

**PLANNED UNIT DEVELOPMENT, SUBDIVISION,
& SIDEWALK WAIVER STAFF REPORT Date: December 15, 2005**

<u>DEVELOPMENT NAME</u>	Beard Equipment Company
<u>SUBDIVISION NAME</u>	North Beltline Commercial Park Subdivision, Resubdivision of Lots 1 & 3
<u>LOCATION</u>	2480 and 2490 East I-65 Service Road North (Southeast corner of East I-65 Service Road North and Industrial Street West)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	I-2, Heavy Industry
<u>AREA OF PROPERTY</u>	12.2± Acres
<u>CONTEMPLATED USE</u>	Shared access between building sites, and multiple buildings on multiple building sites; two-lot subdivision from two existing lots; and waiver of sidewalk construction requirements.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	None given
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. <u>Berkley Avenue</u> : No waiver recommended. Sidewalk can be constructed to COM standards and other sidewalks have been constructed in the recent past adjacent to this site. In addition, there is much evidence of foot traffic on the residential side of the site. <u>I- 65 Service Road</u> : Sidewalk can be constructed within the State ROW but would require minor deviations from COM standards to negotiate around the storm water inlets, and many sidewalks have been waived in this industrial area. <u>Industrial Street with Jessie Street</u> : Sidewalk waiver recommended. Sidewalk cannot be constructed to COM standards due to the location of a storm water drainage ditch.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards.

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).

REMARKS

The applicant is requesting Planned Unit Development approval, to allow shared access between building sites and multiple buildings on multiple building sites; Subdivision approval, to adjust a property line between two existing lots of record; and waiver of sidewalk requirements along the East I-65 Service Road North and Industrial Street West frontages.

The plat illustrates the proposed 12.2± acre, 2-lot subdivision, which is in Council District 1. The site is at the Southeast corner of East I-65 Service Road North, which has a 300-foot right-of-way, and Industrial Street West, which has a 50-foot right-of-way. The purpose of the application is to move the property line between two existing lots of record approximately 15 feet Northward. The site is served by public water and sanitary sewer, and the plat meets the minimum requirements of the Subdivision Regulations, and will in fact correct an existing building's encroachment across the property line.

The purpose of the Planned Unit Development application is to allow shared access between the two lots, and to allow multiple buildings on each lot. The site is presently developed with multiple buildings on each lot, and the applicant is proposing to construct an additional building on proposed Lot 1.

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.

The site plan shows existing improvements remaining, and the addition of a new building on Lot 1, which would be surrounded by new concrete and parking. The site illustrates both existing driveways to the service road remaining, and the creation of a new driveway to Industrial Street West; there appears to be a separate existing curb cut to Industrial Street West, which must be removed if the proposed one is built, and in its place should be installed curb, gutter, and landscaping materials in compliance with Section IV.E.3 of the Zoning Ordinance.

Because the precise use of the building has not been specified, it is not evident whether parking provisions are adequate. There are 31 new spaces shown for a building of 15,736 square feet; if this building were entirely used for offices and auto repair, 53 spaces would be required. Thus, the applicant should provide sufficient parking or indicate whether a significant portion of the building will be for a use that requires less parking.

The site currently shares access with the lot to the Southeast, at the corner of Industrial Street West and Berkley Avenue. Access between lots is permitted only with Planned Unit Development approval; thus, either the third lot must be included in the Planned Unit Development and the site brought into compliance with the Landscaping, Tree Planting, and Buffering Requirements of the Zoning Ordinance, a physical barrier prohibiting access between these sites must be erected. If the third lot is brought into the application, additional notification and fees will be required, as well as revised drawings for the PUD and, if sought, Sidewalk Waivers along Berkley Avenue and the remainder of Industrial Street West.

Regarding the Sidewalk Waiver request, the applicant is seeking waivers along the frontages of East I-65 Service Road North and Industrial Drive West. The applicant states that there is a ditch along Industrial Street West, which prohibits construction of a sidewalk to city standards; this assertion is supported by the cross-section provided. The applicant also requests a waiver along East I-65 Service Road North, stating that there are no sidewalks adjacent to the property, and that there would be drainage problems due to elevation and existing inlets.

The construction of sidewalks would be required on properties adjacent to the site, were they to be redeveloped, and thus their current absence is no reason to waive the requirements along East I-65 Service Road North. Furthermore, it is difficult to see how the sidewalk would be more to blame for drainage problems than the applicant's totally paved site. Nevertheless, three sidewalk waivers have been approved on nearby properties fronting the service road, and granting this one may be appropriate given that the area is not inviting to foot traffic for other reasons, including the nearness of interstate traffic, the distance between destinations, and the unlikelihood that a sidewalk would eventually connect with other sidewalks.

RECOMMENDATION

Planned Unit Development: Based on the preceding, it is recommended that the application be held over until the January 5th meeting, to allow the applicant to include the lot to the Southeast in the PUD application. Revised drawings, additional fees, and mailing labels must be received by Urban Development by December 19th to be considered.

Subdivision: Based on the preceding, it is recommended that this application be held over until the January 5th meeting, to coincide with the PUD hearing.

Sidewalk Waiver: Based on the preceding, it is recommended that this application be held over until the January 5th meeting, to allow the applicant to submit additional sidewalk waiver requests, if desired, and to coincide with the PUD hearing.

Revised for the January 5th meeting:

This application was held over from the December 15th meeting, to allow the applicant to include an additional lot in the PUD application. The applicant has submitted revised drawings showing the inclusion of the lot to the Southeast in the application, and illustrating shared access between all three lots. The applicant has also submitted an additional sidewalk waiver request for the Berkley Avenue frontage along this additional lot.

The site plan for the PUD shows a single existing curb cut to the new lot, onto Industrial Street West. As Berkley Avenue is primarily a residential street, this lot should be limited to this existing curb cut. As previously noted in the report, the entire site will need to be brought into compliance with the Landscaping, Tree Planting, and Buffering Requirements of the Zoning Ordinance. Regarding the parking, the site plan shows 43 parking spaces on lot 1, which would satisfy the parking requirements for the office and repair portions of the building, and allow a maximum of three dedicated warehouse employees.

Regarding the sidewalk waiver request along I-65 Service Road, Engineering comments that a sidewalk could be constructed, but would have to deviate somewhat from city standards, and that several sidewalks have been waived in this industrial area.

Regarding the sidewalk waiver along Industrial Street, Engineering recommends that the waiver be granted, due to physical obstructions in the right-of-way.

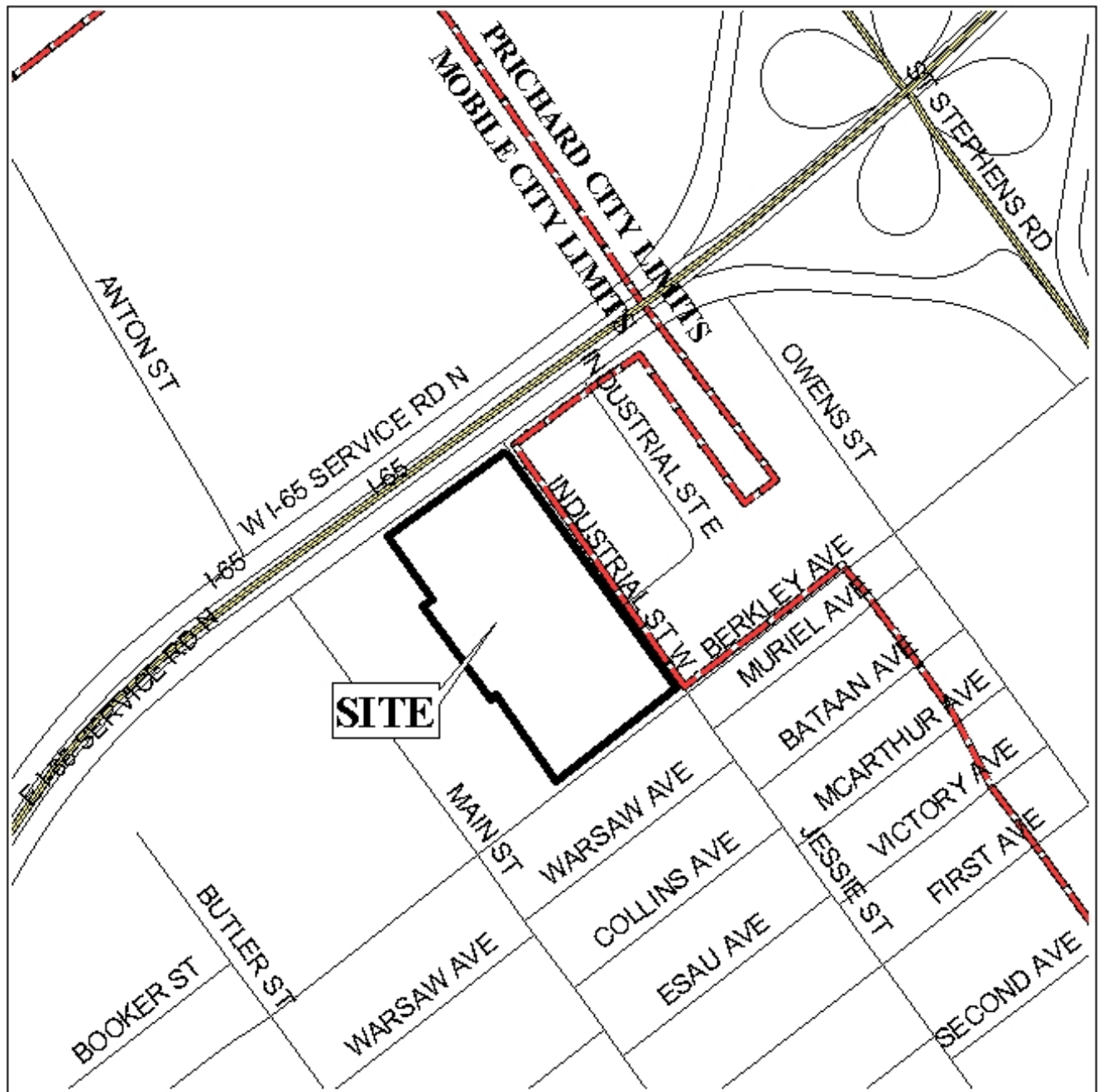
Regarding the sidewalk waiver along Berkley Avenue, Engineering states that a sidewalk can be constructed to city standards, and that there is much foot traffic across the street.

Subdivision: *Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) the depiction of the 25-foot building setback lines on the final plat; and 2) the placement of a note on the final plat stating that Lot 1 is limited to a single curb cut to each street frontage, subject to Traffic Engineering approval, and that Lots 2 and 3 are limited to existing curb cuts.*

Planned Unit Development: *Based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) that the site be limited to existing curb cuts, except between Industrial Street West and Lot 1, where the proposed curb cut may replace the existing one; 2) the removal of the existing curb cut between Industrial Street West and Lot 1, and installation of curb, gutter, and landscaping materials in compliance with Section IV.E.3 of the Zoning Ordinance; 3) that the site be brought into compliance with the Landscaping, Tree Planting, and Buffering Requirements of the Zoning Ordinance; 4) that there be no more than three dedicated warehouse employees, due to parking constraints; and 5) full compliance with all municipal codes and ordinances.*

Sidewalk Waiver: *Based on the preceding, it is recommended that Sidewalk Waivers be granted for I-65 Service Road and Industrial Street frontages, and denied for the Berkley Avenue frontage.*

LOCATOR MAP



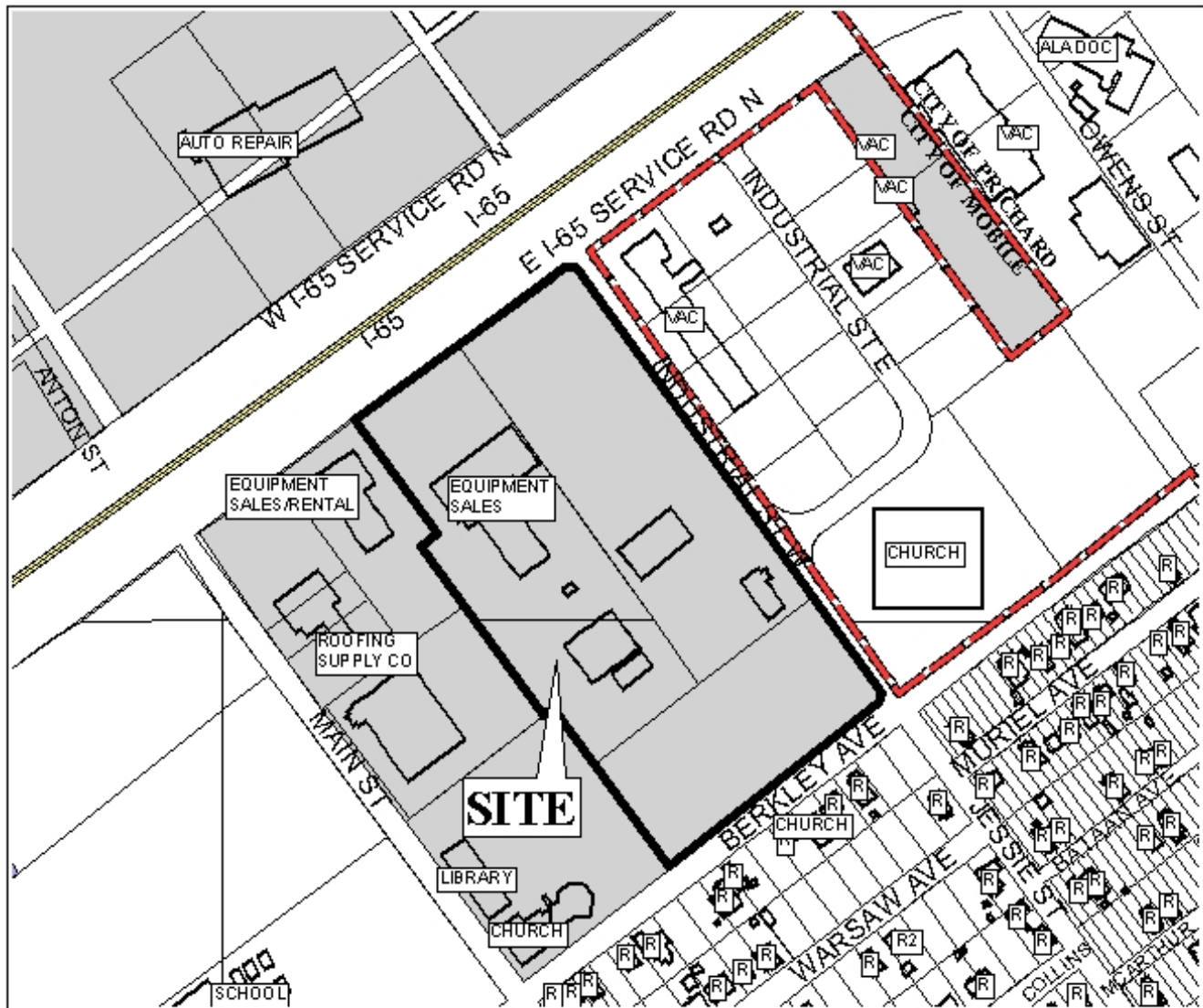
APPLICATION NUMBER Holdover DATE January 5, 2006

APPLICANT Beard Equipment Company

REQUEST PUD, Subdivision, Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



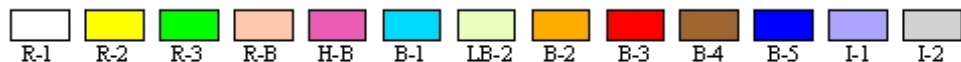
The site is surrounded by miscellaneous businesses with single family residential dwellings located to the Southeast.

APPLICATION NUMBER Holdover DATE January 5, 2006

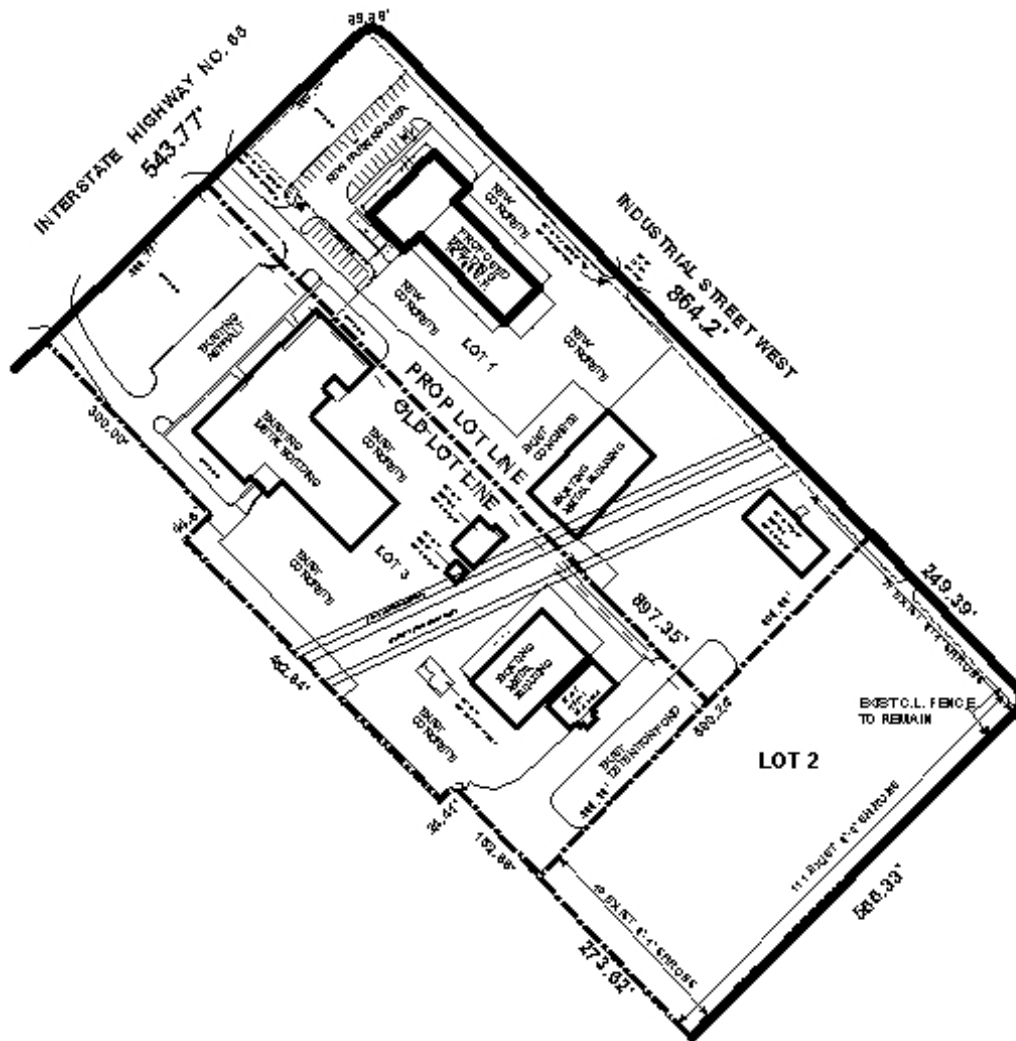
APPLICANT Beard Equipment

REQUEST PUD, Subdivision, Sidewalk Waiver

LEGEND



SITE PLAN



The site is located on the Southeast corner of East I-65 Service Road North and Industrial Street West. The plan illustrates the existing buildings and drives, along with the proposed building and drives.

APPLICATION NUMBER Holdover DATE January 5, 2006
 APPLICANT Beard Equipment Company
 REQUEST PUD, Subdivision, Sidewalk Waiver

