

PLANNING COMMISSION FINAL REPORT

Case No.: 1114-01

HTE No. 14-10000038

Planning Commission Hearing Date: November 5, 2014

Applicant & Legal Description	<p>Applicant/Owners: MVR Construction Company</p> <p>Legal Description</p> <p>Tract 1: Being 14.47 acres out of Tract 3, McKinzie Partition and a portion of Lot 2 Block 7, Maple Hills Subdivision Unit 2 and all of Lot 4, Block 7, Maple Hills Subdivision Unit 2.</p> <p>Tract 2: Being 2.86 acres out of Tract 3, McKinzie Partition.</p> <p>Location: Along the east side of Deer Run Drive and south of Up River Road.</p>		
Zoning Request	<p>Tract 1:</p> <p>From: "CN-1" Neighborhood Commercial District, "RS-6" Single-Family 6 District, "RS-TF" Two-Family District</p> <p>To: "RS-4.5" Single-Family 4.5 District</p> <p>Area: 14.47 acres</p> <p>Purpose of Request: To allow the construction of a single-family subdivision.</p> <p>Tract 2:</p> <p>From: "RS-6" Single-Family District</p> <p>To: "CN-1" Neighborhood Commercial District</p> <p>Area: 2.86 acres</p> <p>Purpose of Request: To allow neighborhood commercial type businesses.</p>		
Existing Zoning and Land Uses	Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>	<p>Tract 1: "CN-1" Neighborhood Commercial, "RS-6" Single-Family 6, "RS-TF" Two-Family</p> <p>Tract 2: "RS-6" Single-Family</p>	<p>Tract 1: Vacant</p> <p>Tract 2: Vacant</p>	<p>Tract 1: Low Density Residential, Medium Density Residential and Commercial</p> <p>Tract 2: Low Density Residential</p>
<i>North</i>	"CN-1" Neighborhood Commercial & "RS-6" Single-Family 6	Vacant	Commercial
<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
<i>East</i>	"RS-6" Single-Family 6	Vacant	Medium Density Residential and Commercial
<i>West</i>	"RS-6" Single-Family 6 and "RS-TF" Two-Family	Low and Medium Density Residential and Public/ Semi-Public	Low and Medium Density Residential and Public/ Semi-Public

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 low and medium density residential uses. The proposed change of zoning to is partially consistent with the adopted Future Land Use Plan.</p> <p>Map No.: 060049</p> <p>Zoning Violations: None</p>
Transportation	<p>Transportation and Circulation: The area to be rezoned has access to Deer Run Drive and Up River Road, which the Urban Transportation Plan shows as an C1 Collectors.</p>

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Up River Road and Deer Run Drive	C1 Collectors	Existing	70' ROW 50' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “CN-1” Neighborhood Commercial District, “RS-6” Single-Family 6 District, “RS-TF” Two-Family District to the “RS-4.5” Single-Family 4.5 on Tract 1 to allow construction of single-family dwellings and from the “RS-6” Single-Family District to the “CN-1” Neighborhood Commercial District on Tract 2, which would result in an expansion of the current “CN-1” Neighborhood Commercial District to the immediate west of the property to allow neighborhood commercial type businesses.

Development Plan:

Tract 1: The applicant plans to develop the 14.47 acre property for a single-family residential subdivision. The proposed development will consist of 77 single-family residential lots. The minimum development standards for the “RS-4.5” Single-Family 4.5 District are 4,500 square foot lots, 45-foot lot widths and 20-foot front yard setbacks. The development plan proposes four local streets with access to Deer Run Drive. Street dedication and construction for the local streets will be a platting requirement as well as meeting infrastructure requirements of all master plans.

Tract 2: The applicant plans to develop the 2.86-acre property to allow neighborhood commercial type businesses with access to Up River Road.

Existing Land Uses & Zoning: The subject property is undeveloped land. North and east of the subject property is property zoned “RS-6” Single-Family 6 District and is

currently vacant. South of the subject property is zoned “RS-6” Single-Family 6 District with low density residential dwellings. West of the subject property is zoned “RS-6” Single-Family 6 and “RS-TF” Two-Family District with a primary public school.

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 properties are within the boundaries of the Northwest ADP and the proposed rezonings are not consistent with the adopted Future Land Use Plan, which slates parts of the properties for medium density residential use and low density residential use. Although inconsistent with the Future Land Use Plan, the rezoning to a lower density residential use and neighborhood commercial use would be appropriate for this location and is consistent with the surrounding residential and commercial properties. Therefore, this rezoning is consistent with the Comprehensive Plan.

Department Comments:

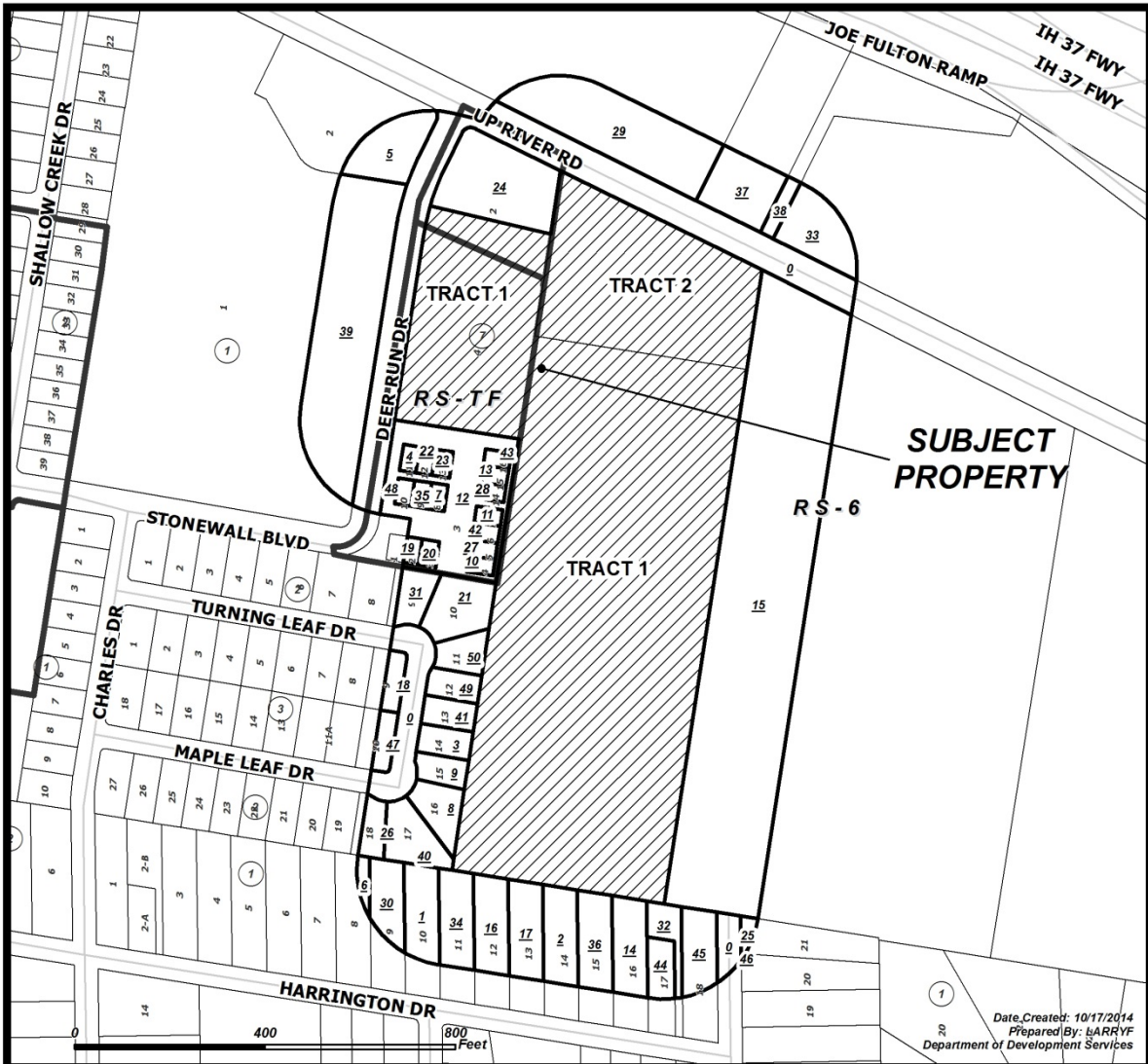
- The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for the proposed uses.
- The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area.

Planning Commission and Staff Recommendation:

Approval of the change of zoning from the : “CN-1” Neighborhood Commercial District, “RS-6” Single-Family 6 District, “RS-TF” Two-Family District to the “RS-4.5” Single-Family 4.5 on Tract 1 and from the “RS-6” Single-Family District to the “RS-6” Single-Family 6 District on Tract 2.

Public Notification	Number of Notices Mailed – 66 within 200-foot notification area; 6 outside notification area
	<u>As of November 17, 2014:</u>
	In Favor – 3 inside notification area; 0 outside notification area
	In Opposition – 1 inside notification area; 1 outside notification area
For 0.20% in opposition.	

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



CASE: 1114-01 ZONING & NOTICE AREA

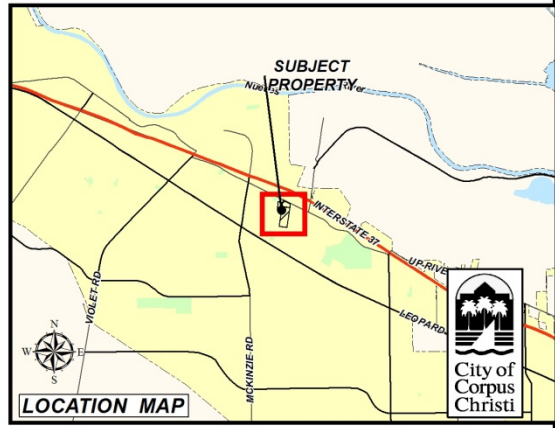
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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



CURVE DATA CHART

NUMBER	DELTA	RADIUS	TANGENT	LET
1	106°34'13"	10.0'	13.41'	1
2	47°30'55"	35.5'	15.63'	2
3	276°22'26"	55.0'	49.20'	2E
4	7°18'32"	501.71'	32.04'	E
5	16°36'57"	50.0'	7.30'	1
6	90°00'42"	10.0'	10.00'	1
7	90°12'14"	20.0'	20.07'	2
8	09°55'14"	501.71'	43.54'	E
9	53°11'36"	50.0'	25.03'	4
10	90°16'04"	49.82'	50.05'	7B

* ALL RADIUS DIMENSIONS ARE AT R.O.W. AND STREET DEDICATION



SPECIFICATIONS:
SURFACE: 2" HOT
PRIME COAT: MS-
BASE: 6" FLEXIBL
SUBGRADE: SCAR