

SPECIAL USE PERMIT

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

SITE ZONING: (LI) Light Industrial District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(LI) Light Industrial District	Warehouse uses
SOUTH	(LI) Light Industrial District	Warehouse uses
EAST	Addison (across Midway Rd.)	Warehouse/Industrial uses
WEST	(LI) Light Industrial District	Warehouse uses

REQUEST: Special Use Permit to allow a used car dealer with outdoor display

PROPOSED USE: Used car sales

ACRES/LOTS: Approximately 6.1 Acres/2 Lots (to be replatted into one)

LOCATION: 3216 Kellway Drive & 2311 Midway Road

HISTORY: The current zoning on the property was established in December 1973.

The property was originally platted into a lot of legal record in 1978, as part of Beltwood North Venture Addition. Various portions of this addition have been replatted over the years, most recently in July 2013. The applicant is currently in the process of incorporating the currently vacant tract directly to the east.

The existing building was constructed in 2014.

COMPREHENSIVE PLAN: Industrial Uses

TRANSPORTATION PLAN: Midway Road is designated as a (A6D) Six-Lane Divided Arterial and Kellway Drive is designated as a (C2U) Two-Lane Undivided Collector.

OWNER: Earth Commercial Properties, LLC

REPRESENTED BY: Frank Cortese/Earth Motorcars

STAFF ANALYSIS

PROPOSAL

This is a request to establish a new Special Use Permit for a Used Car Dealer with outdoor display.

ORDINANCE REQUIREMENTS

The (LI) Light Industrial District currently allows **outdoor** used car display only with a Special Use Permit. Used car dealerships with indoor display only are allowed “by right.”

ELEMENTS TO CONSIDER, EXISTING BUSINESS SITE:

- Currently the site holds a Certificate of Occupancy for a used car dealership with indoor display only, which is allowed by the Comprehensive Zoning Ordinance by right.
- The current business sells late-model, high-quality used cars.
- There is no history of code enforcement problems at this location.
- This is a completely new building, completed in 2014. It was designed as a facility for Earth Motor Cars.

ELEMENTS TO CONSIDER, PROPOSED NEW LOT:

- The applicant proposes to incorporate the currently-vacant property between the existing Earth Motor Cars facility and Midway Road into his property (via a replat) and develop it as additional outdoor parking.
- The additional vacant lot to the east is approximately 140 feet deep, as measured from Midway Road. This depth does not appear to be sufficient to allow a warehouse-type building. As an example of what could fit, the parcel is approximately the same depth as the small retail strip currently on the northeast corner of Keller Springs Road and Kelly Boulevard. Therefore, a similar small retail strip with parking adjacent to Midway Road would fit.
- As part of the development of the site, significant drainage issues will be accommodated. A large drainage channel adjacent to Kellway Drive will be constructed to intercept flood waters and convey them to an existing channel on the east side of the Earth Motor Cars property, thence south to an unnamed tributary of Hutton Branch. Because the corner parcel is in the flood hazard area, it is being required by FEMA to design to the “100-year” flood event. This means that the property must be designed to handle a flood event of 1,300 cubic feet per second.

- The property to be developed as additional parking is relatively small (about 150 feet by 290 feet). As such, it is not appropriate for a warehouse/distribution building. It might be suitable for a general retail, office or auto maintenance facility. Given the drainage issues, however, the cost of development seems to be preventing such other development.

EXISTING LANDSCAPING:

- The landscaping on the existing Earth Motor Cars building site meets the current requirements of the zoning ordinance.

PROPOSED LANDSCAPING:

- The proposed landscape buffer along Midway Road is a minimum of 20 feet (near the south end of the property), and gradually increases in depth moving north to Kellway Drive. At the north end of the property, the buffer is approximately 40 feet in width. The “base” zoning requirement is an average of 15 feet in width, but no narrower than 3 feet at any point.
- Within the landscape buffer, the applicant is proposing the following plant elements:
 - 6 shade trees (“base” requirement is 6)
 - 10 ornamental trees (“base” requirement is 12)
 - A parking lot screening hedgerow consisting of alternating groups of Eleagnus and Dwarf Wax Myrtle (meeting the “base” requirement of 34 shrubs per 100 linear feet)
- Within the parking area, the applicant is proposing an increase in the number of interior landscape islands (those located in the middle of a row, not at either end) above what would be required by the “base” zoning as follows:
 - Three along Midway and Kellway, where only one would be required
 - One along the west property line, where none would be required
 - Two in the internal parking row, where none would be required
 - In each of the non-required interior landscape islands additional shade and ornamental trees are provided

The result of this is a superior landscaping package for the site as a whole.

- Any use allowed “by right” in this zoning district could place a parking lot adjacent to Midway Road. A 15-foot landscape buffer would be required, with the “base” landscaping requirements.
- Because the corner parcel is in such a severely flood-prone area, staff is hesitant to recommend landscaping substantially in excess of the “base” requirements, due to the likelihood that they will be washed away by a flood event.

CONCLUSION:

The use appears appropriate.