

PLANNING COMMISSION FINAL REPORT

Case No.: 0314-03
 HTE No. 14-10000007

Planning Commission Hearing Date: March 26, 2014

Applicant & Legal Description	<p>Applicant/Owner: ZEBA, LLC Legal Description/Location: Being a 5.864-acre tract of land out of Tract 11 of the Partition of the Estate of John B. Harney, located between Leopard Street and Interstate Highway 37, approximately 1,200 feet east of Callicoatte Road.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "CG-2" General Commercial District Area: 5.864 acres Purpose of Request: To allow construction of a multifamily and commercial development.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"RS-6" Single-Family 6	Vacant	Commercial
<i>North</i>		"RS-6" Single-Family 6	Vacant	Low Density Residential
<i>South</i>		"CN-1" Neighborhood Commercial and "RS-TF/SP" Two-Family with a Special Permit	Medium Density Residential and Commercial	Medium Density Residential and Commercial
<i>East</i>		"CG-2" General Commercial	Vacant Commercial	
<i>West</i>		"CG-2" General Commercial and "RS-6" Single-Family 6	Vacant and Public/Semi-Public	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Plan. Map No.: 063050 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has access to Leopard Street, which is an "A2" Secondary Arterial street. The subject property will not have access to Interstate Highway 37 due to the lack of frontage road.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Leopard Street	"A2" Secondary Arterial	100' ROW 54' paved w/median	160' ROW 100' paved w/median	(2010) E 6,715 ADT W 7,151 ADT
	Interstate Highway 37	Freeway	400' ROW Paving Varies	350' ROW 120' Paved	No frontage road

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District to allow construction of multifamily uses and a commercial retail use.

Development Plan: The 5.864-acre development will consist of a multifamily use and a commercial use. The owner proposes to develop a portion of the lot with six 12-unit apartment buildings giving a density of 12.28 units per acre that is well below the maximum 37 units per acre allowed by the "CG-2" General Commercial District. The total area of each three-story apartment building is approximately 9,000 square feet. The development will also consist of a retail shopping center along the frontage. The building for the retail center is a single-story 6,000 square feet structure. The "CG-2" District would require the rear and side yard setback along the west boundary to be a minimum of ten feet. There is no buffer yard requirement for the east boundary of the lot since the adjacent lot is zoned "CG-2" General Commercial. A Type C buffer yard, which consists of a 15-foot wide buffer yard and 15 buffer points, would be required along the west property boundary adjacent to the residential district.

Existing Land Uses & Zoning: The subject property is vacant and zoned "RS-6" Single-Family 6. North of the subject property and across Interstate Highway 37 is undeveloped property zoned "RS-6" Single-Family 6. South of the subject property is an apartment complex zoned "RS-TF/SP" Two-Family District with a Special Permit. The Special Permit allows the higher density multifamily use in the Two-Family District. Also south of the property is a convenience store on a corner lot zoned "CN-1" Neighborhood Commercial. East of the subject property is vacant land zoned "CG-2" General Commercial. The west portion of the property is adjacent to a Veteran of Foreign War Post zoned "CG-2" General Commercial and adjacent to vacant land zoned "RS-6" Single-family 6.

AICUZ: The subject property is **not** located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The subject property will require a replatting with all infrastructure and public improvements constructed in accordance with the Comprehensive Plan and Master Plans.

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is located within the boundaries of the Northwest Area Development Plan (ADP) and the proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for commercial uses. Additionally, the proposed rezoning compliments pertinent elements of the Comprehensive Plan and Area Development plan such as:

1. Medium-density residential development (10 to 21 Units per acre) should be located in areas with convenient arterial access. (Residential Policy Statement F).
2. Infill Development should be encouraged on vacant tracts within developed areas. (Residential Policy Statement H).
3. Commercial development of a small scale for convenience shopping needs is necessary and desirable to serve the outlying portions of the Plan Area. (Northwest ADP Policy Statement B.1 D).

Department Comments:

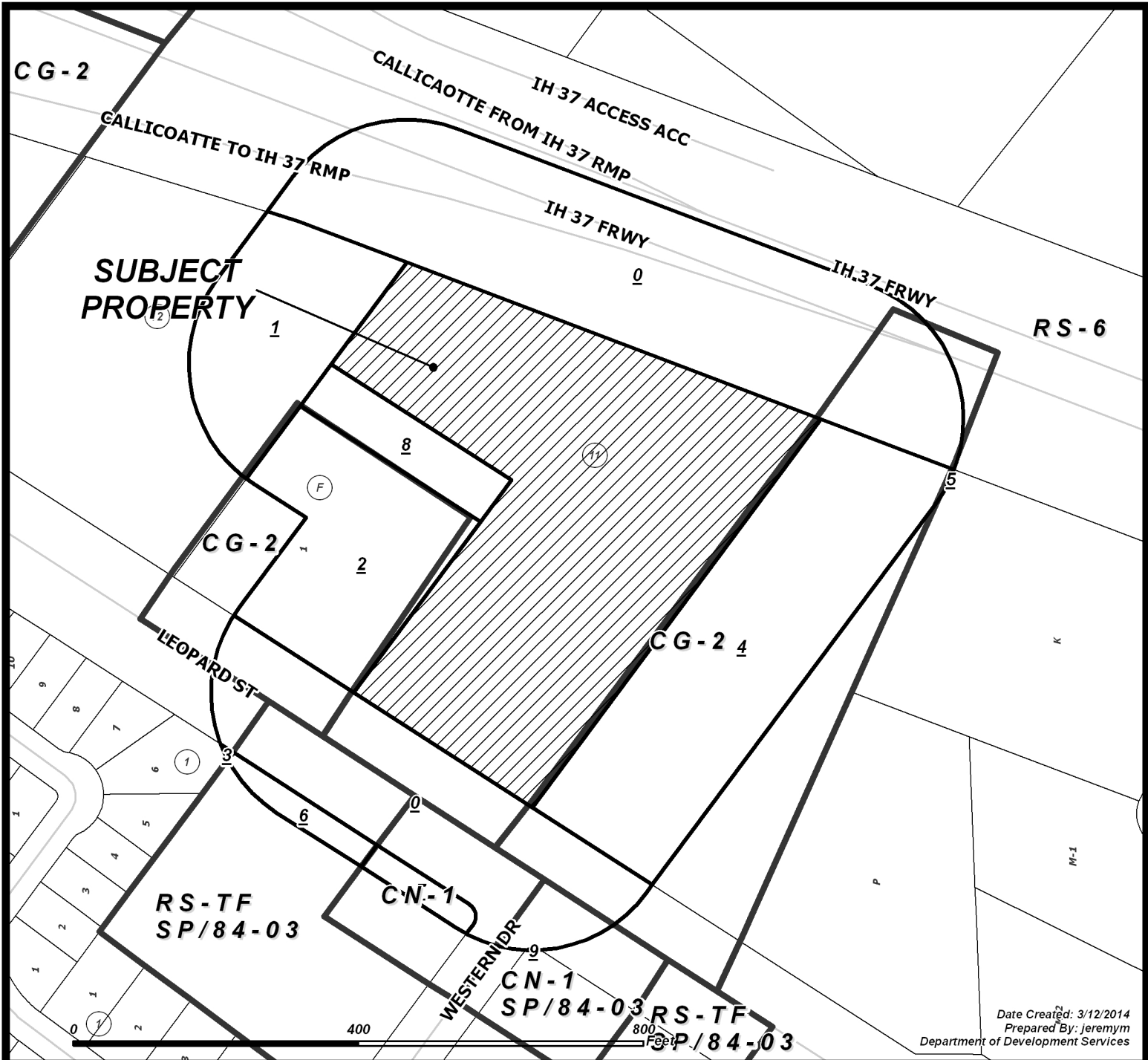
- The proposed rezoning is consistent with the Comprehensive Plan and the Future Land Use Plan’s designation of the property for commercial uses.
- The proposed rezoning is compatible with the current zoning and development patterns of the abutting properties to the west and east.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed development.
- This rezoning does not have a negative impact on the surrounding neighborhood.

Planning Commission and Staff Recommendation (March 26, 2014):

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District.

Public Notification	Number of Notices Mailed – 9 within 200-foot notification area; 1 outside notification area
	<u>As of April 2, 2014:</u>
	In Favor – 1 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
For 0.0% in opposition.	

Attachments: Location Map (Existing Zoning & Notice Area)
 Site Plan

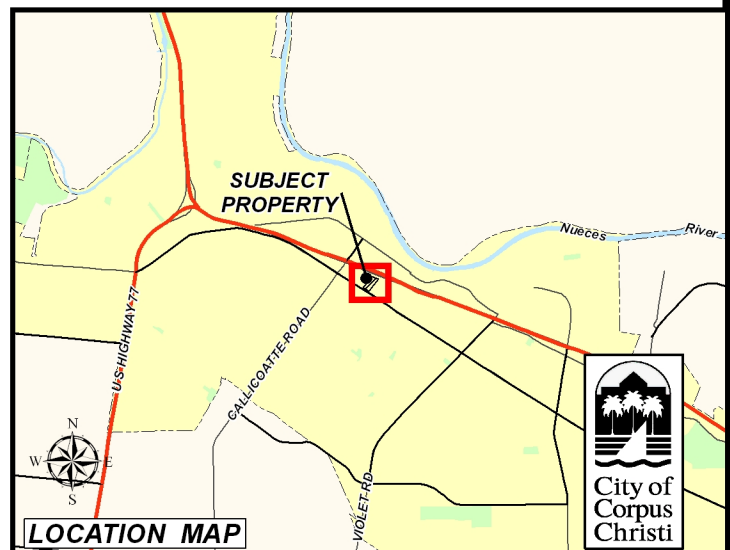


CASE: 0314-03

SUBJECT PROPERTY WITH ZONING

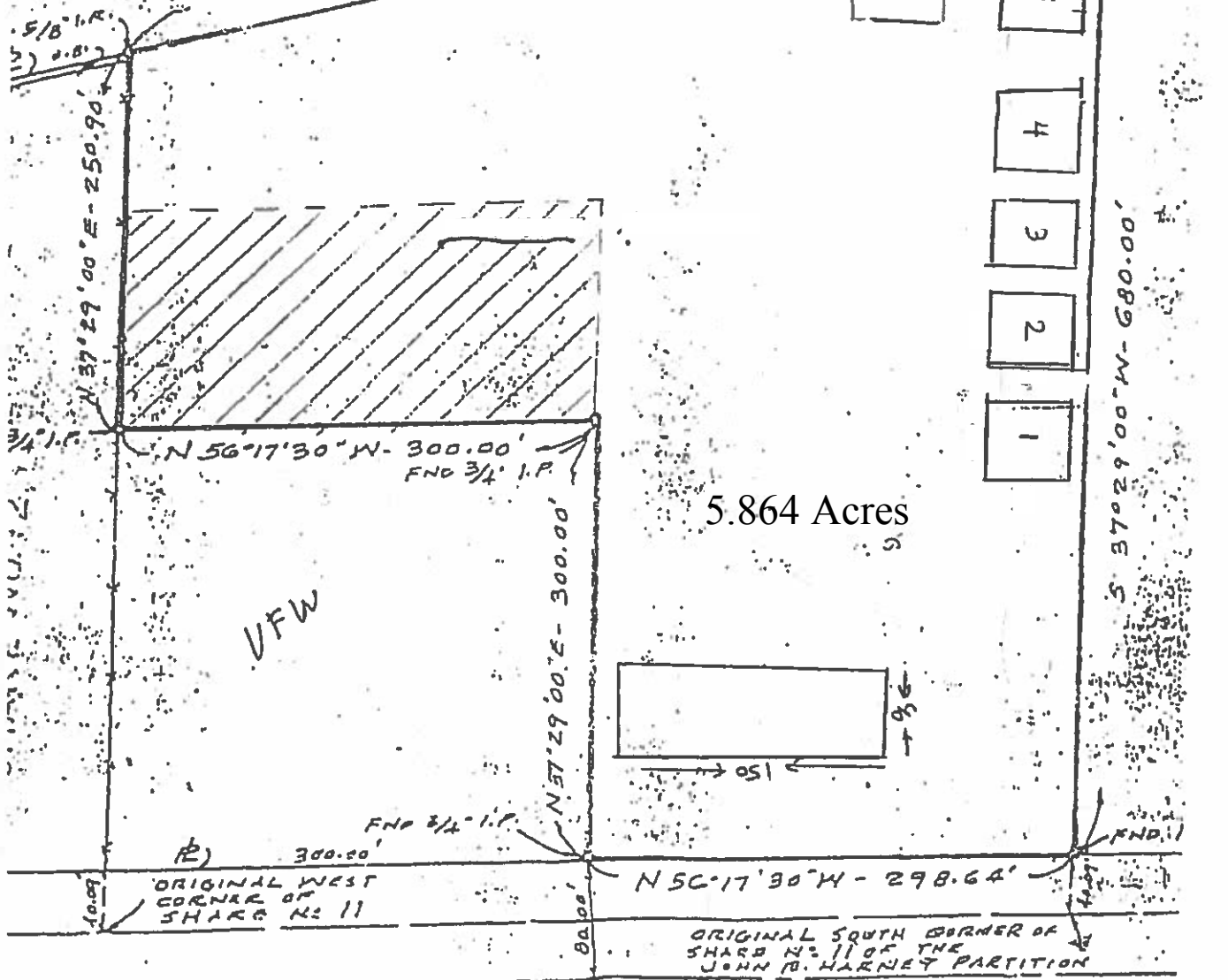


RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		



TAX ID # 3237-0000-1100

INTERSTATE HWY. N E 37
S 68° 15' 30" E - 620.40'



5.864 Acres

VFW

LEOPARD STREET (HWY. NO 9)

Site Plan

