



17-012SUP2

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Mini-Warehouse Facility (Public Storage), Located Approximately 220 Feet North of Bois D' Arc Road and on the West Side of U.S. Highway 75 (Central Expressway); and Accompanying Ordinance

**COUNCIL GOAL:** Direction for Strategic and Economic Growth

**MEETING DATE:** June 6, 2017

**DEPARTMENT:** Planning

**CONTACT:** Brian Lockley, AICP, CPM, Director of Planning  
Matt Robinson, AICP, Planning Manager  
Melissa Spiegel, Planner I

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends denial of the proposed specific use permit as it is Staffs' professional opinion that other retail commercial uses may be more appropriate for the property.

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

1. A mini-warehouse facility shall be permitted on the subject property;
2. The applicant receive approval of a variance to allow the building height to be increased to three-stories;
3. The applicant receive approval of a variance to waive the pitched-roof requirement;
4. The applicant receive approval of a variance to waive the required screening along the western property line where adjacent to single family residential zone or uses; and
5. The property shall generally develop in conformance with the attached site layout exhibit.

**APPLICATION SUBMITTAL DATE:** January 17, 2017 (Original Application)  
February 13, 2017 (Revised Submittal)  
February 27, 2017 (Revised Submittal)  
March 9, 2017 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a specific use permit to allow a 133,739 square foot mini-warehouse facility (Public Storage) on approximately 3.07 acres of land located approximately 220 feet north of Bois D' Arc Road and on the west side of U.S. Highway 75 (Central Expressway).

The zoning for the subject property ("C" - Planned Center District) requires that a specific use permit be granted in order for a mini-warehouse facility to be constructed and operated on the subject property. As part of the specific use permit request, the applicant has submitted a site layout exhibit detailing building location, landscaping, and parking areas, and has also submitted architectural elevations (for informational purposes only) of the proposed building.

**At the March 28, 2017 Planning & Zoning Commission meeting, the Commission recommended denial of the proposed request. As such, a super majority of the City Council is required in order to approve the specific use permit request.**

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
North	"C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Huffines Hyundai and Kia Dealership
South	"C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Care Now
East	"C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Hopper Motorplex, Signature Car Wash, McKinney Fiat
West	"PD" - Planned Development District Ordinance No. 2003-08-068; "PD" - Planned Development District Ordinance No. 98-09-48; and "CC" - Corridor Commercial Overlay District (Residential Uses)	Stoneleigh Place Subdivision, Westcreek Ranch Apartments

**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 concerns that the subject property is better suited for more meaningful commercial development and that the proposed use may impede the ability to attract commercial development in the area. In addition, Staff has concerns regarding the requested variances to the screening, building height and roof pitch requirements. These variances are detailed further below.

**IMPACT ON EXISTING DEVELOPMENT:** The zoning of the subject property “C” - Planned Center District, requires a specific use permit to construct and operate a mini-warehouse facility. In addition to this process, the mini-warehouse facility must satisfy the following development standards:

1. No overhead bay doors or loading areas shall be visible from an adjacent use or public right-of-way;
2. Each building shall be covered with 100 percent masonry materials (brick or stone);
3. Proposed mini-warehouse buildings located directly adjacent to residential uses or zones shall be limited to a single story; and
4. Proposed mini-warehouse buildings located directly adjacent to single family residential uses or zones shall feature a pitched roof (minimum 4:12 slope).

The applicant has agreed to satisfy standards numbers 1 and 2 stated above; however, is requesting variances to waive standards numbers 3 and 4, and has noted as such in their letter of intent. Standards 3 and 4 require that all proposed mini-warehouse buildings where adjacent to residential uses or zones be limited to one story in height and feature a pitched roof. The properties located directly west of the subject property are zoned for residential uses (single family and multi-family); therefore these requirements are applicable to the subject property. The applicant is requesting to increase the height of the building from one story to three stories and to utilize a flat roof design. Staff has concerns regarding the aesthetics and feel of the development of a mini-warehouse facility with the proposed variances immediately adjacent to residential uses. Additionally, Staff feels that the subject property, given the frontage on U.S. Highway 75 (Central Expressway) is better suited for more meaningful commercial development. Staff has provided a self-storage facility density map and there are currently eleven mini-warehouse facilities located within three miles of the subject property. It is Staffs’ professional opinion that the request could result in an

overconcentration of mini-warehouse facilities in the area and the proposed use at this location may impede the ability to attract meaningful commercial development in the area. Staff has concerns that the proposed use will not make a positive contribution to this retail/commercial corridor, and feels that retail/commercial uses may be more appropriate for the site. Staff has additional concerns that the approval of this use could encourage similar service or non-retail uses in the vicinity, further reducing the potential for retail/commercial development along a major commercial corridor. As such, Staff is not in support of the requested specific use permit and associated variances.

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed self-storage facility. The site circulation, parking, loading, sanitation, and landscaping requirements are in general conformance with the Zoning Ordinance. 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 and in conformance with the site layout exhibit for the specific use permit prior to issuance of a building permit.

**SCREENING REQUIREMENTS:** Per Section 146-132 (Fences, Walls, and Screening requirements) screening devices shall be placed along any property line or district boundary between single family residential uses and nonresidential uses. As proposed, the applicant is requesting to waive the screening requirement of a 6' screening device along the western property line adjacent to single family residential uses. The Zoning Ordinance states that a variance may be granted during site plan approval if the Planning and Zoning Commission finds that:

- Unique circumstances exist on the property that make application of specific items in this section (Sec. 146-132) unduly burdensome on the applicant;
- The variance will have no adverse impact on current or future development;
- The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
- The variance will have no adverse impact on public health, safety, and general welfare.

The applicant is requesting to waive the required 6' screening device along the western property line due to the environmental constraints associated with the creek. The creek is within a 100-Year Fully Developed Floodplain which limits the construction of any obstructions, such as fences, within the boundaries of the designated floodplain area. Although the environmental conditions of the site may hinder the applicant from constructing a 6' screening device along the western property line, Staff is of the opinion that the creek and associated vegetation will not serve as sufficient screening between the mini-warehouse facility and adjacent single family residential uses year round given that the vegetation is deciduous and the creek is at a lower grade than the subject property. Staff feels that the required screening device is necessary to mitigate

the impacts of the proposed use and as such recommends denial of the waiver request.

The applicant has satisfied all other minimum requirements as specified in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 75 (Central Expressway), Variable Width Right-of-Way, Major Regional Highway

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

**BOARD OR COMMISSION RECOMMENDATION:** On March 28, 2017 the Planning and Zoning Commission voted 7-0-0 to recommend denial of the proposed specific use permit.

**SUPPORTING MATERIALS:**

[PZ Minutes 032817](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Self Storage Density Map \(3 Mile\)](#)

[Self Storage Density Map \(5 Mile\)](#)

[Proposed Elevations \(Info Only\)](#)

[Proposed Ordinance](#)

[Exhibits A-C](#)

[PowerPoint Presentation](#)