
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Director of Development Services

MEETING: October 16, 2023

SUBJECT:

Basden Storage at 755 E Renfro St. (Case 23-010): Hold a public hearing and consider approval of an ordinance for a commercial site plan with waivers, and a SUP, Specific Use Permit, allowing “Mini-warehouse” in the C, Commercial Zoning District and specific plan area 1, “Spinks” of the IH35 Overlay district. *(Staff Presenter: Tony McIlwain, Development Services Director)(The Planning and Zoning Commission recommended approval by a vote of 7-0)(First and Final Reading)*

SUMMARY:

On January 23, 2023, an application was submitted by Chad Wallace with Baird Hampton & Brown, on behalf of Bruce Basden, requesting a Specific Use Permit (SUP) to allow for the use of “mini-warehouse” in order to develop a self-storage facility at 755 E Renfro Street. Subsequently, a commercial site plan, which is required to be part of the adopted ordinance for an SUP, was submitted on April 17, 2023. As a result of staff comments related to the site plan review, the applicant submitted a request for eleven (11) waivers to the IH-35 Design standards, Fencing and Screening regulations and the general Landscaping section of the Code.

Article V Supplemental Regulations, Section 130-105 (b): Application for a specific use permit may be made by any property owner or other person having a proprietary interest in the property for which a specific use permit is requested by filing an application on the forms provided by the city and paying the established fee. The application shall be accompanied by a site plan drawn to scale and showing the elements indicated in section 131, site plan requirements, when required by conditions of the specific use permit. The site plan shall be considered and filed as part of the ordinance, and if approved, filed prior to the issuance of a building permit.

Development Overview:

The property has a base zoning of C, Commercial, and is located within IH-35 specific plan area 1, which requires an SUP for the use of “mini-warehouse”. The uses and site development will occur in accordance with City of Burleson Code of Ordinances, “C”, Commercial district zoning, and IH35 design standards. The applicant has concurrently submitted a commercial site plan (attached as Exhibit 4) to be part of the adopted ordinance for the SUP zoning request. Additionally, the applicant has requested eight waivers to the IH-35 Design Standards, two waivers to the Fencing and Screening regulations and one waiver to the general Landscaping requirements. Of the 11 waivers, the Planning and Zoning Commission only has the authority to consider and make a recommendation for the waiver to the general Landscaping requirements,

contained in Section 86, 103 (h), established below as waiver number 11. The applicant's justification for all of the requested waivers is attached as Exhibit 5. The proposed development consists of six retail suites facing Renfro Street totaling approximately 17,000 square-feet, and three levels of climate-controlled self-storage space totaling 137,000 square-feet located behind the retail suites. The retail and storage uses will be contained in one building with a footprint of 55,822 square-feet and a total gross floor area of 153,648 square-feet.

Site Plan Overview

Site Conformance Table

Required	Staff's Findings
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Site plan is in compliance with all development regulations with the exception of: 8 - IH-35 Building Design Standards 2 - Fencing and Screening Regulations 1 - Landscaping Generally Requirement
<u>Landscaping –</u> 20% of Total Site shall be landscaped: 28,360 SF 40% of Total required in front yard: 11,344 SF 90% maximum of grass/groundcover	Landscaping provided: 21.9% (32,071 SF) Landscaping provided: 89% (28,645 SF) Waiver request: 96% grass/groundcover proposed
<u>Parking Requirement –</u> 1 space per 300 SF (retail): 57 spaces 1 space per 3,000 SF (storage): 46 spaces 5 ADA spaces	Complies. – Via Parking Agreement Parking provided: 57 spaces Parking provided: 46 spaces ADA spaces: 6 spaces

Site plan and landscaping exhibits are attached as Exhibit 4.

Waivers requested:

1. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (d) Perimeter

Required: All parking areas adjacent to a major or minor arterial street, as shown in the master thoroughfare plan, shall be located a minimum of 25 feet from the right-of-way line.

Provided: Parking is located as close as five feet (5') from the Right-of-Way line along Hurst Road.

Justification: Hurst Road has an extra-large green space with a distance of 33' from the curb to the Right-of-Way line.

2. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (d) (1 & 2) Perimeter

Required: One large tree, three-inch in caliper minimum shall be planted on 30-foot centers within the required landscaped area. A minimum of 15 five-gallon shrubs shall be planted in the landscaped area for every 30 linear feet of frontage. The shrubs shall be planted in such a way to screen the parking lot from the roadway.

Provided: Eight (8) perimeter trees are being requested in lieu of the required 23 trees. 110 shrubs are being requested in lieu of the required 206 shrubs.

Justification: The majority of the site is elevated above the roadway. Shrubs have been provided in areas where the road is at a similar elevation. Retaining walls will be required as the site slopes from north to south. The retaining walls will impede the planting and canopy of some of the required perimeter trees.

3. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (e) Foundation planting

Required: Foundation plantings are required for buildings or groups of buildings that have 40,000 square feet of gross building area or larger. One three-inch caliper tree shall be required for each 7,500 square feet of gross building area. The trees shall be located no farther than 30 feet from the face of the building.

Provided: Eight (8) trees are required to accommodate this requirement – the applicant is proposing to provide zero foundation trees.

Justification: The sites topography slopes from back to front. As a result, approximately half of the building will be below finished grade. The face of the building will be broken up by a retail component on the front rather than landscaping.

4. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (c,4) Parking lot landscaping

Required: Landscaped islands shall be located at the terminus of all rows of parking. The islands shall be a minimum five feet in width and extend the entire length of the parking stall and contain at least one three-inch caliper tree.

Provided: There are 11 landscape islands, of which, five (5) will contain the required tree.

Justification: The topography of the site slopes from north to south with portions of the building being below grade. Root systems of the required trees could possibly damage the foundation walls and retaining walls around the parking area.

5. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (c,2) Parking lot landscaping

Required: Any portion of each parking space shall be located within 60 feet of the trunk of a tree.

Provided: Of the 103 total parking spaces, only 66 will be located within 60' of the trunk of a tree.

Justification: Most of the spots not meeting this requirement are located within the shared parking area and irrigation will not be present. All other spots are adjacent to the loading zones where large trucks can damage trees.

6. **Section:** IH-35 Design Standards, Sec. 5-50 Building Design (d)

Required: On all other publicly visible façades, at least 20 percent of the wall area between two and ten feet above grade shall consist of windows or similar glazing.

Provided: The owner is proposing to provide 18 percent of glazing on the right (east) façade and 2 percent on the rear (north) façade in lieu of the required 20 percent.

Justification: The front (south) façade will meet the glazing requirement due to the retail nature of this elevation, however, the east and north elevations are primarily storage related where glazing is not a desirable architectural element.

7. **Section:** IH-35 Design Standards, Sec. 5-50 Building design (j)

Required: Columns and piers shall be spaced no farther apart than they are tall.

Provided: The columns will be spaced approximately 26'-8" apart in lieu of the required 16'.

Justification: The requested spacing allows for the desirable architectural elements of combining the retail portion with the storage portion of the building.

8. **Section:** Fencing and Screening Regulations, Sec. 36-12 Nonresidential uses (e,3) Trash/recycling receptacle screening

Required: Shall not encroach into any required setbacks.

Provided: The dumpster enclosure is setback three (3) feet from the eastern property line in lieu of the required 10 foot setback.

Justification: The dumpster is intended for the retail component of the project and as such, needs to be located adjacent to the retail areas. At this location, the dumpster is 30 feet away from the curb/street. There is a large grass/green area between Hurst Road and the proposed sites property line that will act as a natural buffer.

9. **Section:** Fencing and Screening Regulations, Sec. 36-14 Transitional Screening (a)

Required: When a nonresidential use abuts a residential use, transitional screening shall be required for separating these districts or uses along the entire property line of the higher intensity district. Shall be incumbent upon the developer of the more intensively zoned property to screen his property from a less intensive zoning district.

Provided: No transitional screening is being provided along the northern property line.

Justification: Although the property to the north is zoned residential, the current use operating at this location is a church. The owner of the subject property and the owner of the northern church property have established a parking and access agreement.

10. **Section:** IH-35 Design Standards, Sec. 5-53 Fencing and screening (b)

Required: Loading docks shall be incorporated into the overall design of the building and landscape so that the visual impacts are contained and out of view from adjacent properties and public streets.

Provided: No screening is being provided in attempt to limit the loading bay visibility on the northern elevation.

Justification: Screening would encumber the shared parking and access agreement with the northern property. Additionally, the loading dock is setback over 250' from the public street and will naturally be difficult to see.

11. **Section:** Landscape Standards, Sec. 86-103 Landscaping generally (h) – **This section warrants a recommendation from Planning and Zoning Commission when a waiver is requested.**

Required: Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

Provided: The landscaping plan is proposing 96% of the landscape area to be grass and/or groundcover in lieu of the required maximum of 90%.

Justification: The percentage of grass and groundcover exceeds the required amount due to the reduction of trees and shrubs as a result of the sites topography.

This site is designated in the Comprehensive Plan as Community Commercial.

This land use category is intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development.

Staff supports the Specific Use Permit request for “mini-warehouse” based on the adjacent land uses and general conformance to the Comprehensive Plan.

ENGINEERING:

Utilities:

- Water – The subject property will be served by Bethesda Water Supply Corporation.
- Sewer – The subject property will be served by the City of Burleson.
- Storm – The subject property will subject to the City of Burleson Design Standards Manual and will include a small detention pond.

Access:

- Access to E. Renfro is controlled by TxDOT and is subject to their regulations including a right turn lane.
- Access to Hurst Road is controlled by the City of Burleson and subject to the Design Standards Manual.

OPTIONS:

- 1) Approve an ordinance for a specific use permit for mini-warehouse and the associated commercial site plan with 11 waivers as requested by the applicant; or
- 2) Approve an ordinance for a specific use permit for mini-warehouse and the associated commercial site plan with modifications or additional conditions; or
- 3) Deny the ordinance.

RECOMMENDATION:

Recommend approval of an ordinance for a specific use permit for mini-warehouse and the associated commercial site plan with 11 waivers, as requested by the applicant. (Case 23-010).

Pending the approval or disapproval of the commercial site plan and requested waivers, staff will update the attached site plan exhibit within the Ordinance prior to its signing. The updated site plan exhibit will conform to all conditions and/or waivers as granted and approved by City Council.

FISCAL IMPACT:

None.

STAFF CONTACT:

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