



## Legislation Text

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**File #:** 21-4274, **Version:** 3

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SUP#21-006: Public hearing and consideration of a request for a Specific Use Permit for an Auto Rental on approximately 2.754 acres being Lot 5, Block 1, Mansfield Commons located at 990 N US 287; The Commons at Walnut Creek 18, Owner; Avis Budget, proposed tenant/applicant

*Existing Use:* Multi-tenant retail building

*Existing Zoning:* C-2, Community Business District

*Surrounding Land Use & Zoning:*

North - Country Club Drive; gas station, retail and restaurants, C-2

South - Retail, restaurants, and parking lot, C-2

East -Retail, restaurants, and parking lot, C-2

West - Retail, restaurants, and parking lot, C-2

**Request to Withdraw**

The applicant is continuing to work with the property owner to find a more suitable suite for this business in the existing shopping center. The applicant has submitted a letter of request to withdraw this case. They will start a new application when the details have been worked out.

**Request to Table**

The applicant is working with the property owner to find a solution to the concerns of the Planning and Zoning Board. The applicant submitted a letter of request to table the case until the October 18, 2021 meeting.

**Comments and Considerations**

The applicant is proposing a car rental office and vehicle storage in the existing shopping center at 990 N US 287 Suite 108. This will be a full service car rental facility servicing both commercial accounts and leisure customers. The location will be a pickup/drop off location with approximately ten cars on site at a time. Vehicles will be dropped off in the parking lot awaiting customers to pick them up. At the end of the rental period, the vehicles will be dropped off in the parking lot, the interior of the vehicles will be cleaned and wait to be picked up and transported to another location.

**Property**

The applicant is requesting a Specific Use Permit (SUP) for an Avis Budget Car Rental office and vehicle storage. The building is a large multi-tenant building. The proposed business will occupy a suite with an area of approximately 1,225 square feet formerly occupied by Sign-a-Rama. The existing building meets the C-2 requirements for parking and landscaping. The parking spaces the applicant has specified on Exhibit B are the main parking spaces for the existing businesses.

The subject property is located in the C-2 Community Business District, which allows for an Auto Rental use with a Specific Use Permit. The Zoning Ordinance specifies that a Specific Use Permit

shall only be issued if all seven conditions have been met; staff does not believe that all conditions have been met.

Condition 1 specifies “That the specific use permit will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.” Staff determines that this is a prominent shopping center in the City and that an auto rental use is not the highest and best use for this location.

Condition 4 specifies “The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments”. The business will use ten or more parking spaces for vehicles waiting to be picked up as well as parking spaces for employees. Vehicles that are being returned will be parked until the interior can be cleaned and then continue to use those spaces until they can be picked up and moved to another location. Parking at this site was established for customer use and not for the overnight storage and cleaning of vehicles. Staff determines the location of the vehicle storage will be visually unappealing and has the potential to become a nuisance to surrounding businesses as it is not separated from the existing parking for the commercial complex.

The applicant has stated in their narrative that no more than ten cars will be at this location at a time. Depending on the amount of business, staff believes they could potentially have more vehicles at any given time. It would be very difficult for Code Compliance to document and enforce the amount of cars coming and going in order to enforce this regulation.

Staff supports the request to withdraw.

**Attachments:**

Maps and supporting information  
Exhibit A - Property Description  
Exhibit B - Site Plan and Narrative  
Exhibit C -Elevations  
Exhibit D - Sign Plan  
Applicant’s Request to Table  
Applicant’s Request to Withdraw