

ZONING REPORT

Case No.: 0512-01

HTE No. 12-1000015

Planning Commission Hearing Date: May 23, 2012

Applicant & Legal Description	<p>Applicant: Saratoga Airline, LLC Representative: Jim Boller Legal Description/Location: Being 2.00 acres of land, more or less, out of Lot 3, Block 14, Brighton Village Unit 2, located on the northwest corner of Airline Road and Downing Street.</p>				
Zoning Request	<p>From: "CG-1" General Commercial District To: "CN-1" Neighborhood Commercial District Area: 2 acres Purpose of Request: To allow for construction of a 230-unit apartment complex.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
Site		"CG-1" General Commercial	Vacant	Commercial	
North		"CN-1" Neighborhood Commercial	Vacant/Agricultural	Commercial	
South		"CN-1" Neighborhood Commercial & "ON" Office	Vacant & Medium Density Residential	Medium Density Residential	
East		"CG-2" General Commercial	Vacant/Agricultural	Commercial	
West		"CN-1" Neighborhood Commercial	Vacant/Agricultural	Commercial	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "CN-1" Neighborhood Commercial District is consistent with the adopted Future Land Use Plan. Map No.: 042032 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has 330 feet of frontage along Airline Rd., which is an existing A1 Arterial as indicated in the Urban Transportation Plan, and 350 feet of frontage on Downing St., which is an existing local residential street. Airline Rd. is currently under construction to build out the master planned street section from Saratoga Blvd. to Rodd Field Rd.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	2011 Traffic Volume
	Airline Rd.	"A1" Minor Arterial, Undivided	95' ROW, 64' paved width	60' ROW, 20' paved width	4,060 ADT (Between Yorktown & Saratoga)
	Downing St.	Local Residential	50' ROW, 28' paved width	60' ROW, 30'- 40' paved width	Not Available
	Charter Ln.	Local Residential	50' ROW, 28' paved width	60' ROW, 40' paved width	Not Available

Staff Summary:

Requested Zoning: The applicant has requested a change of zoning from the “CG-1” General Commercial District to the “CN-1” Neighborhood Commercial District to allow for the development of a high-density (more than 22 units/acre) apartment complex on 9.5 acres. The site is located at the northwest corner of Airline Rd. and Downing St, about 500 feet south of Saratoga Blvd. The “CG-1” District is nearly identical to the “CG-2” General Commercial District except that it specifically does not allow residential uses. The same zoning change request from “CG-1” to “CN-1” was approved in early 2011 on the majority of the project site (7.5 acres) when a potential developer was looking to build senior-living apartments. The previous rezoning request left out a two-acre tract fronting on Airline Rd., and so it remains zoned as the “CG-1” District. The current proposed project would use all 9.5 acres and the new developer is requesting the rezoning on the remaining two acres fronting on Airline Rd.

Applicant’s Development Plan: The applicant proposes to construct 230 dwelling units with 78 garage units, a pool, leasing office and clubhouse making up 23 structures on 9.5 acres. The “CN-1” District does not allow structures to exceed 35 feet in height. The proposed density is 24 dwelling units per acre. The applicant proposes driveway access to all three streets, which are Downing St., Airline Rd., and Charter Ln.

Existing Land Uses: The subject property (9.5 acres) and the property to the north are currently vacant and zoned for General Commercial uses. Various properties to the south are vacant, single-family residential, and medium-density residential (18-unit townhouse complex) with a combination of “RS-6” Single-Family, “ON” Office, and “CN-1” Neighborhood Commercial zoning. Property to the east across Airline Rd. is used for agriculture and zoned “CG-2” General Commercial. To the west across Charter Ln. is Time Warner Communications, a commercial use, zoned “CG-2” General Commercial.

Future Land Uses: The majority of the area near the intersection of Airline Rd. and Saratoga Blvd. is planned for future commercial uses. The areas to the south are planned for medium-density residential (8-22 units per acre) and public/semi-public uses (schools, churches, etc.) with low-density residential farther west down Downing St.

Comprehensive Plan & Area Development Plan (ADP) Consistency:

The proposed change of zoning to the “CN-1” Neighborhood Commercial District would be consistent with the adopted Comprehensive Plan, Southside Area Development Plan (ADP), and Future Land Use Map, which slate the subject property for commercial uses. The rezoning to the “CN-1” District would be an extension of the “CN-1” District located to the north, south and west of the subject property.

Transportation:

Driveways: The subject property has frontage on Airline Rd. (Arterial street), Downing St., and Charter Ln. (Local Residential streets). The applicant proposes driveway access on Airline Rd. and Charter Ln. The driveway on Charter Ln. would be allowed because the zoning and future land use across Charter Ln. is equivalent to or more intense than the subject property’s zoning/future land use. A driveway on Downing St. could be located closer to Airline Rd. where there is commercial zoning. As a protection to the nearby residents, the apartment complex would not be allowed a driveway on Downing St. across from the single-family zoning district.

Traffic: Based on data from the Institute of Transportation Engineers, an apartment complex of 230 units at 6.7 trips per unit would generate approximately 1,500 average daily trips, which is typically lower than commercial uses.

Plat Status: The subject property is platted.

Department Comments:

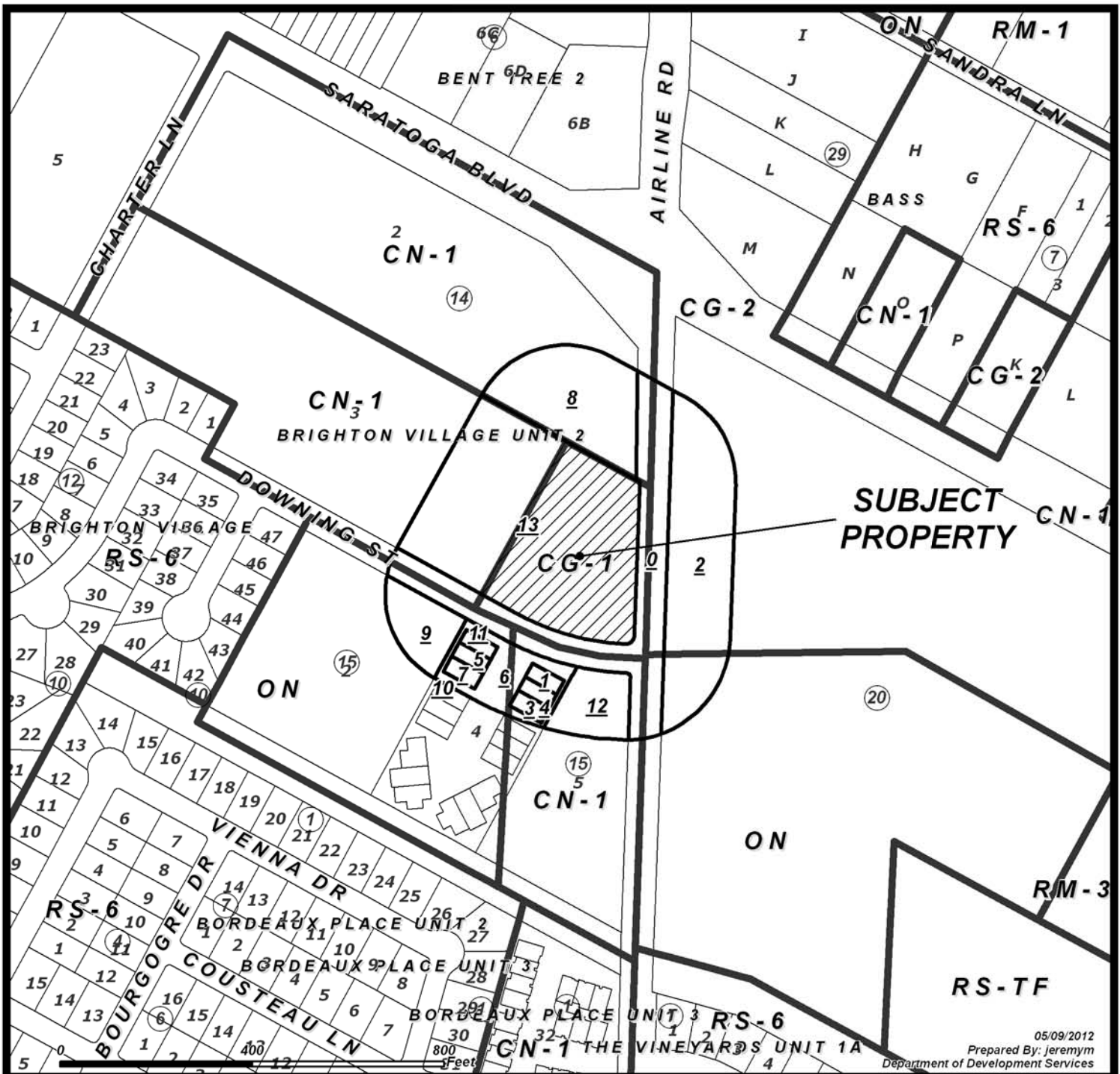
- With its limitations on higher intensity commercial uses, the requested zoning of “CN-1” Neighborhood Commercial would provide a more appropriate transition to the single-family neighborhood to the south than would the existing “CG-1” General Commercial zoning.
- The proposed project has appropriate access to arterial roadways.
- The proposed rezoning is consistent with the Comprehensive Plan and compatible with surrounding commercial and office zoning districts.

Planning Commission & Staff Recommendation (May 23, 2012):

Approval of the change of zoning from the “CG-1” General Commercial District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 13 within 200’ notification area; 17 outside notification area
	<u>As of June 6, 2012:</u>
	In Favor – 1 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 1 (outside notification area)
	For 0.0% in opposition.

- Attachments:
1. Site Map – Existing Zoning, Notice Area, & Ownership Map
 2. Site Development Plan



05/09/2012
 Prepared By: Jeremym
 Department of Development Services

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2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

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	

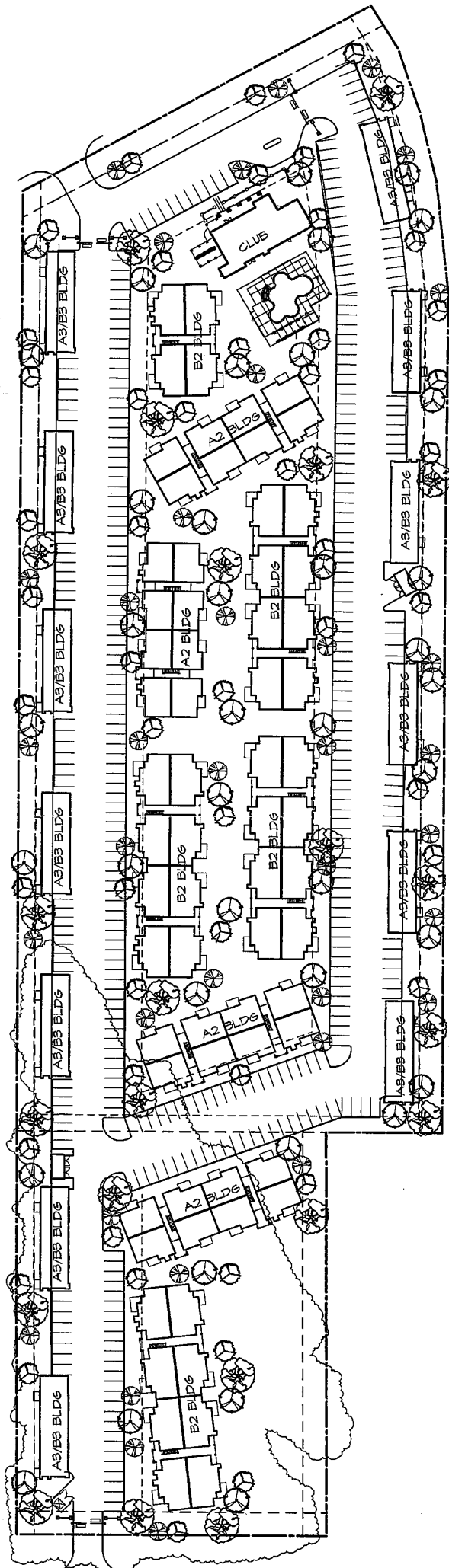
Subject Property with 200' buffer

Owners in favor

Owners within 200' listed on attached ownership table

Owners in opposition





A PRELIM. SITE PLAN

1" = 30'-0"
 0 15' 30' 60'