

STAFF REPORT

Case No. 0415-06
 HTE No. 15-10000021

Planning Commission Hearing Date: April 22, 2015

Applicant & Legal Description	<p>Applicant/Owner: GMG Partners, LP Legal Description/Location: Being 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard and north of Bates Drive.</p>			
Zoning Request	<p>From: "IL" Light Industrial District To: "IL/SP" Light Industrial District with a Special Permit for Resource Extraction Area: 34.12 acres Purpose of Request: Special Permit to allow the extraction of sand and gravel</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>North</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>South</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>East</i>	"RS-6" Single-Family	Vacant	Light Industrial
	<i>West</i>	"RS-6" Single-Family	Vacant	Light Industrial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for light industrial uses. The proposed rezoning to the "IL/SP" Light Industrial District with a Special Permit remains consistent with the adopted Future Land Use Plan and the Westside Area Development Plan. Map No.: 050042 Zoning Violations: N/A</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 1,100 feet of street frontage along South Navigation Boulevard, which is an "A-1" Minor Arterial and 560 feet of street frontage along a proposed section of Omaha Drive, which is a "C-1" Minor Collector and a proposed section of Bates Drive, which is a "C-1" Minor Collector.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	South Navigation Boulevard	"A-1" Minor Arterial	N/A	95' ROW 64' paved	3,467 ADT
	Omaha Drive	"C-1" Minor Collector	60' ROW 40' paved	N/A	N/A
	Bates Drive	"C-1" Minor Collector	60' ROW 40' paved	N/A	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for resource extraction.

Development Plan: The applicant proposes to extract sand and gravel from the site for a period of two years. If the Special Permit is approved, the applicant will construct an office on site and store equipment (backhoes and other heavy equipment) and approximately 60 trucks to be used in extraction and removal of sand and gravel from the site. The applicant has indicated that the demand for the resources is significant at this time. The applicant requests that approval of the special use permit allow for hours of operation from 6:00 A.M. to 5:00 P.M.

Existing Land Uses & Zoning: The current use of the property is vacant. North and south of the subject property is zoned "IL" Light Industrial District. East and west of the subject property is property zoned "RS-6" Single Family 6 District. Approximately 1,000 feet from the subject property to the southwest is property zoned "RM-1" Multifamily 1 District which is developed.

AICUZ: The subject property is not located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The subject property is in the process of platting.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Westside Area Development Plan. The proposed rezoning to the "IL/SP" Light Industrial District with a Special Permit for resource extraction is consistent with the Westside Area Development Plan and the adopted Future Land Use Plan's designation of the property as light industrial.

The Unified Development Code Special Permit Review Criteria: The Unified Development Code sets forth review criteria for special use permits. Review criteria applicable to this application are as follows:

1. The use is consistent with the Comprehensive Plan.
2. The use complements and is compatible with the surrounding uses and community facilities.
3. The impact of the use on public infrastructure can be minimized without negatively impacting existing uses in the area and in the City.
4. The use contributes to, enhances or promotes the welfare of adjacent properties and the surrounding area.
5. The use does not substantially adversely affect adjacent and neighboring uses permitted.
6. The use does conform in all other respect to regulations and standards in this Unified Development Code.
7. The development provides ample off-street parking and loading facilities.

Department Comments:

1. Resource Extraction is also a heavy industrial use that the Unified Development Code allows in the "IL" Light Industrial District by Special Permit. A Special Permit is subject to limitations as deemed appropriate by the City Council.
2. The proposed use is appropriate at this location given the "IL" Industrial District designation of the subject property.
3. Extraction operations will be temporary and subject to a specific time period set forth in the approving ordinance.
4. An excavation permit approved by the Planning Commission will further ensure orderly operations. The excavation permit will include the requirement for erosion control and will include periodic inspection of the property.
5. The application is consistent with the Special Permit review criteria set forth in the Unified Development Code Section 3.6.3 B.
6. The proposed use will meet a demand that exists from various construction projects throughout the City which may include City infrastructure projects.
7. The site plan submitted is consistent with the criteria set forth in the Unified Development Code.

Staff Recommendation:

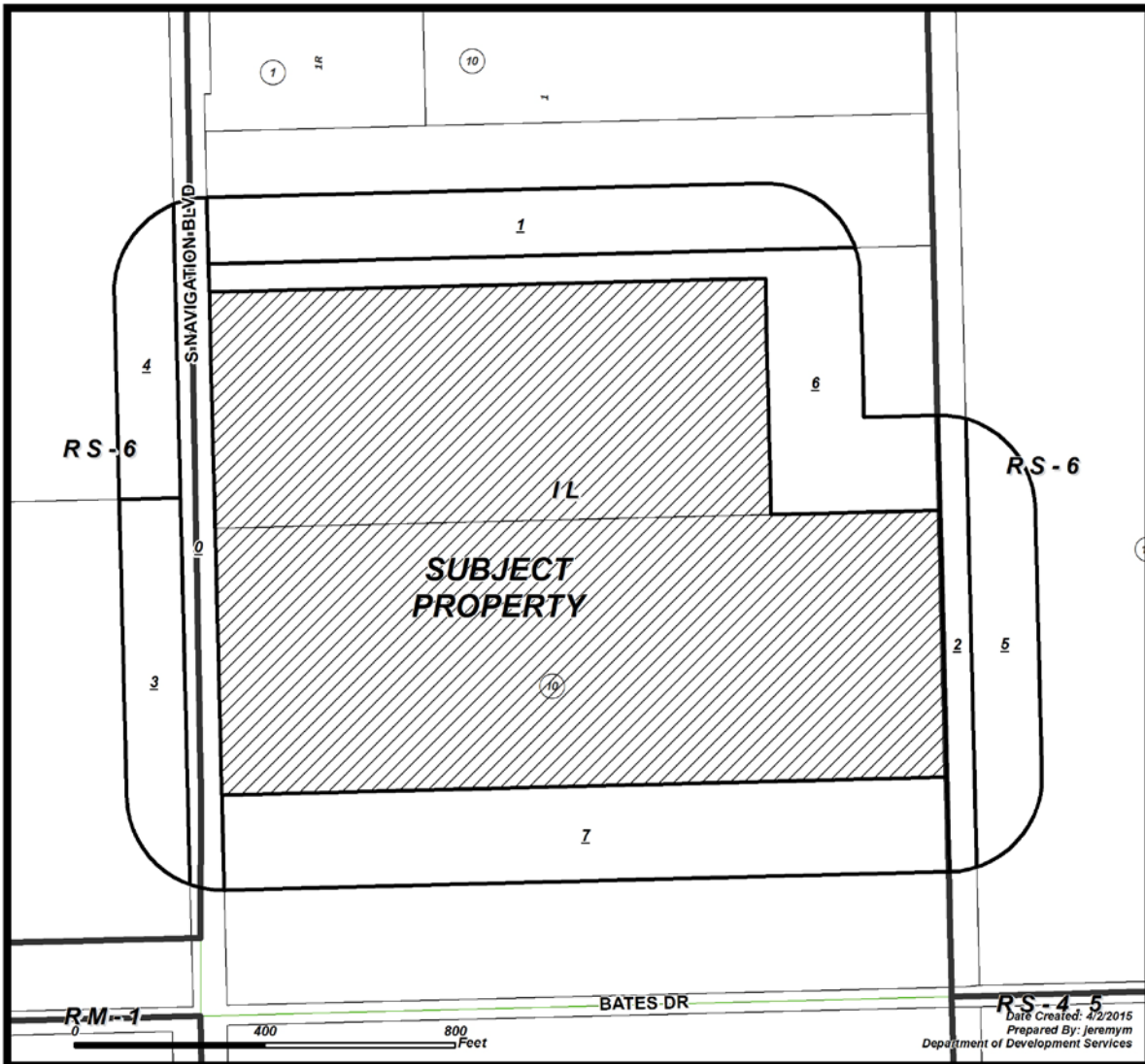
Approval of the "IL/SP" Light Industrial District with a Special Permit subject to the following conditions:

1. The only use permitted under this Special Permit, other than those allowed by right in the "IL" Industrial District, is resource extraction as described herein; the extraction of sand, gravel, dirt, stockpiling thereof and accessory uses including the storage of equipment and structures necessary to conduct operations.
2. Erosion and dust control shall be in accordance with all City, State, and Federal requirements and specifications.
3. Vehicular access shall be allowed as per the approved site plan and excavation permit.
4. Hours of operation shall be limited to the hours between 7:00 A.M. and 5:00 P.M.
5. Time Limit: This Special Permit shall expire in three years or upon termination of the excavation permit, whichever comes first.

Public Notification	Number of Notices Mailed – 7 within 200-foot notification area 7 outside notification area
	<u>As of April 17, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:

- 1. Location Map (Existing Zoning & Notice Area)
- 2. Site Plan



Date Created: 4/2/2015
Prepared By: Jeremym
Department of Development Services

CASE: 0415-06
Zoning & Notice Area

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

Subject Property with 200' buffer
 Owners in favor
 Owners in opposition
 4 Owners within 200' listed on attached ownership table

