



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-7
AGENDA DATE: Thu 01/08/2004
PAGE: 1 of 1

SUBJECT: C14-03-0159 - Beeco Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1603 Century Street (Gilleland Creek Watershed) from single family residence standard lot (SF-2) district zoning to limited industrial services (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: Beeco Equipment Corporation (J. Randy Bean). Agent: Erik Solmundson. City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0159

Z.A.P. DATE: November 18, 2003

ADDRESS: 1603 Century Street

OWNER/APPLICANT: Beeco Equipment Engineering Corporation (J. Randy Bean)

AGENT: Erik Solmundson

ZONING FROM: SF-2

TO: LI

AREA: 2.21 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant LI-CO, Limited Industrial-Conditional Overlay zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

11/18/03: Approved the staff's alternate recommendation of LI-CO, with an additional condition prohibiting Adult Oriented Businesses (9-0); M. Cortez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question currently consists of a junkyard. The site contains old vehicles, equipment, and large metal parts that are stored outside in an overgrown, grassy area. The site is surrounded on all sides by a chain-link fence. The applicant is requesting LI zoning for the property because he would like to use the site for equipment storage. This rezoning request was filed in response to an anonymous zoning complaint filed with the Neighborhood Planning and Zoning Department. In August 2003, a zoning inspector determined the property was violation of the Land Development Code for operating the junkyard/salvage storage use without the proper zoning (see attached Case History report).

The staff is recommending LI-CO zoning for the property in question because the proposed zoning is consistent with existing zoning and land use in the surrounding area. The site is located on a moderately sized site that fronts onto an arterial roadway.

The applicant agrees with the staff's recommendation and the Zoning and Platting Commission's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Junkyard (Scrap and Salvage)
<i>North</i>	LI	Mobile Vendor Vehicle Service, Christian Center
<i>South</i>	GR-CO	Furniture Sales, Movie Theater
<i>East</i>	County	Restaurant, Tire Sales
<i>West</i>	LI-CO	Pallet Storage

AREA STUDY: N/A

TIA: Waived

WATERSHED: Gilleland Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0101	I-RR to CS	8/12/03: Approved staff's alternate recommendation of CS-CO zoning, w/ condition of no Adult Oriented Businesses (8-0, J. Cortez-left early)	10/23/03: Approved CS-CO (6-0); all 3 readings
C14-03-0083	I-RR to CS	6/24/03: Approved staff's rec. of CS-CO zoning; by consent (7-0, J. Cortez-Not yet arrived, J. Donisi-absent)	7/31/03: Approved CS-CO (7-0); all 3 readings
C14-01-0132	I-RR to GR	11/13/01: To approve staff's recommendation of GR-CO zoning, with a condition to limit development to no more than 2 story buildings for a depth of 100' from Pecan Street (F.M. 1825). (8-0, J. Martinez- absent)	12/13/01: Approved GR-CO on consent (7-0). 1/17/02: Approved (7-0); 2 nd /3 rd readings
C14-00-2226	SF-2 to LI	12/19/00: Approved staff alternate rec. of LI-CO by consent (6-0)- Prohibiting Adult Oriented Businesses, 2,000 vehicle trips per day limit	1/8/01: Approved LI-CO w/conditions (6-0); 1 st reading 7/19/01: Approved LI-CO with conditions (6-0); 2 nd / 3 rd readings
C14-00-2185	SF-2 to LI	10/24/00: Approved staff alternate rec. of LI-CO (9-0) w/ conditions- Prohibiting Pawn Shop Services/ Adult Oriented Businesses	11/30/00: Approved LI-CO (7-0); 1 st reading 5/24/01: Approved LI-CO (6-0); 2 nd /3 rd readings
C14-99-0084	SF-2 to CS-CO	6/22/99: Approved staff alternate rec. of LI-CO (6-0)- 2,000 vehicle trips per day limit	7/22/99: Approved PC rec. of LI-CO w/ conditions (7-0); 1 st reading 4/20/00: Approved LI-CO (7-0); 2 nd /3 rd readings
C14-99-0054	LI to CS-CO	5/25/99: Denied CS-CO (6-0-1, RR-abstain)	7/29/99: Approved staff recommendation of CS-CO w/ conditions (7-0); 1 st reading 11/18/99: Denied CS-CO (5-2, BG/WL-Nay); valid petition filed, lack of super majority

C14-99-0031	SF-2 to LI	3/23/99: Approved staff alternate rec. of LI-CO (9-0)	5/6/99: Approved P/C recommendation of LI-CO (9-0); all 3 readings
C14-94-0063	SF-2 to CS	6/28/94: Approved LI (7-0)	7/28/94: Approved LI, as amended (7-0); all 3 readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
FM 1825	Varies	Varies	Arterial	N/A
Century Street	50'	Varies	Collector	N/A

CITY COUNCIL DATE: January 8, 2004

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

PHONE: 974-3057,
sherri.gager@ci.austin.tx.us



STAFF RECOMMENDATION

The staff's alternate recommendation is to grant LI-CO, Limited Industrial-Conditional Overlay zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

BACKGROUND

The property in question currently consists of a junkyard. The site contains old vehicles, equipment, and large metal parts that are stored outside in an overgrown, grassy area. The site is surrounded on all sides by a chain-link fence. The applicant is requesting LI zoning for the property because he would like to use the site for equipment storage.

The staff is recommending LI-CO zoning for the property in question because the proposed zoning is consistent with existing zoning and land use in the surrounding area. The site is located on a moderately sized site that fronts onto an arterial roadway.

The applicant agrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

The property in question is located on a moderately sized site, 2.210 acres, that is accessible from an arterial roadway.

2. *The proposed zoning should promote consistency, and orderly planning.*

The property is adjacent to existing commercial and industrial uses to the north, south, east and west. There is GR-CO, Community Commercial-Conditional Overlay district, zoning to the south of the site and LI/LI-CO, Limited Industrial District zoning to the north and west of the site.

3. *The proposed zoning should allow for a reasonable use of the property.*

The LI zoning district would allow for a fair and reasonable use of the site. The proposed zoning would bring the current and proposed use into compliance with the City of Austin Land Development Code regulations.

LI zoning is appropriate for this location because of the commercial and industrial character of the area.

The property in question fronts onto an arterial roadway, F.M. 1825.

EXISTING CONDITIONS

Site Characteristics

The site currently contains a junkyard with old vehicles, equipment, and large metal parts stored outside in an overgrown, grassy area. The property is surrounded on all sides by a chain-link fence. The roadway that runs by this property to the east, Century Street, is unpaved and consists of a gravel surface.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Gilleland Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time. Additional right-of-way will be required to be dedicated for Century Street with the subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 6,652 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
Capital Metro bus service is available along FM1825 (Route #75)

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
FM 1825	Varies	Varies	Arterial	N/A
Century Street	50'	Varies	Collector	N/A

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or relocation are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

This site is not subject to compatibility development regulations.

Case History: 1603 Century (aka 0 Century) Street

Legally Known As: LOT 6 BLK A THREE POINT ACRES SEC !

InspecTrack Case Number: IT # 03-013727

Date Opened: 03/20/2003 **Case Status:** OPEN **TCAD #:** 02742604250000 **Plat #:**

3/20/2003-Present #729 Paul Tomasovic

BeeCo Equip Eng Corp
15318 Eaglebrook, San Antonio, TX 78232-4204

Anonymous

Date: 3/20/2003

Complainant: Anonymous

Description: Salvage yard not screened-chainlink,

Manager Contacted: No

Premises

Status: 8/18/2003 - Unoccupied

Findings 8/18/2003 - Zoning violation(s) found

8/20/2003: Recommended Discontinue all nonconforming uses outside a structure and in a structure valued at less than \$10,000 on the within 30 days.

8/20/2003: Recommended Discontinue all salvage storage on the within 30 days.

8/20/2003: Recommended To maintain current use of property contact Development Assistance Center at 512-974-6370 to obtain all required development and use applications and approvals for the within 0 days.

Red Tag/EBS:

3/20/2003	#729 (Paul Tomasovic)	Conducted An Initial Inspection of the Property. Inspector's Comments: "Photos taken, scrap & salvage yard unscreened, I will research site history, zoning, permits, etc." Follow-Up on 4/5/2003
8/14/2003	#729 (Paul Tomasovic)	Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Photos taken of the area." Follow-Up on 8/30/2003
8/18/2003	#729 (Paul Tomasovic)	Information Update and research results. Inspector's Comments: "Area is a junk yard and appears to have always been a junk yard. Site was annexed in 1984 Limited purpose. Site is zoned SF-2 which would lose all nonconforming use by 1994. I will send a notice of violation to the owner" Follow-Up on

8/20/2003	#729 (Paul Tomasovic)	Information Update and research results. Inspector's Comments: "Spoke with owner Tom Ramsey @ 748-7777, explained that we did not have any record for the change of use from a warehouse to a daycare. I also set up a meeting with the owner and DAC staff to me on 8-28-2003 at 2:00pm to review all issues." Follow-Up on 8/30/2003
8/20/2003	#729 (Paul Tomasovic)	Sent Notice of Violation to the Owner. Inspector's Comments: "To discontinue the junk salvage use or to obtain city approval to maintain the current use w/in 30 days." Follow-Up on 9/20/2003
9/8/2003	#729 (Paul Tomasovic)	Inserts a tracking notice comment for date executed. Inspector's Comments: "Certified tracking notice has been delivered."
9/9/2003	#729 (Paul Tomasovic)	Information Update and research results. Inspector's Comments: "Spoke with owner Randy Bean @ 210-922-1212 , 210-922-1228, or 210-922-1203 he is going to submitted an application for a zoning change to LI." Follow-Up on 10/8/2003
9/26/2003	#729 (Paul Tomasovic)	Owner sent a letter requesting an extension of compliance deadline.. Inspector's Comments: "Owner has received zoning application and is arriving in Austin on Monday 9-29-2003 to sumitt the application. And meet with a planner on the first flooe. He is going to apply for a zoning change to LI." Follow-Up on 10/28/2003
10/29/2003	#729 (Paul Tomasovic)	Information Update and research results. Inspector's Comments: "Zoning hearing has been set and sign has been posted."

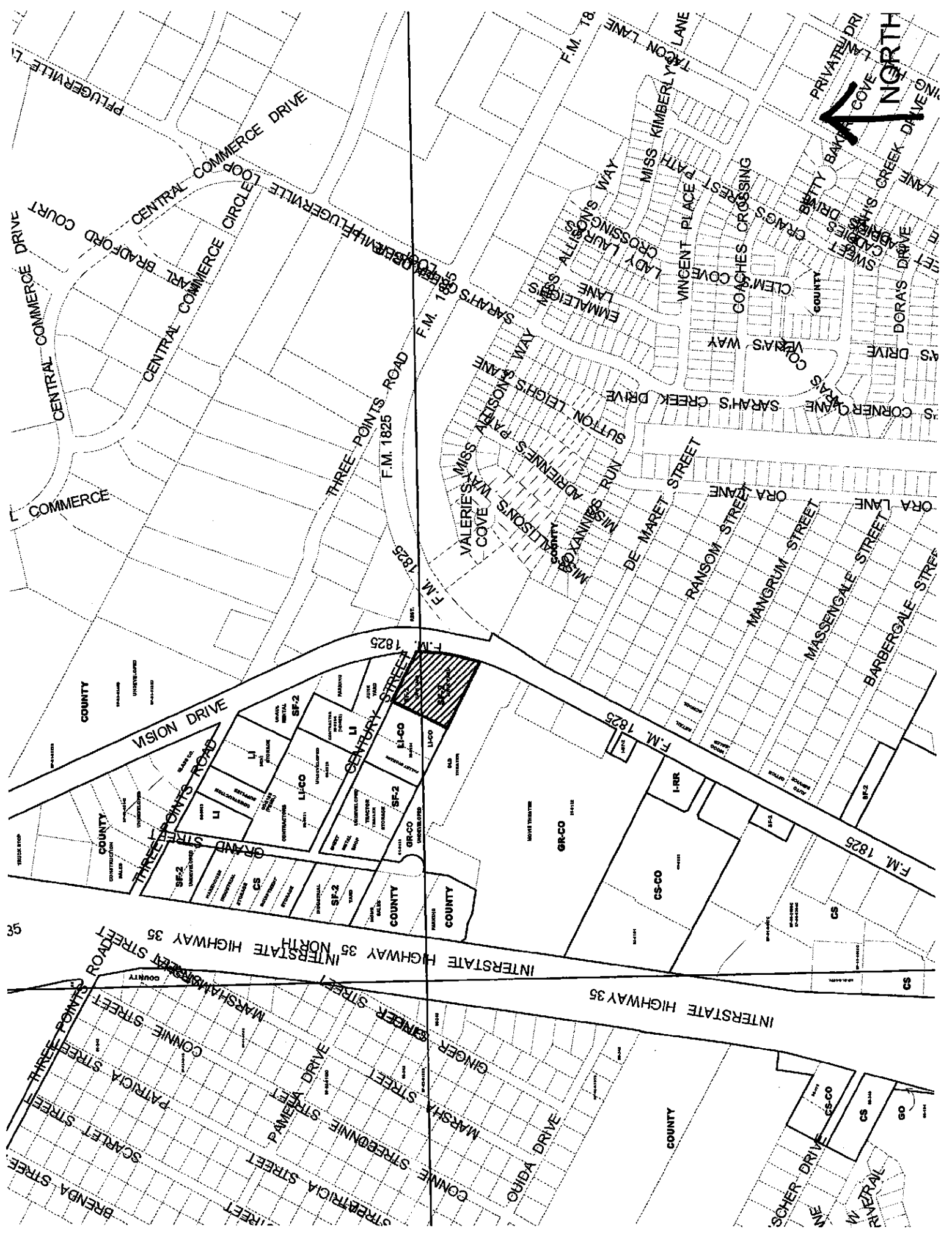
Zoning hearing has been set and sign has been posted." Follow-Up on 11/30/2003

Valid Conditions in Violation of the 2000 Austin City Code (Land Development Code):

Premises

08/18/2003	Nonconforming Use Regulation Group	Code Ref: 25-2-947 Single family zoned lot that has lost it's nonconforming use status in 1994 is still being use for junk & salvage storage
------------	---------------------------------------	--

Legal Notice (Zoning) sent on 8/20/2003 to (the owner) BeeCo Equip Eng Corp, certified #7001 0360 0000 3582 8638. Status: Recived on 9/2/2003 by S. bean



CITY ZONING AND PLATTING COMMISSION

November 18, 2003 [ANNOTATED]

One Texas Center

505 Barton Springs Road

3rd Floor Conference Room

CALL TO ORDER – 6:00 P.M.

COMMENCED: 6:10 P.M. ADJOURNED: 10:38 P.M.

_____ Betty Baker – Chair	_____ Keith Jackson - Parliamentarian
_____ John-Michael Cortez	_____ Joseph Martinez – Vice-Chair
_____ John Philip Donisi	_____ Janis Pinnelli
_____ Jay A. Gohil	_____ Melissa Whaley – Assistant Secretary
_____ Clarke Hammond -Secretary	

ORDER OF PROCEDURE

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those **FAVORING** the request.
 - a. Applicant's presentation (5 minutes).
 - b. Others favoring the request (3 minutes).
4. Chair calls on those **OPPOSING** the request.
 - a. Primary presentation (5 minutes).
 - b. Others opposing the request (3 minutes).
5. Applicant is given opportunity to answer objections stated. (3 minutes)
6. Staff summation and questions from the Commission.
7. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
8. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282)

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Zoning and Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning and Zoning Department within fourteen (14) days following the decision of the Zoning and Platting Commission.

POSTED: November 14, 2003

TIME: 4:00 P.M.

FACILITATOR: Wendy Walsh

12. C14-03-0090.SH – KB SHELDON 230, By: KB Home Lone Star L.P. (John Zinsmeyer), Longaro & Clarke, Inc. (Alex Clarke), Southeast of Thaxton Road at Salt Springs Drive. (Onion Creek/Marble Creek). **FROM I-SF-2, SF-3, I-SF-4A TO RR, SF-2, SF-4A. RECOMMENDED WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS.** City Staff: Wendy Walsh, 974-7719.

POSTPONED TO 12/02/03 (STAFF)
[J.M; J.G 2ND] (9-0)

13. C14-03-0159 – BEECO EQUIPMENT ENGINEERING CORP. (J. Randy Bean), By: Erik Solmundson, 1603 Century Street. (Gilleland Creek). **FROM SF-2 TO LI. ALTERNATE RECOMMENDATION: LI-CO.** City Staff: Sherri Gager, 974-3057.

APPROVED STAFF'S ALTERNATE RECOMMENDATION OF LI-CO ZONING:

- **PROHIBIT ADULT ORIENTED BUSINESSES;**
 - **2000 VEHICLE TRIPS PER DAY.**
- [J.C; J.G 2ND] (9-0)**

14. C14-03-0140 – CHAMPION ASSETS, LTD. (Josie Ellen Champion), By: Graves, Dougherty, Hearon (Michael J. Whellan), 6011-6411 City Park Road and 5801-6507 FM 2222. (West Bull Creek). **FROM GO-CO TO GO-CO. NOT RECOMMENDED.** City Staff: Glenn Rhoades, 974-2775.

APPROVED GO-CO ZONING.

- **2000 TRIPS PER DAY;**
 - **INCLUDE RIGHT-OF-WAY DEDICATION**
- [K.J; J.M 2ND] (9-0)**

15. C14H-03-0022 – ADAMS HOUSE, By: John D. and Karen R. Oswalt, 2200 Windsor Road. (Shoal Creek). **FROM SF-3 TO SF-3-H. RECOMMENDED.** City Staff: Steve Sadowsky, 974-6454.

POSTPONED TO 01/06/04 (ZAP)
[J.M; J.G 2ND] (9-0)

M E M O R A N D U M

TO: Betty Baker, Chair and Members of the Zoning and Platting Commission

FROM: Dora Anguiano, Zoning and Platting Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: December 22, 2003

SUBJECT: Zoning and Platting Commission Summary

Attached is a Zoning and Platting Commission summary, which will be forwarded to the City Council.

CASE # C14-03-0159

13. C14-03-0159 – BEECO EQUIPMENT ENGINEERING CORP. (J. Randy Bean),
By: Erik Solmundson, 1603 Century Street. (Gilleland Creek). **FROM SF-2 TO
LI. ALTERNATE RECOMMENDATION: LI-CO. City Staff: Sherri
Gager, 974-3057.**

SUMMARY

Sherri Gager, staff – “The request is from SF-2 to LI zoning; the staff’s alternate recommendation is to grant LI-CO. The conditional overlay would limit the development intensity for the entire site to less than 2000 vehicle trips per day. The basis for the staff’s recommendation is that the proposed zoning should be consistent with the purpose statement of the district sought. The LI district designation is for commercial use or for limited manufacturing use; generally located on moderately sized sites. The property in question is located on a moderately sized site, which is 2.210 acres that is accessible from an arteriole roadway. The proposed zoning should promote consistency or orderly planning. The property is adjacent to existing commercial and industrial uses to the north, south, east and west; there’s GR-CO district zoning to the south of this site and LI-CO to the north and west of this site. The proposed zoning should allow for a reasonable use of the property. The LI zoning district would allow for a fair and reasonable use of this site. The proposed zoning would bring the current and proposed use into compliance with the City of Austin Land Development Code regulations. LI zoning is appropriate for this location because of the commercial and industrial character of the area; and the property in question fronts onto an arterial roadway, FM 1825”.

Commissioner Baker – “Is there anyone here on this case?”

Ms. Gager – “The agent was present”.

Commissioner Baker – “We discussed this and pulled this case. This area in that triangle out there, in the cut-off down to Pflugerville; it’s such a hodge podge...if you pardon me saying so. You have SF-2 zoning on I-35, part of it is in the county, which is really neat. You’ve got construction services, you’ve got storage, you’ve got everything. Since this is a corridor into the city; are there any other plans to look at this area in a more comprehensive way, not just come in, in bits and pieces and continue the situation that’s there?”

Ms. Gager – “At this time, there is not a neighborhood plan proposed for this area. We’re working our way out and up. We focused on the core to start and moving up to the upper areas, but at this time, there is not”.

Commissioner Baker – “Can we hear from the applicant or the applicant’s representative?”

Erik Solmundson, applicant – “We’d just like to say that we agree with the staff’s recommendation; and if there’s any questions, I’d be happy to answer them”.

Commissioner Baker – “What is the proposed use?”

Mr. Solmundson – “The proposed use would not change from the current use, which is salvage and equipment storage, essentially a junk yard”.

Commissioner Baker – “Okay, I guess I did ask the question. Any questions?”

Commissioner Donisi – “Is this in Williamson County?”

Mr. Solmundson – “I believe it’s in Travis County”.

Commissioner Baker – “It’s really close to the edge”.

Commissioner Cortez – “Is there any kind of buffer between that and the road?”

Mr. Solmundson – “There’s just a chain link fence”.

Commissioner Donisi – “Does anyone live in the vicinity to this site?”

Mr. Solmundson – “I’m not sure when the SF-2 designation came into affect; I do know that according to the documentation that we received from the Neighborhood Planning and Zoning Department, that the non compliance began in 1994. I’m not sure....”

Commissioner Baker – “It was zoned SF-2 when it was annexed, sir”.

Mr. Solmundson – “As far as the land surrounding it, it’s all commercial. The nearest residential, I don’t believe it’s within 300-feet of the property”.

Commissioner Cortez – “I live right down the street from this tract. I moved there in ’86 and it’s been commercial for as long as I could remember. I can’t recall, except for across the street”.

Commissioner Baker – “It’s certainly a residential triangle; it’s just so tacky. I’m sorry, nothing personal”.

Commissioner Cortez – “That’s why I was wondering if there was any screening”.

FAVOR

No Speakers.

OPPOSITION

No Speakers.

Commissioner Martinez and Whaley moved to close the public hearing.

Commissioner Baker – “If someone would like to make a motion for the...CS would allow for a salvage yard, am I correct?”

Wendy Walsh, staff – “Scrap and salvage is actually a conditional use in LI”.

Commissioner Baker – “But is that a permitted use in CS?”

Ms. Walsh – “It’s not permitted; it’s prohibited in CS, first allowed in LI and MI, which are industrial as conditional use”.

Commissioner Baker – “Would the LI zoning, if someone wished to make the motion, it’s certainly not appropriate given the zoning in the area. I would appreciate them adding a conditional overlay to prohibit adult oriented businesses, because of the residential area”.

Commissioner Cortez – “Since it’s a conditional use, would they have to come back with a site plan? Then that’s when we could talk about some screening?”

Commissioner Baker – “Yes sir”.

Commissioner Cortez – “Okay, then I’ll move to approve staff’s alternate recommendation for LI-CO with the 2000 vehicle trips per day and prohibit the adult oriented businesses”.

Commissioner Gohil – “Second”.

Motion carried.

**COMMISSION ACTION:
MOTION:**

AYES:

**CORTEZ, GOHIL
APPROVED STAFF’S ALTERNATE
RECOMMENDATION OF LI-CO
ZONING.**

- **PROHIBIT ADULT ORIENTED
BUSINESSES;**
- **2000 VEHICLE TRIPS PER DAY.
PINNELLI, GOHIL, MARTINEZ,
JACKSON, WHALEY, HAMMOND,
BAKER, DONISI, CORTEZ**

MOTION CARRIED WITH VOTE: 9-0.