

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Pickett, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for an Auto Body Repair and Paint Shop (Caliber Collision), Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 400 Feet West of Hardin Boulevard

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 21, 2015 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed specific use permit due to close proximity of the subject property to residential uses and a lack of conformance with the vision outlined in the Northwest Sector Study Phase 1 Report.

However, should the specific use permit request be approved, the applicant is requesting approval of the following special ordinance provisions:

1. An auto body repair and paint shop shall be permitted on the subject property.
2. The property shall generally develop in conformance with the attached site layout exhibit.

APPLICATION SUBMITTAL DATE: April 13, 2015 (Original Application)
May 13, 2015 (Revised Submittal)
May 19, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing a specific use permit to allow a 14,600 square foot auto body repair and paint shop (Caliber Collision) on approximately 2.01 acres, located on the north side of U.S. Highway 380 and approximately 400 feet west of Hardin Boulevard.

The zoning for the subject property ("C3" – Regional Commercial District) requires that a specific use permit be granted in order for an auto body repair and paint shop to be constructed and operated on the subject property. As part of the specific use permit request, the applicant has submitted an informational only rendering of the building, as

well as a site layout exhibit, which details the location of overhead bay doors along the east and west sides of the building, screening devices, and overnight parking located on the north side of the building.

On June 9, 2015 the Planning and Zoning Commission voted 5-0-0 to table the item to the June 23, 2015 meeting due to public hearing notification signs not being posted on the property in the required timeframe.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C3" – Regional Commercial District and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 1687 and "CC" Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land
South	"PD" – Planned Development District Ordinance No. 1883 (Office and Light Manufacturing Uses)	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 1687 and "CC" Corridor Commercial Overlay District (Office and Retail Uses)	Future O'Reilly Auto Parts
West	"PD" – Planned Development District Ordinance No. 1687 and "CC" Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land

SPECIFIC USE PERMIT: When acting on a request for a specific use permit, the following factors should be considered:

- Compatibility with adjacent and neighboring land uses.
- Adaptability of building structures to the proposed use.
- Infrastructure requirements: roads, sidewalks, access to public streets, parking, and drainage.

- Elements such as screening, open space, building heights, and compatibility of existing buildings to the proposed use.

Staff has evaluated the request based on the above mentioned parameters and feels that the site is not appropriate for the proposed auto body repair and paint shop, and will not be compatible with existing or future developments on the adjacent properties.

IMPACT ON EXISTING DEVELOPMENT: In April of 2015, the City Council approved a rezoning request, designating the subject property as “C3” – Regional Commercial District, with the understanding that intensive automotive uses would require approval of a specific use permit, giving Staff, the Planning and Zoning Commission, and City Council more discretion in determining whether or not a future proposed use was appropriate.

The applicant has since submitted a specific use permit request for an auto body repair and paint shop, with which Staff has concerns. Although the property directly north of the subject property is zoned for retail and office uses, single family residential homes are located within approximately 475 feet of the subject property. Staff has concerns that the nearby residential homes may be negatively impacted by noise from activities associated with the proposed auto body repair and paint shop, as well as concerns that approval of this use would encourage similar, intensive, automobile-related uses in the vicinity, which Staff feels inappropriate in such close proximity to residential uses.

Additionally, the recently approved Northwest Sector Study Phase I Report promotes the U.S. Highway 380 corridor and sub area as a ‘Commercial Office District’ encourages corporate headquarters, medical office, and general office developments, with supporting retail uses that are ancillary to the office and employment identity established for the corridor.

Given the concerns with the lack compatibility of the proposed use and nearby single family residential and the lack of conformance with the vision outlined in the Northwest Sector Study Phase 1 Report, Staff is not in support of the requested specific use permit.

SITE LAYOUT: The attached exhibit provides a general layout of the proposed auto body repair and paint shop. The site circulation, parking, loading, sanitation, and landscaping requirements are in general conformance with the Zoning Ordinance; however, Staff has concerns regarding the proposed screening device around the property. While the applicant has the option to choose between a 6’ tall solid masonry wall, or a 6’ tall wrought iron fence with masonry columns and evergreen shrubs, Staff feels that the wrought iron fence option might not adequately mitigate the sound produced from the facility as well as a solid wall. If this specific use permit request is approved, the applicant will be required to receive approval of an associated site plan and landscape plan package meeting all regulations stipulated in the Zoning Ordinance prior to issuance of a building permit.

ACCESS/CIRCULATION:

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Right-of-Way,
Major Regional Highway

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request.

ATTACHMENTS:

- PZ Minutes 06.09.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Proposed SUP Exhibit – Site Layout
- Proposed Rendering – Informational Only
- PowerPoint Presentation