



Legislation Details (With Text)

File #: 19-3111 **Version:** 3 **Name:** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as

Type: Ordinance **Status:** Passed

File created: 4/12/2019 **In control:** City Council

On agenda: 5/28/2019 **Final action:** 5/28/2019

Title: Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as Lots 2 & 3, Block 15, Original Town of Mansfield, Generally Located at 403 E. Broad St. & 400 Elm St.; Sheri Bumgardner of SSB Designs on Behalf of Central Baptist Church and Anchora Properties, LLC (ZC#19-003)

Sponsors: Joe Smolinski, Lisa Sudbury

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
5/28/2019	3	City Council	Approved on Third And Final Reading	Pass
5/13/2019	2	City Council	Approved on Second Reading	Pass
4/22/2019	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as Lots 2 & 3, Block 15, Original Town of Mansfield, Generally Located at 403 E. Broad St. & 400 Elm St.; Sheri Bumgardner of SSB Designs on Behalf of Central Baptist Church and Anchora Properties, LLC (ZC#19-003)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing on April 1, 2019, and voted 6 - 0 to recommend approval. Chairman Wilshire was absent.

First Reading

The subject property consists of 0.68 acres on the north side of E. Broad St., the east side of Sycamore St., and the south side of Elm St. The property comprises Lot 2 (403 E. Broad St.) and Lot 3 (400 Elm St.) of Block 15 of the Original Town of Mansfield. Lot 2 is currently improved with a 6,000 sq. ft. brick and frame church building with parking spaces off of Sycamore Street, while Lot 3 is improved with a 1,440 sq. ft. frame building and small paved surface. The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for office, church, and special event center uses.

Development Plan and Regulations

The applicant plans to keep the existing structures as-is without any exterior remodeling or alteration except

minor, cosmetic, or decorative treatments. The 6,000 sq. ft. building at 403 E. Broad St. will include 3,000 sq. ft. for office uses and 3,000 sq. ft. for church and special event uses. The 1,440 sq. ft. building at 400 Elm St. will be for office uses. The applicant notes that the existing structures comply with the area and height regulations applicable to the OP Office Park district (as stated in Section 4500 of the Zoning Ordinance), however they deviate from the 70% masonry construction requirement (stated in Section 4600) and the residential proximity requirement (stated in Section 7400) as the buildings predate these sections of the Zoning Ordinance.

The applicant will be improving the land and paving in front of 400 Elm St. with an 18-space parking lot (one of which will be accessible) with a one-way drive aisle that will connect from Sycamore St. to Elm St. Furthermore, the tandem parking directly off of Sycamore St. in front of 403 E. Broad St. will terminate on December 31, 2020 when the current tenant, Central Baptist Church, ceases operation. At this time, the tandem parking will be reduced to one row of 12 parking spaces, one of which will be relocated to the north in order to better accommodate turning radius requirements off of Broad Street; one of the parking spaces in this row will be accessible. The parking areas will be connected to each other and to the two buildings by sidewalks. Sidewalks also connect the property to the sidewalk along Broad St. The development will provide a total of 30 parking spaces, which meets the parking requirements for the different combination of uses planned for the property. The parking calculation does not include the 30 parking spaces required for the special event center since the special event center will not operate at the same time as the church and office uses.

The applicant will not be adding a dumpster to the property, but notes that they will continue to handle trash service in a manner that is in compliance with the City's Solid Waste Ordinance. The development will not have open storage nor open display of merchandise and materials. Furthermore, any new equipment will be screened in accordance with Section 7301 of the Zoning Ordinance.

Landscaping and Screening

Due to the space constraints, the pre-existing improvements, and the need for parking, the development will deviate from the 20' buffer yard and 8' masonry screening wall requirement adjacent to residential property, the 20' street landscape setback requirement, and the parking lot perimeter landscaping requirements, all as noted in Section 7300 of the Zoning Ordinance. However, the applicant will retain the seven existing oak trees in the middle of the property and adjacent to the existing residential property to the east. In addition, the applicant will plant two dogwood trees in front of the 1,440 sq. ft. building at 400 Elm St. and will screen the new parking lot with seven crepe myrtle trees, 14 dwarf bayberry shrubs, and 10 dwarf wax myrtle shrubs. The existing chain link fence along the east property line will remain.

Signage

The applicant will retain the existing pole sign along Broad Street as-is, except with possible sign face changes (to accommodate a change in tenants or additional tenants) or repainting. Future name plates, directory signs, and general business signs may be constructed in the future, as needed, but all will be in compliance with Section 7100 of the Zoning Ordinance as it relates to quantity, size, and other sign standards.

Summary

The proposed development will allow for the continued productive use of the property with uses that are compatible with each other and appropriate for this part of downtown. While the property has some size constraints, the applicant has endeavored to provide additional parking and landscaping to serve and enhance the development.

Second Reading

The City Council held a public hearing and first reading on April 22, 2019, and voted 6-0-1 (Cook abstained) 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 May 13, 2019, and voted 6-0-1 (with Mayor Cook abstaining) to approve as presented. No changes have been made to the plans.

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