

PLANNING COMMISSION FINAL REPORT

Case No. 0419-01

INFOR No. 19ZN1007

Planning Commission Hearing Date: April 17, 2019

Applicant & Legal Description	Owner: Vernon and Jennifer Carr Applicant: Vernon and Jennifer Carr Location Address: 701 McBride Lane Legal Description: Being 0.909 acre tract being Lots 168, 167, and the east 25' of Lot 166, Ebony Acres Unit 2, located on the west side of McBride Lane, south of Hampshire Road, and north of Leopard Street.			
Zoning Request	From: "CG-2" General Commercial District and "RS-6" Single-Family 6 District To: "IL" Light Industrial District Area: 0.909 acres Purpose of Request: To allow for the construction of a welding shop.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-2" General Commercial and "RS-6" Single-Family 6	Vacant	Light Industrial
	<i>North</i>	"CG-2" General Commercial and "RS-6" Single-Family 6	Vacant and Low Density Residential	Light Industrial and Medium Density Residential
	<i>South</i>	"CG-2" General Commercial and "RS-6" Single-Family 6	Vacant and Public/Semi-Public	Light Industrial and Government
	<i>East</i>	"IL" Light Industrial	Light Industrial	Light Industrial
	<i>West</i>	"RS-6" Single-Family 6	Low Density Residential	Light Industrial and Medium Density Residential
ADP, Map & Violations	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" Light Industrial District is generally consistent with the adopted Comprehensive Plan (Plan CC). Map No.: 051045 Zoning Violations: None			

Transportation	Transportation and Circulation: The subject property has approximately 175 feet of street frontage along McBride Lane which is designated as an “C1” Minor Collector Street and approximately 226 feet of street frontage along Hampshire Road which is designated as a Local/Residential Street. According to the Urban Transportation Plan, “C1” Minor Collector Streets can convey a capacity between 1,000 to 3,000 Average Daily Trips (ADT).				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	McBride Lane	“C1” Minor Collector	60’ ROW 40’ paved	66’ ROW 34’ paved	N/A
	Hampshire Road	Local/Residential	50’ ROW 28’ paved	60’ ROW 30’ paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “CG-2” General Commercial District and “RS-6” Single-Family 6 District to the “IL” Light Industrial District to allow for the construction of a welding shop.

Development Plan: The subject property is 0.909 acres in size. The owner is proposing a welding shop with only himself as the sole employee at this time.

Existing Land Uses & Zoning: The subject property is currently zoned “CG-2” General Commercial District, consists of vacant land, and has remained undeveloped since annexation in 1954. To the north are properties zoned “CG-2” General Commercial District and “RS-6” Single-Family 6 District and consists of a vacant lot and single-family residences (Ebony Acres, 1946). To the south are a single-family residences (Ebony Acres, 1939) and a church zoned “CG-2” General Commercial District and “RS-6” Single-Family 6 District. To the east are various light industrial businesses and are zoned “IL” Light Industrial District. To the west are single-family residences (Ebony Acres, 1946) zoned “RS-6” Single-Family 6 District.

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

Plat Status: The property is not platted.

Utilities:

Water: 8-inch ACP line located along McBride Lane.

Wastewater: 8-inch PVC line located along Hampshire Road.

Gas: 4-inch Service Line located along McBride Lane.

Storm Water: Inlets along Hampshire Road.

Plan CC & Area Development Plan Consistency: 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” Light Industrial 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).
- Where industrial land uses are proposed adjacent to existing or future residential areas, buffering techniques such as greater open space and privacy walls or landscaping should be required. (Westside ADP, Policy Statement B.4).

Department Comments:

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC).
- The proposed rezoning is incompatible with neighboring properties. However, the properties to the east, across McBride Lane are light industrial uses. The proposed use does not have a negative impact upon the surrounding neighborhood.
- Existing commercial properties to the north and south are zoned “CG-2” General Commercial District.
- An increase in zoning district intensity next to a single-family neighborhood will potentially subject additional residential homes to hazards such as: noise, smoke, vibration, dust, and odors.
- McBride Lane is essentially the dividing line between light industrial uses and commercial/residential uses on the Future Land Use map.
- A small welding shop is a low impact commercial use. The limited hours of operation of 8:00 a.m. to 8:00 p.m. would reduce the chance of any potential negative impacts from occurring.

Planning Commission and Staff Recommendation (April 17, 2019):

Denial of the change of zoning from the “CG-2” General Commercial District and the “RS-6” Single-Family 6 District to the “IL” Light Industrial District, in lieu thereof, approval of the “CG-2/SP” General Commercial 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 a “Welding, Machine, and Tool Repair Shop” as described in Section 5.1.5.A “Light Industrial Service” of the Unified Development Code (UDC).
2. **Hours of Operation:** The hours of operation shall be daily from 8:00 AM to 8:00 PM.
3. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.

4. **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.
5. **Indoor Work:** All welding and machine work shall occur only indoors.
6. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

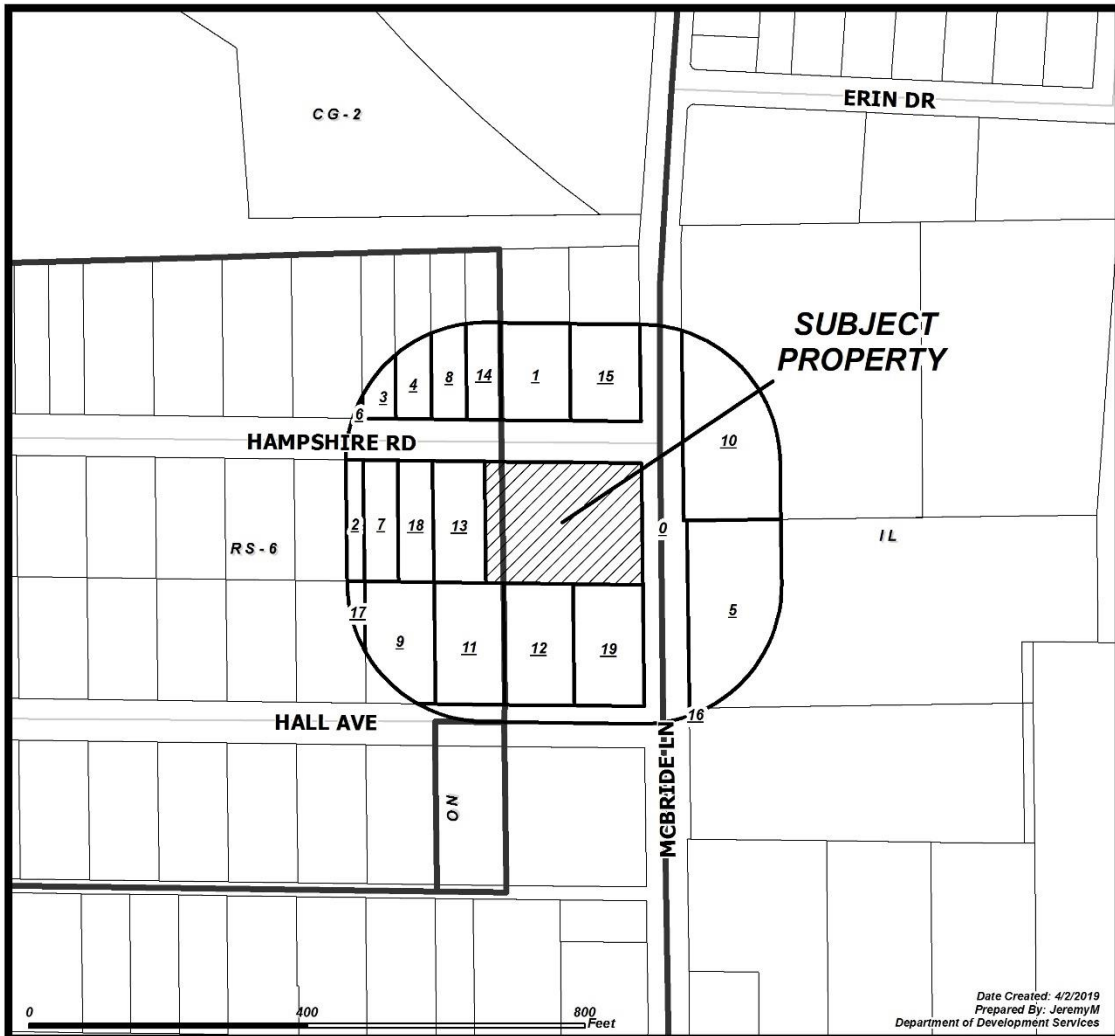
Vote Results:

For: 7
Opposed: 0
Absent: 2
Abstained: 0

Public Notification	Number of Notices Mailed – 19 within 200-foot notification area 5 outside notification area	
	<u>As of March 12, 2019:</u>	
	In Favor	– 0 inside notification area – 0 outside notification area
	In Opposition	– 0 inside notification area – 0 outside notification area
	Totalling 0.00% of the land within the 200-foot notification area in opposition.	

Attachments:

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



Date Created: 4/2/2019
Prepared By: JeremyM
Department of Development Services

CASE: 0419-01 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
CJ 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 within 200' listed on attached ownership table
☒ Owners in favor
☒ Owners in opposition

