
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Director of Development Services

MEETING: October 2, 2023

SUBJECT:

Liquid Stone Concrete at 255 Centre Dr (Case 22-165): Consider approval of a resolution for a site plan with waivers of Liquid Stone Concrete located at 255 Centre Dr. *(Staff Presenter: Tony McIlwain, Development Services Director)(The Planning and Zoning Commission recommended approval by a vote of 8-0)(First and Final Reading)*

SUMMARY:

On December 13, 2022, an application was submitted by Angel Sanchez (applicant) with MAS Consulting Engineers on behalf of Jason Burghart (owner), for a site plan on approximately 4.411 acres to contain the expansion of the Liquid Stone Concrete batching plant. Liquid Stone Concrete currently operates at 221 Centre Dr, immediately abutting the subject property to the west. An ordinance for a zoning change request (22-167) was also submitted for this site and will run concurrently with the subject site plan.

“Site plan approval required by City Council. Any site plan that requires a waiver or variance to City Ordinances or is contingent upon the approval of a zoning district change must receive the approval of City Council upon recommendation of the planning and zoning commission.”

The subject site plan is not only contingent upon the approval of a zoning change request, but is also proposing six waivers to City Ordinances. All six waivers are being requested to Article V. IH-35 Design Standards. According to this section, “any modification to the standards of this ordinance shall require review by the DAC, and final approval by the City Council.” As a result, any waiver to this section will not require a public hearing nor a recommendation from the Planning and Zoning Commission. Subsequently, the Planning and Zoning Commission shall provide a recommendation for the separate zoning change (22-167) and the subject site plan without consideration of the associative waivers.

Background:

The subject property is currently zoned both I, Industrial and A, Agricultural and is located within the IH-35 Overlay (Specific Plan Area 1 – Spinks). The applicant has submitted a separate zoning change ordinance requesting to rezone the entire site to I, Industrial to allow for the use of a “concrete batching plant (permanent)”. Liquid Stone Concrete is an existing batching plant located on the abutting property and is proposing to expand their batching operations to the site in question. This expansion proposal has been deemed, new construction, due to the owners request to leave the two operation sites subdivided rather than unify them as one platted lot. The IH-35 Design Standards shall be applied to all new construction located within its boundaries.

Site Conformance Table

<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Complies. Site plan is in compliance with all development regulations with the exception of: <ul style="list-style-type: none"> • 4 - IH-35 Building Design standards • 1 - IH-35 Landscaping standard • 1 - IH-35 Screening standard
<u>Landscaping –</u> 20% of Total Site shall be landscaped: 38,446sf	Complies with all General landscaping. Landscaping proposed: 47,644sf with credits as listed on landscaping plans.
<u>Parking Requirement –</u> 1 space for each two employees: 6 spaces 1 ADA spaces	Complies. Parking provided: 21 spaces ADA spaces: 1 spaces

Site plan exhibits are attached as Exhibit 4.

Waiver Summary:

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

Required: At least one primary entryway shall face the principal street and connect directly to a sidewalk along the principal street.

Provided: The primary entryway of the 1,200sf office will not face towards nor connect directly to the principal street (Centre Dr.). However, the construction of a four foot sidewalk along the principal street will be included in the construction of the site.

Justification: The primary use of the site is industrial. This property was obtained for the continued growth of Liquid Stone as a continuation of the existing facility. The main building and site are not intended for public use and will be screened accordingly.

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

Required: On the building façade facing the principal street, at least 35 percent of the wall area on the first floor between two and ten feet above grade shall consist of windows or similar glazing

Provided: The proposed buildings (south) façade facing the principal street does not provide any glazing. However, the east elevation which is also publically visible from other streets is providing 13 percent glazing and the north elevation which faces towards the on-site operations is providing 15 percent glazing.

Justification: The building is designed as a control area for the plant with specific views to the equipment and trucks for driver check-in. Windows are intended for observation of strategic operations and safety requirements.

3. **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 proposed buildings east facade is providing 13 percent glazing.

Justification: The building is designed as a control area for the plant with specific views to the equipment and trucks for driver check-in. Windows are intended for observation of strategic operations and safety requirements.

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

Required: Buildings shall provide a minimum of three building design elements as provided in the IH-35 Building Design Section.

Provided: None of the building design element options are being applied to the proposed building.

Justification: The design standards are not intended to be for a safe and secure industrial facility. The building/site is not intended for public use, therefore no additional building designs or architectural elements are being installed.

5. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (h) Public open space

Required: For specific plans 1, 2 and 5, developments shall provide at least 25 percent of the landscaping area required to be installed on the site as natural open space that is accessible for use and that is not a drainage swale, stormwater/water quality detention area, floodplain or a front, rear or side building yard unless approved as a useable natural area by the city manager or his or her designee.

Provided: Applicant is proposing to provide 14.3 percent open space in lieu of the required 25 percent.

Justification: Due to detention requirements, equipment circulation and safety, the public open space cannot be satisfied entirely.

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

Required: Waste collection, mechanical equipment, HVAC systems and other support elements for buildings, whether on the ground or on rooftop, shall be screened from view of any person standing (i) on the property line on the far side of an adjacent street or (ii) on the property line of the subject property along the frontage road of Interstate Highway 35, whichever is applicable.

Provided: Proposing to provide an 8 foot masonry wall along the south and east (principal) sides of the property and a 12 foot masonry wall along the north (rear) property boundary.

Justification: The ability to screen equipment entirely cannot be achieved due to the height of the batching equipment. Per the Texas Commission on Environmental Quality (TCEQ), a 12 foot screening wall or 50 foot buffer from all equipment shall be provided. The northern property line is the only property line that does not meet the 50' buffer requirement, therefore a 12' masonry fence is proposed.

OPTIONS:

- 1) Approve the resolution with all requested variances as requested by the applicant; or
- 2) Approve the resolution with conditions or modifications; or
- 3) Deny the resolution with variances to the site plan.

RECOMMENDATION:

Recommend approval of a resolution with variances for a site plan for Liquid Stone Concrete (Case 22-165).

FISCAL IMPACT:

None

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