

PLANNING COMMISSION FINAL REPORT

Case No. 1214-01
 HTE No. 14-10000042

Planning Commission Hearing Date: December 3, 2014

Applicant & Legal Description	<p>Applicant/Owner: Maxwell P. Dunne Funeral Service, Inc. Representatives: Ronald J. Alonzo Legal Description/Location: Being 2.13 acres out of Lot 20, Section 10, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Yorktown Boulevard and Loire Boulevard.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "CN-1" Neighborhood Commercial District Area: 2.13 Acres Purpose of Request: To construct a 10,000 square foot building to be used as a funeral home.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"RS-6" Single-Family	Vacant	Low Density Residential
<i>North</i>		"RS-6" Single-Family and "CN-2" Neighborhood Commercial	Vacant and Commercial	Low Density Residential and Commercial
<i>South</i>		"RS-6" Single-Family	Vacant	Low Density Residential
<i>East</i>		"RS-6" Single-Family	Low Density Residential	Low Density Residential
<i>West</i>		"RS-6" Single-Family	Public Semi-Public	Low Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential use. The proposed change of zoning to the "CN-1" Commercial Neighborhood District is not consistent with the Future Land Use Plan. Map No.: 044031 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 225 feet of street frontage along Yorktown Boulevard, which is an "A3" Primary Arterial Divided street. The 415-foot east boundary line of the subject property abuts a 20-foot wide piece of property along Loire Boulevard which is owned by Kings Crossing Realty Ltd., associated with the residential development across Loire Boulevard. Loire Boulevard is classified as a "C1" Minor Residential Collector street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
	Yorktown Boulevard	A3 Primary-Arterial Divided	130' ROW 79' paved	135' ROW 25' paved	11,648
	Loire Boulevard	C1 Minor Residential Collector	60' ROW 40' paved	60' ROW 40' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a change in zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District to allow the construction of a funeral home.

Development Plan: The applicant proposes to construct a 10,000 square foot funeral home and associated parking lot. Hours of operation will be from 8:00 a.m. to 9:00 p.m.

Existing Land Uses & Zoning: North of the subject property across Yorktown Boulevard is vacant property zoned “RS-6” Single-Family 6 and property with a small shopping center zoned “CN-2” Neighborhood Commercial. East of the subject property across Loire Boulevard is the King’s Crossing Subdivision zoned “RS-6” Single-Family 6. West of the subject property is a church zoned “RS-6” Single-Family 6. South of the subject property is vacant owned by the church zoned “RS-6” Single-Family 6.

AICUZ: The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan Consistency: The proposed change of zoning is consistent with the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for low density residential uses. Additionally, the following pertinent elements of the Comprehensive Plan should be considered:

- The intent of the proposed land use plan is to support existing and planned residential neighborhoods and related growth in the Southside ADP areas. The plan provides for a compatible configuration of activities with emphasis on: accommodation of existing zoning patterns; the protection of low-density residential activities from incompatible activities; the placement of commercial activities at locations with good access and high visibility; and the identification of environmental sensitive areas that should be preserved. (Southside Area Development Plan Policy Statement B.1).
- The "CN-1" Neighborhood Commercial and other commercial zoning regulations, in concert with the Comprehensive Plan policies, should be reviewed and revised as necessary to control the size and use of commercial centers so they remain in scale with their surrounding uses and highway carrying capacity. True "neighborhood" commercial activities should be aimed toward meeting the daily convenience retail needs of nearby residents for food, pharmaceuticals, personal

services, etc. Rezoning to new "CN-1" Neighborhood District should occur on limited site areas in existing or new residential development. Higher intensity uses and larger sites should be located away from low density residential and along highway systems with capacities commensurate with their traffic generation. (Southside Area Development Plan Policy Statement B.4).

Plat Status: The subject property is not platted.

Department Comments:

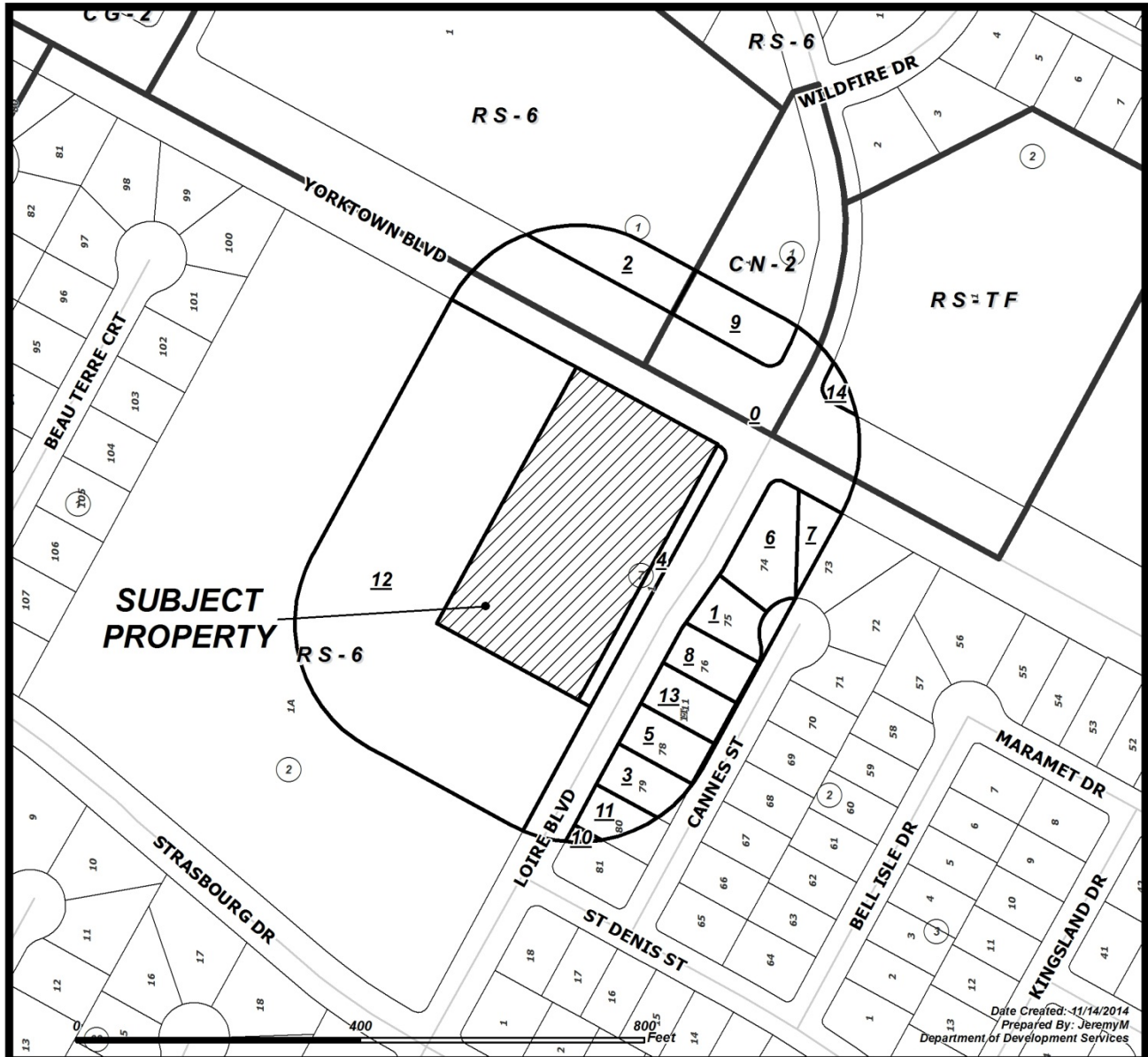
- The proposed rezoning to the “CN-1” Neighborhood Commercial District is not consistent with the adopted Future Land Use Plan but does reflect conformity with the Southside Area Development Plan Policy Statement B.1 in that “Rezoning to new “CN-1” Neighborhood Commercial District provides for protection of low-density residential activities from incompatible activities and the placement of commercial activities at locations with good access and high visibility.”
- The proposed rezoning does reflect conformity with the Southside Area Development Plan Policy Statement B.4 in that “Rezoning to new “CN-1” Neighborhood Commercial District should occur on limited site areas in existing or new residential development.”
- It is staff’s opinion that the proposed rezoning would not negatively impact the surrounding residential properties.
- The amendment is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.

Planning Commission and Staff Recommendation: Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 14 within 200-foot notification area 5 outside notification area
	<u>As of December 23, 2014</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
Totaling 2.018% of the land within the 200-foot notification area in opposition.	

Attachments:

Location Map (Existing Zoning & Notice Area)

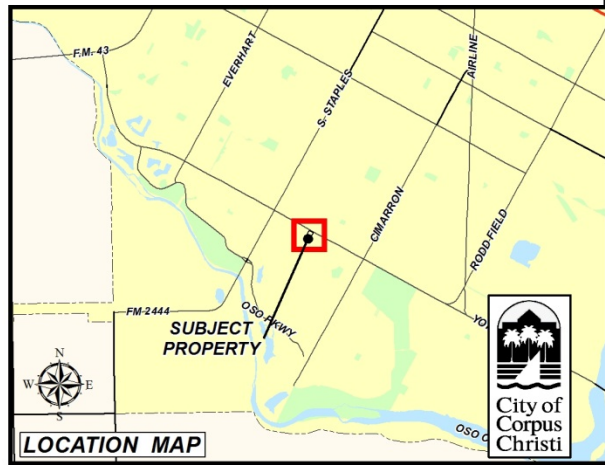


Date Created: 11/14/2014
Prepared By: Jeremy M.
Department of Development Services

CASE: 1214-01 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



LOCATION MAP

