

Conditional Use Permit	3209 N IH 35
CUP-20-18	Chuck Nash



Summary

Request:	New Conditional Use Permit for the use of Auto Body Repair		
Applicant:	Mathew Opuszenski Goree Architects 4710 Bellaire Blvd Ste. 105 Bellaire, TX	Property Owner:	Chuck D. Nash Chuck Nash Chevrolet PO Box 1007 San Marcos, TX 786667
CUP Expiration:	N/A	Type of CUP:	Land Use
Interior Floor Area:	+/- 20,640 sq ft	Outdoor Floor Area:	Site is +/- 21.22 acres
Parking Required: <u>Office:</u> 1 per 300 SF GFA <u>Repair Facilities:</u> 1 per 200 SF GFA		Parking Provided: <u>Office:</u> 12 spaces (2,708 sf GFA proposed) <u>Repair Facilities:</u> 103 spaces (17,834 sf GFA proposed) Total Required: 100 Total Proposed: 115	
Days & Hours of Operation:	Monday – Saturday 7:30 a.m. -6 p.m. Closed Sunday		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	September 25, 2020	Personal:	September 25, 2020
Response:	None as of the date of this report		

Property Description

Legal Description:	Lot 1 Nash Subdivision		
Location:	3209 N IH 35		
Acreage:	+/- 21.22 acres	PDD/DA/Other:	N/A
Existing Zoning:	General Commercial (GC)	Proposed Zoning:	N/A
Existing Use:	Car Dealership	Proposed Use:	Auto Body Repair
Preferred Scenario:	Employment Area	Proposed Designation:	Employment Area
CONA Neighborhood:	N/A	Sector:	7
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

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Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial (GC) / Multifamily 24 (MF-24)	Vacant / rural	Yarrington Commons Medium Intensity Area
South of Property:	Planned Development District with "Heavy Commercial" Base Zoning (PDD/HC)	Office / Warehouse	Employment Area
East of Property:	Light Industrial (LI)	Manufacturing	Whisper North Employment Area
West of Property:	Multifamily 24 (MF-24)	Vacant / rural	Yarrington Commons Medium Intensity Area

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	<input type="checkbox"/>	Denial
<p>Staff recommends approval of CUP-20-18 with the following conditions:</p> <ol style="list-style-type: none"> 1. The site is developed in a manner substantially similar to the provided site plan; 2. The applicant provides a solid screen between the Auto Body Repair Shop parking area and the adjacent property; and 3. The site is developed according to all other codes and ordinances. 				
Staff: Will Parrish, AICP, CNU-A		Title : Planner		Date: October 7, 2020

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History

The subject property is currently the Chuck Nash Chevrolet Dealership. The applicant is proposing to include an Auto Body Shop use as part of the dealership, which requires a Conditional Use Permit in the General Commercial Zoning District.

Additional Analysis

The Auto Body Shop is proposed to be located on the southwest side of the property. The closest neighboring property is part of the Blanco Riverwalk PDD, which is a PDD that has a base zoning district of Heavy Commercial. The adjacent property is currently under construction developing a hybrid “office/warehouse” use.

There is a property located to the rear of the dealership that is zoned Multifamily - 24 (MF-24), but is currently vacant. The proposed Auto Body Shop is located approximately 460 ft away from the shared property line.

The applicant is proposing an 8 foot tall chain link fence, which will require a separate approval from the Planning Director at the time of permit submittal.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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Evaluation			Criteria for Approval (Sec. 2.8.3.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.</p> <p><i>The subject property is located within an Employment Area on the Comprehensive Plan. The Comprehensive Plan states that “the preferred scenario shows the locations of potential employment areas which are appropriate for industrial, large office park and intensive commercial uses. Typically, these uses are located on large sites with excellent road and rail access and access to water and sewer infrastructure.” The subject property’s location within an Employment Area is consistent with the policies embodied in the Comprehensive Plan and the site will have access to major roadways.</i></p>
		<u>N/A</u>	<p>The proposed use is consistent with any adopted neighborhood character study for the area.</p> <p><i>Studies were not complete at the time of the request.</i></p>
<u>X</u>			<p>The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.</p> <p><i>The General Commercial zoning district is described in the Development Code as follows:</i></p> <p><i>The General Commercial district is “intended to provide locations for limited (light) commercial and service-related establishments; such as wholesale product sales, automotive supply stores, veterinary services, and other similar limited commercial uses. The commercial uses within this district will have operation characteristics that are generally compatible with the CC, Community Commercial District”</i></p> <p><i>The Auto Body Repair shop use is proposed as a supplemental use to the primary General Vehicular Sales and Service use, which falls within the general intent of the zoning district.</i></p>
<u>X</u>			<p>The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.</p> <p><i>This property is not adjacent to any existing neighborhoods and the closest property is office / warehouse.</i></p>

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<u>X</u>			<p>The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.</p> <p><i>The proposed use will generate some additional traffic due to the added use. However the site fronts on the IH – 35 frontage road and the additional vehicular traffic is not anticipated to have a negative impact on traffic flow.</i></p> <p><i>Due to the size of the expansion, the applicant will be required to make some streetscape improvements that will improve pedestrian and bicycle access, as the Transportation Master Plan identifies a Greenway along the I-35 corridor, which includes a 12 foot shared use path and street trees.</i></p>
<u>X</u>			<p>The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.</p> <p><i>The increase traffic is not anticipated to have an impact on neighborhood streets.</i></p>
<u>X</u>			<p>The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.</p> <p><i>The subject property will be required to meet all parking lot landscaping requirements. The Auto Body Repair use will happen within the interior to the proposed building.</i></p>
<u>X</u>			<p>The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.</p> <p><i>The proposed use will be required to meet all standards of the General Commercial zoning district and all regulations in San Marcos Development Code. The applicant is not requesting any deviations to such standards.</i></p>