

STAFF REPORT

Case No.: 1014-01
 HTE No. 14-10000037

Planning Commission Hearing Date: October 22, 2014

Applicant & Legal Description	<p>Applicant/Owners: Anthony Troy and Janelle Marydee Shur Legal Description/Location: Lot 35A, Block 2, Brandywine Subdivision, located along the west side of Rodd Field Road north of Premont Street.</p>			
Zoning Request	<p>From: "CN-1" Neighborhood Commercial District To: "RS-6" Single-Family 6 District Area: 0.3432 acres Purpose of Request: To allow the construction of 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	Commercial	Medium Density Residential
<i>North</i>		"CN-1" Neighborhood Commercial	Commercial	Medium Density Residential
<i>South</i>		"RM-1" Multifamily 1	Medium Density Residential	Medium Density Residential
<i>East</i>		"FR" Farm Rural	Estate Residential and Low Density Residential	Medium Density Residential
<i>West</i>		"RM-1" Multifamily 1	Medium Density Residential	Medium Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and is planned for medium density residential 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.: 041032 Zoning Violations: 2006 – Case No. 15176, Care of Premise Violation. Status Date: March 12, 2007 – Compliance-Weeds mowed and fence mended.</p>			
Transportation	<p>Transportation and Circulation: The area to be rezoned has access to Rodd Field Road, which the Urban Transportation Plan shows as an A3 Primary Arterial Divided. The A3 Arterial is designed to augment the freeway system and serves major through movements of traffic between important centers of activity, major traffic generators and with a substantial portion of trips entering and leaving the area. The maximum desirable average daily trips for an A3 Arterial is 30,000 to 48,000.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2010)
	Rodd Field Road	A3 Primary Arterial Divided	130' ROW 79' paved	116' ROW 67' 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 construction of a single-family dwelling on the property. The adjoining lot currently consists of a taxidermy business, Shur’s Taxidermy, and a residential dwelling, both owned by the applicant. The applicant owns and operates Shur’s Taxidermy and lives on the property where the business is located. The applicant recently had the property replatted into two lots in order to construct a new residential dwelling toward the back of the property to accommodate expanding the commercial business in the front. A “caretaker’s quarters” is allowed in the existing zoning district but is limited to 1,500 square feet. A rezoning to a single-Family district is required to allow a larger dwelling as a primary use.

Development Plan: The applicant plans to demolish the current residential dwelling, replacing it with a large metal building to augment the existing business, and construct a single-family dwelling and guest quarters behind the existing business.

Existing Land Uses & Zoning: North of the subject property is zoned “CN-1” Neighborhood Commercial District and the use is commercial with the applicant’s existing business. South and west of the subject property is a condominium complex in the “RM-1” Multifamily 1 District. East of the subject property across Rodd Field Road is zoned “FR” Farm Rural District consisting of one residential estate dwelling and one low density residential dwelling.

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 Southside ADP and the proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for medium density residential uses. Although inconsistent with the Future Land Use Plan and Comprehensive Plan, the rezoning to a lower density residential use would be appropriate for this location and is consistent with the surrounding residential properties.

Department Comments:

- Although inconsistent with the Future Land Use Plan, a single-family dwelling already exists on the property and relocating the dwelling into the rear portion of the property is reasonable.
- Single-family dwellings are not recommended for arterial roads. However, the single-family dwelling would not have separate access to Rodd Field Road, but would share access with the commercial business.
- The proposed rezoning would not negatively impact the surrounding residential properties and the property to be rezoned is suitable for low density residential uses.
- The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area.

Staff Recommendation:

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 – 117 within 200-foot notification area; 5 outside notification area
	<u>As of October 15, 2014:</u>
	In Favor – 0 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