

PLANNING COMMISSION FINAL REPORT

Case No. 1113-01
 HTE No. 13-10000037

Planning Commission Hearing Date: November 20, 2013

Applicant & Legal Description	<p>Applicant/Representative: Luxury Spec Homes, Inc. Owners: Mihail Chryssos and Nikolaos Hrisos Legal Description/Location: Lot 13, Block 2, Country Club Estates Unit 20, located on the north side of Acushnet Drive, approximately 525 feet east of Weber Road (FM 43).</p>			
Zoning Request	<p>From: "CN-1" Neighborhood Commercial District To: "RS-4.5" Single-Family 4.5 District Area: 5.66 acres Purpose of Request: To allow construction of a single-family residential development.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"CN-1" Neighborhood Commercial	Vacant & Commercial	Commercial
<i>North</i>		"CG-2" General Commercial	Commercial	Commercial
<i>South</i>		"RM-1" Multifamily 1 & "RS-6" Single-Family 6	Low & Medium Density Residential	Low & Medium Density Residential
<i>East</i>		"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
<i>West</i>		"CG-1" General Commercial	Vacant, Commercial & Professional Office	Commercial
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 commercial uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is not consistent with the adopted Future Land Use Plan. Map No.: 046034 & 046035 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has 335.31 feet of street frontage along Acushnet Drive, which is a "C1" Minor Residential Collector Street. The property has indirect access to Weber Road (FM 43), which is a proposed "A-3" Primary Arterial Divided, via Acushnet Drive.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Acushnet Dr.	"C1" Minor Residential Collector Street	60' ROW 40' paved	60' ROW 40' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District in order to construct a 33-lot single-family residential development. The lots will vary in size from 4,500 to 6,000 square feet.

Existing Land Uses & Zoning: North of the subject property are commercial businesses zoned "CG-2" General Commercial District. East of the subject property is a single-family neighborhood zoned "RS-6" Single-Family 6 District. South of the subject property is a single-family neighborhood zoned "RS-6" Single-Family 6 District and a townhouse development zoned "RM-1" Multifamily 1 District. West of the subject property is vacant commercial property and professional offices zoned "CG-1" General Commercial District.

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 subject property is located within the boundaries of the Southside Area Development Plan. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is not consistent with the adopted Future Land Use Plan's designation of the property as commercial uses.

Plat Status: The subject property is platted as one lot and the developer would subdivide the subject property into minimum 4,500-square foot lots.

Department Comments:

- This rezoning would expand the residential district located east and south of the property.
- Although inconsistent with the adopted Future Land Use Plan, expanding the residential district would not adversely affect the surrounding properties and it is compatible with the surrounding zoning districts.
- The subject property has been undeveloped since it was platted almost 15 years ago. Rezoning to a single-family district would allow development of this underutilized piece of land to meet residential housing demand.

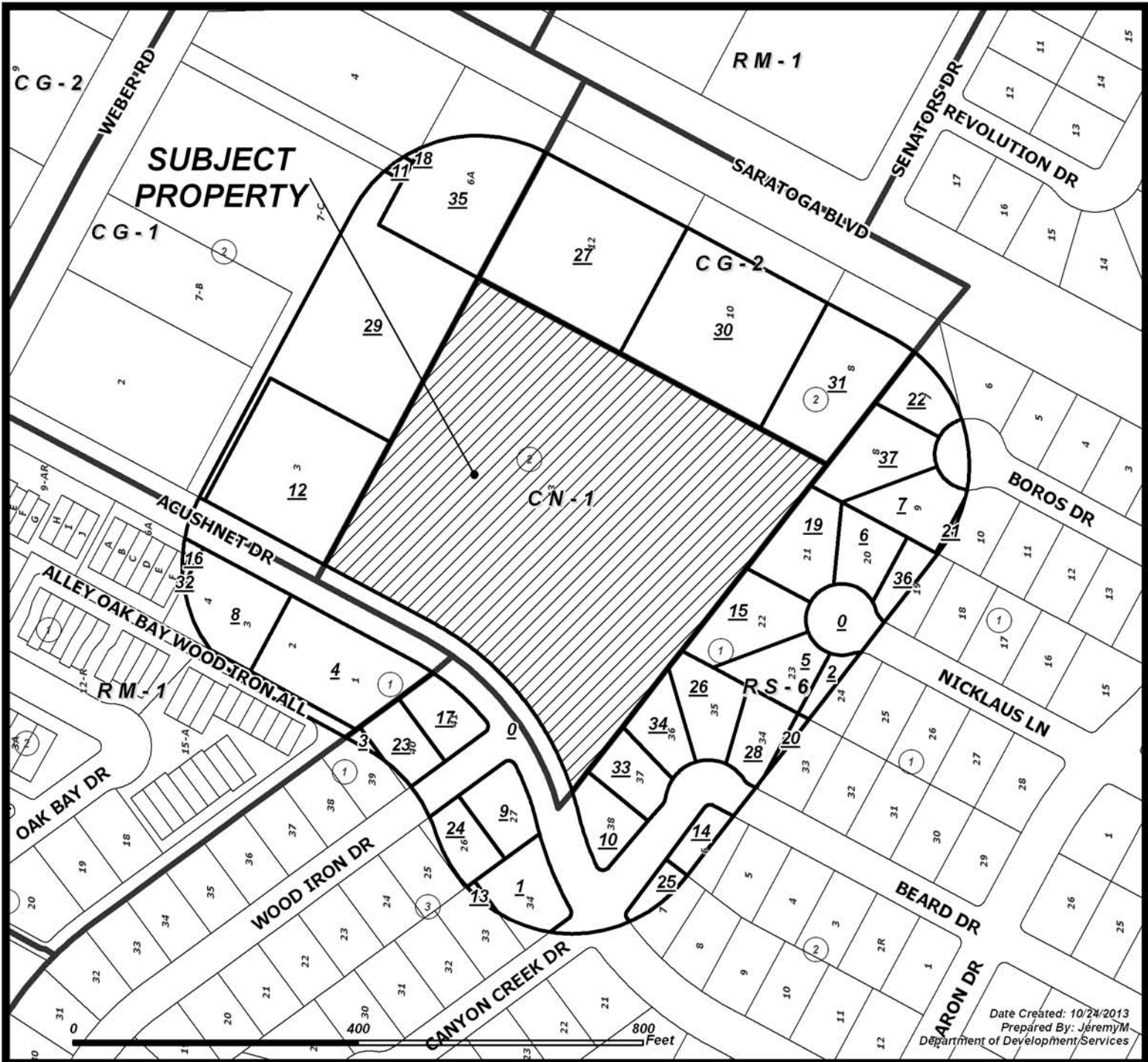
Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District

Public Notification	Number of Notices Mailed – 37 within 200-foot notification area 6 outside notification area
	<u>As of November 21, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 2 (inside notification area); 0 (outside notification area)
	Totaling 4.25% of the land within the 200-foot notification area in opposition.

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Site Plan



Date Created: 10/24/2013
 Prepared By: Jeremy M
 Department of Development Services

CASE: 1113-01 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





$r=411.67'$
 $a=316.68'$
 $cd=308.93'$
 $cb=N39^{\circ}44'40''W$
 $\Delta=44^{\circ}04'32''$



SCALE: 1" = 30'

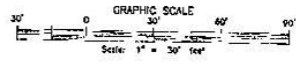


EXHIBIT B