



## PLANNING AND ZONING COMMISSION MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** March 7, 2019  
**SUBJECT:** SUP 2018-08 Public hearing and consideration of a request from Sohail Dharani for a Special Use Permit to allow fuel sales at 7605 Boulevard 26, being 0.6913 acres described as Lot 1, Block 2, Richland Terrace Addition.  
**PRESENTER:** Clayton Husband, Principal Planner

### **SUMMARY:**

Sohail Dharani is requesting a special use permit to allow fuel sales in conjunction with a convenience store on property located at 7605 Boulevard 26.

### **GENERAL DESCRIPTION:**

The 30,113-square foot property is located on the northwest side of Boulevard 26, just south of Rodger Line Drive. The site is developed with a retail building and fuel pump canopies.

In 2015, the zoning ordinance was amended to require special use permit (SUP) approval for fuel sales. The revision was made to provide flexibility in how uses with fuel sales are developed and to address non-traditional uses that provide fuel sales, such as grocery stores. The SUP requirement applies to the C-1 Commercial, C-2 Commercial, I-1 Light Industrial, and I-2 Medium Industrial zoning districts.

The property was developed as a convenience store with fuel sales in the early 1980s. A convenience store is a permitted use on the property. However, since the fuel sales portion of the business has been discontinued for more than six months, approval of an SUP is required to authorize fuel sales on the property.

A site plan for the property is attached. Existing improvements on the site include a 3,435-square foot convenience store building, fuel pumps, and a single canopy covering the pump area. The property has two drive approaches on Boulevard 26, and there are 14 parking spaces on the site. The applicant is in the process of renovating the building and installing kitchen equipment and a grease trap.

### ***Special Use Permit***

The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties.



The proposed conditions of approval for this SUP application are attached. These conditions are based on the applicant’s proposed construction. These conditions may be modified by the Planning and Zoning Commission. Any other conditions recommended by the Commission will be included in the proposed ordinance considered by City Council.

**COMPREHENSIVE PLAN:** This area is designated on the Comprehensive Land Use Plan as “Retail.” This designation is intended to permit a variety of retail trade, personal and business service establishments, and offices.

**CURRENT ZONING:** The property is currently zoned C-2 Commercial. The C-2 district is intended to provide for the development of retail and general business uses primarily to serve the community and region. Uses include a wide variety of business activities and may involve limited outside storage, service, or display. The district should be located away from low and medium density residential development and should be used as a buffer between retail and industrial uses. The district is also appropriate along business corridors as indicated on the comprehensive plan.

**SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-2 Commercial	Retail	Retail shopping center
WEST	C-2 Commercial	Retail	Retail building
SOUTH	C-1 Commercial	Retail	Restaurant (Arby’s)
EAST	PD Planned Development (PD-71)	Retail	Vacant property in City Point planned development area

**PLAT STATUS:** The property is currently platted as Lot 1, Block 2, Richland Terrace Addition.

**CITY COUNCIL:** The City Council will consider this request at the March 25, 2019, meeting following a recommendation by the Planning and Zoning Commission.

**RECOMMENDATION:**

Approve SUP 2018-08.