

**REZONING &  
SUBDIVISION STAFF REPORT**

**Date: December 4, 2003**

**APPLICANT NAME**

Pilot Family Limited Partnership

**SUBDIVISION NAME**

Colonnade Subdivision

**LOCATION**

**Subdivision:** Southeast corner of Cottage Hill Road and Sollie Road.

**Rezoning R-3 & R-1 to R-1:** East side of Sollie Road, 400'± South of Cottage Hill Road, extending to the North side of Charleston Oaks Subdivision, Unit One.

**Rezoning R-3 & R-1 to B-2:** Southeast corner of Cottage Hill Road and Sollie Road.

**Rezoning R-1 to B-1:** South side of Cottage Hill Road, 670'± East of Sollie Road.

**PRESENT ZONING**

R-3, Multi-Family Residential  
R-1, Single-Family Residential

**PROPOSED ZONING**

R-1, Single-Family Residential  
B-2, Neighborhood Business  
B-1, Bugger Business

**AREA OF PROPERTY**

<b>Subdivision:</b>	39.9± Acres	20 Lots
<b>Rezoning to R-1:</b>	26.4± Acres	(16 Lots)
<b>Rezoning to B-2:</b>	6.7± Acres	( 1 Lot )
<b>Rezoning to B-1:</b>	6.8± Acres	( 3 Lots)

**CONTEMPLATED USE**

Proposed R-1 – Single-Family Residential Subdivision

Proposed B-2 - Retail Shopping Center

Proposed B-1 - Professional Offices

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**TIME SCHEDULE**

R-1, Immediately  
B-2, 1-2 Years  
B-1, Immediately

## **ENGINEERING**

### **COMMENTS**

Development will impact environmentally sensitive streams. All stormwater ordinance requirements must be strictly adhered to. Engineering will require drainage easements to encompass 100 year flood area. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

## **URBAN FORESTRY**

### **COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

## **REMARKS**

The applicant is proposing development of the site as a retail center at the intersection of Cottage Hill Road and Sollie Road; professional office developments along Cottage Hill Road; and, a single-family residential subdivision between the proposed commercial properties and Charleston Oaks Subdivision to the South.

The Zoning Ordinance recommends that B-2 districts be located on a major street, at or near the intersection of two major streets, and that new B-2 districts contain a minimum of two acres. The proposed B-2 district is located at Southeast corner of Cottage Hill Road and Sollie Road, both of which are major streets as shown on the Major Street Plan component of the Comprehensive Plan, and contains over two acres.

Additionally, the properties across both major streets are commercial. Across Cottage Hill Road the properties are zoned B-2 (a convenience store) and B-3 (undeveloped); across Sollie Road, which is outside the city limits, and therefore not regulated by zoning, is a drug store. The Northwest corner of Cottage Hill Road and Cody Road (Sollie Road) is undeveloped.

While the Zoning Ordinance recommends minimum size guidelines for the creation of new, freestanding districts, it does not specify a minimum recommended area for a B-1 district when adjacent to a B-2 district. The proposed B-1 would not only be adjacent to B-2 (if approved), but would also be adjacent to an existing B-1 property, and would therefore be considered an expansion of the existing district. Furthermore, with the exception of the Milkhouse Creek floodway and flood zones, the majority of the South side of Cottage Hill Road from Carriage Hill Subdivision to the site in question is zoned B-1, B-2 or LB-2.

The commercial zoning to the East and North makes residential development of the South side of Cottage Hill Road frontage highly unlikely.

With regard to the proposed residential development, a portion of that area is currently zoned R-3, multi-family residential. The applicant is proposing a 16 lot single-family residential subdivision, and is therefore requesting that the R-3 portion of the site be rezoned to R-1 to correspond with the proposed development.

As stated above, both Cottage Hill Road and Sollie Road a major streets as shown on the Major Street Plan component of the Comprehensive Plan, and as such require a minimum right-of-way of 100' and may require either a 40' parallel service road or some alternative method of access management.

The plat submitted indicates an existing 100' right-of-way for Cottage Hill Road, in compliance with major street standards; and a variable right-of-way for Sollie Road, with no minimum indicated. Therefore, dedication along Sollie Road sufficient to provide a minimum of 50' from centerline should be required, as well as an appropriate radius at the intersection of Cottage Hill Road and Sollie Road.

With regard to access management, the plat indicates a boulevard entrance to Sollie Road for the residential subdivision, a two-way service drive at the rear of the site and a single two-way curb cut to Sollie Road for the commercial development at the intersection. Access to Cottage Hill Road is shown to be via a curb cut to Lot 1C (corner lot), a shared curb cut between lots 1C and 2C, and two curb cuts to lot 4C. No curb cuts are show for Lot 3C, which appears to be accessed via an internal circulation drive from lot 2C.

To allow for better access and internal circulation, it would seem logical that the Westernmost curb cut for lot 4C should be relocated to the property line and shared with lot 3C. In so doing, the number of cuts would remain as shown on the plat submitted. The concern is that since there is not specific development proposed for Lot 3C, a curb cut may be requested when it is developed. Without a shared curb cut or an accompanying PUD, denying Lot 3C a curb cut to Cottage Hill Road could be considered denying them access.

As indicated on the plan submitted, the site contains wetlands and areas located within the 100 year flood plain and would be considered environmentally sensitive. Therefore, approvals from federal, state and local agencies will be required prior to the issuance of any permits.

The site plan proposes two buildings on one lot and shared access and internal circulation between lots; therefore, Planned Unit Development Approval will be required. As the site plans are preliminary and PUD approval is site plan specific, submission of the PUD applications at this time may be somewhat premature. Submission of Administrative PUD applications as site plans are finalized would, therefore, be appropriate.

### **RECOMMENDATION**

**Rezoning R-3 & R-1 to R-1:** based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) dedication of sufficient right-of-way along Sollie Road to provide a

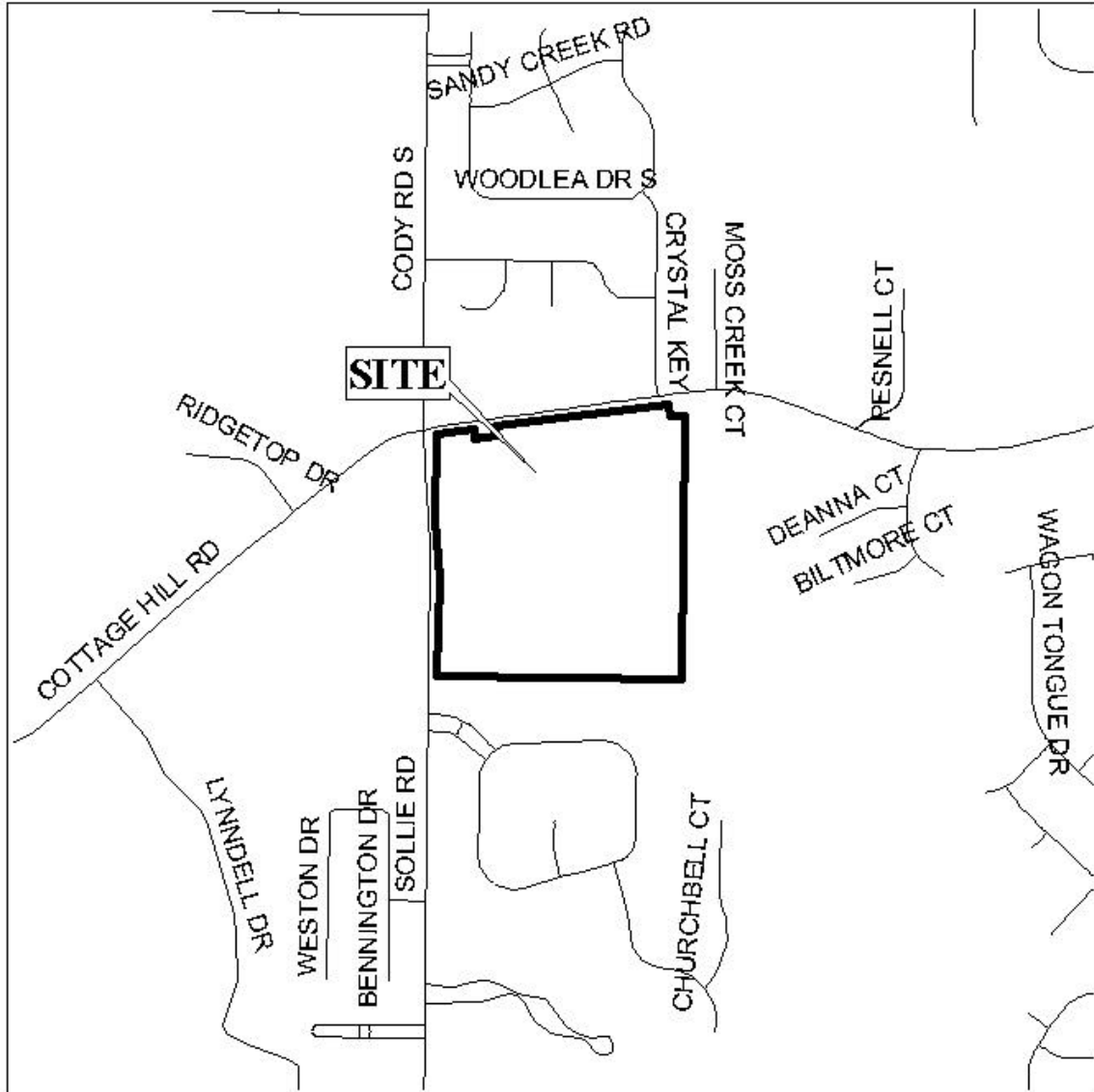
minimum of 50' from centerline; and 2) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits.

**Rezoning R-3 & R-1 to B-2:** Based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline; 2) dedication of an appropriate radius at the intersection of Cottage Hill Road and Sollie Road, to be coordinated with the Engineering Department and Traffic Engineering; 3) limited to two curb cuts to Sollie Road, and two curb cuts to Cottage Hill Road (one of which to be shared with the lot adjacent to the East); 4) provision of a 6' wooden privacy fence along the South property line and a 15' buffer strip to remain if its natural undisturbed state; 5) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and 6) submission of an Administrative PUD prior to the issuance of any permits.

**Rezoning R-1 to B-1:** Based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) limited to a maximum of three curb cuts to Cottage Hill Road (one of which is to be the shared curb cut with the lot adjacent to the West); 2) provision of a 6' wooden privacy fence along the South edge of the developed area and a 15' buffer strip to remain if its natural undisturbed state; 5) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and 6) submission of an Administrative PUD prior to the issuance of any permits.

**Subdivision:** the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions: 1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline; 2) dedication of an appropriate radius at the intersection of Cottage Hill Road and Sollie Road, to be coordinated with the Engineering Department and Traffic Engineering; 3) placement of a note on the final plat stating that Lots 1-3 and Lot 13 are denied direct access to Sollie Road; 4) placement of a note on the final plat stating that maintenance of all common areas will be the responsibility of the property owners; 5) placement of a note on the final plat stating that lot 1C is limited to two curb cuts to Sollie Road, exact size, location and design to be approved by the Traffic Engineering Department; 6) placement of a note on the final plat stating that the subdivision is limited to a total of four curb cuts to Cottage Hill Road, exact size, location and design to be approved by the Traffic Engineering Department and reflected on site plans submitted for Administrative PUD Approvals; and 7) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits.

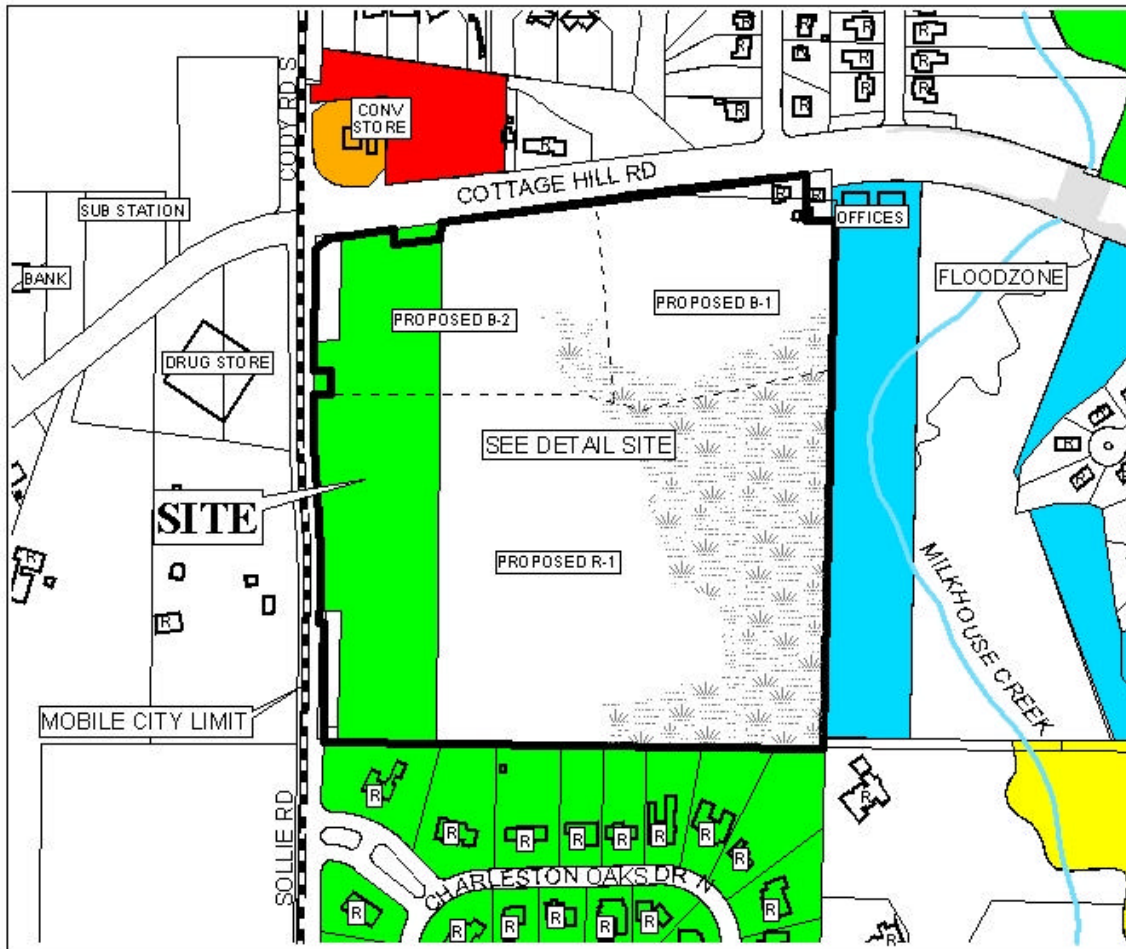
## LOCATOR MAP



APPLICATION NUMBER 4, 5, 6 & 7 DATE December 4, 2003  
APPLICANT Pilot Family Limited Partnership  
REQUEST Rezoning and Subdivision



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



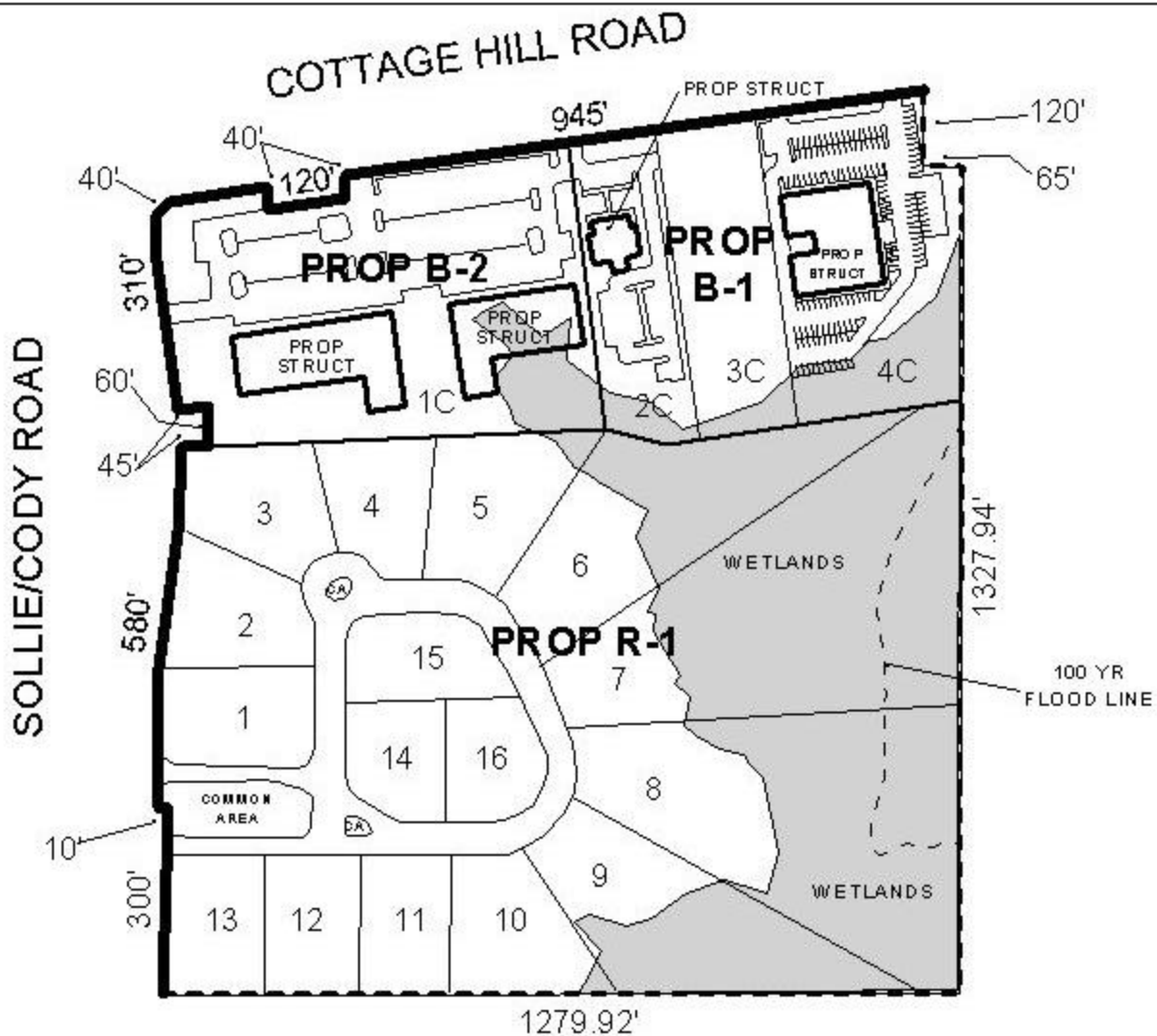
The site is located in an area of mixed land use.

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LEGEND



# SITE PLAN



The site is located on the East side of Sollie Road, 400' South of Cottage Hill Road, extending to the North side of Charleston Oaks Subdivision, Unit One. The plan illustrates the proposed structures, rezoning and subdivision.

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USE/REQUEST Rezoning and Subdivision



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