

Staff Report – Plan Commission

Docket #:	PC2023-008	Hearing Date:	February 27, 2023
Address:	Parcel ID: 41-02-35-032-004.000-030		
Applicant:	Erik Bikas, Quik Trip Inc. 4705 South 129th East Ave. Tulsa Oklahoma 74134		
Owner:	Quik Trip Inc. 4705 South 129th East Ave. Tulsa Oklahoma 74134		
Staff Contact:	Gabe Nelson, nelsong@greenwood.in.gov, 317.887.5230		

Request:

Quik Trip requests landscape waivers from the following:

- Sec 10-03-06 G - Foundation Plantings: A planting strip with a minimum width of ten feet (10') along the full-length of the foundation facing a street. Petitioner requests to reduce the foundation planting to 4' along portions of the foundation.

Location:

Parcel ID: 41-02-35-032-004.000-030, PRECEDENT SOUTH BUSINESS CENTER SEC 5 REPLAT OF BLK 7 - LOT 7A

Located on the southeast corner of Main Street and Graham Road.

Existing & Surrounding Land Use:

The Site: IC (Interstate Commercial)

North: IL (Industrial Large)

West: IC (Interstate Commercial)

South: IL (Industrial Large)

East: IC (Interstate Commercial)

Recommendations:

Staff **recommends approval with conditions** the request waiver from Sec 10-03-06 G- Foundation Plantings. Staff finds that foundation planting is sufficient but due to the overall site development plan currently under review that exceeds its impervious area allowance (which will ultimately need to be reduced or granted a variance), we recommend the condition that the greenspace area of planting reduced from the foundation plantings be relocated elsewhere on the property so as to bring the property closer into compliance with the 70% impervious area limit.

Plans currently provided indicate approximately 172 sq. ft. of foundation planting area around the building.

Attachments:

Waiver request

Foundation Planting Diagram

Landscaping Site Plan



City of Greenwood Plan Commission

Attachment P: Subdivision, Site Development, Parking and or Landscape Waiver Request

Project QuikTrip

Docket _____

Waivers from these Regulations.

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to these subdivision, site development, and or parking regulations so that substantial justice may be done and the public interest secured, provided that such waivers shall not have the effect of nullifying the intent and purpose of these regulations. Such waivers may be granted upon written request of the applicant stating the reasons for each waiver and may be waived by two-thirds (2/3) of the regular membership of the Plan Commission. (Sec. 10-501: Subdivision Control); (Sec. 10-460: Site Development); (Sec. 10-103: Parking); (Sec. 10-472: Landscape)

The Plan Commission may, in its discretion, authorize and approve waivers from the requirements and standards of these regulations upon finding that the following five criteria have been justified:

- (1) The approval of the waiver request will not be detrimental to the public safety, health, and welfare, or injurious to property within a reasonable proximity to the subject property involved in the waiver request.
- (2) The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood.
- (3) The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives. Financial hardship does not constitute grounds for a waiver.
- (4) The waiver request is necessary and represents a minimal deviation from explicit ordinance standards.

Attach a separate sheet that thoroughly itemizes, explains, and justifies how each Waiver Request meets the Waiver Guidelines outlined above.

I respectfully request consideration by the Greenwood Plan Commission to waive the requirements established by the following Section(s) of the Greenwood Municipal Code for the Subdivision Control Ordinance, Site Development, Zoning Ordinance as it relates to parking requirements, and Landscaping requirements for the City of Greenwood: (Staff can assist) **NOTE: Do not use this form if requesting a Waiver from the Stormwater Drainage and Sediment Control Ordinance. Contact the City Engineering Department to discuss drainage waiver requests.**

1. Section 10- 03 : 06 (G) Foundation Plantings
2. Section 10- _____ : _____
3. Section 10- _____ : _____
4. Section 10- _____ : _____

I submit that this request is not in conflict with the Plan Commission's guidelines for review of waiver requests outlined above.

Signature of Applicant

10-03-06 – G – Foundation Planting Waiver request

Particular request:

Provide four foot foundation planting areas on portions of the facades facing Main Street and Graham Road in lieu of ten feet as required.

(Criteria 1) The approval of the waiver request will not be detrimental to the public safety, health, and welfare, or injurious to property within a reasonable proximity to the subject property involved in the waiver request.

The use will be appropriately scaled for the parcel upon which it is located, providing appropriate access points out of primary thoroughfares and providing a desired and valuable service to the traveling and commuting public. The site design and layout provides for ease of access for consumers and deliveries on and off of the site, while allowing ease of access to customers within the site. The proposed reduction in foundation plantings will allow for ancillary convenience items to be located in a way which provides for ease of ingress and egress for customer access and still allows for adequate and safe vehicular traffic entering and exiting the site and also circulating within the site.

(Criteria 2) The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood.

The proposed site is an existing platted lot, for which there is no expansion opportunities. The three uses on the parcel (convenience store, auto canopy and diesel canopy) as well as maneuvering and required parking areas require utilization of a significant portion of the parcel. The expansion of the footprint of the convenience store use to include a ten (10) foot foundation planting bed would exponentially increase the building footprint at the expense of other desired and utilized services or require additional variances. The proposed waiver does not seek to eliminate or reduce landscaping used to buffer the use from other surrounding users. Thus, the reduction of the size of landscaping at the foundations of the convenience store will be noticeable (if at all) only by those already on site, thus having no impact on those off site.

(Criteria 3) The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives. Financial hardship does not constitute grounds for a waiver.

Applicant did not develop or design the parcel. The proposed use of the parcel has been approved by a variance application to include three complimentary uses (diesel canopy, auto canopy and convenience store). These three uses, and the associated supporting requirements for parking and maneuvering areas and externally focused landscaping consume the site. The proposed site plan complies with all landscaping requirements in external frontages adjacent to public and private streets. The proposed foundation plantings provide visual breakup to the façade, but do so in a way which does not impair the overall use of the property.

(Criteria 4) The waiver request is necessary and represents a minimal deviation from explicit ordinance standards.

Applicant is not requesting to eliminate the foundation plantings, but instead desires to modify them to a size which is more appropriately scaled for the site. The applicant is not intending to decrease other landscaping requirements which are of more direct benefit to off site screening. The request to modify the foundational landscape areas is the least impactful mechanism to allow for full development of this site.



