

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-54

Property Owner: Tom Short Ventures, LLC

Petitioner: Bransen L. Patch

Location: Approximately 12 acres on the south corner of the intersection of Tom Short Road and Ardrey Kell Road

Center, Corridor, or Wedge: Wedge

Request: B-1(CD), conditional neighborhood business, Site Plan Amendment

Summary

This petition seeks to modify a conditional site plan note to permit business uses except for retail and restaurant on the southern portion of the site. The note currently permits only general office, medical office, and financial institutions. A new note is also proposed that would allow courtyards or play yards to be located south of the buildings in the southern portion of the site but not allow them within the 85-foot buffer.

Consistency and Conclusion

This petition is consistent with the *South District Plan*, is accompanied by a satisfactory site plan, and is appropriate for approval. The 85-foot buffer and brick wall provide adequate separation from abutting residences.

Existing Zoning and Land Use

The property is generally surrounded with single family residences in R-3 zoning. The site diagonally across the intersection is undeveloped and in County ownership.

Rezoning History in Area

The petitioned site was first zoned for commercial uses in 1993. That petition was modified by a rezoning in 2004 to the current site plan.

Public Plans and Policies

South District Plan (1993). The *South District Plan* originally called for the subject property to be single-family residential at the base density of three homes per acre. The plan was amended by virtue of the conditional rezoning approved in November 1993 limiting the site to no more than 65,000 square feet of retail space. The *South District Plan* identifies a neighborhood convenience shopping center at Ardrey Kell/Providence Road and a community sized mixed-use center at Ardrey Kell/Rea Road.

Proposed Request Details

The proposed site plan is identical to the existing approved site plan except for the following two modifications. The first seeks to change a conditional site plan note to permit business uses except for retail and restaurant in the southern portion of the site. The note currently permits only general office, medical office, and financial institutions. Second, a new note is proposed that would allow courtyards or play yards to be located south of the buildings in the southern portion of the site but not allow them within the 85-foot buffer.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT had no comments on this site plan amendment.

CATS. CATS did not comment on this petition.

Connectivity. This is a developed site with no opportunities for additional connectivity.

Storm Water. Storm Water Services is not requesting any additional improvements.

School Information. This non-residential petition will not impact the school system.

LUESA. LUESA is requesting that the petitioner undertake a solid waste management plan to minimize waste during construction. However, it appears that the site is built out.

Outstanding Issues

Land Use. There are no land use issues associated with this petition. It is appropriate for approval from a land use perspective.

Site plan. The site plan contains no deficiencies.