

## Legislation Text

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**File #:** 4323, **Version:** 1

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**CC MEETING:** May 7, 2019

**DATE:** April 30, 2019

**TO:** Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Chief Planner

**Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For Warehouse/Distribution Uses On A 22.16-Acre Tract Zoned (FWY) Freeway District, And Located At 2643 IH-35E; Amending The Official Zoning Map Accordingly. Case No. 04-19SUP1 Point 35/190.**

**BACKGROUND:**

This is a request for a special use permit to allow a 178,500 square foot warehouse and distribution building at 2643 Interstate Highway 35E North.

On December 12, 2018 City Council adopted an ordinance amending the Comprehensive Zoning Ordinance to require a special use permit for warehouse and distribution uses in the (FWY) Freeway District.

**STAFF RECOMMENDATION/ACTION DESIRED:**

On April 4, 2019 the Planning and Zoning Commission recommended denial of the special use permit request. However, due to a property owner notification error by staff, it was necessary to convene another public hearing after proper notifications had been made.

On May 2, 2019 the Planning and Zoning Commission recommended **DENIAL** of the special use permit request. As a result of the Commission's recommendation, a favorable vote by at least three-fourths ( $\frac{3}{4}$ ) of the City Council (6 members) is required to overrule the Commission's recommendation and approve the request.

Staff recommends approval and adoption of the ordinance.