

**CITY PLANNING COMMISSION AGENDA**

**FILE NOS:**

**CPC ZC 16-00018 – QUASI-JUDICIAL**  
**CPC CP 16-00019 – QUASI-JUDICIAL**

**STAFF: MICHAEL TURISK**

**PROJECT: SPRINGS WASTE**

**APPLICANT: TERRA NOVA ENGINEERING, INC.**

**OWNER: OLGA ZHUKOVA**



**PROJECT SUMMARY:**

**1. Project Description:**

The vacant subject properties located near to the northwest corner of Drennan Road and South Academy Boulevard that regard this request for a zone change and concept plan include three platted lots that are approximately 10.7 acres in total and addressed as follows: 3640 (Lot 1), 3720 (Lot 2) and 3760 Drennan Rd. (Lot 3).

The area in proximity to the site, particularly south and west, is zoned M-1, with PUD, PBC (Planned Business Center) and C-6 zoning to the north, east and southeast, respectively. The nature of development consists of primarily industrial-type uses; however, the PUD to the north includes the Lamplighter Mobile Home Park. Utility easements were vacated per a waiver of replat approved in 2011.

Note that garbage service companies are not permitted uses in the current C-6 zoning district and require a conditional use in the M-1 zoning district. Therefore, the Planning Commission will consider in the near future a conditional use development plan in order to fully entitle the proposed project.

2. Applicant's Project Statements: (FIGURES 1 and 2)
3. Planning and Development Team's Recommendation: Approve the zone change request from C-6 to M-1 and the associated concept plan.

#### **BACKGROUND:**

1. Site Addresses: 3640; 3720; and 3760 Drennan Road
2. Existing Zoning/Land Use: C-6/CU/AO -- General Business with Conditional Use and Airport Overlay
3. Surrounding Zoning/Land Use:  
North: PUD (Planned)/Lamplighter Mobile Home Park  
South: M-1 (Light Industrial)/Truck and auto storage  
East: PBC (Planned Business Center)/Boychuk Avenue  
West: M-1 (Light Industrial)/vacant
4. Comprehensive Plan/Designated 2020 Land Use: Mature Redevelopment Corridor
5. Annexation: Pinehurst Addition #2; 1969
6. Master Plan/Designated Master Plan Land Use: The property is located in the Academy Boulevard Corridor Great Streets Plan which as adopted as an element of the City Comprehensive Plan in 2011. This document does not identify site-specific land uses. It does identify this area (intersection of Academy Boulevard and Drennan Road/Proby Parkway) as "minor gateway" intersection. By comparison, the Academy Boulevard/Hancock Expressway intersection to the north is identified as a major activity node. (See analysis of Comprehensive Plan below)
7. Subdivision: Katie Meade Subdivision
8. Zoning Enforcement Action(s): None
9. Physical Characteristics: The property is unimproved and flat.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Public notice was provided to 14 property owners within 500-feet of the subject property during the internal review and prior to the Planning Commission meeting. Public notice, however, did not generate comments. In addition, staff convened a neighborhood meeting on February 29, 2016 to provide opportunity for the applicant and staff to present the proposal to potentially interested neighbors, but there were no attendees. Notice was also posted on-site for both the internal review and the Planning Commission Hearing.

As of this report, staff has not received any comments regarding the proposed rezoning and associated concept.

The applications were also sent to internal agencies for review and comment. Review agencies for this project included Traffic Engineering, City Engineering, and Fire Prevention and their review comments have been addressed.

## **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

Review Criteria/Design & Development Issues:

### *Zone Change*

The request is to rezone the 10.7-acre site from C-6/CU/AO (General Business with Conditional Use and Airport Overlay) to M-1 (Light Industrial)/CU/AO in order to accommodate light industrial uses to potentially include a garbage services use. The project site lies adjacent to a comparatively large area of industrially-zoned properties to the west, as the Drennan Road corridor from South Academy Boulevard westward accommodates a number of M-1 and M-2 properties, one of the largest such areas with contiguous industrial zoning in the City. The rezoning request is considered a reasonable extension of existing industrial zoning in the area, and given the scope of this particular garbage services use (no on-site garbage storage is proposed), the rezoning action is not considered one that would threaten public health, safety and/or welfare.

### *Concept Plan*

The concept plan (FIGURE 3) illustrates a proposed approximately 22,000 square-foot maintenance and storage building and a 4,000 square-foot administration building with associated parking for trucks and various personnel. Ingress and egress would be provided via Boychuk Avenue. A possible future 24,000 square-foot administration/customer service building would be constructed at the western portion of the subject property. (A driveway would be cut via Drennan Road to accommodate any future administration building). A water quality/detention feature would be at the northwestern portion of the property. Although the proposed conceptual use is defined per City Code as a garbage services company, the project would not include a landfill or on-site storage of refuse and/or recyclables. Rather, the site would be used to store and maintain Springs Waste's fleet trucks and other vehicles, and would include an administrative building to coordinate route logistics and provide other administrative functions. The site would in essence be a point of departure for trucks embarking on pick up routes during the day and would act as a parking or storage area after operating hours. Because the site would not accommodate a landfill or recycling facility, the proposed concept would likely have much less potential for significant off-site impact upon on the area particularly the residential Lamplighter community to the north. The Lamplighter Mobile Home Park lies to the north, separated by the subject property by a comparatively wide (approximately 100-feet) City-owned drainage way. In order to help mitigate any negative off-site impacts generated by the use, perhaps most notably from potential noise and visual impacts, the applicant has proposed an extensive landscape buffer and opaque screening along the north property boundary. Landscape buffering and screening are the most practical, achievable and effective techniques for separating and mitigating potentially incompatible uses. Such measures provide protection for residential uses, including from noise and, more obviously, from visual impacts. These measures along with a comparatively large setback proposed at the north property boundary would combine to provide an even more effective means of separation and impact mitigation from the proposed industrial district.

Real Estate Services has requested an avigation easement given the site's location within the City's Airport Overlay. In addition, the Airport Advisory Commission (AAC) was provided notice of the application, and approved a "no objection" recommendation for the property and proposed use.

The proposed concept generally complies with the review criteria. As was noted, the applicant has proposed mitigating potential for off-site impacts by providing for a landscape buffer and opaque screening along the north property boundary adjacent to the drainage way that provides for additional setback; this should provide adequate measure of potential off-site impact mitigation for the residential community to the north. In addition, the applicant has indicated that loading docks shall not be oriented to the north towards the Lamplighter community. The rezoning and concept are considered reasonable given that the site is proximate to other industrial-zoned properties and uses.

Staff has reviewed the zone change request and the associated concept plan and finds that the applications are consistent with the review criteria and standards of the City Code.

**Conformance with the City Comprehensive Plan:**

The City's Comprehensive Plan indicates at least one objective, policy and strategy that support the proposed rezoning and associated concept. They include:

*Objective LU 2: Develop a Land Use Pattern That Preserves the City's Natural Environment, Livability, and Sense of Community*

A focused pattern of development makes more efficient use of land and natural and financial resources than scattered, "greenfield" development. In contrast to dispersed patterns of development, a consolidated pattern helps to decrease traffic congestion and facilitates the ability of the City to provide needed services and public facilities, such as street maintenance, public transit, police and fire protection, and emergency services.

*Policy LU 201: Promote a Focused, Consolidated Land Use Pattern*

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

*Strategy LU 801f: Plan and Locate Mixed Uses to Serve Industrial Areas*

Plan and locate complimentary mixed-use centers to serve the needs of employees in industrial areas, including commercial, service, and restaurant uses.

The Comprehensive Plan designates this area of the City as a *Mature Redevelopment Corridor*, corridors that "...line older arterial streets and state highways with retail uses and auto-oriented services developed in a typical strip commercial pattern, with multiple curb cuts, individual parking lots, cluttered signage, and small lots." However, of particular relevance to this request, Mature Redevelopment Corridors also provide for significant infill and redevelopment opportunities.

Per the recently adopted Infill Comprehensive Plan Supplement (March 2016), “Infill projects seeking approval or consideration of zoning changes should generally be supported if they advance the overall infill and redevelopment principles, goals and outcomes...” The City has a great deal of capacity for infill, with over 7,000 acres of vacant and developable land.

One of the Plan’s goals relevant to this request speaks to “substantial development and redevelopment need on sites that present an opportunity for conversion to new and/or intensified uses.” The proposed rezoning and concept represent property development in an older and largely developed area of the City. The Supplement considers the development of large vacant properties, such as this, as infill, particularly when largely surrounded by pre-1980 development as is somewhat the case here.

Given the above, it is the finding of the City’s Planning and Community Development Department that the rezoning request and associated concept plan conforms to the City’s *Comprehensive Plan 2020 Land Use Map* and the Plan’s Goals and Objectives.

**1. Conformance with the Area’s Master Plan:**

The Academy Boulevard Corridor Great Streets Plan (“Plan”) identifies the site within the “Proby Portal” which is further described as a “Mixed Use Gateway Intersection” in terms of challenges for this intersection,

Generally, the Plan is fairly permissive in addressing potential land use changes and recognizes the need to be relatively adaptable to the evolving market, including an acknowledgement that parts of Academy Boulevard are “over-retailed”. However at the same time, the Plan recommends against uses that may not be compatible with the redevelopment context at a given location. In this case that context is somewhat unique given the proximity of the commercial area to the south, the residential area to the north, and heavier industrial uses to the west, and further south.

The Plan notes the limited traffic flow east of Academy Boulevard along with access limits created by the new interchange. The Plan also notes a limited area immediately available for large scale mixed use redevelopment. There are no specific opportunities identified for this quadrant. The short term recommendation for this site is to “support higher density mixed uses with a residential focus. In terms of long term recommendations immediately applicable to this property, the Plan had recommended the potential for a transit facility in this area. Staff notes that this recommendation is no longer particularly applicable because an alternate location (closer to Hancock Expressway) has now been planned and recommended for this use.

**STAFF RECOMMENDATION:**

**CPC ZC 16-00018 – ZONE CHANGE**

Recommend approval to City Council the zone change of the 10.7-acre property from C-6/CU/AO (General Business with Conditional Use and Airport Overlay) to M-1 (Light Industrial)/CU/AO located at 3640, 3720 and 3760 Drennan Road based on the finding the rezoning complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries).

**CPC CP 16-00019 – CONCEPT PLAN**

Recommend approval to City Council the Springs Waste concept plan for the 10.7-acre property located at 3640, 3720 and 3760 Drennan Road based on the finding the concept plan complies with the review criteria in City Code Section 7.5.501.E (Review Criteria for Concept Plans).