



## City Council Agenda Item Summary Report

Meeting Date: April 20, 2021			
Submitted by: P. Morgan			
Consent	Discussion Only	Public Hearing X	Action/Discussion
Item Title: Hold a public hearing and discuss and consider approval of an Ordinance for a Conditional Use Permit for All Terrain Vehicle Dealer/Sales and Personal Watercraft Sales to operate at 117 E. U.S. Highway 80.			
Attachments: Application Letter Revised Application Letter Ordinance Site Plan Building Elevation			

**Item Summary:**

RideNow Powersports requests approval of a Conditional Use Permit. The purpose of the request is to revise a previously approved Conditional Use Permit to allow for the expansion of the existing RideNow Powersports business.

**Image 1: Location Map**



**Current Standards:**

The property consists of 3.82 acres of land in the General Retail zoning district. RideNow Powersports currently operates on the property under a previously approved (April 18, 2017) Conditional Use Permit for all terrain vehicle dealer/sales.

**Proposed Use:**

The application letter states that the applicant would like to expand by adding a new 13,500 square foot

addition. The new stucco building is proposed to be located directly to the west of the existing building, fronting on U.S. Highway 80.

The site plan shows that portions of the rear of the property are proposed to be used for unloading, storage and additional parking. The far rear section of the property will remain vacant. Masonry screening will be provided adjacent to the residential properties at the rear.

**Zoning Ordinance Considerations:**

When considering applications for a Conditional Use Permit, Section 34b of the City of Forney Zoning Ordinance provides the following considerations for the City Council:

1. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in Article V of this Ordinance;
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
  - a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
  - b. Off-street parking and loading areas;
  - c. Refuse and service areas;
  - d. Utilities with reference to location, availability, and compatibility;
  - e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
  - f. Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
  - g. Required yards and open space;
  - h. Height and bulk of structures;
  - i. Hours of operation;
  - j. Exterior construction material and building design; and
  - k. 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.
5. The proposed use is not materially detrimental to public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

**Accessibility:**

The property provides existing access to U.S. Highway 80.

**Notification:**

Notification was provided in the newspaper and to property owners within two-hundred feet (200') of the property. As of this writing, staff has received no public comment regarding this request.

**Future Requirements:**

If approved (including the site plan), future development of the property will require approval of:

1. Building Plans (staff approved)

**Recommendation:**

On April 8, 2021, the Planning and Zoning Commission voted to recommend approval.