



## CITY COUNCIL MEMORANDUM

**FROM:** Public Works Department                      **DATE:** May 16, 2016

**SUBJECT:** Consider Ordinance No. 3413, Abandoning and Closing a Portion of Birchwood Drive

**PRESENTER:** Caroline Waggoner, City Engineer

### **SUMMARY:**

Consider the abandonment of a 275-foot section of Birchwood Drive for inclusion in a future replat for a RaceTrac retail gasoline convenience store at the Southeast corner of Davis Boulevard and Maplewood Avenue.

### **GENERAL DESCRIPTION:**

Bomac Davis Investments, LLC. and RaceTrac Petroleum, Inc. are proposing to construct a 2.3 acre, 6,000 s.f. retail convenience store with fuel sales at the southeast corner of Davis Boulevard and Maplewood Avenue.

On December 14, 2015, City Council approved Ordinance No. 3384 that rezoned 4940, 5000 and 5028 Davis Boulevard to RD-PD (Redevelopment Planned Development) Zoning from C-2 (Commercial) Zoning.

The RD-PD also includes an approximate 275-foot section of Birchwood Drive that requires to be abandoned and closed effective on the approval of a future replat consolidating the three lots where the existing buildings are to be removed.

In October 2015 a Traffic Impact Analysis (TIA) was conducted by Lee Engineering, LLC that concluded abandoning the 275-foot section of Birchwood Drive within the site would:

- Reduce the number of driveways along Davis Boulevard from four (4) to one (1)
- Eliminate existing cut through traffic between Boulevard 26 and Davis Boulevard through single family residential

Given the TIA conclusions, the City hosted an open house on November 19, 2015 about the proposed abandonment inviting the residents of Birchwood Drive to attend. Three residents attended and provided feedback in support of eliminating cut through vehicular access, while providing pedestrian access to the future RaceTrac property.



In the future, westbound vehicles that come upon the end point of Birchwood Drive will have a hammerhead turnaround option located and maintained on RaceTrac property allowing for fluid turn movements.

Included in this memorandum is Ordinance No. 3413 that calls for the portion of Birchwood Drive be abandoned and conveyed to Bomac Davis Investments, LLC upon replat approval and completion of all the following subsequent actions:

- Plat dedication of replacement easements for the relocated public and franchise utilities, including drainage.
- Plat dedication of a public access easement within which the proposed vehicular turn-around will be constructed.
- Construction and final acceptance by the City of all public infrastructure needed to replace water, sanitary sewer, and drainage service to the remaining Birchwood Drive.
- Construction and final acceptance of the hammerhead public access easement at the terminus of Birchwood Drive as depicted on the plat.
- Provision of a maintenance agreement for the public access turnaround.

Visuals are included that depict the elevation of the future RaceTrac retail gasoline convenience store, and the location of the area to be abandoned as it relates to current site conditions, the future replat and the approved site plan.

**RECOMMENDATION:**

To approve Ordinance No. 3413, Abandoning and Closing a Portion of Birchwood Drive