

PLANNING AND ZONING COMMISSION MEMORANDUM

FROM: The Office of the City Manager **DATE:** December 7, 2017

SUBJECT: SUP 2017-01 Public Hearing and consideration of a request from Hamilton Duffy, P.C., for a special use permit for two detention ponds at 7651 Mid-Cities Boulevard, being 1.655 acres described as Tract 11D, John H. Barlough Survey, Abstract 130.

PRESENTER: Clayton Comstock, Planning Manager

SUMMARY:

Hamilton Duffy, P.C. is requesting a special use permit for two detention ponds associated with the final plat of Carrington Center Addition. The property is located on the north side of Mid-Cities Boulevard mid-block between Holiday Lane (west) and Smithfield Road (east).

GENERAL DESCRIPTION:

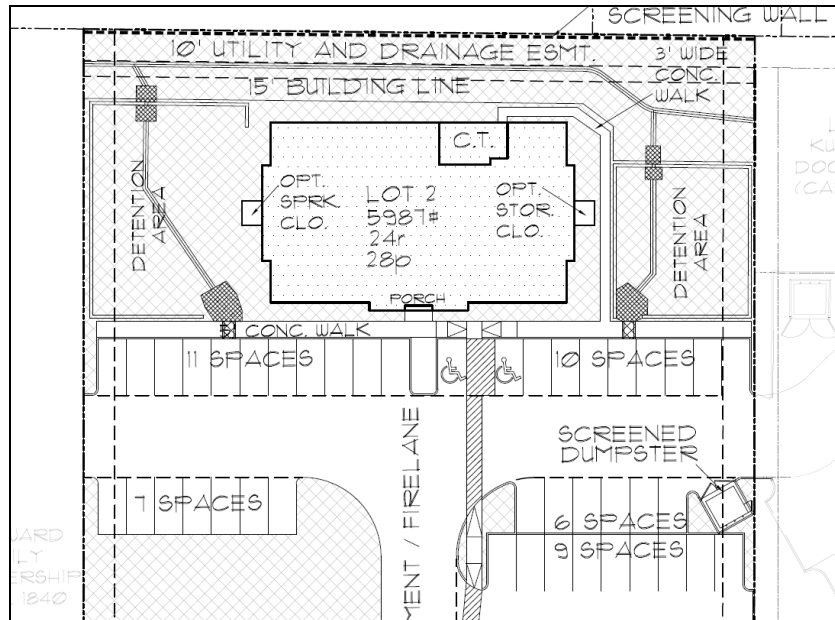
The applicant is requesting approval of a special use permit to authorize the use of two detention ponds on the site. Section 118-729 of the Zoning chapter and Section 102-124 of the Floods and Stormwater Management chapter of the Code of Ordinances establish the requirements and standards for the special use permit. The use of all detention or retention ponds requires approval of a special use permit.

Detention Ponds

City codes allow for detention ponds if the proposed development is discharging stormwater into an undeveloped property if downstream drainage infrastructure cannot be constructed at the time of development due to lack of easements or rights-of-way. During the evaluation of the site and the existing conditions of the area, the applicant concluded that detention ponds would be necessary to accommodate development of the site.

The proposed building on the site would be located at the north end of the property, with a detention pond constructed on each side of the building. Stormwater would enter the detention areas through curb cuts in the parking lot and exit the site through a channel near the northwest corner of the property. Each pond is designed with a vertical concrete retaining wall around the perimeter and includes concrete pilot channels to direct stormwater through the pond system. The depth of the detention areas ranges from three to four feet below the grade of the adjacent sidewalk.

The system is designed to detain stormwater and allow it to drain from the site at the same rate as the undeveloped conditions. It is not designed to retain water and create decorative ponds. The layout of the building and ponds is shown below.



Design criteria

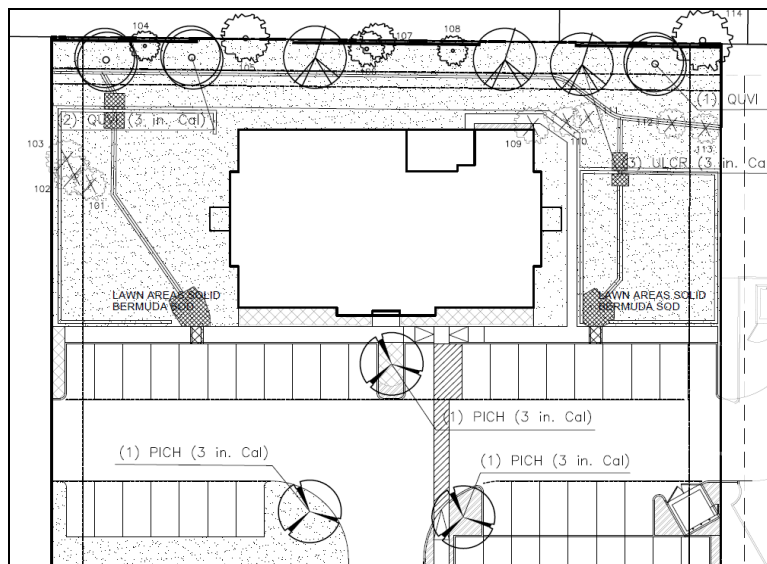
Section 118-729 of the zoning ordinance includes design criteria for detention and retention ponds. The applicant is requesting modifications of three standards due to the functional nature and location of the ponds on the site.

Development Standard	Proposed Modification
<u>Pond outlet structure</u> Must be located at least 50 feet from a property line	<u>West pond</u> 23 feet from rear property line 21 feet from side property line <u>East pond</u> 46 feet from rear property line 38 feet from side property line
<u>Side slopes</u> Must be 5 feet horizontal to 1 foot vertical or milder	Vertical side slopes with concrete retaining wall
<u>Side slopes</u> Top of side slope must be a maximum of 12 inches above the surrounding ground	3.75 feet above adjacent grade at outlet of detention ponds

Landscaping

Zoning standards require that all detention ponds be landscaped. A landscape plan was submitted as part of the site plan application for the property and is currently under review. The landscape plan must be reviewed and approved by the Development Review Committee (DRC) before final acceptance of the public infrastructure.

The design of the ponds includes vertical walls adjacent to the sidewalk in front of the building. Since this does not leave room for landscaping in front of the ponds, the Development Review Committee recommends adding two Bald Cypress trees in each pond. These trees would be in addition to the proposed trees along the north property line and other required landscaping for the site.



Maintenance

The property owner is responsible for the maintenance of the ponds and all associated landscaping. A formal maintenance agreement will be executed as part of the approval of the special use permit. Generally, the agreement will require the owner to mow and maintain all grass and landscaping, remove trash and debris once a week, remove silt from the basin or outlet structures as necessary, and repair any decorative fencing. The agreement runs with the property and applies to any future owner or user.

Special Use Permit

The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties. The ordinance also includes specific criteria for detention and retention ponds, for which slight deviations are recommended due to the functional nature and location of the pond on the site.

The following are the proposed conditions of approval for this SUP application.

1. *Permitted use.* A special use permit is authorized for two detention ponds.

2. *Engineering approval.* Construction of the detention ponds is subject to final approval of the engineering plans and including safety measures by the Development Review Committee and City Engineer.
3. *Landscaping.* The detention ponds must be landscaped in accordance with Chapter 114 – Vegetation of the Code of Ordinances. The landscape plan is subject to final approval by the Development Review Committee. In addition to the required landscaping, two (2) Bald cypress trees shall be planted in or around each detention pond.
4. *Detention pond criteria.* The following design criteria apply to the detention ponds:
 - a) Pond outlet structures may be located within 50 feet of a property line.
 - b) Detention basin side slopes may be steeper than 4H:1V.
 - c) Embankment may be taller than 12 inches above adjacent grade.
 - d) A four-foot tall ornamental metal fence shall be installed between the sidewalk and the concrete retaining wall of the ponds.
5. *Maintenance agreement.* The owner must execute a detention/retention storage facility maintenance agreement in conjunction with the approval of the subdivision plat for the property.

COMPREHENSIVE PLAN & CURRENT ZONING: This area is designated on the Comprehensive Land Use Plan and is currently zoned Transit Oriented Development. The purpose of the transit oriented development code is to support the development of the community's station areas into pedestrian-oriented, mixed-use urban neighborhoods, with convenient access to rail transit, shopping, employment, housing, and neighborhood retail services. The goal of each station area is to encourage an efficient, compact land use pattern; encourage pedestrian activity; reduce the reliance on private automobiles; promote a more functional and attractive community through the use of recognized principles of urban design; and allow property owners flexibility in land use, while prescribing a high level of detail in building design and form.

PROPOSED ZONING: The applicant is requesting a special use permit for two detention ponds on the property.

SURROUNDING ZONING | LAND USE:

North: TOD Transit Oriented Development | Transit Oriented Development
West: TOD Transit Oriented Development | Transit Oriented Development
South: C-1 Commercial | Neighborhood Service and Retail
East: TOD Transit Oriented Development | Transit Oriented Development

PLAT STATUS: The property is currently unplatted. A final plat of the property is an associated item on the December 7, 2017, agenda.



CITY COUNCIL: The City Council will consider this request at the December 11, 2017, meeting following a recommendation by the Planning and Zoning Commission.

RECOMMENDATION:

Approve SUP 2017-09.