

PLANNING COMMISSION FINAL REPORT

Case No. 0519-04

INFOR No. 19ZN1012

Planning Commission Hearing Date: May 15, 2019

Applicant & Legal Description	Owner: Blairtown Energy Center, LLC. Applicant: Saldana Consulting Location Address: 2502 and 2506 Johanna Street Legal Description: Lot 42A and 42B, Block 1, Lexington Subdivision, located at the north side of Johanna Street, east of Ayers Street, and west of Richter Street.			
Zoning Request	From: "ON" Neighborhood Office District To: "CG-2" General Commercial District Area: 0.459 acres Purpose of Request: To allow for the construction of an auto repair facility.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"ON" Neighborhood Office	Vacant	Commercial
	North	"CG-2" General Commercial	Commercial	Commercial
	South	"RS-6" Single-Family 6	Vacant and Low Density Residential	Commercial and Low Density Residential
	East	"RS-6" Single-Family 6	Vacant	Commercial
	West	"CG-2" General Commercial	Commercial	Commercial
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC). Map No.: 047038 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 100 feet of street frontage along Johanna Street which is designated as a Local / Residential Street. According to the Urban Transportation Plan, a Local / Residential Street can convey a capacity between 500 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Johanna Street	Local/Residential	50' ROW 28' paved	50' ROW 28' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “ON” Neighborhood Office District to the “CG-2” General Commercial District to allow for the construction of an auto repair facility.

Development Plan: The subject property is 0.459 acres in size. The owner is proposing an auto repair facility.

Existing Land Uses & Zoning: The subject property is currently zoned “CG-2” General Commercial District, consists of vacant land, annexed in 1950, and formerly had two small single-family homes that were demolished in the late 1990s. The subject property was originally zoned “RS-6” Single-Family 6 District, formerly know as the “R-1B” One-Family Dwelling District. In 1999, an application was submitted to rezone the property to the “CG-2” General Commercial District, formerly known as the “B-4” General Business District. The rezoning was denied by the City Council and in lieu, approved as the “ON” Neighborhood Office District, formerly known as the “AB” Professional Office District. To the north is a property zoned “CG-2” General Commercial District and consists of a small retail shopping center. To the south are a single-family residences (Lexington, 1946) and zoned “RS-6” Single-Family 6 District. To the east are vacant single-family residential lots (Lexington, 1946) and zoned “RS-6” Single-Family 6 District. To the west is a property zoned “CG-2” General Commercial District and consists of a modular building business with outdoor display and storage.

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

Plat Status: The property is platted.

Utilities:

Water: 6-inch CIP line located western property line.

Wastewater: 8-inch VCP line located along the rear property line.

Gas: 2-inch Service Line located along the rear property line.

Storm Water: Inlets along Johanna Street.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for Light Industrial uses. The proposed rezoning to the “CG-2” General Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC). The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- New high-intensity commercial developments without adequate transition or buffering should be discouraged from locating directly adjacent to low-intensity residential areas. (Southside ADP, Policy Statement B.7).

Department Comments:

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC).
- The proposed rezoning is generally compatible with neighboring properties. However, the proposed use may have a negative impact upon the surrounding neighborhood due to noise and traffic.
- Existing commercial properties to the north and west are zoned “CG-2” General Commercial District. However, properties to the south and east are zoned “RS-6” Single-Family 6 District
- In 1999, an application was submitted to rezone the property to the “CG-2” General Commercial District, formerly known as the “B-4” General Business District. The rezoning was denied by the City Council and in lieu, approved as the “ON” Neighborhood Office District, formerly known as the “AB” Professional Office District.
- The “CG-2” District opens the possibility of more intense commercial uses such as Mini-Storage, Bars, and Night Clubs adjacent to single-family residences.
- All uses will be subject to the City’s noise ordinance to prevent a nuisance from occurring.
- The applicant is requesting to construct an auto repair shop. The proposed vehicle repair is defined by the Unified Development Code (UDC) as “Vehicle Service, Limited.” The Unified Development Code (UDC) defines vehicle services as:

Vehicle Service, Limited: Minor repair or replacement of parts, tires, tubes, or batteries, diagnostic services; minor motor services such as grease, oil, spark plug, or filter changing; tune-ups; emergency road services; replacement of starters, alternators, hoses, belts, and points; brake or muffler repair, wheel alignment, automobile washing, automobile upholstery, window-tinting, state inspections and associated minor repairs; routine servicing of air-conditioning systems, or other similar minor repair services. Minor repairs do not include uses listed under “vehicle service, heavy.”

Vehicle Service, Heavy: General repair or overhaul of engines, air-conditioning systems, transmissions, or radiators for motor vehicles; Repair of bodies, frames, or

fenders, painting, undercoating, or rust-proofing; repair of heavy load vehicles such as, tractor trailers, commercial dump trucks, or transit vehicles; customizing; vehicle steam cleaning; and other similar uses. Major repairs do not include uses listed under “vehicle service, limited.”

Planning Commission and Staff Recommendation (May 15, 2019):

Denial of the change of zoning from the “ON” Neighborhood Office District to the “CG-2” General Commercial District, in lieu thereof, approval of the “ON/SP” Neighborhood Office District with a Special Permit (SP) with the following conditions.

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is “Vehicle Service, Limited” as defined by the Unified Development Code (UDC).
2. **Hours of Operation:** The hours of operation shall be daily from 8:00 AM to 6:00 PM.
3. **Buffer Yard:** A Type C Buffer Yard as defined by Section 7.9.5.A of the Unified Development Code (UDC) shall be required where the subject property shares a property line with a residential zoning district and/or residential use.
4. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
5. **Lighting:** All security lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting fixtures. No light projection is permitted beyond the property line near all public roadways and residential development.
6. **Indoor Work:** All vehicle service and repairs must be done within an enclosed building and must follow all federal, state, local regulations.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twenty-four (24) months of this ordinance, unless a complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy or UDC compliance has been issued. The Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

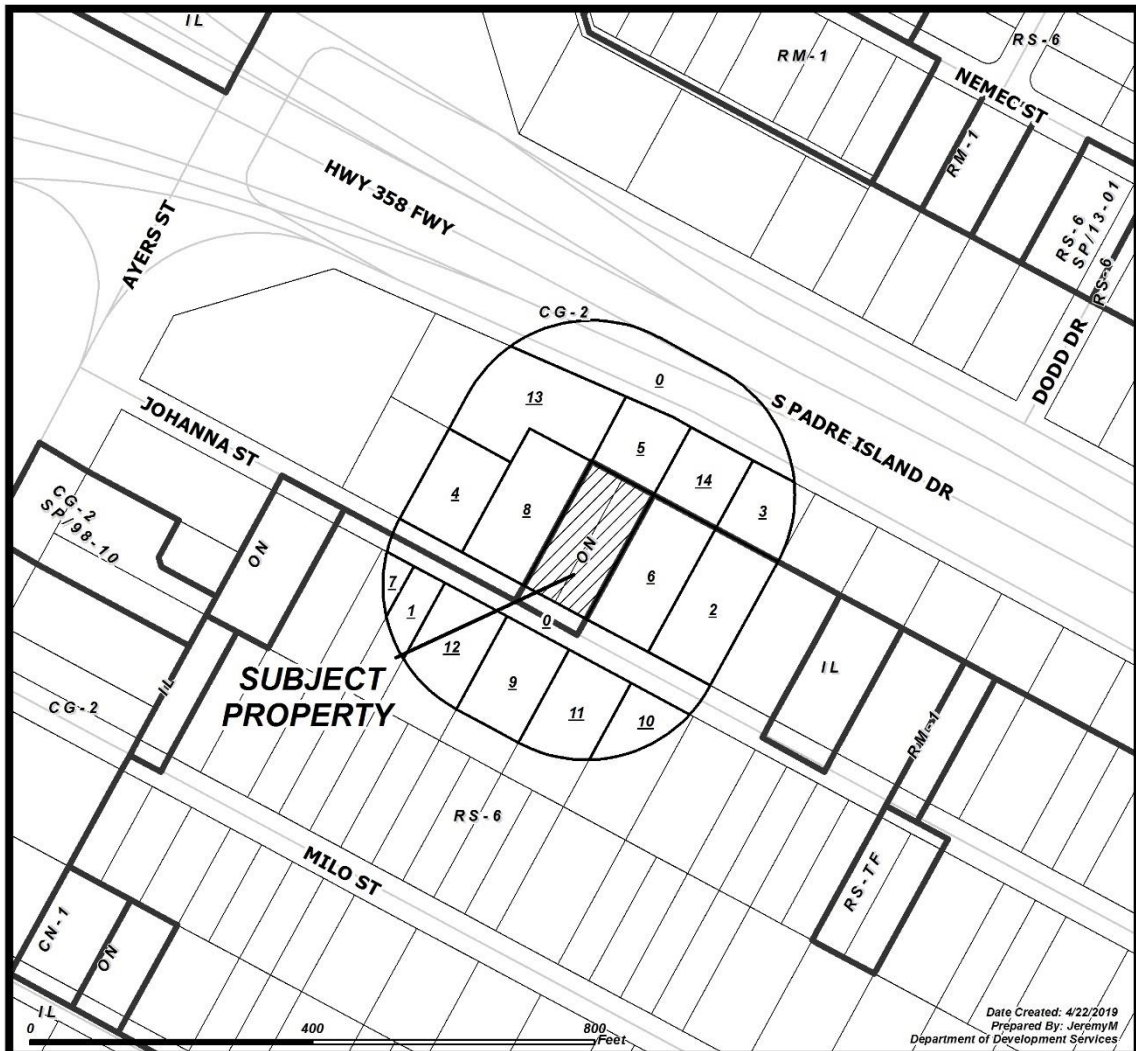
Vote Results:

For:	6
Opposed:	0
Absent:	3
Abstained:	0

Public Notification	Number of Notices Mailed – 14 within 200-foot notification area 5 outside notification area	
	<u>As of May 10, 2019:</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:

- A. Location Map (Existing Zoning & Notice Area)
- B. Preliminary Site Plan
- C. Public Comments Received (if any)



Date Created: 4/22/2019
Prepared By: JeremyM
Department of Development Services

CASE: 0519-04 ZONING & NOTICE AREA

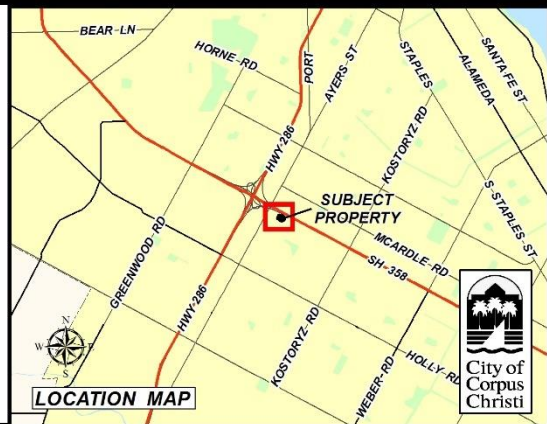
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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

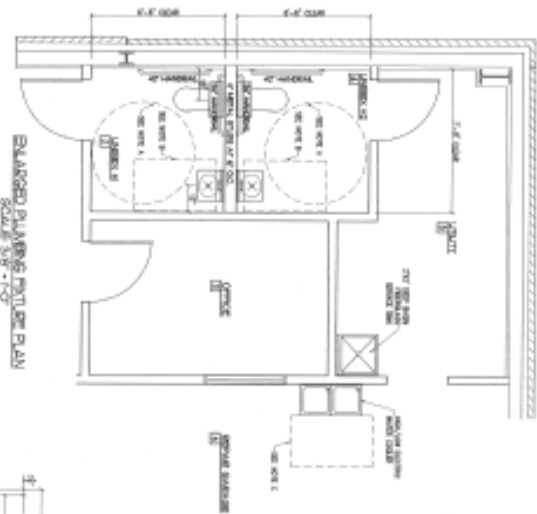
Owners in favor

Owners within 200' listed on attached ownership table

Owners in opposition



LOCATION MAP



LANDSCAPE ACCESSIBILITY NOTES

NOTE A - OUTLINE OF 5'-0" WALKING CLEARANCE AREA FOR MEDICAL STAMPEDE. THIS AREA WILL NOT BE OPENED ON DOOR SWING OR MOVER TRAILER.

NOTE B - OUTLINE OF 5'-0" WALKING CLEARANCE AREA AT WALL. THIS AREA WILL NOT BE OPENED ON DOOR SWING OR MOVER TRAILER.

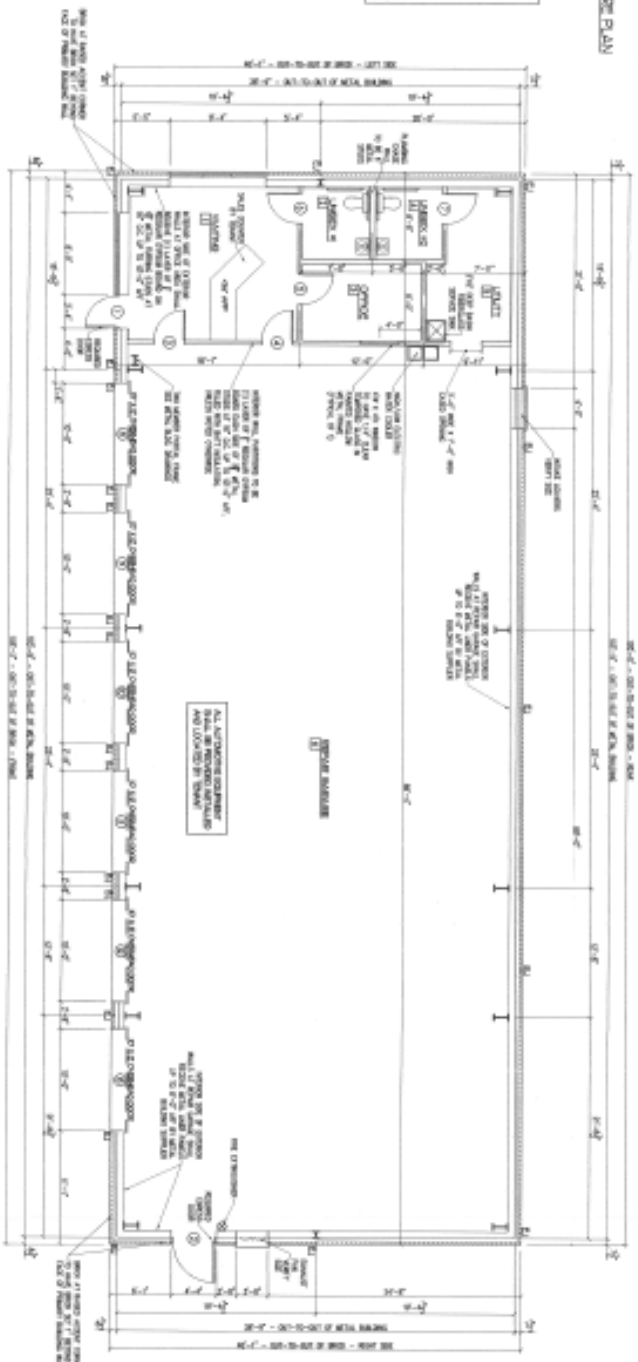
NOTE C - OUTLINE OF 5'-0" WALKING CLEARANCE AREA AT WALL. THIS AREA WILL NOT BE OPENED ON DOOR SWING OR MOVER TRAILER.

PLAYING FUTURE REQUIREMENT CALCULATIONS

OFFICE: 100' x 10' = 1,000 SF	1. LAMINATE FLOOR BOARD
8 OCCUPANTS	2. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	3. LAMINATE FLOOR BOARD
8 OCCUPANTS	4. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	5. LAMINATE FLOOR BOARD
8 OCCUPANTS	6. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	7. LAMINATE FLOOR BOARD
8 OCCUPANTS	8. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	9. LAMINATE FLOOR BOARD
8 OCCUPANTS	10. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	11. LAMINATE FLOOR BOARD
8 OCCUPANTS	12. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	13. LAMINATE FLOOR BOARD
8 OCCUPANTS	14. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	15. LAMINATE FLOOR BOARD
8 OCCUPANTS	16. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	17. LAMINATE FLOOR BOARD
8 OCCUPANTS	18. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	19. LAMINATE FLOOR BOARD
8 OCCUPANTS	20. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	21. LAMINATE FLOOR BOARD
8 OCCUPANTS	22. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	23. LAMINATE FLOOR BOARD
8 OCCUPANTS	24. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	25. LAMINATE FLOOR BOARD
8 OCCUPANTS	26. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	27. LAMINATE FLOOR BOARD
8 OCCUPANTS	28. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	29. LAMINATE FLOOR BOARD
8 OCCUPANTS	30. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	31. LAMINATE FLOOR BOARD
8 OCCUPANTS	32. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	33. LAMINATE FLOOR BOARD
8 OCCUPANTS	34. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	35. LAMINATE FLOOR BOARD
8 OCCUPANTS	36. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	37. LAMINATE FLOOR BOARD
8 OCCUPANTS	38. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	39. LAMINATE FLOOR BOARD
8 OCCUPANTS	40. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	41. LAMINATE FLOOR BOARD
8 OCCUPANTS	42. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	43. LAMINATE FLOOR BOARD
8 OCCUPANTS	44. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	45. LAMINATE FLOOR BOARD
8 OCCUPANTS	46. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	47. LAMINATE FLOOR BOARD
8 OCCUPANTS	48. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	49. LAMINATE FLOOR BOARD
8 OCCUPANTS	50. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	51. LAMINATE FLOOR BOARD
8 OCCUPANTS	52. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	53. LAMINATE FLOOR BOARD
8 OCCUPANTS	54. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	55. LAMINATE FLOOR BOARD
8 OCCUPANTS	56. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	57. LAMINATE FLOOR BOARD
8 OCCUPANTS	58. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	59. LAMINATE FLOOR BOARD
8 OCCUPANTS	60. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	61. LAMINATE FLOOR BOARD
8 OCCUPANTS	62. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	63. LAMINATE FLOOR BOARD
8 OCCUPANTS	64. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	65. LAMINATE FLOOR BOARD
8 OCCUPANTS	66. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	67. LAMINATE FLOOR BOARD
8 OCCUPANTS	68. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	69. LAMINATE FLOOR BOARD
8 OCCUPANTS	70. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	71. LAMINATE FLOOR BOARD
8 OCCUPANTS	72. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	73. LAMINATE FLOOR BOARD
8 OCCUPANTS	74. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	75. LAMINATE FLOOR BOARD
8 OCCUPANTS	76. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	77. LAMINATE FLOOR BOARD
8 OCCUPANTS	78. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	79. LAMINATE FLOOR BOARD
8 OCCUPANTS	80. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	81. LAMINATE FLOOR BOARD
8 OCCUPANTS	82. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	83. LAMINATE FLOOR BOARD
8 OCCUPANTS	84. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	85. LAMINATE FLOOR BOARD
8 OCCUPANTS	86. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	87. LAMINATE FLOOR BOARD
8 OCCUPANTS	88. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	89. LAMINATE FLOOR BOARD
8 OCCUPANTS	90. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	91. LAMINATE FLOOR BOARD
8 OCCUPANTS	92. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	93. LAMINATE FLOOR BOARD
8 OCCUPANTS	94. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	95. LAMINATE FLOOR BOARD
8 OCCUPANTS	96. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	97. LAMINATE FLOOR BOARD
8 OCCUPANTS	98. LAMINATE FLOOR BOARD
2. OFFICE: 100' x 10' = 1,000 SF	99. LAMINATE FLOOR BOARD
8 OCCUPANTS	100. LAMINATE FLOOR BOARD

GENERAL NOTES

1. THIS BUILDING HAS 250 SQUARE FEET OF WAITING AREA AND OFFICE SPACE AND 2500 SQUARE FEET OF REAR GALLERY SPACE FOR A TOTAL OF 3000 SQUARE FEET WAITING ROOM.



FLOOR PLAN
SCALE: 3/8" = 1'-0"