

# COMMUNITY PROJECT/REZONING

210501

## Ordinance Fact Sheet

Ordinance Number

**Case No.** CD-CPC-2020-00058 UR Development Plan

### Brief Title

Approving a major amendment to an approved UR (Urban Redevelopment) Plan for the expansion of Foley Equipment and stream buffer modifications generally located 5701 E 87th St, or generally located at southwest corner of E 87th St and I-435 Hwy on about 31.1 acres. (CD-CPC-2020-00058)

### Details

**Location:** 5701 E 87th St.

**Reason for Legislation:** UR Development Plans and major amendments to previously approved Development Plans require ordinance approval by the City Council.

At its June 1, 2020 meeting, the City Plan Commission recommended approval with conditions.

#### EXISTING CONDITIONS

The site is currently home to the Foley Equipment facility located at 5701 E 87th St and consists of 2 industrial buildings of approximately 166,000 sq ft combined.

#### NEARBY DEVELOPMENTS

The site is surrounded by a variety of uses. To the north is The Glade Apartments currently under construction (this is phase of the Oxford on the Blue UR Plan) and Pipefitters Local Union building. To the east is the right-of-way and access ramps for I-435 Hwy. To the south is undeveloped land, rock quarry, and protected stream buffer areas. To the west is the same rock quarry and industrial warehouse buildings.

#### SUMMARY OF REQUEST

The applicant is seeking approval of a major amendment to a previously approved UR Plan per Ordinance No. 130144 to include stream re-alignment, a larger building to the west in the future, and building additions to the existing building on Lot 1.

#### KEY POINTS

The project proposes a modification to the stream buffer requirements for the adjacent stream south of the site. A building expansion and new building are both proposed with this amendment.

#### PLAN REVIEW

The proposed project consists of 2 building expansions to the Foley Equipment site, as a future stand-alone building further west on the site. The existing facility consists of 2 structures. The north/main structure is approximately

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	5 <sup>th</sup> District (Barnes, Parks-Shaw)
<b>Applicants / Proponents</b>	<b>Applicant</b> Matthew Gibbs BHC Rhodes  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b>  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (7-0) 06-01-20 By Allender, Baker, Beasley, Crowl, Enders, Hill, Sadowski <input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b> <input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b> <input type="checkbox"/> <b>Do Pass (as amended)</b> <input type="checkbox"/> <b>Committee Sub.</b>

132,000 sq ft in size and the existing secondary structure to the south is approximate 18,000 sq ft in size. The proposed facility consists of a few major changes. First the primary structure will receive a 18,410 sq ft addition, followed by an additional expansion in the future of 15,780 sq ft, and then a future stand-alone building further to the west of 30,000 sq ft. With the expansion there will be a great deal of impervious coverage added with paving large sections of the site to facilitate the heavy equipment movement and storage. Lastly, the site will bring the expansion site frontage in to conformance with the City's street tree and landscaping requirements.

Given the changes to the site the applicant has worked with city staff and the City Council to seek certain waivers and deviations to the required stream buffer requirements. This was a proactive initiative by the developer to have these considerations addressed prior to submitting for this major expansion plan currently under review. Those are further elaborated upon below.

**Requested Deviations**

The plan does not stipulate or request any deviation.

**PLAN ANALYSIS**

Stream Buffer Plan

As part of the Foley Equipment expansion proposed in this plan, the applicant intends to relocate the existing stream to the south of the property to allow for additional usable space on the site. This stream realignment requires approval from the Army Corp of Engineers since this section of the stream is also a federally regulated floodplain. In accordance with the City's Code of Ordinances, the project has already been awarded a stream buffer exception by the City Council under Ordinance 201032 waiving portions of the stream buffer regulations. (Case No. CLDPIR-2020-00053)

Landscaping Analysis

The proposed landscaping plan is compliant with the city's zoning code for the area of the expansion. However, staff would recommend adding a condition of approval that the remaining existing frontage along E 87th St is brought up to current code with this major expansion. Essentially this would provide for a complete landscaping aesthetic and

	<input type="checkbox"/> Without Recommendation
	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass
<b>Policy or Program Change</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Operational Impact Assessment</b>	n/a

**Finances**

<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>	n/a
<b>Financial Impact</b>	n/a
<b>Funding Source(s) and</b>	n/a

holistic design of the site.

**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends Approval Subject to the Corrections and Conditions as reflected in the attached Plan Correction Report and Plan Conditions Report.

**Memo to City Council:** The applicant submitted revised plans which address certain conditions in the City Plan Commission staff report. A Committee Substitute Ordinance will be presented at the committee meeting reflecting the revised plans.

**See City Plan Commission Staff report for more information and additional detailed analysis.**

**Appropriation  
Account Codes**

**Fact Sheet Prepared By:**

**Date:** 06/07/2012

Christopher Hughey, AICP  
Staff Planner

**Initial Application Filed:** March 20, 2020

**Reviewed By:**

**Date:** 06/07/2012

Joseph Rexwinkle, AICP  
Division Manager  
Development Management

**City Plan Commission:** June 1, 2021

**Revised Plans Filed:** 2/22/2021, 5/15/2021, and 6/4/2012

**Reference Numbers:**

Case No.'s CD-CPC-2020-00058