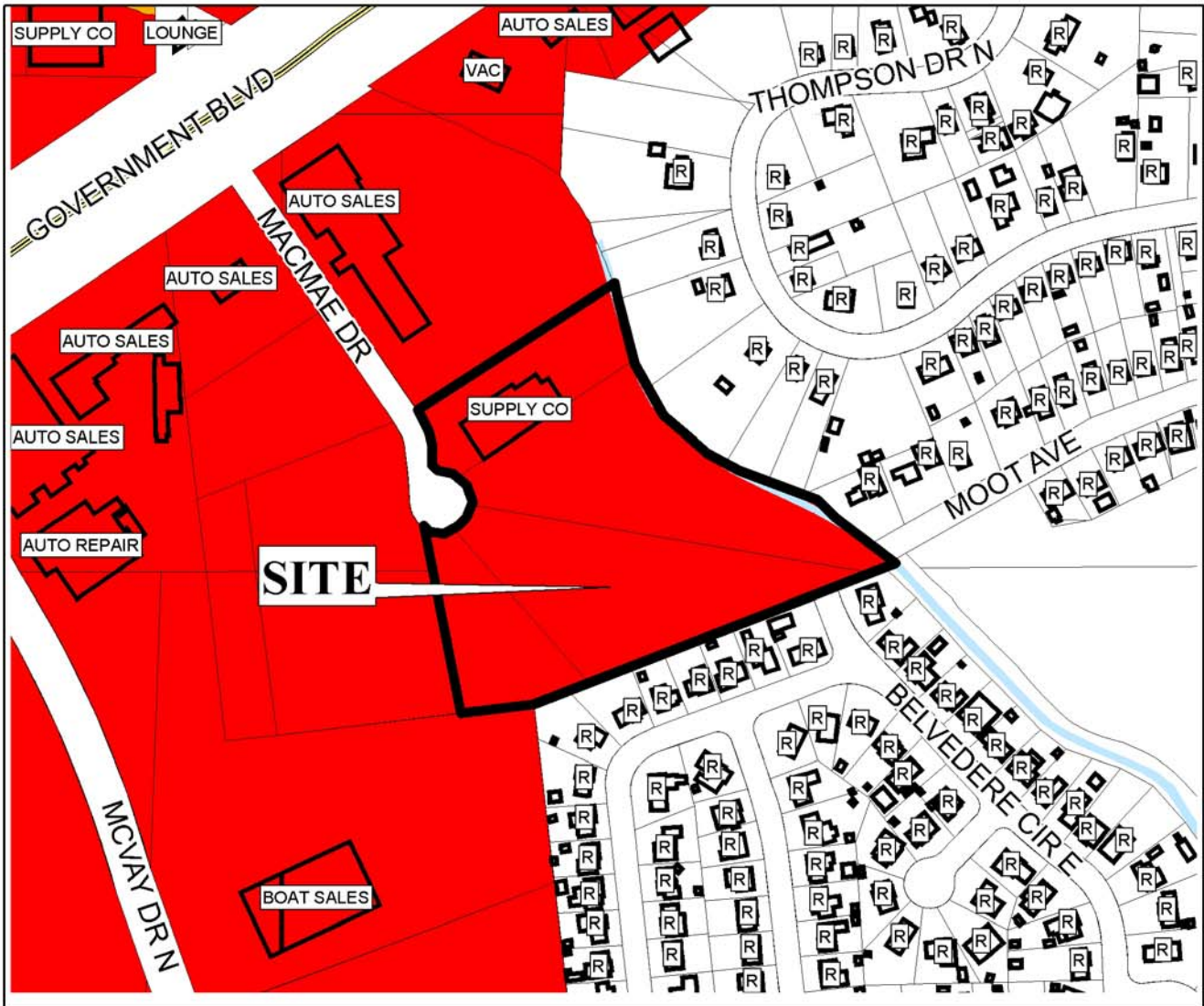
APPLICATION NUMBER 19,20,21 DATE October 5, 2006  
APPLICANT Willard Subdivision, First Addition, Resubdivision of Lots 3 & 4, and  
Resubdivision of Lots "A" & "B" of the Resubdivision of Lots 1 & 2, Lot 2  
REQUEST Subdivision, Planned Unit Development, Planning Approval



NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the south and east of the site. Auto sales and other commercial land use is located to the west and northwest of the site.

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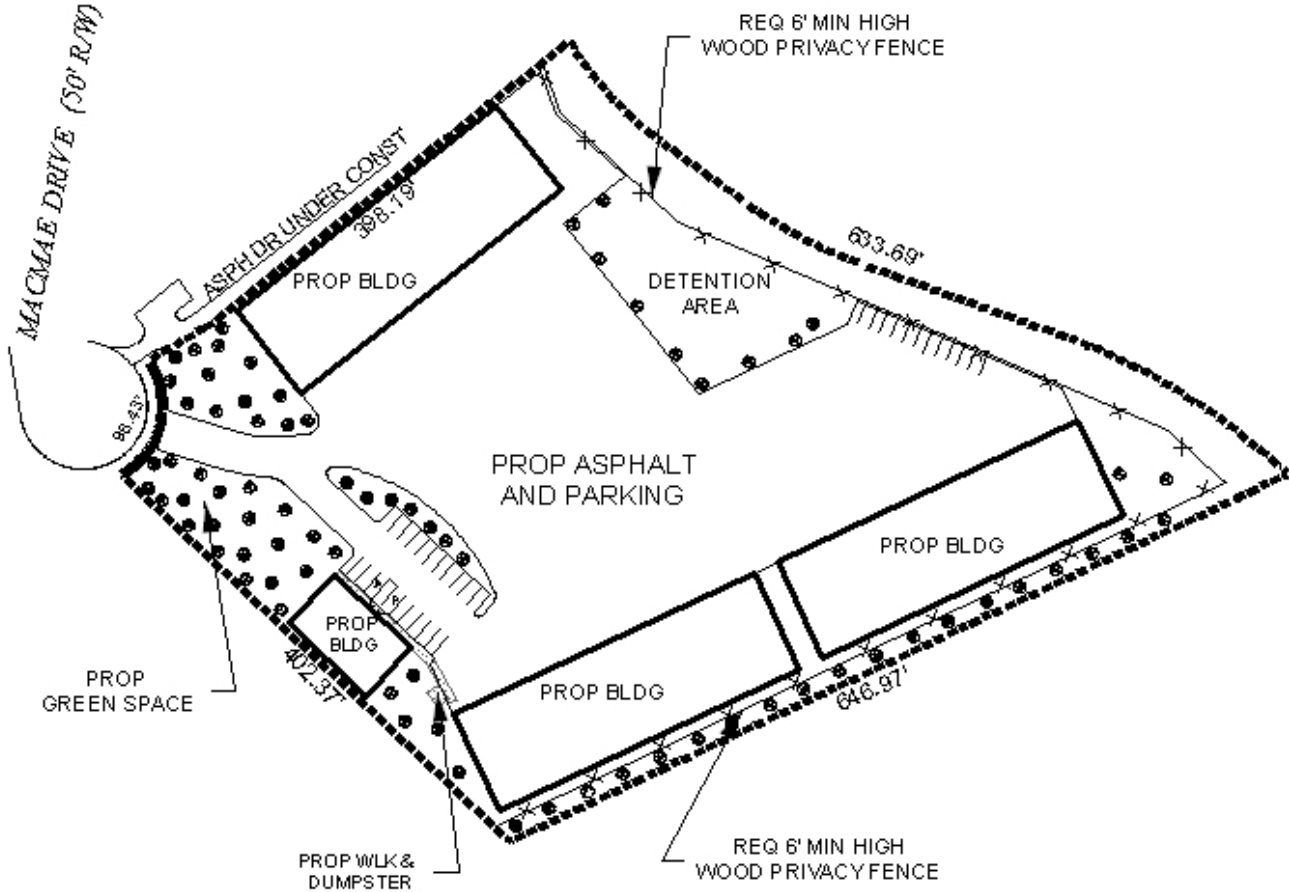
LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2





# SITE PLAN



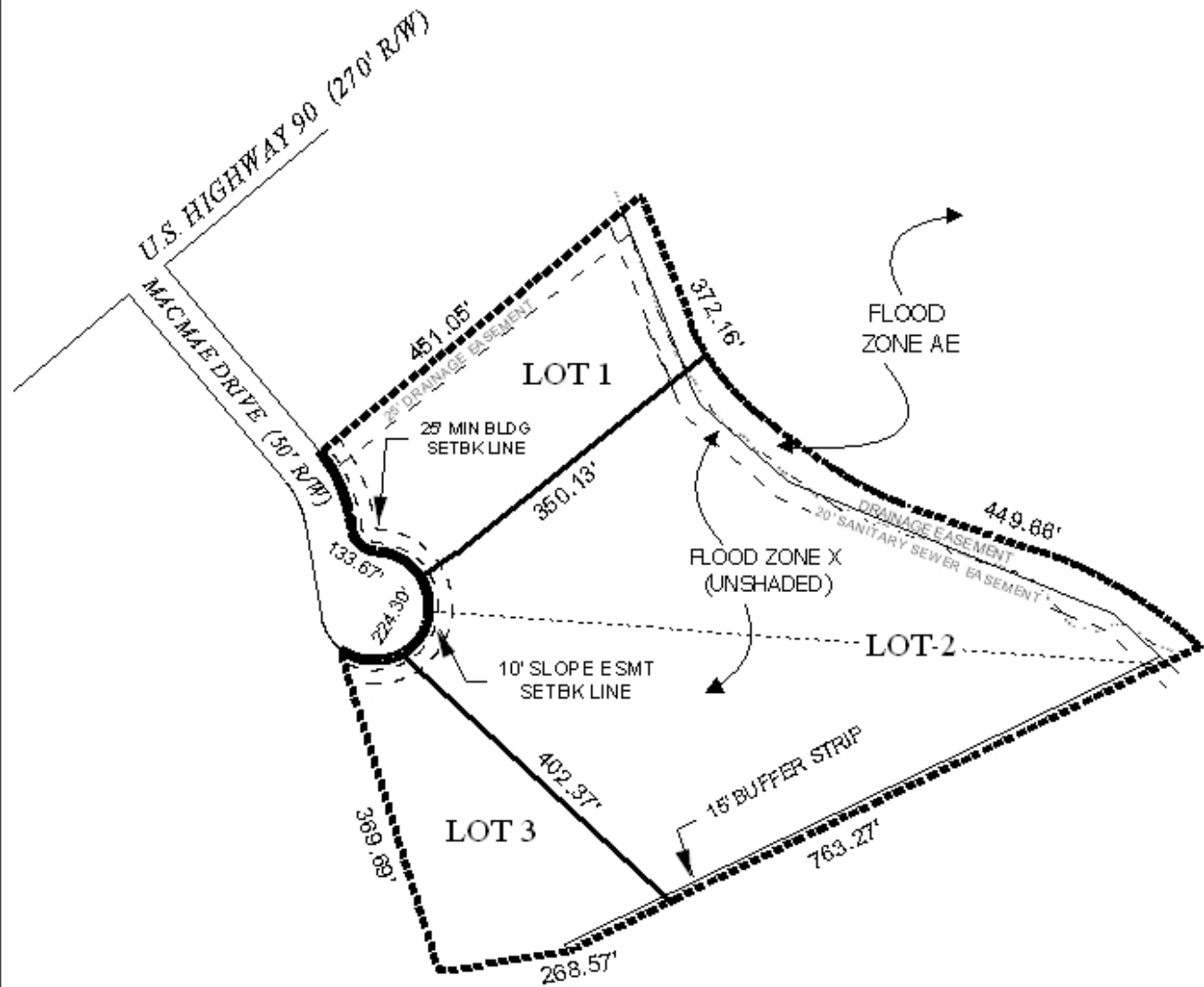
The site plan illustrates proposed buildings, asphalt, fencing, and green space.

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# SUBDIVISION PLAT



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