

ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT

Date: March 20, 2008

<u>NAME</u>	Joseph Mramor
<u>SUBDIVISION NAME</u>	Mramor's Addition to Weinacker Avenue Subdivision
<u>LOCATION</u>	900 Weinacker Avenue (Southwest corner of Weinacker Avenue and the Illinois Central Gulf Railroad right-of-way, extending to the Southeast corner of Old Canal Street and Sunset Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 3
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>PROPOSED ZONING</u>	B-3, Community Business
<u>AREA OF PROPERTY</u>	1 lot /6.0± Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create one lot, Planned Unit Development Approval to allow two buildings on a single building site, and Rezoning from R-1, Single-Family Residential, to B-3, Community Business, to allow light warehousing.</p> <p>It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.</p>
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	No time frame provided.
<u>ENGINEERING COMMENTS</u>	<p>Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit</p>
<u>TRAFFIC ENGINEERING COMMENTS</u>	<p>Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.</p>

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**

Fire hydrants shall comply with Section 508.5.1 of the 2003 IFC.

REMARKS

The applicant is requesting Subdivision approval to create one lot, Planned Unit Development approval to allow two buildings on a single building site, and rezoning from R-1, Single-Family Residential to B-3, Community Business, to allow light warehousing in a proposed commercial subdivision. The applications will allow warehousing/light distribution. Warehousing/light distribution (under 40,000 square feet) is allowed by right in B-3 districts (over 40,000 square feet additionally requires Planning Approval).

The applicant states that the warehouse/light distribution uses will allow the site to accommodate future warehousing/light distribution purposes.

A large portion of the site was the subject of a site variance in 1967, which was approved by the Board of Adjustment. The approval permitted the construction of an 8,400 square feet, wholesale paper and janitorial supply warehouse, to within 3-feet of the side (south) and rear (west) property lines. The remaining southern portion was occupied as a juice company warehouse.

In 1991, a rezoning application was submitted requesting the site be rezoned from R-1, Single-Family Residential to I-1, Light Industry to allow a custom cabinetry and millwork use. The request was approved by the Commission at its June 20, 1991 meeting. However, the rezoning amendment (City Council) with a vote of four ayes and two nays failed due to a lack of the required majority.

It should be noted prior to the adoption of the first Zoning Ordinance (June 1, 1967), this site was zoned C-3 (Light Industrial) and would have accommodated this proposed use by right.

The site is bounded to the South by residential properties in an R-1, Single-Family Residential District. East by grandfathered residences and a lumber/wood products business in an I-1, Light Industry district, West of the site are undeveloped/vacant property in a R-1, Single-Family district, while North, across Old Canal Street, are non-conforming lumber/wood products uses in an R-1, Single-Family residential district.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a

particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The site is depicted as industrial on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

As stated in Section 64-5. of the Zoning Ordinance, 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 approval is site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

The proposed site/layout plan indicates that the proposed parking area layout and buffer requirement. The site plan does not reflect which street the curb cuts are proposed, however, the site should be allowed one curb cut to Old Canal Street and two curb cuts to Weinacker, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards.

The proposed re-development illustrates no on-site access to the property by large transports, and the proposed re-development will not facilitate movement on the site in terms of on-site circulation by a large transport. Fifteen parking spaces are proposed, however, as part of the development; however, no calculations are provided to verify if the site will comply with the parking requirements of the Ordinance. As stated, loading areas for the site also appear to require use of the public right-of-way by trucks to execute the turning movements necessary to access the existing building.

It should be noted that the maximum site coverage in a B-3 district is 50%, and it appears that existing structures of 8,428 square feet and 2,417 square feet are far below the maximum allowed (the site contains 6.0 acres, or 261,360 square feet). The applicant has requested a PUD to also allow the two existing buildings to remain for the re-development of the site. As previously stated, an application to the Board of Adjustment for use and reduced setbacks was approved in 1967; therefore, the Planned Unit Development application can include the reduced setbacks of the existing buildings.

No on-site storm water detention facilities are depicted on the site plan, however such facilities may be required due to the extent of the proposed re-development.

There is no indication on the site plan as to the proposed location of any dumpster or other waste storage facility. The location of the storage area for the dumpster must be indicated on the site plan, and the location and required screening must comply with Section 64-4.D.9. of the Zoning Ordinance, as well as with all other applicable regulations.

The site plan should also be revised to depict the existing parking and/or vehicular circulation for the remainder of the site.

Regarding compliance with the tree and landscape requirements of the Zoning Ordinance, the site would require full compliance with landscaping and tree requirements of the Ordinance.

As the re-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.”*

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.

The site fronts onto Old Canal Street, Weinacker Avenue, and Sunset Avenue, all minor streets. The right-of-way for Old Canal Street and Weinacker Avenue appear to be adequate, but the right-of-way for Sunset Avenue illustrates 40-feet, which is inadequate. Therefore, the plat and site plan should be revised to provide a minimum width of 25 feet from the centerline of the Sunset Avenue right-of-way, as required in Section V.B.14. of the Subdivision Regulations.

The site has property lines at one intersection. Section V.D.6. of the Subdivision Regulations requires that *“property lines at street intersection corners shall be arcs having radii of at least 10 feet or shall be chords of such arcs.”* The plat and site plan should be revised to reflect this requirement at the Old Canal Street/Sunset Avenue intersection, with the size of the radius to be approved by Traffic Engineering and conform to AASHTO standards.

The 25-foot minimum building setback line, required in Section V.D.9. of the Subdivision Regulations is not shown on the preliminary plat. Due to the street right-of-way dedication and the intersection curb radii requirements previously stated, the minimum building setback line should be revised to reflect these requirements, and should be depicted on both the site plan and the plat.

RECOMMENDATION

Rezoning: The rezoning request is recommended for holdover until the March 20th meeting, with revisions due to Urban Development by February 26th for the following reasons:

- 1) revision of the site plan to depict proposed dumpster storage locations, in compliance with Section 64-4.D.9. of the Zoning Ordinance;

- 2) revision of the site plan to depict existing on-site circulation and parking;
- 3) placement of a note on the site plan stating that lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic;
- 4) revision of the site plan and plat to provide a minimum right-of-way width of 25 feet, as measured from the centerline for Sunset Avenue, in compliance with Section V.B.14. of the Subdivision Regulations;
- 5) revision of the site plan and plat to provide the appropriate radii at the street intersection corners, in compliance with Section V.D.6. of the Subdivision Regulations;
- 6) revision of the site plan to accurately depict all existing curb-cuts, and modifications thereof (with reduction of excessive width curb-cuts where possible), as well as proposed curb-cuts;
- 7) depiction of a fence and landscape buffer, where the site abuts R-1 properties, as required by Section 64-4.D.1;
- 8) revision of the site plan to provide full compliance of the landscaping and tree requirements of the Ordinance for the entire site; and
- 9) revision of the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

Planned Unit Development: The PUD request is recommended for holdover until the March 20th meeting, with revisions due to Urban Development by February 26th for the following reasons:

- 1) revision of the site plan to depict proposed dumpster storage locations, in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 2) revision of the site plan to depict existing on-site circulation and parking;
- 3) placement of a note on the site plan stating that lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic;
- 4) revision of the site plan and plat to provide a minimum right-of-way width of 25 feet, as measured from the centerline for Sunset Avenue, in compliance with Section V.B.14. of the Subdivision Regulations;
- 5) revision of the site plan and plat to provide the appropriate radii at the street intersection corners, in compliance with Section V.D.6. of the Subdivision Regulations;
- 6) revision of the site plan to accurately depict all proposed curb-cuts, and modifications thereof (with reduction of excessive width curb-cuts where possible), as well as proposed curb-cuts;
- 7) depiction of a fence and landscape buffer, where the site abuts R-1 properties, as required by Section 64-4.D.1;
- 8)
- 9) revision of the site plan to provide full compliance of the landscaping and tree requirements of the Ordinance for the entire site; and
- 10) revision of the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

Subdivision: The Subdivision request is recommended for holdover until the March 20th meeting, with revisions due to Urban Development by February 26th for the following reasons:

- 1) revision of the site plan and plat to provide a minimum right-of-way width of 25 feet, as measured from the centerline for Sunset Avenue, in compliance with Section V.B.14. of the Subdivision Regulations;
- 2) revision of the site plan and plat to provide the appropriate radii at the street intersection corners, in compliance with Section V.D.6. of the Subdivision Regulations; and
- 3) revision of the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

Revised for the March 20 meeting:

The applications were heldover to allow the applicant to submit revised preliminary plat and site plan to address the conditions of the staff. At the time of printing no revisions to the preliminary plat or site plan were submitted.

RECOMMENDATION

Rezoning: The rezoning request is recommended for denial for the following reasons:

- 1) failure to submit revision of the site plan to depict proposed dumpster storage locations, in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 2) failure to submit revision of the site plan to depict existing on-site circulation and parking;
- 3) failure to submit placement of a note on the site plan stating that lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic;
- 4) failure to submit revision of the site plan and plat to provide a minimum right-of-way width of 25 feet, as measured from the centerline for Sunset Avenue, in compliance with Section V.B.14. of the Subdivision Regulations;
- 5) failure to submit revision of the site plan and plat to provide the appropriate radii at the street intersection corners, in compliance with Section V.D.6. of the Subdivision Regulations;
- 6) failure to submit revision of the site plan to accurately depict all existing curb-cuts, and modifications thereof (with reduction of excessive width curb-cuts where possible), as well as proposed curb-cuts;
- 7) failure to submit depiction of a fence and landscape buffer, where the site abuts R-1 properties, as required by Section 64-4.D.1;
- 8) failure to submit revision of the site plan to provide full compliance of the landscaping and tree requirements of the Ordinance for the entire site; and
- 9) failure to submit revision of the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

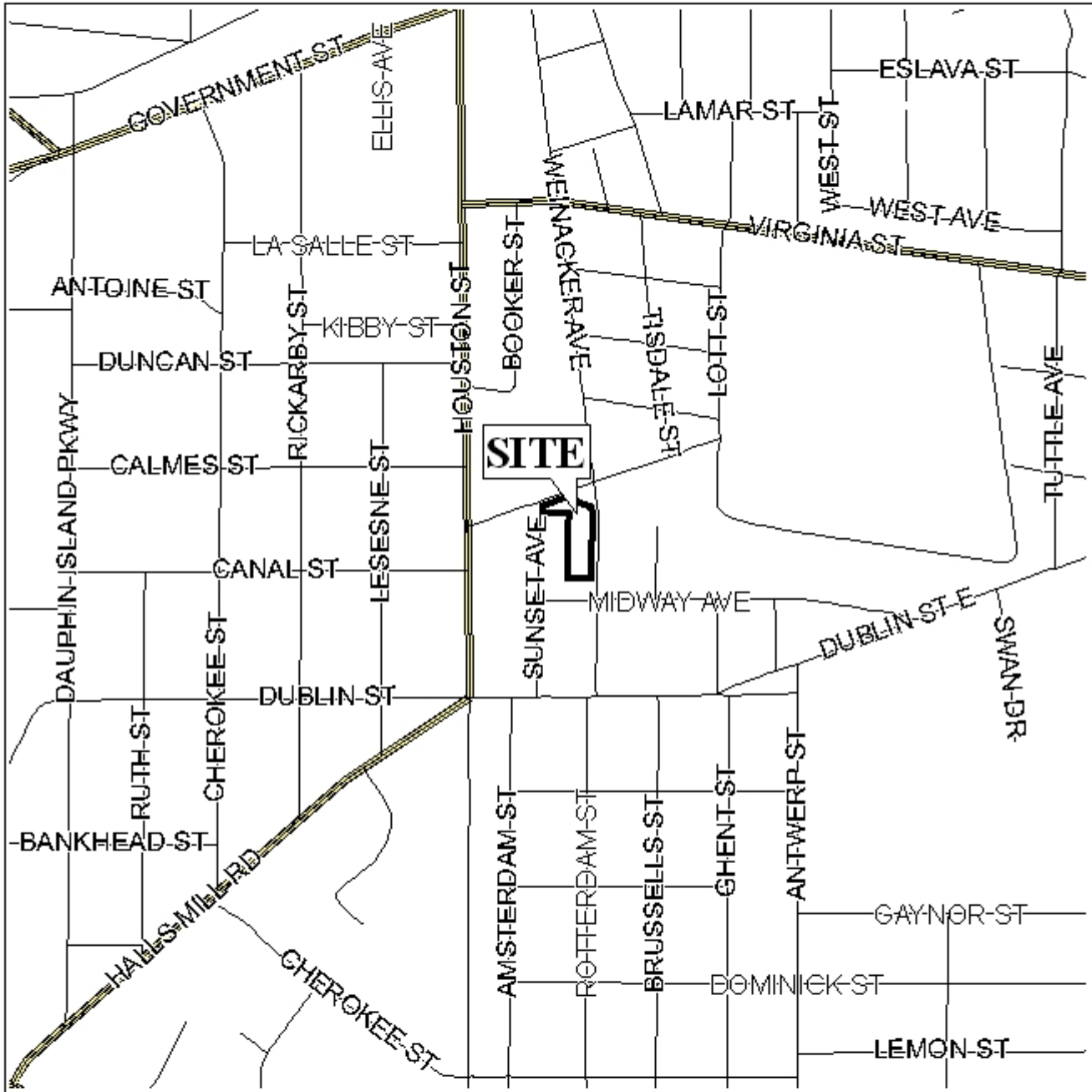
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- 7) failure to depict of a fence and landscape buffer, where the site abuts R-1 properties, as required by Section 64-4.D.1;
- 8) failure to submit revision of the site plan to provide full compliance of the landscaping and tree requirements of the Ordinance for the entire site; and
- 9) failure to submit revision of the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

Subdivision: The Subdivision request is recommended for denial for the following reasons:

- 1) failure to revise the site plan and plat to provide a minimum right-of-way width of 25 feet, as measured from the centerline for Sunset Avenue, in compliance with Section V.B.14. of the Subdivision Regulations;
- 2) failure to revise site plan and plat to provide the appropriate radii at the street intersection corners, in compliance with Section V.D.6. of the Subdivision Regulations; and
- 3) failure to revise the site plan and plat to depict the 25-foot minimum building setback line for the entire site, adjusted as necessary to accommodate the right-of-way dedication for Sunset Avenue, in compliance with Section V.D.9. of the Subdivision Regulations.

LOCATOR MAP



APPLICATION NUMBER 2,3,& 4 DATE March 20, 2008

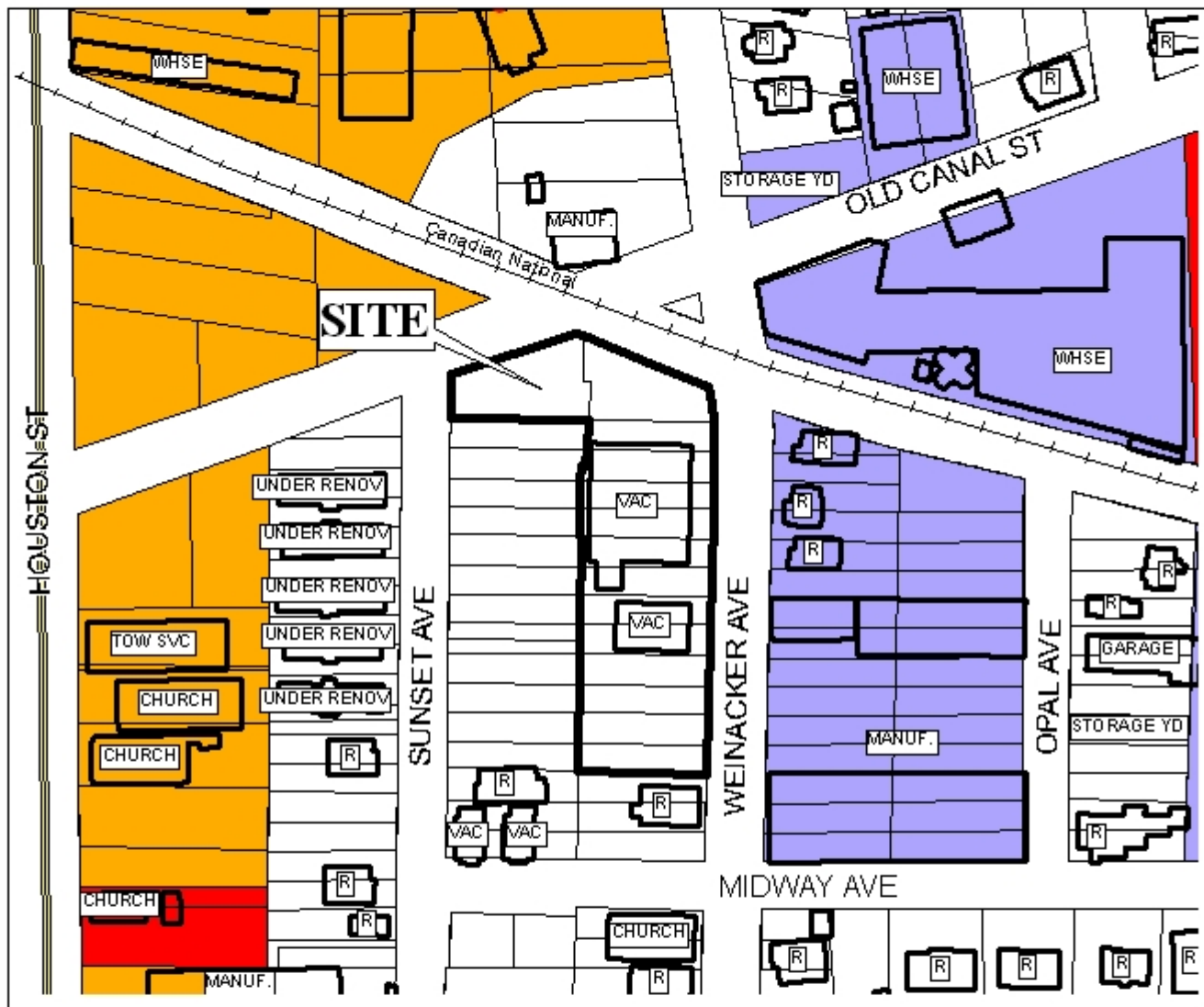
APPLICANT Joseph Mramor

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units and apartments to the west and southwest of the site. A church is south of the site, manufacturing is to the southeast and north. Also, there are single family residential units to the east.

APPLICATION NUMBER 2,3,& 4 DATE March 20, 2008

APPLICANT Joseph Mramor

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



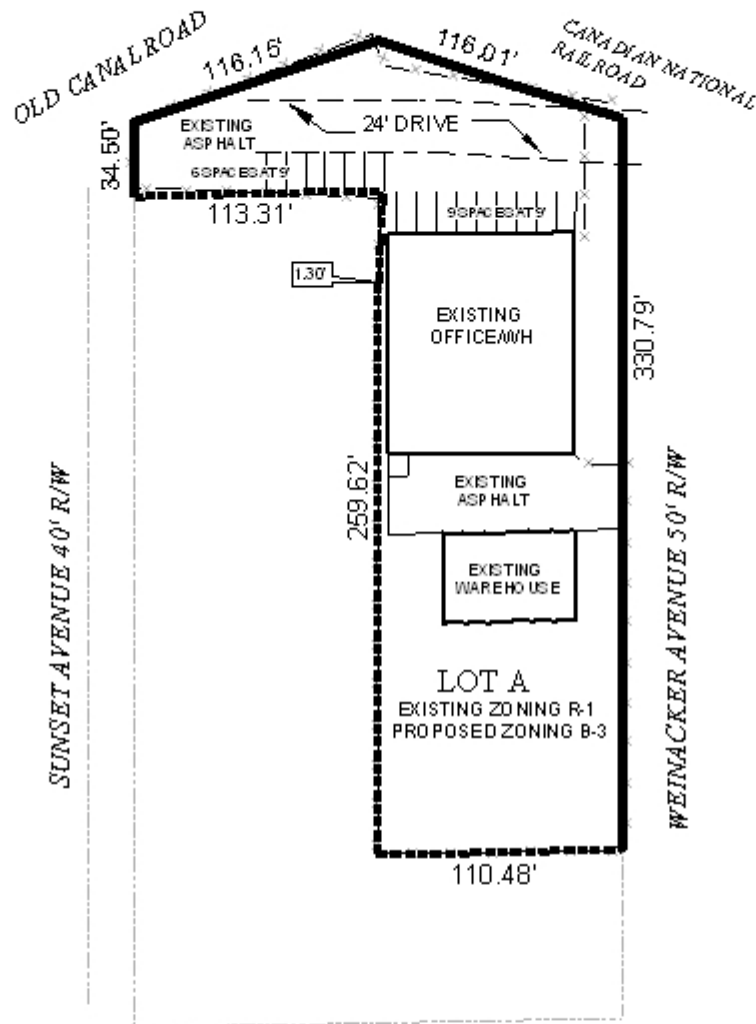
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REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



NTS

SITE PLAN



The site plan illustrates existing buildings, parking, drives, and fences.

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APPLICANT Joseph Mramor

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



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