



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 19, 2015
Second Reading for the City Council Meeting of May 26, 2015

DATE: April 28, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
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**Rezoning for a Special Permit for Resource Extraction
For GMG Partners, LP
Property Address: 718 South Navigation Boulevard**

CAPTION:

Case No. 0415-06 GMG Partners, LP: A change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for Resource Extraction, not resulting in a change to the Future Land Use Plan. The Special Permit is requested to allow the extraction of sand and gravel. The property to be rezoned is described as 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.

PURPOSE:

The purpose of this item is to rezone the property for a Special Permit for Resource Extraction.

RECOMMENDATION:

Planning Commission and Staff Recommendation (April 22, 2015): Approval of the "IL/SP" Light Industrial District with a Special Permit for Resource Extraction subject to compliance with the site plan and the following conditions:

1. Use Regulation: 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: Erosion and dust control shall be in accordance with all City, State, and Federal requirements and specifications.
3. Access: Vehicular access shall be allowed as per the approved site plan and excavation permit.
4. Hours of Operation: Hours of operation shall be limited to the hours between 7:00 A.M. and 5:00 P.M.

5. Restoration: The site shall be restored to pre-existing condition.
6. Time Limit: This Special Permit shall expire in three years or upon termination of the excavation permit, whichever comes first.

BACKGROUND AND FINDINGS:

1. The proposed use is appropriate at this location given the “IL” Industrial District designation of the subject property.
2. Extraction operations will be temporary and subject to a specific time period set forth in the approving ordinance.
3. 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 and restoration of the site.
4. The application is consistent with the Special Permit review criteria set forth in the Unified Development Code Section 3.6.3 B.
5. The proposed use will meet a demand that exists from various construction projects throughout the City which may include City infrastructure projects.
6. The site plan submitted is consistent with the criteria set forth in the Unified Development Code.

ALTERNATIVES:

1. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

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.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

Operating

Revenue

Capital

Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

Presentation - Aerial Map

Ordinance

Planning Commission Final Report