

Department of Community Planning and Economic Development - Planning Division
Rezoning, Variances, and Site Plan Review
BZZ-4889

Date: November 15, 2010

Applicant: Auto Zone

Address of Property: 1512-1524 West Broadway (part of the site was formerly addressed as 2002-2004 James Avenue North).

Project Name: Auto Zone

Contact Person and Phone: Phillip Pecord – Auto Zone 901-495-8706

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: August 6, 2010

End of 60 Day Decision Period: October 5, 2010

Date Extension Letter Sent: August 17, 2010

End of 120 Day Decision Period: December 4, 2010 (please see attached letter from the applicant extending the review period until February 26, 2011).

Ward: 5 **Neighborhood Organization:** Jordan

Existing Zoning: OR2 High Density Office Residence District.

Proposed Zoning: C1 Neighborhood Commercial District.

Zoning Plate Number: 7

Legal Description: Lots 46-50, Block 17, Forest Heights Addition

Proposed Use: General retail sales and services (auto parts store).

Concurrent Review:

Rezoning: Rezoning from OR2 High Density Office Residence District to the C1 Neighborhood Commercial District.

Variance: To reduce the front yard setback from 15 feet to 7 feet for the building.

Variance: To reduce the front yard setback from 15 feet to 3 feet for parking.

Variance: To increase the maximum allowable lot area in the C1 District from 20,000 square feet to 26,000 square feet.

Variance: To increase the maximum allowable gross floor area in of the building from 6,000 square feet to 6,476 square feet.

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Variance: To allow sign 1 to exceed 45 square feet in area to 110 square feet.

Variance: To allow sign 1 to exceed the maximum allowable height of 14 feet to 20 feet.

Variance: To allow sign 1 to be backlit.

Variance: To allow sign 2 to exceed 45 square feet in area to 84 square feet.

Variance: To allow sign 2 to exceed the maximum allowable height of 14 feet to 18 feet.

Variance: To allow sign 2 to be backlit.

Site Plan Review: For a new 6,476 square foot building.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments; Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements...”; Section 525.520(2) “to vary the lot area...by up to 30 percent.”; Section 525.520(3) “To vary the gross floor area...of a structure or use.”; Section 525.520(21) “To vary the number, type, height, area, or location of allowed signs...”; and Chapter 530, Site Plan Review.

Background: This item was continued from the September 7, and September 20, and October 4, 2010, meetings of the City Planning Commission. Auto Zone proposes to purchase the properties at 1512-1524 West Broadway (parts of the site were formerly addressed as 2002-2004 James Avenue North), demolish the existing commercial buildings, and construct a new 6,476 square foot building for Auto Zone. The site contains a car wash and vacant land. The auto parts store is classified as general retail sales and services and is first allowed in the C1 Neighborhood Commercial District as a permitted use.

The site is currently zoned OR2 High Density Office Residence District, so the applicant is requesting a rezoning from this district to the C1 Neighborhood Commercial District. The C1 District limits the zoning lot size to 20,000 square feet and floor area of the building to 6,000 square feet, for this building proposal. The lot area and building gross floor area exceed these limits, so the applicant is requesting a variance of these standards as well. In addition, there are two wall signs that require variances to exceed the height, area, and lighting standards of the zoning code. Finally, a new 6,476 square foot building requires site plan review and approval.

The Planning Commission continued this item to allow the applicant to work on the building design to bring it into conformance with the zoning code requirements and adopted city policy. The applicant is requesting a further continuance to the December 13, 2010, City Planning Commission meeting to continue looking a building and site design options. The applicant has extended the allowable review period until February 26, 2011.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department - Planning Division for the rezoning:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and City Council adopt the findings above and **continue** the rezoning from the OR2 High Density Office Residential District to the C1 Neighborhood Commercial District for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

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Recommendation of the Community Planning and Economic Development Department - Planning Division for the building setback variance:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to reduce the required front yard setback from 15 feet to 7 feet for the building for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the parking setback variance:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to reduce the required front yard setback from 15 feet to 3 feet for the parking lot for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the lot area variance:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable lot area in the C1 District from 20,000 square feet to 26,000 square feet for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the gross floor area variance:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable gross floor area in the C1 District from 6,000 square feet to 6,476 square feet for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 1:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable area of a sign from 45 square feet to 110 square feet for Sign 1 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

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Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 1:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and continue the variance to increase the maximum allowable height of a sign from 14 feet to 20 feet for Sign 1 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 1:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and continue the variance to allow a backlit sign for Sign 1 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 2:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and continue the variance to increase the maximum allowable area of a sign from 45 square feet to 84 square feet for Sign 1 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 2:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and continue the variance to increase the maximum allowable height of a sign from 14 feet to 18 feet for Sign 1 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 2:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and continue the variance to allow a backlit sign for Sign 2 for property located at 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

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Recommendation of the Community Planning and Economic Development Department - Planning Division for the site plan review:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the site plan review for property located 1512-1524 West Broadway to the December 13, 2010, meeting of the City Planning Commission.

Attachments:

1. Letter extending the review period.
2. Zoning map.