



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 21, 2022

Re: 3615 Vandiver Drive – Conditional Use Permit (Case #281-2022)

Executive Summary

Approval of this request would result in granting a conditional use permit for the construction of 'self-service storage facility' over 14 feet in height, located on property addressed as 3615, 3637, and 3649 Vandiver Drive, on the west side of Highway 63.

Discussion

AMERCO Real Estate Company (Contract Purchaser) is seeking a conditional use permit (CUP), pursuant to the provisions of Section 29-3.3(w) (Use-Specific Standards) of the UDC, to allow construction of a U-Haul self-service storage facility that will include a self-storage building over 14 feet in height as well as other smaller structures and surface parking/storage for U-Haul rental trucks and trailers. The 3-lot subject property will require a replat into a single lot prior to issuance of building permits for the proposed structures.

The parcel is zoned M-C (Mixed-Use Corridor), which permits self-service storage facilities. However; Section 29-3.3(w) limits the height of such facilities to no greater than 14 feet without the issuance of a CUP. Furthermore, the section also requires that separate dimensional and appearance standards be met as part of the conditions for approval of the CUP. These additional standards include a minimum 100' setback from any residential zone or use, restrictions on construction materials and colors, and additional screening and street tree standards. Additionally, the use-specific standards generally prohibit storage of hazardous materials, retail sales, and the service or repair of vehicles, appliances and equipment.

The attached preliminary site plan depicts a total of six structures on the site. Five of the structures are planned to be a single story in height, and are intended for enclosed storage units. The sixth structure on the property is planned to be three stories and will house both storage units and the U-Haul retail operations. The M-C zoning district permits has a maximum building height of 45 feet for all other structures. The applicant is not seeking any relief as part of the CUP to increase building height; therefore, if the CUP is approved the maximum building height would be up to 45 feet as allowed in the M-C district. If the City Council wishes to apply a lesser maximum height as a condition of approval of the CUP that is permitted per the CUP review procedure; however, when reviewed by the Planning Commission such additional restriction was not recommended given the site's location.

Construction of the proposed facilities would also be subject to the UDC's general design standards and guidelines of Section 29-4.6(c), which seeks to mitigate the visual impacts of newly constructed buildings. Relief from the provisions of this section would require approval



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of a variance by the Board of Adjustment. No such request has been submitted and the applicant has indicated that they intend to fully comply with the standards of the UDC.

This request was reviewed pursuant to the CUP evaluation identified in Section 29-6.4(m)(2) of the UDC. Following such review, staff concluded that the CUP complies with the underlying zoning regulations, is consistent with the Comprehensive Plan, and conforms to the character of the adjacent area. Furthermore, the site has adequate access provided to it which is believed sufficient to prevent traffic hazards and congestion within the surrounding vicinity. This site is also serviced by sufficient infrastructure to support the proposed future use. Finally, staff believes that approval of the proposed use will not create, given its location, significant adverse impacts to the neighboring properties. The full detailed analysis of the evaluation criteria are discussed in attached Planning and Zoning Commission staff report.

The Planning and Zoning Commission considered this request at their October 20, 2022 meeting. Staff presented its report and Commissioners inquired about the impacts of the proposed buildings located partially within the 100-year floodplain in the southeast corner of the property as well as questioned about building design (i.e. proposed elevations) being compliant with Section 29-4.6(c) of the UDC.

Staff indicated that construction within the floodplain would require a floodplain development permit and that the site/architectural plans would be fully reviewed for code compliance once a building application was submitted. Staff explained that the plans submitted were conceptual and provided for reference only. The applicant's representative spoke during the public hearing, clarifying that U-Haul planned to utilize the full M-C maximum height of 45-feet, if the CUP were granted, and that the site plans provided were preliminary in nature.

Following limited additional discussion, the Commission made a motion to approve the CUP, that passed (7-1).

The Planning Commission staff report, locator maps, conceptual site plan & elevations, 100-foot buffer exhibit, Section 29-3.3(w) use-specific standards, Section 29-4.6(c) design guidelines, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated. All costs associated with extension of utilities and services shall be borne by the applicant.

Long-Term Impact: Limited. Possible impacts may include additional infrastructure maintenance costs for public utilities as well as solid waste and public safety service provision. These impacts may or may not be off-set by increased user fees or property taxes.



Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Economic Development, Tertiary Impact: Not Applicable

Legislative History

Date	Action
5/6/19	Ord. 023851: Approved rezoning from PD to M-C.
2/6/18	Ord. 023463: Approved, "Centerstate Plat 14."

Suggested Council Action

Approve the conditional use permit for a 'self-service storage facility' over 14 feet in height, as recommended by the Planning and Zoning Commission.