



**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Out of Space Self Storage, on Behalf of RWMD Limited Partnership and Oyen Huang, for Approval of a Request to Rezone Approximately 4.50 Acres, from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards and Allowed Uses, Located on the West Side of Hardin Boulevard and Approximately 300 Feet North of McKinney Ranch Parkway, and Accompanying Ordinance

**MEETING DATE:** September 18, 2012

**DEPARTMENT:** Planning

**CONTACT:** Michael Quint, Director of Planning

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:
  1. The subject property shall be zoned “PD” – Planned Development District shall develop in accordance with Section 146-86 (“C” – Planned Center District) of the Zoning Ordinance, and as amended, except as follows:
    - a. Mini-warehouse uses with related office and caretakers quarters uses shall be permitted on the subject property.
    - b. The development of mini-warehouse uses on the subject property shall generally conform to the attached Zoning Exhibit and Landscape Exhibit.
    - c. Mini-warehouse and related buildings constructed on the subject property shall generally conform to the character reflected by the attached building elevations and shall also be subject to the requirements of Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance, and as amended.

**ITEM SUMMARY:**

- The applicant is requesting to rezone approximately 4.50 acres, from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the development standards and allowed uses. The applicant is

proposing to construct a mini-warehouse facility with an approximately 2,500 square foot building which will be utilized for an office and caretaker's quarters.

- The governing PD Ordinance designates the subject property as having a zoning of "C" – Planned Center District. Mini-warehouse uses are permitted with approval of a specific use permit in the "C" zoning district. The applicant has chosen to seek approval of a rezoning request instead of a specific use permit so that modifications may be made to some of the development standards (building setbacks, screening, architectural standards) that are currently applicable to the subject property. In addition to seeking approval of modifications to the current development standards, the applicant is also requesting that mini-warehouse uses be permitted on the subject property by right.

#### **BACKGROUND INFORMATION:**

- See the attached staff report.

#### **SPECIAL CONSIDERATIONS:**

- A listing of the land uses that are currently allowed by the subject property's governing zoning district is attached for reference.
- Subsequent to the Planning and Zoning Commission's consideration of the proposed rezoning request, Staff received an informal petition of protest which was signed by several adjacent property owners. The petition is attached for reference.
- See the attached staff report.

#### **FINANCIAL SUMMARY:**

- See the attached staff report.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- At the August 28, 2012 Planning and Zoning Commission meeting, the Commission voted to recommend denial (5-2; Commission Member Kochalka and Chairman Clark dissented) of the proposed rezoning request. Due to the Commission's recommendation for denial, a favorable vote from a supermajority (6 out of the 7 members) of the City Council is required to approve the proposed rezoning request.