



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2022

Re: 2310 & 2412 E Bus. Loop 70 – Conditional Use Permit (Case #69-2022)

Executive Summary

Approval of this request will authorize issuance of a conditional use permit (CUP) allowing a 'Mechanical or construction contractor' on property addressed as 2310 & 2412 E. Business Loop 70.

Discussion

Plumb Supply Company (owner) requests a Conditional Use Permit (CUP) for a 'Mechanical and Construction Contractor' on a 10.16-acre tract that was previously comprised of two parcels. The site is zoned M-C (Mixed-use Corridor) and contains the Plumb Supply Company's principal business, shipping/storage facilities, and accessory outdoor storage.

The eastern parcel, hereafter eastern tract, contains the principal structure of the business while the western parcel, hereafter western tract, is used for ancillary storage. The eastern tract has been improved with Riback Supply (now Plumb Supply Company) since 1962 and has a valid conditional use permit granted by the Board of Adjustment in 1988. The western tract previously contained a livestock auction that closed in approximately 2003. Riback Supply, the former business operator, purchased the western tract in 2007 and began using it for ancillary storage related to the principal plumbing supply business.

As the western tract does not have a valid conditional use permit for the existing use, this request seeks to allow Plumb Supply obtain legal authority to the use of the western tract for ancillary storage associated with the present business operations. As 'Mechanical or construction contractors' are a conditional use in the M-C zone, this request is subject to the issuance of a CUP as required by Section 29-6.4(m) of the UDC. Evaluation of this request is based on CUP criteria of Section 29-6.4(m) and is further detailed in the attached staff report.

Staff finds the request to be consistent with the comprehensive plan and the evaluation criteria for a conditional use permit articulated in Section 29-6.4(m) of the Code. When reviewing requests for Conditional Use Permits, the Council may grant a CUP that includes any conditions deemed necessary to carry out the provisions and intent of the UDC. Given the ongoing and future improvements are to be appropriately regulated by the UDC, staff does not recommend any additional conditions at this time.

The Planning and Zoning Commission heard this request at its February 10, 2022 meeting. Staff gave a report and noted that one inquiry from a neighbor had a minor concern with potential increased impervious surface, but overall viewed the request as an improvement



over the previous livestock auction. Following limited discussion, the Commission voted 9-0 to recommend approval of the conditional use permit.

The Planning Commission staff report, locator maps, surrounding zoning graphic, and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Land Use & Growth Management

Legislative History

Date	Action
11/16/2020	Approved <i>Wellington Gordon, Plat No. 2</i>

Suggested Council Action

Approve the requested conditional use permit to allow a "Mechanical or construction contractor" on Lot 14A of Wellington Gordon, Plat No. 2 as recommended by the Planning and Zoning Commission.