



Legislation Details (With Text)

**File #:** 18-2823      **Version:** 3      **Name:** Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Auto Parts or Accessory Sales (Indoor) Uses on Approximately 0.982 Acres Located at 1597

**Type:** Ordinance      **Status:** Passed

**File created:** 8/2/2018      **In control:** City Council

**On agenda:** 9/10/2018      **Final action:** 9/10/2018

**Title:** Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Auto Parts or Accessory Sales (Indoor) Uses on Approximately 0.982 Acres Located at 1597 FM157; David Tipton of CEI Engineering Associates Inc. on Behalf of Carolyn Thaemert of AutoZone, Inc. (ZC#18-017)

**Sponsors:** Joe Smolinski, Lisa Sudbury

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Maps and Supporting Information, 3. Exhibit A, 4. Exhibits B - D

Date	Ver.	Action By	Action	Result
9/10/2018	3	City Council	Approved on Third And Final Reading	Pass
8/27/2018	2	City Council	Approved on Second Reading	Pass
8/13/2018	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Auto Parts or Accessory Sales (Indoor) Uses on Approximately 0.982 Acres Located at 1597 FM157; David Tipton of CEI Engineering Associates Inc. on Behalf of Carolyn Thaemert of AutoZone, Inc. (ZC#18-017)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing on July 16, 2018, and voted 6-0 to approve as presented. Vice-Chairman Smithee was absent.

**First Reading**

The subject property consists of 0.982 acres, developed with a 5,331 sq. ft. retail building used for auto parts or accessory sales and a 35-space parking lot for customers and employees. The property is situated on the west side of FM 157, less than 200 feet south of Debbie Lane. The property is surrounded by a restaurant/bar and retail/service uses to the north (zoned C-2), vacant land to the west (zoned C-2), mini-warehouses to the south (zoned C-2), and auto body repair (zoned C-3) and vacant land (zoned C-2) to the east (across FM 157).

**Zoning Request**

The applicant is requesting to re-zone the property from C-2 Community Business District to PD Planned Development District for auto parts or accessory sales (indoor). The primary purpose of the PD zoning request is to allow a building expansion that matches the architecture of the existing building; the existing building's architecture predated the current architectural requirements of the Zoning Ordinance. In addition,

auto parts or accessory sales are no longer allowed in the C-2 zoning district, so either a specific use permit (SUP) or PD zoning is now required to allow this use. Since the applicant is not following all the Zoning Ordinance requirements as it relates to building architecture, PD zoning is required.

#### Development Plan

The applicant is proposing a 1,800 sq. ft. addition to the rear (west) of the existing building. With the addition, the building will now be approximately 7,131 sq. ft. in size. The addition is the same width as the existing building (90') and will increase the depth of the building from 60' to 80'. The addition will be the same height as the existing building - 18'-10". The existing parking layout and access will not change. This use requires a parking ratio of 1 parking space per 200 sq. ft., or 35 spaces based on the total size of the building (including the addition). 35 spaces are provided. The existing trash enclosure will not change, however the applicant notes that it will be screened in accordance with the regulations of Section 7301.B of the Zoning Ordinance and also notes that all equipment will be screened in accordance with the regulations of Section 7301.A of the Zoning Ordinance. The existing sign will not change, but the applicant notes that any new signage or modification to existing signage will comply with the regulations for C-2 zoned property as outlined in Section 7100 of the Zoning Ordinance. The applicant also notes that there will be no outside storage on the property.

#### Elevations

The provided Elevations show that for the building addition, the applicant plans a continuation of the smooth face concrete masonry unit (CMU) architecture and the same color scheme (white, light grey, dark grey, red, orange, and black) of the existing building. On the development plan, the applicant notes the following deviations from the Zoning Ordinance as it relates to architectural requirements: 70% masonry (brick, stone, or split-face CMU) requirement, prohibited materials (smooth face CMU), and at least four architectural elements.

#### Landscape Plan

As indicated in the Landscape Plan, the applicant will preserve the three existing trees in the front of the property (between the parking lot and FM 157) and will also be adding 5 trees and a 20' front buffer yard as required by the Zoning Ordinance. In addition, the applicant will provide a 10' buffer yard on the north, west, and south sides of the property and a total of 28 trees, as required by the Zoning Ordinance, except along the south side of the building where the width is too narrow to accommodate plantings. Parking lot trees will also be provided as required, as well as shrubs to screen the parking lot from the street and shrubs to screen the trash enclosure.

#### Summary

The proposed building addition, while small in scale, will allow an existing business the ability to expand. While it does not meet the architectural requirements, it matches the architecture of the existing building. In addition, the applicant will be making significant enhancements to the site landscaping to enhance the appearance of the site and the surrounding area, as well as meet the landscaping requirements.

#### Second Reading

The City Council held a public hearing and first reading on August 13, 2018, and voted 7 - 0 to approve as presented. No changes have been made to the plans.

#### Third Reading

The City Council held a public hearing and second reading on August 27, 2018 and voted 7 - 0 to approve. No changes have been made to the plans.

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