



SP-16-00021: A site plan for a change of use for Building A from *Office and Residential to Personal Convenience Services* (beauty salon and convenience store) at 4101 W 6th Street. Submitted by Berniece Garber, for Douglas P. Garber and A. Berniece Garber, property owners of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Site Plan subject to the following condition:

1. Provision of a site plan performance agreement.

ASSOCIATED CASES

Previous Site Plans:

- SP-10-77-96: conversion of Building A from *Detached Home* to *Veterinary office*.
- SP-08-60-02: development of *Multi-dwelling*, townhomes to the south of Building A. This development did not occur.
- SP-10-76-02: conversion of Building A from *Veterinary office* to *Office and Apartment* uses.
- SP-05-40-05: construction of Building B, for *Office* uses.
- SP-14-00223: relocation of residential and office uses in Building A.

Subdivision:

- PF-Final Plat of Free State Veterinary Hospital, recorded August 5, 1998.

Text Amendment:

- TA-15-00391, revised the Development Code to allow *Personal Convenience Services* in the RSO and RMO Districts with standards.

KEY POINTS

- This is a Standard Development Project as the change in use is to a more intensive land use, as defined in Section 20-1305(a)(2) of the Development Code. Those improvements or modifications to the site that are proposed with this site plan are required to be compliant with the standards of the Land Development Code.
- Per TA-15-00391, a salon and a convenience store are classified as *Personal Convenience Services* which are permitted in the RSO District subject to the standards of Section 20-520. These standards do not allow drive-through windows in the RSO District and limit the gross floor area of a *Personal Convenience Services* use to no more than 3,000 sq ft.

OTHER ACTION REQUIRED

- Building permits must be obtained from Development Services prior to any construction activity.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – The City Engineer waived the requirement for a Traffic Study due to the fact that the subject property may share access with the developing property to the west.
- *Downstream Sanitary Sewer Analysis* –Fixture Count Analysis submitted in lieu of a DSSA.

- *Drainage Study* – The amount of impervious surface is not being increased by more than 10%; therefore a Drainage Study is not required with this project.

COMMUNICATIONS RECEIVED

Neighboring property owners called to inquiry about the project. Two asked for more information on the proposed convenience store such as the proposed uses and hours of operation. One neighboring property owner requested to be informed when the site plan was approved.

GENERAL INFORMATION

Current Zoning and Land Use

RSO (Single-Dwelling Residential-Office) District; *Office* and residential uses.

Surrounding Zoning and Land Use

North: PCD-[Monterey Center] (Planned Commercial Development) District; *Office* uses associated with the planned development which includes *Multi-Dwelling Residential, Gas and Fuel Sales, Food and Beverage, Quality Restaurant, Fast Order Food, and General Retail Sales*

East: RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

South: RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

West: RMO (Multi-Dwelling Residential) District; Property was rezoned from UR to RMO in 2015, and a preliminary plat submitted in preparation for development. A *Medical Office* has been proposed, but plans have not yet been submitted.

Legal Description:

Lot 1, Free State Veterinary Hospital

SITE SUMMARY

	Existing	Proposed	Change
Land Use:	<i>Office/Residential</i>	<i>Office/Personal Convenience</i>	Change of use
Land Area (sq ft):	36,111 sq ft	36,111 sq ft	---
Total Impervious Area (sq ft / %):	23,160 sq ft / 64.1%	23,217 sq ft / 64.3%	+57 sq ft +0.2%
Total Pervious Area (sq ft / %):	12,951 sq ft	12,894 sq ft	-57 sq ft



Figure 1. Surrounding zoning and land use. The subject property is outlined.

SUMMARY OF REQUEST

The site plan proposes a change of use to the northern building (labeled Building A on the site plan) to accommodate a 1,782 sq ft beauty salon/spa and a 570 sq ft convenience store. These uses are both classified as *Personal Convenience* in the Land Development Code and are permitted in the RSO District subject to use specific standards. The convenience store will not include gas sales or a restaurant as is typical with many other convenience stores due to the fact that *Gas and Fuel Sales, Fast Order Food or Quality Restaurant* uses are not permitted in the RSO District. This is noted on the plan.

The only physical change to the site being proposed with this plan is the reconfiguration of the parking spaces in the southeast portion of the parking area to provide one additional parking space. There will be no change to the building footprints.

PARKING SUMMARY

The following tables show the vehicle and bicycle parking requirements.

Use	Vehicle Requirement	Vehicle Required	Vehicle Provided
<i>Personal Convenience</i>	1 per 300 gross sq ft	2,352 sq ft / 300 = 8 spaces	36 spaces
<i>Office (Bldg B)</i>	1/300 sq ft net floor area (pre-2006 Code)	8,316 sq ft / 300 = 28 spaces	
Total		36 spaces	
ADA Parking	Total parking spaces provided 26-50	2 (with one being van accessible)	2 ADA van accessible spaces

Use	Bicycle Requirement	Bicycle Required	Bicycle Provided
<i>Personal Convenience</i>	1 per 10 auto spaces	8 auto spaces/10 = 1 bicycle space	1

STAFF REVIEW

Findings

Per Section 20-1305, staff shall first find that the following criteria have been met:

1) The Site Plan shall contain only platted land;

The property is platted as Lot 1, Free State Veterinary Hospital.

2) The site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plan;

This is a Standard Development Project; therefore, the changes which are being proposed are required to comply with the standards of the Land Development Code. The changes which are being proposed, or required, with this site plan include:

- a. Reconfiguration of parking spaces in southeast corner. The 9 ft wide parking spaces are reduced to 8.5 ft and the parking island on the south end of the parking row is reduced from 5.6 ft to 3 ft to provide space for the creation of one additional parking space. The parking dimensions and the amount of parking provided on the plan comply with the standards of the Development Code.
- b. One bicycle parking space is required with the *Personal Convenience Services* use. Per Code, the space is to be separated from the parking area and located in close proximity to the principal entrance for the use.
- c. Extension of the screening fence south of the building. The adjacent property owner to the south had commented on previous projects that they would prefer that the screening fence south of Building B be extended to the west property line to provide a more adequate buffer from the office/commercial uses. The fence is located within a drainage easement; however, the City Stormwater Engineer approved the extension provided the fence maintains the same height from the ground as the existing fence to allow stormwater to drain.

Section 20-520 of the Development Code provides the following use specific standards for *Personal Convenience Services* uses in the RSO District:

- Gross Floor Area of a Personal Convenience Services use shall not exceed 3,000 sq ft.
- No external automated teller machines, drive-through windows, or night drop windows shall be permitted.

The proposed *Personal Convenience Services* uses, a beauty salon/spa and a convenience store, will be 1,782 sq ft and 570 sq ft in area respectively. Neither use is proposing an external automated teller machine, drive-through window, or night drop window. The proposed uses are compliant with these standards.

LIGHTING

Two wall mounted lights are being proposed with this plan. The addition of other exterior lighting will require the submittal of a photometric plan to the Planning Office for approval prior to installation. This is noted on the plan.

FLOODPLAIN

This property is not located within the regulatory floodplain and is not subject to a local floodplain development permit.

3) The proposed use shall be allowed in the district in which it is located or be an allowed nonconforming use;

The site is zoned RSO. *Personal Convenience Services* uses are permitted in the RSO District, per revisions to the Development Code made in 2015.

4) Vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or access management policies and;

No changes are being proposed to the ingress or egress to and from the site or within the site. Access is planned to be shared with the property to the west when it develops. The Free State Veterinary Hospital final plat notes that a 30 ft cross access easement will be established with the property to the west.

5) The site plan provides for the safe movement of pedestrians within the site;

Walkways provide access from the sidewalks along W 6th Street to the entries into Building A with the *Personal Convenience Services* uses. No changes are proposed to the pedestrian access on the site.

Conclusion

The site plan is in conformance with the Land Development Code.