



Legislation Details (With Text)

File #: ORD. 2015-022-39 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 12/10/2014 **In control:** City Council

On agenda: 2/17/2015 **Final action:** 2/23/2015

Title: To authorize the special use of the property known as 3729 East Broad Rock Road for the purpose of authorizing motor fuel sales, upon certain terms and conditions.

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2015-22-39, 2. Staff Report, 3. Location Map, 4. Plans, 5. Application & Applicant's Report

Date	Ver.	Action By	Action	Result
2/23/2015	1	City Council	adopted	
2/23/2015	1	Planning Commission	recommended for approval	Pass
1/26/2015	1	City Council	introduced and referred	

To authorize the special use of the property known as 3729 East Broad Rock Road for the purpose of authorizing motor fuel sales, upon certain terms and conditions.

O & R Request

DATE: December 10, 2014 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Christopher L. Beschler, Interim Chief Administrative Officer

THROUGH: Peter L. Downey, Interim Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

SUBJECT: Special Use Permit amendment for the purpose of authorizing motor fuel sales.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 3729 East Broad Rock Road for the purpose of authorizing motor fuel sales, upon certain terms and conditions.

REASON: The B-2 Community Business District permits motor fuel sales. However, the B-2 District requires no fuel sales be located on a property designated as a transitional site, which is defined as a lot or portion thereof located in a B district and situated within 50 feet and fronting on the same block as property in an R district. The adjacent property is zoned R-48 Multi-family Residential District, and therefore, a special use permit is required.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its February 2, 2015 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is located on the southwest side of the intersection of East Broad Rock and Prince Hall Drive in the City's Broad Rock Planning District. The parcel contains approximately 1.76 acres of land area and is improved with the McGuire Park Shopping Center.

The proposed use would consist of 24'x72' fueling canopy and fuel pumps and tank to add fuel sales to a convenience store.

The Master Plan recommends Neighborhood Commercial uses for the subject property. "Neighborhood commercial uses as shown on the Land Use Plan map should be limited to those uses that provide goods and services generally used by the immediate surrounding neighborhood and are not intended to draw from a broader market" (page 150-151).

FISCAL IMPACT: The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

COST TO CITY: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

REVENUE TO CITY: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: January 12, 2015

CITY COUNCIL PUBLIC HEARING DATE: February 9, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, February 2, 2015

AFFECTED AGENCIES: Office of Chief Administrative Officer; Law Department (for review of draft ordinance); and City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORDINANCES: None.

ATTACHMENTS: Application Form, Applicant's Letter, Draft Ordinance, Survey, Plans

STAFF: Willy Thompson, Senior Planner; Land Use Administration (Room 511); 646-5734

PDR O&R No. 14-51