

Staff Report

ACTION ITEM: Request for a 26' variance from the required 50' buffer from a residential district and a 23' variance from the front setback in a C-2 General Commercial District, and allowance of a tree buffer in lieu of a privacy fence for construction of min-storage units in a C-2 General Commercial zoning district at 720 South Old Orchard Road (contingent upon successful annexation into the city limits)

APPLICANT: Independence Self Storage, LLC

APPLICANT STATUS: Property Owner

PURPOSE: To annex the property into the City of Jackson and have access to city utilities and services.

SIZE: 2.65 acres

PRESENT USES: Self-storage units currently under development in county.

PROPOSED USE: Self-storage units in the city limits with some climate-controlled units.

PROPERTY ZONING: Currently no zoning. All newly annexed property is automatically zoned R-1 Single Family. Rezoning to C-2 General Commercial is currently being pursued.

SURROUNDING ZONING: North – R-2 Single Family Residential; South – out of city; East – R-1 Single Family Residential (30' strip along Old McKendree driveway) otherwise C-2 General Commercial and CO-1 Enhanced Commercial Overlay; West – out of city

HISTORY: This property began development while in the county before the owner had interest in annexing into the city. The city obtained a 20' utility easement across this county property from the property owner for the Williams Creek Sewer Interceptor Sewer (a trunk sewer serving the entire eastern part of town from East Jackson Boulevard north to East Main). In negotiating the easement, the city agreed to define the easement between the proposed self-storage buildings. The sewer has now been constructed and zig zags through the building layout, preventing a shift in the building locations. A pond has been located just south of the building footprints. The pond has now been drained.

TRANSPORTATION AND PARKING: All required street frontage currently exists. No minimum parking is required for self-storage units. South Old Orchard Road is a collector street on the Major Street Plan. This section of road was designed with a 100' right-of-way to accommodate future expansion to a 4-lane pavement width with a center turn lane.

CODE SECTION(s) REQUESTED TO BE VARIED: Zoning Code (Chapter 65) excerpts:

Sec. 65-12. - C-2 General commercial district regulations.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

ww. The following uses when located fifty (50) feet or more from any residential district (as measured to the property line) and separated from an adjacent residential district by a privacy fence:

26. Self-service storage facilities.

(3) *Height, area, and lot size regulations.* In addition to the specific requirements for the C-2 General commercial district, all height, area, and lot size regulations and exceptions set forth in [section 65-19](#), as they apply to uses in the C-2 General commercial district, shall be observed.

b. *Area.* No building or structure shall be erected or enlarged, unless the following yards are provided and maintained in connection with such building, structure, or enlargement:

1. *Front yard.* Each lot upon which a building is constructed shall have a front yard of not less than thirty (30) feet.

2009 COMPREHENSIVE PLAN: Regional Center (commercial)

FLOODPLAIN INFORMATION: This property is not located in a floodplain per FEMA panel 29031C0163, dated 9/29/11.

PHYSICAL CHARACTERISTICS: City trunk sewer zig-zags between the footprints of the buildings under construction.

COMMENTS: The 2.65 acres is currently in the annexation process. The annexation and rezoning are being pursued simultaneously. All three processes are dependent upon the success of the others. If the Board of Aldermen votes to recommend approval of the variance, **any approval must be contingent upon successful annexation and rezoning.**

The variance request from the required 50' buffer is listed as a 26' variance. The drive around the buildings will be 24' from the property line between this property and the residentially zoned McKendree Crossing Subdivision. The nearest building will be 39' from the property line, but the driveway is considered part of the commercial use.

If the board grants the portion of the variance related to a tree buffer in lieu of a privacy fence, they may define what constitutes an adequate tree-line or landscape buffer.

ACTION REQUIRED: The Board shall approve or deny this request based on the criteria for granting variances. Special conditions may be added as needed.