

**Planning Commission Report**

**Date:** June 13, 2014

**Project Name:** Couch Property

**Subject:** Zoning Approval

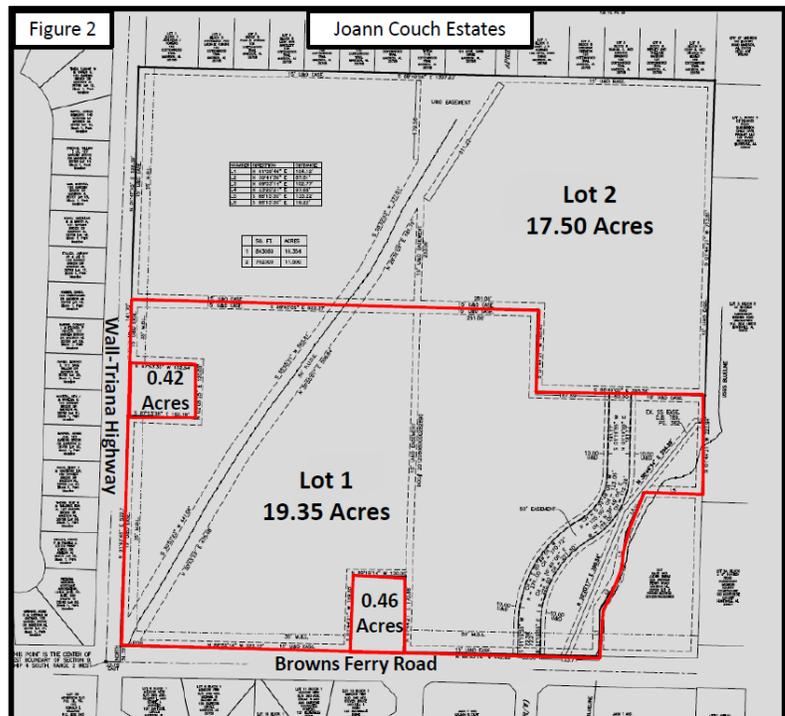
**Location of Subject Property**

The subject properties are located at the northeast corner of Wall-Triana Highway and Browns Ferry Road.

**Background**

The applicant is the *Sembler Company* and the property owners are *Joann Couch* and *Marcia Sparks*.

The subject properties include three parcels of land. The parcels include a residential lot fronting the east side of Wall-Triana Highway that contains 20,382 square feet (0.42 acres) and a residential lot fronting the north side of Browns Ferry Road and contains 18,340.80 square feet (0.46 acres). Both of these lots are occupied by single-family detached dwellings. The third parcel fronts both Wall-Triana Highway and Browns Ferry Road and has an area of 19.95 acres. The property is undeveloped, except for agricultural production. It is part of the *Joann Couch Estates* certified plat approved by the Planning Commission in March of 2014.



**Applicant’s Request**

The applicant is requesting that the subject properties be rezoned from *R2, Medium Density Residential* to *B2, Community Commercial*.

**Analysis of the Zoning Request**

The staff has reviewed the compatibility, impact and benefits to the City, surrounding property owner and the owner/applicant of the rezoning. The Planning Commission should study and consider the proposed rezoning in relation to the following criteria. In preparing this report, the Technical Review Committee used the same criteria to formulate a recommendation in favor of the proposed rezoning.

**Criteria # 1: Compatibility with Comprehensive Plan**

*This criterion evaluates the request for its compatibility with all Master Plans(s) of the City*

**Growth Plan**

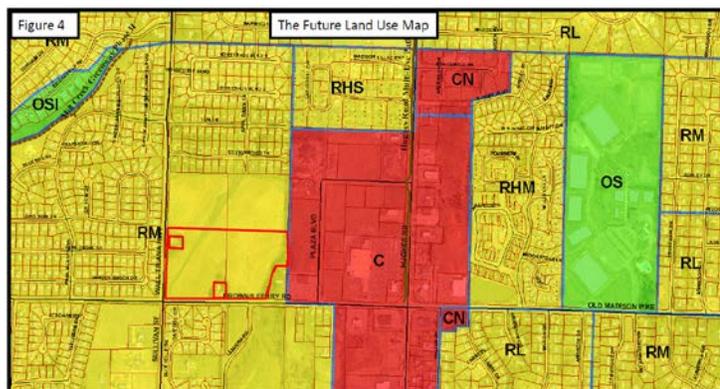
The subject properties are located in the *Midtown Madison Key Development Area*. The *Midtown Madison KDA* is centrally located in the City and encompasses the historic downtown, City Hall, the Madison County Satellite Office, community wide shopping area and residential neighborhoods. The subject properties are outlined in yellow on Figure 3 and the *Midtown Madison KDA* is outlined in red.



The Growth Plan designates this area for *In-Town Neighborhood Development*, suggesting the subject property be developed with neighborhoods matching the character and density of existing surrounding neighborhoods. It also recommends that development provide a local connectivity network with sidewalks, streets and greenway trails. This designation includes the property to the north of the subject properties and extends south of the subject property to Mill Road west of City Hall. Although the proposed rezoning is not entirely consistent with Madison Growth Plan recommendations, the development of the subject properties as *B2, Community Commercial* should not detract from the overall goal of establishing *In-Town Neighborhood Development* in the majority of KDA with this designation. The subject properties, located at the intersection of two minor arterials, are ideally suited for commercial development providing convenient access to both surrounding neighborhoods and significant commuter traffic.

**The Future Land Use Map**

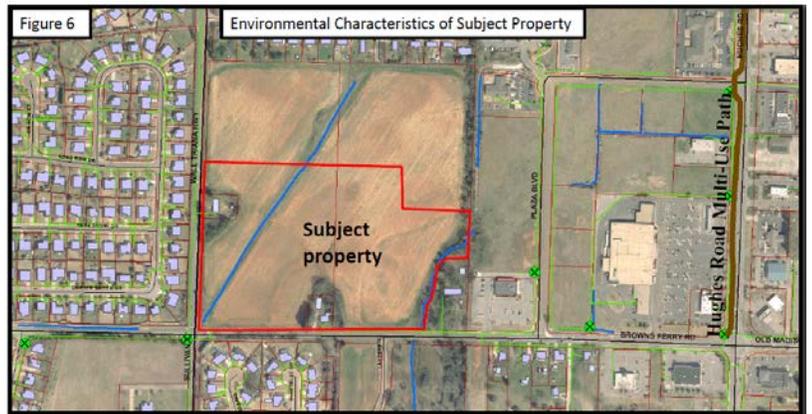
The subject properties are designated for *RM, Residential Medium Density* on The Future Land Use Map. However, land use designations in the subject





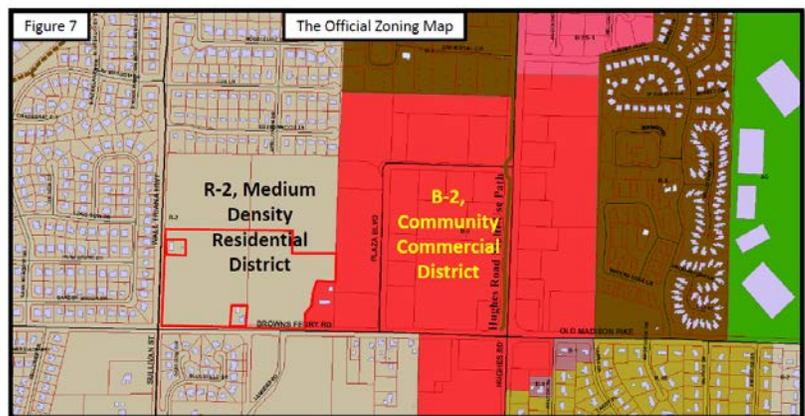
While it may seem that the retail use produces significantly larger traffic counts, in reality the retail use is taking advantage of high volumes of existing traffic. If the property were developed for residential as currently zoned, then over 600 new trips would be added by additional residents.

Future internal streets and drives connecting the subject property to Plaza Boulevard and Hughes Road to the east and Wall-Triana Highway to the west will also aid in dispersing some of the traffic congestion at Browns Ferry Road and Wall-Triana Highway. City plans for future traffic signals at Plaza and Hughes as well as Plaza and Browns Ferry will also assist traffic circulation.



### Stormwater Management Plan & Protection of Environmentally Sensitive Areas

The subject property does not lie within a Special Flood Hazard Area but does have two significant streams and jurisdiction must be mitigated with the U.S. Army Corps of Engineers. The Madison Engineering Department reviews all site plans and subdivisions to ensure good engineering design is used and stormwater discharge is channeled to existing and proposed easements.



### Criteria # 2: Existing Zoning & Overall Trend of Development

*This criterion evaluates the compatibility of the requested zoning designation with the existing land uses, existing zoning and developments trends of adjoining properties and the surrounding area.*

### Existing Zoning and Development Trends

The subject properties to the north, west and south are all zoned *R2, Medium Density Residential*. The adjoining properties to the east are zoned *B2, Community Commercial*. The adjoining property to the north is undeveloped and was originally part of the subject property until it was subdivided into two lots in March of 2014. The properties to the west of the subject properties are located on the west side of Wall-Triana Highway and are within *Park Meadow Subdivision*. The majority of the lots are built out with single-family homes. A portion of *Meadow View Subdivision* located on the south side of Browns Ferry Road is located south of the subject property. The majority of this subdivision is built-out with single-family homes. The remaining properties adjoining the southern boundary are undeveloped. The adjoining property along the southeast corner of the subject property contains a single-family dwelling. This property was rezoned from *R2, Medium Density Residential* to *B2, Community Commercial* in April of 2013. The remaining properties to the east include lots developed for commercial uses and some undeveloped lots.

There have not been any major developments or investments in the subject area for some time. Several smaller recent developments include *Sam & Greg's Restaurant* and *Stargate Retail Center* both located on Hughes Road. A Madison County satellite office was established on Browns Ferry Road in the building that was formerly *OH! Bryans Restaurant*. In addition the property located at the southeast boundary of the subject property was rezoned from *R2, Medium Density Residential* to *B2, Community Commercial* in April of 2013. There has not been any residential development in the subject area in several years.

**Criteria #3: Public & Private Impact & Benefit**

*This criterion evaluates the benefits and detriments to the landowner, neighboring property owners, and the community from the resulting zoning decision.*

The development of the subject properties will provide for new investment in the general area, which has lacked any major development activity in recent years. Any development of the subject property will have an impact of the surrounding properties greater than its current use which is agriculture.

The City regulates commercial development that includes safeguards for surrounding neighborhoods. These include:

- 1) Section 5-18 of the Zoning Ordinance requires a screening buffer of thirty (30) feet between B2, Community Commercial Districts and R2, Medium Density Residential Districts. The buffer must be planted in a manner that provides an eighty (80%) percent screen within a period of one year. The screening buffer is not required of the districts separated by a street as depicted on the Major Street Plan. Wall-Triana Highway and Browns Ferry Road are both depicted on the Major Street Plan.
- 2) Section 5-15 of the Zoning Ordinance requires off-street parking facilities to be landscaped with one (1) tree and six (6) shrubs every fifty (50) linear feet around the perimeter. It also requires the interior of the off-street parking facility to be landscaped with one (1) tree and four (4) shrubs per two hundred (200) square feet of the total area.
- 3) In the B2 District the first twenty (20) feet of the front yard must be maintained as a landscape buffer.
- 4) Section 5-22 of the Zoning Ordinance controls outdoor lighting. Each light fixture must be shielded in a manner that prevents light from trespassing into the night sky. Light trespass onto adjoining properties must be less than one foot candle.
- 5) Section 5-23 of the Zoning Ordinance regulates the exterior treatment of buildings. The façade of all buildings must be wood, brick, stucco, including painted stucco, glass, masonry, (except cinder block), cut stone, (except painted stone) and split face decorative block.
- 6) Roofs shall be flat or constructed of prefabricated painted metal, composite shingles, shakes, slate or a synthetic material designed to mimic shakes or slate.
- 7) Section 7 of the Zoning Ordinance requires for freestanding signs to be restricted to fifteen (15) feet in height and one hundred square feet for the sign face.
- 8) Section 12-5 (14) of the City of Madison Code of Ordinances restricts the hours of construction related activity before 7:00 am and after 9:00 pm and before 10:00 am and after 7:00 pm on weekends and major holidays.
- 9) Section 12-5 (15) indicates that noise from street sweepers, service vehicles, delivery trucks and similar operations that is audible from a residential district shall not be allowed between the hours of 10:00 pm to 7:00 am on weekends and 7:00 pm to 10:00 am on the weekend and major holidays.

**Staff Recommendation**

Staff and the Technical Review Committee recommend approval of the rezoning request from *R2, Medium Density Residential* to *B2, Community Commercial* based on the following:

1. The subject property's highest and best use is commercial given the existing high volume of traffic at the intersection of these two minor arterials, as well as its central location in the city and Midtown Madison.
2. The future street connectivity of this proposed B2 parcel with the Plaza Blvd. area will provide improved circulation and access through Midtown Madison, attracting additional investment, likely attracting more restaurant activity in addition to other desired goods and services. The economic success of Midtown Madison will provide all Madison residents an improved central shopping area.
3. The City of Madison regulates the potential impacts of retail uses on adjacent residential neighborhoods. The safeguards provided in the Zoning Ordinance and Code of Ordinances adequately provide for measures allowing residential and commercial uses to co-exist in close proximity to each other.