



**SP-13-00423:** A site plan for a Construction Sales and Service use (Mendard's) located at 1900 W 31<sup>st</sup> Street (temporary address). Submitted by Menard, Inc, for Menard Inc. current property owner of record.

**ADMINISTRATIVE DETERMINATION:** The Planning Director approves the above-described Site Plan subject to the following conditions:

1. Recording of a final plat with the Register of Deeds Office prior to release of the site plan for issuance of a building permit.
2. Approval of a local floodplain development permit prior to issuance of a building permit.
3. Applicant shall provide a site plan performance agreement.
4. Prior to release of the site plan for issuance of a building permit, a drainage plan shall be accepted and aligned with the Public Improvement Plans for this development per the approval of the City Stormwater Engineer.
5. Applicant shall provide a revised site plan that includes the following notes and changes:
  - a. Revise pages with multiple notes to number notes for easy reference specifically pages CT1o and CT10.
  - b. Revise all sheets to show correct lot areas for all lots shown on sheets per the Final Plat.
  - c. Revise sheets CT1o and CT8 to include the following note: *"Any glare produced from the yard lights, if found to be unreasonable by staff, shall be resolved through additional shielding or other means."*
  - d. Revise Sheet CT1o to include the following note: *"Per section 20-1006 (b): exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utility boxes and meters, shall be fully screened from view of adjacent properties and from street rights-of-way. Screening shall be in the form of landscape plantings or an architectural treatment compatible with the architectural detail of the principal building."*
  - e. Provision of a revised site summary on page CT1o to show correct total pervious and impervious summary.
  - f. Correction to pages CT9, CT1o to show the total building area used in parking and building calculations.
  - g. Revise page CT1p to include the following note: "Parking Required is 411. Parking Provided is 410".
  - h. Correct the number of parking spaces provided in the calculation for parking lot landscape requirements on page CT1p.
  - i. Show symbol for bike rack parking on sheet CT1p.
  - j. Revise page CT1p to add accessible parking lot detail on same page.
  - k. Correction to pages CT9 and CT1m, CT1o, CT10, and CT11, to show consistent square footage for warehouse building.
  - l. Revise Sheet CT3 to provide width and height of garage doors at guard shack on east side of building.
  - m. Remove landscape legend from Sheet CT1m
  - n. Revise page CT3 to state if overhead doors are mechanical or manual. If mechanical, then add note to include Opticom access control for fire apparatus. If manual, install Knox padlocks on the doors for access into rear of building.
  - o. Revise page CT11, overall utility plan to match easements approved with final plat and public

improvement plans.

**ASSOCIATED CASES**

- A-13-00340; annexation of 8.4 acres
- B-14-00200; floodplain fill in the building setback
- FP-14-00199; floodplain development permit
- PF-14-00201 – Final Plat Menards Addition – pending
- PP-13-00338: Preliminary Plat approved by the Planning Commission on November 18, 2013 subject to several conditions and including a variance for reduced arterial street right-of-way width for W 31<sup>st</sup> Street.
- Z-13-00071; RM12 to CR; 41.15 Acres
- Z-13-00337; A to CR and CR-FP; 8.5 acres

**KEY POINTS**

- Site plan provides concept development for entire area in CR district per code.
- Site plan is specific to development of Menards Store.

**OTHER ACTION REQUIRED**

- Acceptance of easements and rights-of-way shown on a final plat by the City Commission.
- Approval of a Final Plat and recording of the final plat with the Register of Deeds Office.
- Approval of Public Improvements Plans prior to recording the Final Plat.
- Submittal of 1 copy of the approved site plan for release to Development Services for building permits in a digital format.
- Notification of determination to be provided to property owners within 200' of the property per 20-1305 (k). Site Plan may not be released for 9 days following approval if an appeal is filed.

**PLANS AND STUDIES REQUIRED**

- *Traffic Study* – Accepted by Staff
- *Downstream Sanitary Sewer Analysis* - The downstream sanitary sewer analysis and cover letter dated August 19, 2013 provided by Landplan Engineering has been reviewed and is accepted for this project to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
- *Commercial Design Standards* – Applicable to this project.
- *Drainage Study* – Stormwater Engineer noted revised study may be required based on final review of Public Improvement Plans.
- *Retail Market Study* – Not required for application.
- *Alternative Compliance* – Requested waiver for reduction in off-street parking from 411 spaces to 410 spaces and to reduce the amount of interior green space from 16,280 SF to 10,899 SF.

**COMMUNICATIONS RECEIVED**

1. Request for notification of Site Plan determination received from adjacent property owners:
  - a. Dan Watkins on behalf of Plaza Lawrence LLC.
  - b. Joanne Zingo-Hargis, resident regarding lighting.

<b>GENERAL INFORMATION</b>	
Current Zoning and Land Use	CR (Regional Commercial) District; former Gaslight Village mobile home park.

Surrounding Zoning and Land Use	<p>To the North: RM12 (Multi-Dwelling Residential), RS7 (Single-Dwelling Residential) and OS (Open space) Districts; Existing residential uses and Naismith Valley Park.</p> <p>To the East: OS (Open Space) and CR (Regional Commercial) Districts; undeveloped land, proposed Lot 2, (4.79 Acres)</p> <p>To the South: CR (Regional commercial) District, undeveloped land, proposed lots 5, 6 and 7).</p> <p>To the West: PD [Home Improvement Residential PRD], [Home Improvement Center PCD] and CS (Commercial Strip) District. Existing commercial development</p>
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Legal Description: Property must be platted prior to release of the site plan for issuance of a building permit. General legal description is proposed *Lot 1 Block 1, Menards Addition*. Recording of the Final Plat is a requirement prior to issuance of a building permit.

<b>SITE SUMMARY</b>		
	<b>Existing</b>	<b>Proposed</b>
Land Use:	Vacant	Commercial
Land Area (sq ft): Lot 1, Block 1	916,632 SF (21.043 Acres)	916,632 SF (21.043 Acres)
Total Impervious Area (sq ft): % Impervious	Not Correctly Provided 115,690 SF (17%)	Not Correctly Provided 663,112 SF (68%)
Total Pervious Area (sq ft):	Not Correctly Provided 772,356 SF (83%)	Not Correctly Provided 295,240 SF (32%)

<b>Total Building Summary</b>	<b>Existing</b>	<b>Proposed</b>
<i>Existing Buildings</i>	<i>5,220 SF</i>	0 SF
Menards Store	0 SF	202,948 SF
Warehouse Building	0 SF	47,426 SF
Gate Canopy Guard Building	0 SF	1,350 SF 70 SF

Exterior Storage Area	0 SF	149,542 SF
North Buffer Yard (required open space)	0 SF	226,400 SF (24.69%)
Total Building Cover: store, warehouse and canopy area.	0 SF	251,724 SF (27%)

### SUMMARY OF REQUEST

This application is for the development of a big box retail use (Construction Sales and Service) with exterior storage yard for sales and display. The proposed use is Menards. Section 20-1305 (f)(xix) requires a site plan, in the CR District, be provided for all area in that district under the same ownership. Additionally, if the entire site is not proposed for development in the immediate future, then the initial site plan application shall contain a proposed phasing schedule, showing the sections of the property shall that will developed and in which order and showing in which phases the easements, driveways, parking areas and landscaping will be included. This application includes the entire property currently zoned CR. Sheet CT10 of the site plan shows the conceptual development of the lots that are not specifically related to Menards. The initial development will include the construction of a detention pond, Tract A, Menards store and surface parking lot, Lot 1, and a shared interior access drive between Ousdahl Road and Michigan Street along the north side of Lot 4 – Lot 7.

This site plan is primarily for the development of the Menards site as the anchor use within the CR district. Future site plans will be required for development of each additional lot. There is no assigned timing for the development of these lots. The interior access and street trees along W 31<sup>st</sup> Street will be included with the initial phase of this development.

A significant element of this project includes the extension of the multi-use recreation path extended north of W 31<sup>st</sup> Street to the north 200' buffer area along the north side of Lot 1 and a connection from Ousdahl Road to the Naismith Park multi-use recreation path. Construction of this path will include off-site improvements and are included in the Public Improvement Plans for this development.

### PARKING SUMMARY

<i>Use</i>	<i>Parking Requirements</i>	<i>Spaces required</i>	<i>Spaces Provided</i>
Construction Sales and Service	1 space per 500 SF + 1 space per acre outdoor storage or assembly	202,948 SF = 406 4.5 Ac = 5 411 spaces	410 spaces

The site plan shows a parking area located in the front of the Menards store north of the interior access drive. Parking spaces are also provided adjacent to the building along the west half. The required parking for this use is 411 spaces shown in the summary above. The site plan provides 410 spaces. As the overall area develops additional parking areas will be provided to the east and south. The uses of the undeveloped lots are unknown at this time. It is assumed that shared parking is likely within the development depending on the uses and the overlapping hours of operation. This is a common scenario for commercial development with multiple uses.

Section 20-1305 (b)(3)(v) allows the Director of Planning to waive certain design standards for good cause shown. This request represents a large development with future commercial uses. It is

anticipated that the reduction of one parking space for this development will not be harmful to the development and efficiency of the site.

## **STAFF REVIEW**

### **Landscaping and Screening**

*Street Trees:* This development includes multiple lots as part of the overall plan. The initial development will include Menards, which is adjacent to Ousdahl Road. This segment of Ousdahl Road is approximately 530' long. This frontage is developed with both parking lot and exterior storage yard uses. The parking lot is also provided with a 3' berm. The proposed site plan provides the required number of street trees along Ousdahl Road.

This development also proposes the installation of street trees along W 31<sup>st</sup> Street between Ousdahl Road and Michigan Avenue as part of the initial phase of development. Lot 3 located east of Michigan is not proposed to be provided with street trees at this time.

*Interior Landscaping:* The proposed development includes 410 off-street parking spaces. The total interior green space area required for this development is 16,400 SF. This site plan proposes 10,899 SF within the parking lot interior. Development of the site also includes a 200' buffer along the north property line and the extension of a multi-use path to connect, off-site, with the Naismith Valley recreation path. The property is encumbered by regulatory floodplain. A designated wetland area is located in the northeast corner of the site and includes 35,037 SF. The north bufferyard area and the wetland areas do not address interior landscaping as it pertains to the parking lot area located on the south side of the site. However, they do represent 226,400 SF (24.6%) of the site.

Interior landscaping within the parking lot includes large linear islands along the north side of the access drive as well as several smaller landscape islands within the parking lot interior. This site includes a 40' wide gas easement that requires open areas at regular intervals for gas line maintenance. The interior islands are located to accommodate this maintenance. Islands will be developed with a mix of shade trees and ornamental plants to meet the required landscape mix of plants. Because the interior green space does not meet the minimum required area, the applicant has requested consideration of alternative compliance.

*Perimeter:* Perimeter screening is applicable to that part of the parking lot adjacent to public right-of-way. The Lot 1 Menards site abuts only Ousdahl Road along the west property line. The parking lot includes street trees as well as a 3' berm to meet the screening requirements.

Similar treatment is provided along the north side of the interior access easement. Though this is not a public street, uniform design has been applied to that part of the parking lot adjacent to the shared access drive.

*Bufferyard Requirements:* Lot 1, Menards site is adjacent to similar zoning to the east, west and south. Approval of the zoning for this property established a 200' buffer along the north property line. Use of this area is restricted to open space, utility and passive recreation uses. The extension of the City's multi-use path will be located within this space. The site plan includes the addition of shade trees in this area. Shrubs and trees are provided along the backside (neighbor side) of the fence to mitigate the impact of the fence and warehouse structures used to fence and screen the exterior yard area and to buffer the residential uses from the proposed commercial activity.

*Mechanical Equipment:* Development of this site includes a large generator and transformer located in the parking lot. This equipment is screened with both a fence and landscaping materials. Any additional building mechanical equipment will also require screening in accordance with section 20-1006. Staff recommends a note be added to page CT1o that states all equipment shall be screened per the City Code.

*Alternative Compliance.* Section 20-1007 allows the Planning Director to consider alternative compliance for required landscape elements. This application represents a request to allow a reduction for the required landscape area within the parking lot. As described above the parking lot includes an exclusive gas line easement that limits the amount of open space that can be provided. Additionally, this development proposes to maximize the number of parking spaces provided but still does not meet the required off-street parking standard by one (1) parking space. The addition of more interior green space will result in the further reduction of required parking for this use. The proposed site plan exceeds the number of interior trees and shrubs required for development.

- 41 tree required – 45 trees proposed
- 123 shrubs required – 130 shrubs proposed

Additionally, the site includes street trees along W 31<sup>st</sup> Street as part of the initial phase of improvements rather than deferring the plantings until development of the adjacent lots. These improvements along with the planned shade trees located along the multi-use path provide a reasonable alternative to the requirement.

### **Lighting**

The applicant provided a point-by-point photometric plan for this development. The lighting levels are compliant with the standards in Section 20-1103(d) (3). During the public hearing for the commercial zoning of the project, lighting concerns were identified as they relate to the adjacent residential uses to the north. The applicant agreed that lighting along the rear fence would not extend above the fence line (14'). The typical lighting detail for this project is to locate lighting fixtures above the top of the fence. This standard lighting pattern is intended along the east and west sides of the yard area.

The lighting fixtures are being revised to include shields and a note that indicates, "Any glare produced from the yard lights, if found to be unreasonable by staff, will need to be resolved through additional shielding or other means." Resolution could include lowering lights to match the fence height to eliminate glare. Staff recommends this note be added to the face of the site plan and to the lighting plan.

### **Commercial Design Standards**

The proposed façade is compliant with the Commercial Design Standards. The building façade contains both vertical and horizontal variation and a mix of materials is being used.

### **Pedestrian Connectivity**

Interior sidewalks are provided along Ousdahl Road extended to the north and along the front of the building. Pedestrian amenities are provided along the front of the site with benches and a covered area. Additional pedestrian connections and amenities will be considered with the development of the remaining out lots.

### **Signage**

The site plan was submitted with signage details shown on sheet CT3. This sheet also includes the details for the yard entrance elevation and guard shack. Signage is specifically not approved with this

site plan. A separate permit application for review and approval is required for site signage. The site plan indicates that a monument sign is proposed on Lot 7 on the northeast corner of W 31st Street and Ousdahl Road. Additional review and approval of the final location, signage, and dimensions will be required. A note on sheet CT3 acknowledges the requirements for a sign permit.

### **Access**

Vehicular access to this site is provided from Ousdahl Road on the west and Michigan Street extended on the east. An internal access drive that will function as an interior reverse frontage road connects Ousdahl Road and Michigan Street. Three driveways provide access to Lot 1 for Menards from the interior access driveway.

### **Floodplain/Drainage**

A portion of this property is located within the regulatory floodplain and is subject to a local Floodplain Development Permit. Approval of the site plan is subject to approval of the Floodplain Development Permit prior to issuance of a building permit.

This site includes the development of a retention basin in the northwest part of the site (Tract A). Tract A will provide the fill material to elevate the pad site to a finished floor elevation of 840 mean sea level. The current elevation of the property for the Menards's pad site is approximately 830 mean sea level) northeast corner of the site and the front of the site. Tract A is designed to collect stormwater in this area then discharge it to the northeast along the north property line in a new drainage easement. The basin is sized to adequately accommodate development of the property within the boundary of the Menards Additional Final Plat.

### **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;**

At the time, the site plan was submitted, a final plat had not yet been submitted or approved. The Planning Commission approved a preliminary plat for the property on November 18, 2013. A final plat was submitted for review on May 7, 2014 and is currently being processed. A condition of approval requires the final plat to be recorded with the Register of Deeds Office prior to release of the site plan for issuance of a building permit.

#### **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;**

The proposed site plan complies with the City Code as noted in the body of this staff report. The proposed development provides a 200' buffer between the proposed use and the existing residential use to the north as required by the rezoning Ordinance No. 8870. A reduction in the required off-street parking and interior landscape areas are included with this application.

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

This property is zoned CR (Regional Commercial) District. The rezoning includes restricted uses per Ordinance No. 8870. Additionally, development is prohibited along the north 200' adjacent to the residential uses.

The proposed development of the "*Construction Sales and Service*" use to be known as Menards is an allowed use in the CR 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 and;**

Additional widening for W 31st Street is required with this development to accommodate required turn lanes at Michigan Street. Additionally Michigan Street north of W 31st Street will be extended with this development. The Menards Store will not take direct access to W 31st Street or Ousdahl Road or Michigan Street. Direct site access is provided via an interior access driveway parallel to W 31st Street between Ousdahl Road and Michigan Street.

A traffic signal at Michigan Street may be required in the future following completion of road improvements and the South Lawrence Trafficway. The property within the Menards Addition (all lots) would be expected to participate in the financing for any future signal improvements if determined necessary. Staff recommends the applicant execute an agreement not to protest the formation of a benefit district for future signal improvements for Michigan Street. Since this property is also being final platted, staff recommends the agreement be executed with the final plat and recorded concurrently with the final plat.

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

However, interior sidewalks are provided between W 31st Street and the Menards store along Ousdahl Road and Michigan Street extended. This element will continue to be considered as the outlots are developed in the future.

### **Conclusion**

Several minor changes are required on the face of the site plan and are reflected as conditions of approval. A Final Plat is being processed for this site. The Final Plat and related Public Improvement Plans must be approved and the Final Plat recorded with the Register of Deeds Office prior to release of the site plan for a building permit.