

FINAL PLANNING COMMISSION REPORT

Case No.: 0214-04

HTE No. 14-10000006

Planning Commission Hearing Date: February 12, 2014

Applicant & Legal Description	<p>Representative: Joe Garcia Applicant/Owners: Santos and Virginia Herrera Legal Description/Location: Being a 0.113-acre tract of land out of Lot 10A, Ava Cooper Subdivision, located approximately 200 feet north of Gollihar Road and 75 feet east of Ivy Lane.</p>				
Zoning Request	<p>From: "CN-1" Neighborhood Commercial District To: "RS-6" Single-Family 6 District Area: 0.113 acres Purpose of Request: To allow an addition to a single-family dwelling.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
	<i>Site</i>	"CN-1" Neighborhood Commercial	Low Density Residential	Commercial	
	<i>North</i>	"RS-6" Single-Family 6	Vacant & Commercial	Low Density Residential	
	<i>South</i>	"CN-1" Neighborhood Commercial	Low Density Residential	Commercial	
	<i>East</i>	"CG-2" General Commercial	Commercial	Commercial	
	<i>West</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southeast Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "RS-6" Single-Family 6 District is not consistent with the adopted Future Land Use Plan. Map No.: 046039 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The area to be rezoned is a portion of a property that has access to Ivy Lane, which is a local residential street. The subject property has indirect access to Gollihar Road, which is an "A1" Minor Arterial Undivided street, via Ivy Lane.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2010)
	Ivy Ln.	Local Residential	50' ROW 28' paved	50' ROW 20' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “CN-1” Neighborhood Commercial District to the “RS-6” Single-Family 6 District to allow an addition to a single-family dwelling on the property. The lot consists of a single-family dwelling at the front of the property and a carport with storage on the rear portion of the property. The front 75 feet of the property is zoned “RS-6” District and the remainder of the property is zoned “CN-1” District. The carport and proposed addition are located in the portion of the property zoned “CN-1” District.

Development Plan: The applicant plans to construct a two-story, 1,060 square-foot addition to an existing single-family dwelling. The proposed location of the addition is located on the portion of the lot zoned “CN-1” Neighborhood Commercial District (see attached site plan).

Existing Land Uses & Zoning: North of the subject property is a commercial parking lot and vacant land zoned “RS-6” Single-Family 6 District. South of the subject property is a single-family dwelling zoned “CN-1” Neighborhood Commercial District and “RS-6” Single-Family 6 District. West of the subject property are single-family dwellings zoned “RS-6” Single-Family 6 District. East of the subject property is a commercial business zoned “CG-2” General Commercial District.

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

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is within the boundaries of the Southeast ADP and the proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for commercial uses. Although inconsistent with the Future Land Use Plan, the rezoning would be appropriate for this location and is consistent with the surrounding properties. The proposed rezoning is consistent with pertinent elements of the Comprehensive Plan such as:

1. Protect residential areas by stabilizing and preserving residential neighborhoods (Southeast ADP).
2. Expansion of commercial uses into or within residential areas may be permitted only if such expansions maintains or improves the residential desirability of the impacted neighborhoods (Policy Statement – Commercial D).

Department Comments:

- Although inconsistent with the Future Land Use Plan, the rear portion of the property is unlikely to develop with commercial uses. A single-family dwelling exists on the remainder of the property and expanding of the dwelling into the rear portion of the property is reasonable.

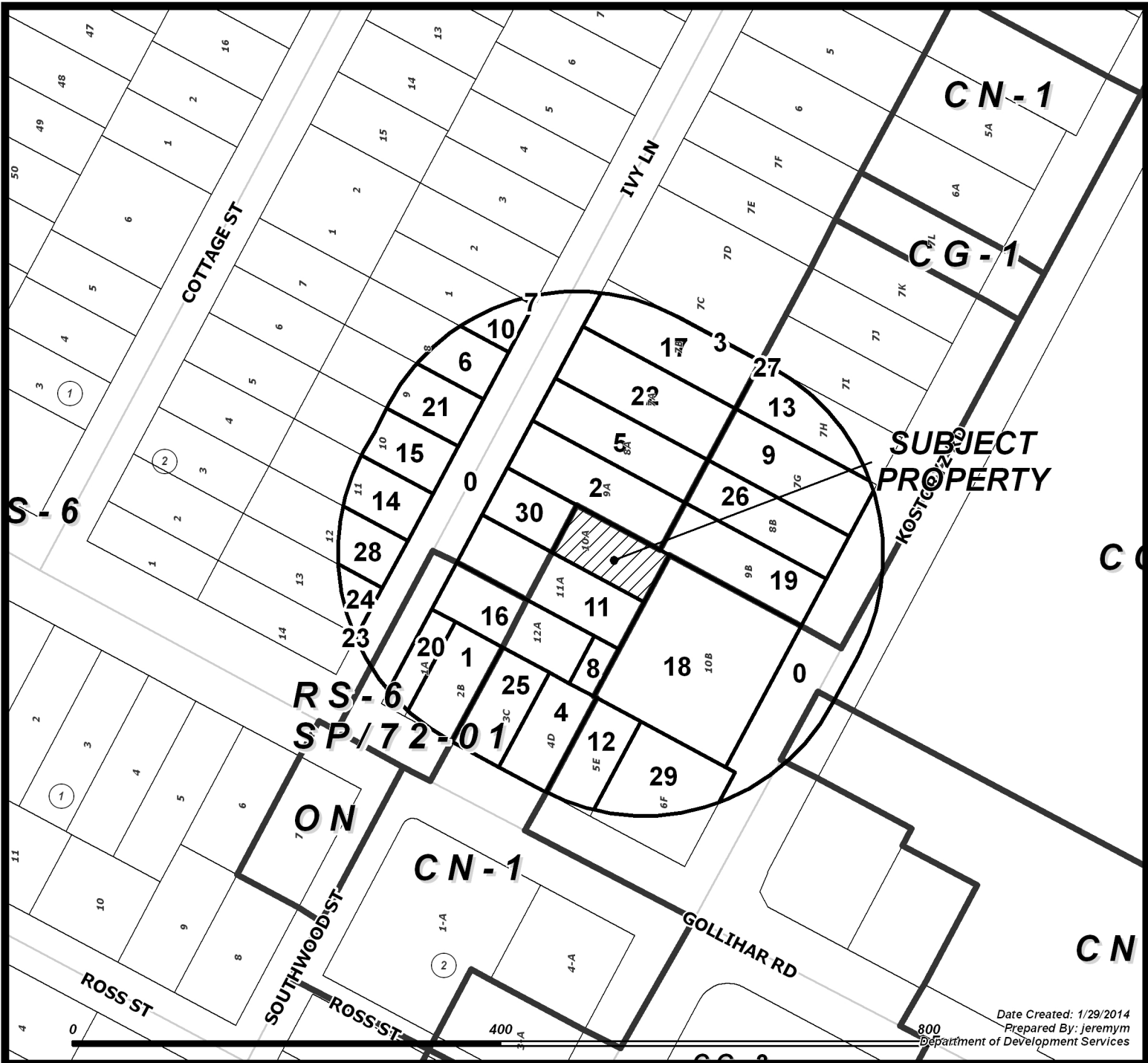
- The proposed rezoning would not negatively impact the surrounding residential properties and the property to be rezoned is suitable for low density residential uses.
- This rezoning could affect the commercial property east of the subject property if the commercial property expands or redevelops. Ten buffer points and a five-foot buffer yard would be required if the property was to be redeveloped.
- The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area along Ivy Lane.
- The current low density residential use of the property would not be changed as a result of a rezoning to the “RS-6” Single-Family 6 District.

Planning Commission and Staff Recommendation (February 12, 2014):

Approval of the change of zoning from the “CN-1” Neighborhood Commercial District to the “RS-6” Single-Family 6 District.

Public Notification	Number of Notices Mailed – 30 within 200-foot notification area; 6 outside notification area
	<u>As of February 13, 2014:</u>
	In Favor – 2 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
For 0.00% in opposition.	

- Attachments:
1. Location Map (Existing Zoning & Notice Area)
 2. Site Plan

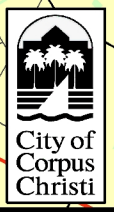
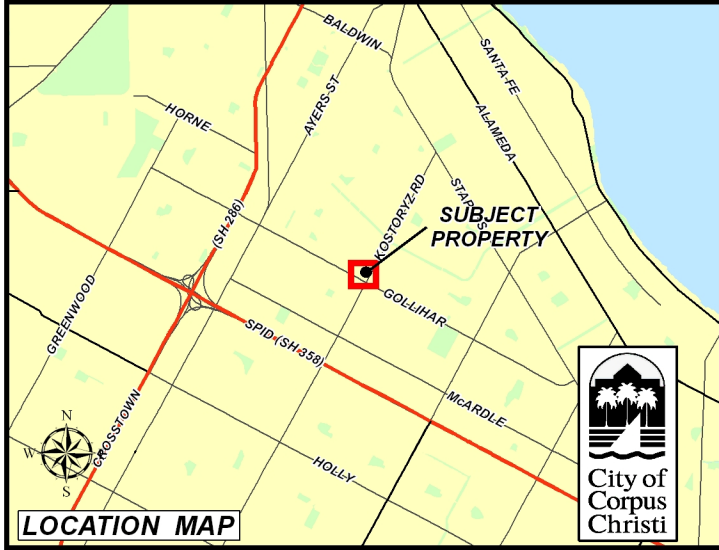


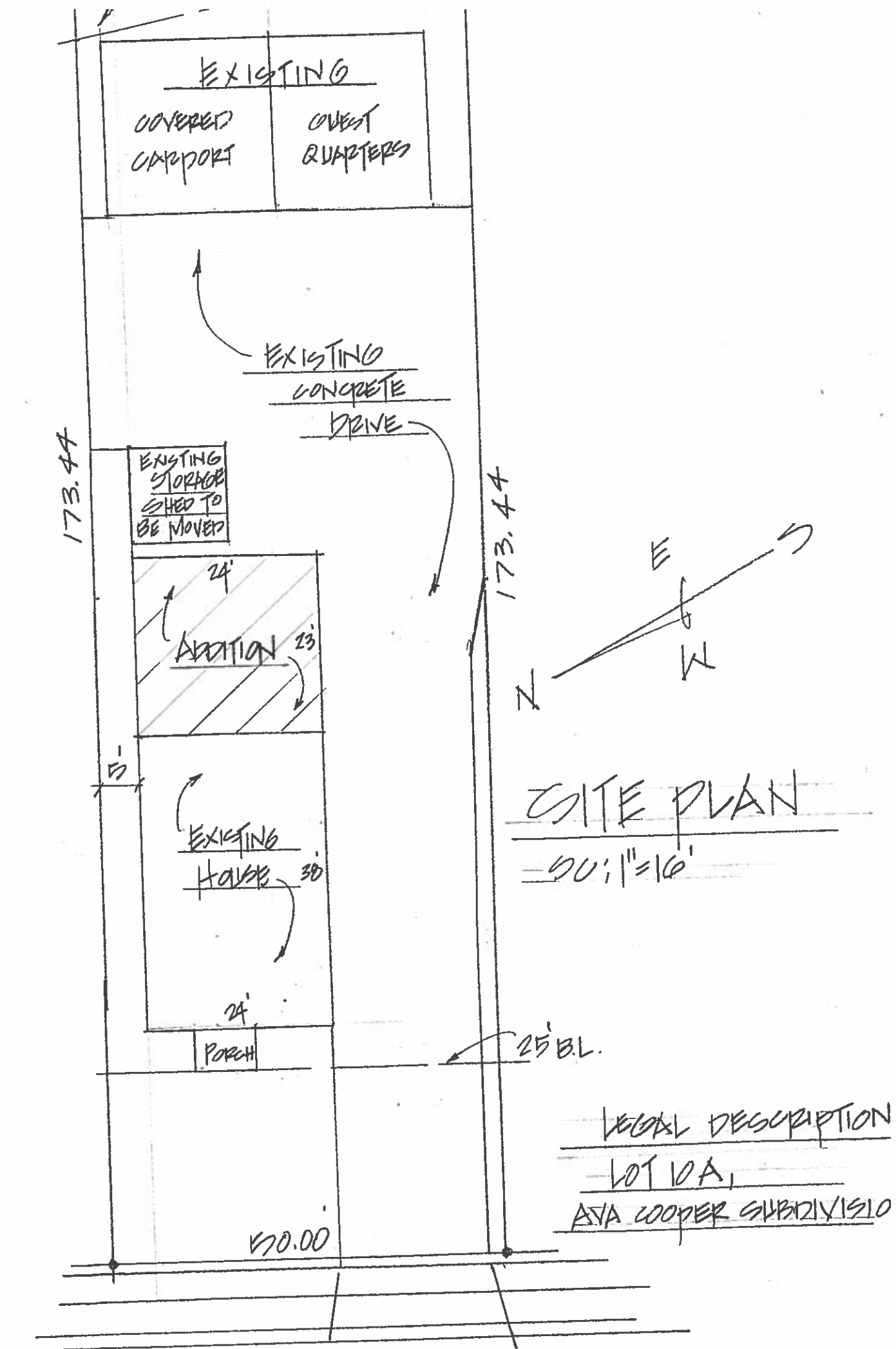
Date Created: 1/29/2014
 Prepared By: jeremym
 Department of Development Services

CASE: 0214-04 Zoning & Notice Area

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	

- Subject Property with 200' buffer
- Owners in favor
- Owners within 200' listed on attached ownership table
- Owners in opposition





EXISTING
COVERED CARPORT QUEST QUARTERS

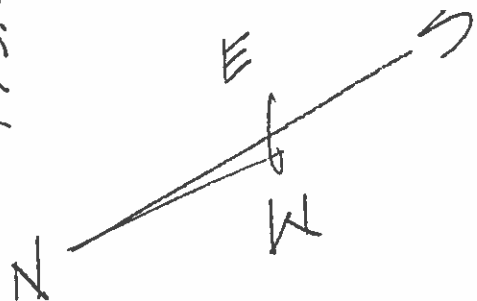
EXISTING CONCRETE DRIVE

EXISTING STORAGE SHED TO BE MOVED

24' 23'
ADDITION

EXISTING HOUSE 30'

24' PORCH



SITE PLAN

1/4" = 10'

25' B.L.

LEGAL DESCRIPTION

LOT 10A,

AVA COOPER SUBDIVISION

170.00

4410 IVY LANE