



**Environmental
Planning
Commission**

**Agenda Number: 9
Project Number: 1001275
Case #: 08EPC 40020
April 17, 2008**

Supplemental Staff Report

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| Agent | George Rainhart Arch. & Assoc. |
| Applicant | Doppco Investors II LLC |
| Request | Site Development Plan for Building Permit |
| Legal Description | Lot 3, Lowes Subdivision |
| Location | NM 528 NW, between Coors Boulevard NW and Ellison NW |
| Size | Approximately 3 acres |
| Existing Zoning | SU-1 for C-2 Uses & IP Permissive Uses |
| Proposed Zoning | Same |

Staff Recommendation

APPROVAL of 08EPC 40020, based on the findings beginning on page 3, and subject to the conditions of approval beginning on page 6.

Staff Planner

Anna DiMambro, AICP - Planner

Summary of Analysis

This is a request for a site development plan for building permit for Lot 3, Lowes Subdivision, an approximately 3-acre site located on NM 528 between Coors Boulevard NW and Ellison NW. The site is currently zoned SU-1 for C-2 Uses & IP Permissive Uses. No zone change is proposed. The applicant proposes to construct an approximately 15,400 square foot retail shops building and an approximately 4,000 square foot drive-thru fast food restaurant. These uses are permissive under the existing zoning.

This request was originally heard at the March 2008 EPC hearing, but the EPC voted to defer it for 30 days to allow the applicant time to “clean up” the site plan. The applicant has made a sufficient number of changes, and overall the proposed site development plan for building permit is now adequate. This request furthers a preponderance of applicable policies and is in compliance with most applicable regulations. Staff recommendation is for approval with conditions.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 2/11/08 to 2/22/08. Agency comments were used in the preparation of this report and begin on page 20 of the original staff report.

This request was originally heard at the March 20, 2008 EPC hearing. The EPC voted to defer this request for 30 days due to some inconsistencies in the site plan and some minor revisions necessary to “clean up” the request. There was also a lengthy discussion regarding the proposed monument sign and the dumpster enclosure adjacent to NM 528. This is a supplemental staff report and should be read in conjunction with the original staff report of March 20, 2008, which is attached.

NEW INFORMATION

On April 4, 2008 staff conducted an additional site visit focusing on free-standing signs throughout the Lowe’s Subdivision. The monument sign proposed is in conflict with the site plan for subdivision, which limits the entire Lowe’s Subdivision to 5 free-standing signs. Staff has prepared a map showing the location of each sign in the development and has also included photographs of each sign. Signs internal to the development were not counted. Staff counted 7 signs, many of which exceed the maximum height allowed by the Coors Corridor Plan. At the March EPC hearing some suggestions were made regarding the proposed monument sign. Among these suggestions were shared signage with a neighboring property or not allowing the proposed sign at all. The neighboring property to the west of the subject site is a shared tenant sign. Staff continues to recommend that the proposed sign be allowed but that it comply with height requirements of the Coors Corridor Plan. This will require an amendment to the governing site development plan for subdivision and a ZHE variance from Coors Corridor sign number regulations.

The applicant submitted revised site plans to staff on April 8, 2008. These plans incorporate some of the concerns raised at the March hearing and also address some of the previously recommended conditions of approval. The dumpster enclosure that was raised as a concern at the hearing has not been relocated as suggested. However, the applicant has placed additional landscaping to screen the enclosure from NM 528.

Also at issue at the March EPC hearing was the orientation of the fast food restaurant. The original staff report was based upon the fast food elevations’ labeling, which indicated that the front of the building faced NM 528. The applicant revealed at the hearing that the elevations were mislabeled, and that the intention was actually for the rear of the building to face NM 528. The proposed fast food restaurant has now been “flipped” so that the front of the fast food building is now intended to face NM 528 with the service entrances on the south side of the building. Because this was staff’s original understanding, the prior analysis continues to apply. The applicant has relocated motorcycle parking so that it is visible from the entrance of the fast food building.

CONCLUSIONS

This is a request for a site development plan for building permit for Lot 3, Lowes Subdivision, an approximately 3-acre site located on NM 528 NW between Coors Boulevard NW Ellison NW.

The site is currently zoned SU-1 for C-2 Uses & IP Permissive Uses. No zone change is proposed. The applicant proposes to construct an approximately 15,400 square foot retail shops building and an approximately 4,000 square foot drive-thru fast food restaurant. This use is permissive under the existing zoning.

This proposal furthers applicable policies of the Comprehensive Plan, the West Side Strategic Plan, the Coors Corridor Plan, and the Seven Bar Ranch Sector Development Plan. The proposal is in compliance with most applicable regulations. Overall, the proposed site development plan for building permit is adequate. The applicant has made necessary changes to the site plan since the March EPC hearing. Staff recommendation is for approval with conditions.

FINDINGS - 08EPC 40020, April 17, 2008 – Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Lot 3, Lowes Subdivision, an approximately 3-acre site located on NM 528 between Coors Boulevard NW and Ellison NW. The site is currently zoned SU-1 for C-2 Uses & IP Permissive Uses. No zone change is proposed. The applicant proposes to construct an approximately 15,400 square foot retail shop building and an approximately 4,000 square foot drive-thru fast food restaurant. These uses are permissive under the existing zoning.

2. The subject site is currently vacant and is located within the boundaries of the Established Urban Area, the West Side Strategic Plan, the 7 Bar Ranch Sector Development Plan, and the Coors Corridor Plan. The subject site is also a part of the Cottonwood Major Activity Center as designated by the Comprehensive Plan and the Seven Bar Regional Center as designated by the West Side Strategic Plan. There is a governing site development plan for subdivision with design guidelines.

3. This request furthers the following goals and policies of the Comprehensive Plan:
 - a. The proposed development will contribute to a full range of urban land uses (II.B.5.a).
 - b. The surrounding neighborhood is entirely commercial. The proposed use respects the existing commercial neighborhood's values. The proposed height for the building respects scenic resources, and because the surrounding land is almost entirely developed, natural environmental conditions are ideal for this type of development (II.B.5.d).
 - c. This development is proposed for a vacant site that is contiguous to existing urban facilities and services. The distance between the subject site and the nearest residential neighborhood is such that its integrity can be ensured (II.B.5.e).
 - d. The subject site is located to complement residential areas, but is far enough away from the nearest residential area that no adverse effects of noise, lighting, pollution, and traffic on residential environments should occur (II.B.5.i).
 - e. The subject site is currently commercially zoned and is located in a larger area-wide shopping center (II.B.5.j).
 - f. The applicant is proposing employment and service uses efficiently placed for nearby residential neighborhoods. Sidewalks and bike lanes, both existing and proposed, will facilitate pedestrian and bicycle access to the site. Transit is available on NM 528 (Transportation and Transit goal).

- g. The proposed use will add to diversified economic development and does not interfere with achievement of social, cultural, or environmental goals (Economic Development goal).
4. This request partially furthers policy II.B.5.1 of the Comprehensive Plan because while the proposed design cannot be said to be innovative, it is appropriate to the Plan area, which is dominated by corporate architecture.
5. This request furthers the following West Side Strategic Plan goals, objectives, and policies:
 - a. The applicant is proposing a service that can be used by West Side residents (Goal 12).
 - b. The proposed use will contribute to a complete mix of land uses on the West Side and will provide employment opportunities (Objective 1).
 - c. Approval of this request will promote job opportunities and business growth in an area of the West Side that is zoned for such uses (Objective 8).
 - d. The subject site is adjacent to a transit line. Existing and proposed sidewalks and bike lanes will provide pedestrian and bicycle access to the site (Policy 3.3).
 - e. This submittal complies with applicable design guidelines (Policy 4.6).
6. This request furthers the following policies of the Coors Corridor Plan:
 - a. This proposal is compatible with the roadway function of NM 528 and Coors Boulevard, with the existing zoning, with environmental concerns, and with most applicable design guidelines (Issue 3, Policy 5).
 - b. This proposal will establish appropriate visual impressions within the Coors corridor through its architecture and landscaping (Issue 4A, Policy 1).
 - c. This proposal is designed to be compatible with the built environment. It complies with most applicable design regulations and guidelines (Issue 4A, Policy 3).
 - d. Landscape design is complementary and is in accordance with most design regulations and guidelines (Issue 4B, Policy 4).
 - e. The submittal shows a sidewalk adjacent to but separate from the driveway. Pedestrian connections to surrounding commercial developments are also provided (Issue 4B, Policy 7).
 - f. Light fixtures will be full-cutoff types at a maximum of 20' high (Issue 4B, Policy 9).

- g. The applicant is proposing appropriate architectural design (Issue 4B, Policy 10).
7. This request partially furthers the following policies of the Coors Corridor Plan:
- a. Because the retail building is located so far from NM 528, the fast food restaurant has a drive-thru queue adjacent to NM 528, and because the rear of the retail building fronts the internal drive, the proposal cannot be said to have a pleasing or functional relationship to either roadway. However, the proposed retail building does bear a relationship to the retail shops to the west of the subject site (Issue 4B, Policy 2).
 - b. Parking is located in the front of the retail building. The majority of the street frontage is not dedicated to building architecture, although a wide landscape buffer is provided. (Issue 4B, Policy 5).
8. This request is in conflict with Policy 1, Issue 4d of the Coors Corridor Plan because the proposed monument sign is not compliant with number and height restrictions of the Plan. The same sign is also in conflict with free-standing sign guidelines of the governing site development plan for subdivision, which limits the entire development to 5 free-standing signs. Placement of the proposed monument sign will require both an amendment to the site plan for subdivision and a variance from the Zoning Hearing Examiner. Sign height will also need to be a maximum of 9'.
9. This request furthers the following goals of the Seven Bar Ranch Sector Development Plan:
- a. The applicant is providing an approximately 60' wide landscape buffer adjacent to NM 528 (Goal 2).
 - b. The applicant will provide a bike lane adjacent to the subject site on NM 528. Separate sidewalk systems are also provided (Goal 3).
10. Conditions of approval are required to bring the submittal into full compliance with all applicable policies and regulations.
11. There is no known neighborhood or other opposition to this request.

RECOMMENDATION – 08EPC 40020, April 17, 2008

APPROVAL of 08EPC 40020, a site development plan for building permit, for Lot 3, Lowes Subdivision, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 08EPC 40020, April 17, 2008 – Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Site Plan keyed note 13 shall be applied or removed from the plans.
4. Spelling errors in Site Plan keyed note 7 and in the parking calculations shall be corrected.
5. Restaurant parking requirements shall be based upon seating capacity, rather than square footage. Otherwise, a maximum seating capacity shall be assigned based upon the number of parking spaces provided.
6. An integrally colored raised, textured concrete crosswalk shall be provided from the subject site to the neighboring site to the south.
7. Lighting:
 - a. The applicant shall provide information in the submittal regarding color and material for building-mounted lighting on the fast food restaurant.
 - b. Building-mounted lighting shall be provided on the south façade of the retail building similar to the lighting fixtures on the front façade.

- c. The applicant shall provide a note stating that all lighting will be in compliance with Zoning Code §14-16-3-9.
8. Landscaping:
 - a. Groundcover, including 75% live groundcover, shall be shown in the tree planters in front of the retail building. Dimensions for these planters shall also be provided. Landscaping calculations shall be revised accordingly.
 - b. Landscaping shall be shown in the landscaping strip between two rows of parking.
 9. Correct lot size shall be shown on the Grading and Drainage Plan.
 10. The “Water Plan” shall be relabeled “Utility Plan.”
 11. Signage:
 - a. Monument sign height shall be limited to 9’.
 - b. The applicant shall obtain a variance from Coors Corridor Plan regulations on number of free-standing signs from the Zoning Hearing Examiner for the monument sign.
 - c. The applicant shall amend the associated site development plan for subdivision to allow the proposed monument sign.
 - d. A note shall be provided stating that all tenant signage shall be in compliance with the Zoning Code, the Coors Corridor Plan, and the site plan for subdivision.
 12. The submittal shall comply with all Solid Waste Management Department ordinances and requirements and have required recycle area.
 13. City Engineer conditions:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways

- (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - d. Provide cross access agreements.
 - e. At exit of drive thru lane provide 25' turning radii or carry 15' drive lane throughout.
 - f. Provide turning radius/template information to demonstrate trash enclosures can be accessed on south side of shops.
 - g. Site plan shall comply and be designed per DPM Standards.
 - h. Construction of the on-street bicycle lane along NM 528 adjacent to the subject property as designated on Long Range Bikeways System map.
 - i. This site is within the NMUI service area and their approval of the Utility Plan will be required prior to DRB sign off.
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***Anna DiMambro, AICP
Planner***

cc: Doppco Investors II LLC, 30195 Chagrin Blvd., Pepper Pike, Ohio, 44125
George Rainhart Arch. & Assoc., 2325 San Pedro NE, Ste 2A, Albuq. NM 87110

Attachments