



SP-13-00525: A site plan for Struct/Restruct Design Studio a *Construction Sales and Services and Manufacturing and Production, Limited* use on approximately 1.8 acres at 1146 Haskell Avenue. Submitted by Landplan Engineering, PA for BK Rental, LLC, property owner of record. (City Commission approval of site plans for standard and major development projects required as a condition of rezoning, Zoning Ordinance No. 8936.)

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described site plan subject to the following conditions:

1. Provision of an executed Site Plan Performance Agreement to the Planning Office prior to the release of the site plan for building permits.
2. Approval of a Floodplain Development Permit prior to the release of the site plan.
3. Provision of a revised site plan with the changes noted below:
 - a. Addition of a note indicating that the bicycle parking will be located on a 6 ft x 6 ft concrete slab.
 - b. General Note 16 revised to note that the bufferyard landscaping waiver applies only to the frontage west of the 12th Street access drive.
 - c. Note the material which will be used for the dumpster enclosure.
 - d. Addition of a note that the property owner will maintain the shrubs south of the Haskell Avenue access drive so they are no taller than 3 ft in height.
 - e. Addition of a note that no additional exterior lighting is being proposed with this project and that any new exterior lighting will require the submittal and approval of a photometric plan prior to installation.

KEY POINTS

- The subject property was rezoned to the IL District in 2013 with the adoption of Ordinance No. 8936. The zoning was conditioned to restrict the permitted uses and to require City Commission approval of all standard and major development projects.
- The proposed change meets the definition of a Standard Development Project; therefore, Code compliance is required only for those portions which are being altered with this project.
- The structure on the lot is located within the setbacks; however, as it was built before the property was annexed into the City limits it is a nonconforming structure subject to the provisions of 20-1503 of the Development Code. Variances for the encroachments into the setbacks are not required.

OTHER ACTION REQUIRED

- Placement of the site plan on the City Commission's agenda for consideration.
- The applicant shall provide 1 paper and 1 electronic copy of the approved site plan, revised to meet the conditions placed on it by the City Commission.

- Building permits must be obtained for the change in use and any physical changes to the structure.
- Floodplain Development Permit must be obtained for the changes to the site prior to the release of the site plan for building permits.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – A 7-step TIS was submitted and accepted for this project with the preliminary plat.
- *Downstream Sanitary Sewer Analysis* – The fixture count analysis and cover letter dated December 31, 2013 provided by Grob Engineering Services has been reviewed and is accepted for this site plan to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
- *Drainage Study* – The City Stormwater Engineer indicated that a drainage study is not required for the minimal changes that are being proposed with this development. He also noted that this area is currently being studied by a FEMA subcontractor and the study could very well change the boundaries of the floodplain and floodway.

GENERAL INFORMATION

Current Zoning and Land Use:

IL(Limited Industrial) District with conditions and FP (Floodplain Management Regulations) Overlay District; vacant building which previously housed a *Recycling Facility*. Proposed use: *Construction Sales and Services* and *Manufacturing and Production, Limited*.

Surrounding Zoning and Land Use:

To the north:

GPI (General Public and Institutional Use) District and FP (Floodplain Management Regulations) Overlay District. Narrow strip of City parkland/woods to the north and the City Public Works Facility, *Heavy Wholesale Storage and Distribution*.

To the east:

OS (Open Space) and RS7 (Single Dwelling Residential) Districts with the FP (Floodplain Management Regulations) Overlay District; Property included in the Burrough’s Creek Addition Preliminary Plat which will be platted as a tract for open space that may be donated to the City as parkland and as individual lots for single-dwelling residential development. Currently the land is undeveloped.

To the west:

GPI (General Public and Institutional Use) District and FP (Floodplain Management Regulations) Overlay District; City garage/maintenance facility and Burrough’s Creek Trail and Linear Park, *Light and Heavy Equipment Repair and Nature Preserve/Undeveloped*.

To the south:

RS 7 (Single-Dwelling Residential) District and FP (Floodplain Management Regulations) Overlay District; *Single-Dwelling Residences*.

(Figure 1)

Legal Description: Lot 1, Block One, Burrough's Creek Addition.

SITE SUMMARY

	Existing	Proposed	Change
Land Use:	Vacant Industrial Building previously used for <i>Recycling</i>	<i>Construction Sales and Services and Manufacturing & Production, Limited,</i>	In use
Land Area:	77,745 sq ft	77,745 sq ft	--
Building:	12,020 sq ft	9,270 sq ft	-2,750 sq ft
Pavement:	15,531 sq ft	15,174 sq ft	- 357 sq ft
Total Impervious:	27,551 sq ft (35%)	24,444 sq ft (31%)	-3,107 sq ft
Total Pervious:	50,194 sq ft	53,301 sq ft	+3,107 sq ft

PARKING SUMMARY

Use	Requirements	Spaces Required	Spaces Provided
<i>Construction Sales and Services</i>	AUTO: 1 per 500 sq ft of building area PLUS 1 space per acre of outdoor storage	9,270 sq ft=19 spaces Less than 1 acre of exterior storage=1 space 20 parking spaces	20
<i>Manufacturing and Production, Limited</i>	1 per 1000 sq ft PLUS 1 per vehicle used in the business	This use is in conjunction with the <i>Construction Sales and Services</i> use and will utilize the same area. The parking requirement for <i>Construction Sales and Services</i> is higher and so was used. The site has adequate exterior storage area for the parking of the vehicle used in the business.	
ADA:	1 van accessible parking space is required for parking areas with between 1 and 25 parking spaces.	1 van accessible	1 van accessible
Bicycle:	1 per 10 auto spaces	20 spaces provided; 2 bicycle spaces required	2 bike parking spaces

The building was constructed prior to being annexed into the City and is therefore, a nonconforming structure. Per Section 20-1503(a) of the Development Code, a nonconforming structure is one which was legally established but no longer complies with the density and dimensional standards of the Development Code. The Code allows structural alterations, but there can be no greater encroachment into the setbacks than currently exist unless a variance is obtained from the Board of Zoning Appeals.



Figure 1a. Zoning in area. Subject property outlined.



Figure 1b. Land Use in area.

STAFF REVIEW

The proposed change is primarily a change in use. The building has been used for many industrial/vehicle related uses in the past, with a recycling facility being the most recent use. The proposal is to demolish the out buildings with the exception of the 870 sq ft building to the east of the principal structure. This building will be used for storage and drying of wood. The principal structure will be used for interior storage of materials and products and a shop area. Parking will be provided on site and exterior storage will be located within the area delineated on the site plan. As the property is heavily encumbered with regulatory floodplain, all exterior storage will need to be securely anchored or elevated. This is noted on the plan. Given the proximity of residential development, the applicant has restricted the hours of operation of outdoor equipment associated with the *Construction Sales and Services use* from 7 AM to 6PM during weekdays and between 10AM and 6PM during weekends (General Note 14). The exterior storage area will be screened from view with fencing and landscaping. No additional exterior lighting is proposed with this project, any new exterior lighting would require the submittal and approval of a photometric plan prior to installation. This should be noted on the plan.

Findings

Per Section 20-1305, staff shall first find that the following criteria have been met:

1) The Site Plan shall contain only platted land;

The property was recently platted as Lot 1 Block One, Burrough’s Creek Addition. The City GIS map was not updated with this information as of the printing of this staff report, but the plat was recorded in Book 18, Page 664.

2) The site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plan;

Per Code, features which are added, removed, or altered through a standard development project must comply with the Land Development Code.

LOT DENSITY AND DIMENSIONAL REQUIREMENTS:

	Required	Provided
Lot Area	20,000 sq ft	77,734 sq ft
Front Setback	50 ft	Exceeds 50 ft
Rear Setback	20 ft	Exceeds 20 ft
Exterior Side Setback	50 ft	21 ft*
Side Setback	15 ft	Buildings within this setback will be demolished Exceeds 15 ft

*As noted earlier, the building was constructed prior to the annexation of the property into the City and is located within the required 50 ft setback along E 12th Street. The structure meets the definition of a nonconforming structure; therefore, a variance is not necessary for this extension into the setback. Per Section 20-1503, no changes may be approved which would increase the nonconformity. No building additions are being proposed with this site plan.

PARKING:

As noted in the parking summary the parking provided complies with the Code's off-street parking requirements.

LANDSCAPING

Interior Parking Lot Landscaping: None required for parking area adjacent to Haskell Avenue due to its small size (6 parking spaces). The larger parking area to the north (14 parking spaces) should have landscaping at the end caps of the parking areas. At the required rate of 40 sq ft per parking space, 560 sq ft of landscaped area is required; 565 sq ft is provided on the plan. The landscaping required would be 2 trees and 6 shrubs; landscaping provided is 3 trees and 3 shrubs. The Code allows the substitution of 3 shrubs with 1 tree; the interior parking lot landscaping provided complies with Code.

Perimeter parking lot landscaping: Approximately 50 ft of perimeter parking area fronts on Haskell Avenue. Per Section 20-1004 of the Development Code, 1 tree is required per 25 ft of parking lot frontage. Two trees are required and 3 are provided on the plan. The Code also requires a wall, berm, or continuous hedge. Shrubs should be planted in the parking lot frontage area to create a continuous hedge to screen the parked cars.

The parking lot frontage south of the Haskell Avenue access drive is within the sight triangle. To serve as perimeter parking lot landscaping the hedge must be a minimum of 3 ft in height while landscaping in the intersection sight triangle may not exceed 3 ft. The Planning Director has the authority to waive perimeter parking lot standards if it is determined that the purpose of this requirement is otherwise met or the overall spirit and intent of the Development code is not undermined by granting the waiver. In this case, the intent of the Code, public safety, will be achieved with intersection visibility in lieu of the screening of the parking space and drive aisle by allowing the shorter species of shrubs within the sight triangle. A note should be added to the plan which requires the property owner to maintain the shrubs south of the Haskell Avenue access drive so they do not exceed 3 ft in height.

BUFFERYARD LANDSCAPING

Per Code, a Type 1 Bufferyard is required when development occurs in an IL District adjacent to a GPI District. The property is adjacent to GPI Zoning on the north and west; however, this zoning district contains open space. The subject property is also adjacent to open space in the OS District to the east. Buffering is not required for properties adjacent to the OS District. Based on the actual use of the property and the fact that these properties are Open Space in dedicated City parklands, no buffering is required on the boundary of the property that is adjacent to the GPI District.

A Type 3 Bufferyard is required along the east side of the property that is adjacent to the RS7 Zoning District (170 linear ft) and along the 12th Street side of the property (353 linear ft).

A Type 3 15 ft wide Bufferyard requires plantings at a rate of 4 trees and 15 shrubs per 100 linear ft plus a fence, wall or berm on the interior side of the bufferyard. A fence is shown 15 ft from the property line in these locations and the following table shows the landscaping provided:

	Requirement	Required	Provided
East Bufferyard	4 trees and 15 shrubs per 100 linear ft	170 linear ft = 7 trees and 26 shrubs	8 trees 26 shrubs
South Bufferyard (adj to E 12 th Street)		353 linear ft = 15 trees and 53 shrubs	11 trees 29 shrubs
		152 linear ft = 7 trees and 23 shrubs*	

*Space is constrained along E 12th Street due to the large access drive and the sight triangle required at the intersection in addition to the narrow space available to the west of the 12th Street access drive. A 5 ft wide sidewalk will be installed in this area and space is not available for landscaping. Based on the site constraints, the Planning Director waived the requirement to provide a bufferyard west of the 12th Street access drive as additional landscaping is being provided throughout the site and more attractive fencing is being installed to improve the site aesthetically.

With the Planning Director’s limited waiver from the bufferyard and perimeter parking lot landscaping, the landscaping complies with the standards of the Development Code.

LIGHTING

No new exterior lighting is proposed with this project. The site plan should include a note to that effect and note that any new exterior lighting would require the approval of a photometric plan prior to installation.

PARKING AREA SURFACING

Section 20-913(e) of the Development Code provides surfacing standards for parking lots. Compacted gravel is permitted for residential driveways constructed in floodplain areas provided a paved driveway apron is constructed to city standards. While this is not a residential development, the property is completely encumbered with floodplain and the north parking area is accessed via a paved driveway and access drive west of the building. This length of paved surface should prevent the tracking of gravel onto the roadway. The City Stormwater Engineer recommended the use of compacted aggregate for this parking area to minimize the impervious surface. The Planning Director approved a waiver from the

surfacing requirement based on the Stormwater Engineer's recommendation and the length of paved surface between the north parking area and Haskell Avenue.

INDUSTRIAL DESIGN GUIDELINES

As the property is currently developed and only minor changes are being made to the site to accommodate the change of use, many of the Industrial Design Guidelines are not applicable at this time. The following guidelines do apply to this project:

Part 2, G Trash, Recycling and Exterior Storage Areas (Page 3-7, *Community Design Manual*)

Exterior Storage areas shall be integrated into the site to be consistent with the overall site and building design and screened from the most visible sides of the site.

Part 2, H Walls and Fences: (Page 3-8, *Community Design Manual*)

Walls and fences shall contribute to the visual quality of the project and character of the surrounding area when visible from the public street frontage or an adjacent non-industrial use.

- 1) When not required for security, screening or grade transitions, the height of walls and fences should be minimized.
- 2) Landscaping should be used to soften the appearance of wall surfaces.
- 3) Walls and fences longer than 100 ft should contain periodic offsets or architectural elements designed to prevent monotony.
- 4) Walls and fences should be designed in such a manner as to create an attractive appearance and complement the project's architecture.
- 6) High perimeter walls, chain link fence, and walls topped with barbed wire, or razor wire should not be used adjacent to public street frontages or non-industrial uses.

The existing fencing at the site is solid metal with barbed wire on the top (Figure 2).



Figure 2. View of property from Google Earth maps showing the existing fencing material.

Fencing along the roadway and adjacent to the residentially zoned property will contain architectural elements to prevent monotony. One of the features of Struct/Restruct designs is the reuse of building

materials. The existing fencing will be reused to provide security fencing for the Struct/Restruct Studio property. As shown on the site plan, chain link security fencing will be used along the north property line where it is less visible. The fencing on the east and south sides of the property will consist of approximately 8 ft wide sheets of the reused metal fencing alternated with 8 ft wide panels of wood fencing. Buffering landscaping will be provided on the exterior side of the fencing to soften the appearance. No barbed wire will be used in the fencing. The design of the fencing should create an attractive appearance and complement the nature of the project.

The screening for the dumpster will also utilize the alternating metal and wood panels similar to the fencing. This should be noted on the plan.

With the limited waivers from the landscaping requirements, the proposed site plan is in compliance with provisions and standards of the Development Code.

3) The proposed use shall be allowed in the district in which it is located or be an allowed nonconforming use;

The uses permitted in this District were restricted with the Rezoning Ordinance 8936. Uses permitted in the IL District are permitted with the following restrictions:

- (a) The following uses may be permitted on the subject property only upon approval of a Special Use Permit:
 - (i) Lodge, Fraternal, & Civic Assembly
 - (ii) Active Recreation
 - (iii) Hotel, Motel, Extended Stay
 - (iv) Public Safety
 - (v) General Industrial

- (b) The following uses shall not be permitted on the subject property:
 - (i) Kennel
 - (ii) Livestock Sales
 - (iii) Fast Order Food, Drive-in
 - (iv) Car Wash
 - (v) Gas & Fuel Sales
 - (vi) Heavy Equipment Sales/Rental
 - (vii) Heavy Equipment Repair
 - (viii) Light Equipment Sales/Rental
 - (ix) Light Equipment Repair
 - (x) RV & Boat Storage
 - (xi) Scrap and Salvage Operation
 - (xii) Broadcasting Tower
 - (xiii) Large Collection Recycling Facilities
 - (xiv) Recycling Process Center
 - (xv) Participation Sports and Recreation, Outdoor
 - (xvi) Laundry Service
 - (xvii) Small Collection Recycling Facilities

The proposed uses *Construction Sales and Services and Manufacturing & Production, Limited* are permitted in the IL District.

4) Vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or access management policies;

Little change is proposed to the vehicular ingress/egress to and from the site. The access drive on E 12th Street is being narrowed from approximately 165 ft to 102 ft in width. Due to the existing building's location and the overhead doors along the south side, the wider than typical south side driveway is permitted with this plan.

The Haskell Avenue access will remain at 38 ft. The previous circulation pattern with vehicles entering from E 12th Street accessing the overhead doors on the building and circling the building to the east will be maintained. Vehicles entering from Haskell Avenue will primarily access the parking areas to the west or north of the building. It will be possible to access the rear of the building from either Haskell Avenue or E 12th Street. Fire access will occur from E 12th Street as shown on Sheet 3 of the site plan.

5) The site plan provides for the safe movement of pedestrians within the site;

Given the industrial nature of this project, little pedestrian movement is expected within the site. Customer parking area is provided adjacent to the building, with employee parking planned to the north.

Summary

The site plan, with the limited waivers from the perimeter parking lot landscaping and bufferyard landscaping requirements and as conditioned, is in conformance with the Land Development Code.