

**Department of Community Planning and Economic Development - Planning Division**  
Rezoning, Variances, and Site Plan Review  
BZZ-4889

**Date:** September 7, 2010

**Applicant:** Auto Zone

**Address of Property:** 1512-1524 West Broadway (part of the site was formerly addressed as 2002-2004 James Avenue North).

**Project Name:** Auto Zone

**Contact Person and Phone:** Phillip Pecord – Auto Zone 901-495-8706

**Planning Staff and Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** August 6, 2010

**End of 60 Day Decision Period:** October 5, 2010

**Date Extension Letter Sent:** August 17, 2010

**End of 120 Day Decision Period:** December 4, 2010

**Ward:** 5    **Neighborhood Organization:** Jordan

**Existing Zoning:** OR2 High Density Office Residence District.

**Proposed Zoning:** C1 Neighborhood Commercial District.

**Zoning Plate Number:** 7

**Legal Description:** Lots 46-50, Block 17, Forest Heights Addition

**Proposed Use:** General retail sales and services (auto parts store).

**Concurrent Review:**

**Rezoning:** Rezoning from OR2 High Density Office Residence District to the C1 Neighborhood Commercial District.

**Variance:** To reduce the front yard setback from 15 feet to 7 feet for the building.

**Variance:** To reduce the front yard setback from 15 feet to 3 feet for parking.

**Variance:** To increase the maximum allowable lot area in the C1 District from 20,000 square feet to 22,170 square feet (revised to 26,000 square feet).

**Variance:** To increase the maximum allowable gross floor area in of the building from 6,000 square feet to 6,476 square feet.

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**Variance:** To allow sign 1 to exceed 45 square feet in area to 110 square feet.

**Variance:** To allow sign 1 to exceed the maximum allowable height of 14 feet to 20 feet.

**Variance:** To allow sign 1 to be backlit.

**Variance:** To allow sign 2 to exceed 45 square feet in area to 95 square feet.

**Variance:** To allow sign 2 to exceed the maximum allowable height of 14 feet to 18 feet.

**Variance:** To allow sign 2 to be backlit.

**Site Plan Review:** For a new 6,476 square foot building.

**Applicable zoning code provisions:** Chapter 525, Article VI, Zoning Amendments; Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements...”; Section 525.520(2) “to vary the lot area...by up to 30 percent.”; Section 525.520(3) “To vary the gross floor area...of a structure or use.”; Section 525.520(21) “To vary the number, type, height, area, or location of allowed signs...”; and Chapter 530, Site Plan Review.

**Background:** The public notification for this project contained an error for the variance of maximum lot area. The proposed lot size is 26,000 square feet, not 22,170 square feet as listed in the notice. This project is being continued to the September 20, 2010, meeting of the City Planning Commission to allow for a revised public notice.

### **RECOMMENDATIONS:**

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the rezoning:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and City Council adopt the findings above and **continue** the rezoning from the OR2 High Density Office Residential District to the C1 Neighborhood Commercial District for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the building setback variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to reduce the required front yard setback from 15 feet to 7 feet for the building for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the parking setback variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to reduce the required front yard setback from 15 feet to 3 feet for the parking lot for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

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### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the lot area variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable lot area in the C1 District from 20,000 square feet to 22,170 square feet for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the gross floor area variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable gross floor area in the C1 District from 6,000 square feet to 6,476 square feet for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable area of a sign from 45 square feet to 110 square feet for Sign 1 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable height of a sign from 14 feet to 20 feet for Sign 1 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to allow a backlit sign for Sign 1 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

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### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable area of a sign from 45 square feet to 84 square feet for Sign 1 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to increase the maximum allowable height of a sign from 14 feet to 18 feet for Sign 1 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the variance to allow a backlit sign for Sign 2 for property located at 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the site plan review:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the site plan review for property located 1512-1524 West Broadway to the September 20, 2010, meeting of the City Planning Commission.

### **Attachments:**

1. Zoning map.