

**REZONING, PUD, & SUBDIVISION
STAFF REPORT****Date: July 7, 2005**

<u>DEVELOPMENT NAME</u>	Hillcrest Commons Subdivision
<u>SUBDIVISION NAME</u>	Hillcrest Commons Subdivision
<u>LOCATION</u>	Northeast corner of Hillcrest Road and Johnston Lane, 150'± South of Chandler Street.
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	R-1, Single Family Residential; B-1, Buffer Business; and B-2, Neighborhood Business
<u>PROPOSED ZONING</u>	B-1, Buffer Business; and B-2, Neighborhood Business
<u>AREA OF PROPERTY</u>	5.6± acres
<u>CONTEMPLATED USE</u>	Office Space and Retail 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.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The existing stormwater detention, shown on proposed lot 2, must be maintained to the original design capacity and function. Depending on the purpose of the existing detention, a common area and maintenance responsibilities should be shown on the plat.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard aisle widths for two-way traffic are twenty-four feet. Adjustments should be made to accommodate the minimum standards for all areas of two-way traffic.

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). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

REMARKS

The applicant is requesting Rezoning, Planned Unit Development (PUD), and Subdivision approval, to rezone the site from R-1, Single Family Residential, B-1, Buffer Business, and B-2, Neighborhood Business, to B-1, Buffer Business, and B-2, Neighborhood Business; to allow multiple buildings on multiple building sites with shared access and parking; and to create a 2-lot subdivision from 30 existing lots of record and several vacated rights-of-way.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

The applicant proposes a two-lot subdivision, in which proposed Lot 1 would retain its present B-2 zoning, and proposed Lot 2 would be rezoned from mixed R-1, B-1, and B-2 zoning to B-1. Rezoning of this portion of the site to a single zoning classification would be necessary for the proposed subdivision. The applicant states that the expansion of the B-1 zoning into residentially zoned areas will make the property available for use in harmony with the adjacent commercial property on Hillcrest Road. Furthermore, the applicant cites changing conditions, stating that the property zoned R-1 is unimproved; that the platted streets have never been constructed, and have been vacated adjacent to most of these lots; and that the site is therefore unsuitable for residential use.

As the property to be rezoned is currently unimproved, there is no “neighborhood character” to be impacted, other than that of the adjacent properties facing Dickenson Avenue; providing buffers could address this impact. Surrounding properties are zoned R-1 and B-3 (Community Business). As expansion of residential use into these areas would be unlikely, and B-1 allows a lower intensity of use than does B-3, expansion of the B-1 district would seem most appropriate for the subject areas. The rezoning would require compliance with all landscaping and tree planting requirements, as well as compliance with all other municipal codes and ordinances. Typically, rezoning is also subject to the accompanying PUD.

The applicant is requesting Planned Unit Development (PUD) approval for multiple buildings on multiple building sites, and shared access and parking. The applicant proposes two points of access from Hillcrest Road onto proposed Lot 1, and no points of access to any street for proposed Lot 2; Lot 2 would have a single point of ingress and egress, only onto Lot 1. The benefit of this arrangement is that Johnston Lane, a primarily residential street, will be shielded from this traffic; however, this means 192 parking spaces would be served by only two points of access to a public street; and 63 of those would have only a single point of egress from Lot 2. As this poses concerns about internal circulation, the final site plan should show two points of access between proposed Lots 1 and 2.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

While proposed Lot 2 does have the minimum required street frontage, there would be no curb cuts to Johnston Street. It should be noted that any additional curb cuts would require a new subdivision and PUD application. The southeastern part of the site, along the Johnston Street frontage, also contains a note reading: "This area to remain undeveloped." This would preserve a significant wooded area and serve as a buffer for adjacent residential properties.

The PUD would require full compliance with all landscaping and tree planting requirements, and with all municipal codes and ordinances, as well as approval of stormwater detention facilities by City Engineering. In particular, Traffic Engineering notes that all areas of two-way traffic should conform to the standard 24' aisle widths for two-way traffic. Also, Engineering comments that the existing stormwater detention, shown on proposed lot 2, must be maintained to the original design capacity and function. Depending on the purpose of the existing detention, a common area and maintenance responsibilities should be shown on the plat.

Regarding the proposed subdivision, the applicant proposes to create a 2-lot subdivision from 30 existing lots and several vacated rights-of-way.

A portion of the plat illustrated as vacated right-of-way has not yet been vacated (100' of Rosedale Avenue, extending north from the former Duncan Lane right-of-way); however, the applicant is in the process of applying for vacation of this right-of-way. Completion and documentation of this vacation will be required before recording the final plat or issuance of any permits.

The site fronts Hillcrest Road, a planned major street with a 100' right-of-way and Johnston Lane, which has a substandard right-of-way of 40 feet; thus sufficient dedication to provide 25 feet from the centerline of Johnston Lane should be shown on the final plat.

It should be noted that the proposed subdivision would correct the present situation in which several lots of record no longer have frontage on a public street, since much of Rosedale Avenue has been vacated. Thus, despite some issues of access and circulation, the present situation would be improved by this group application.

RECOMMENDATION

Rezoning Based on the preceding, this application is recommended for approval, subject to the following conditions: 1) the dedication of sufficient right-of-way to provide 25' from the centerline of Johnston Lane; 2) completion and documentation of vacation of the Rosedale Avenue right-of-way, north of the former Duncan Lane right-of-way; 3) compliance with Engineering Department comments

(existing stormwater detention shown on proposed Lot 2 must be maintained to original design capacity and function); 4) compliance with Traffic Engineering comments (aisles should comply with minimum standards for two-way traffic; standard aisle width for two-way traffic is 24 feet); 5) that the site be developed in compliance with the accompanying Planned Unit Development; 6) the provision of a buffer between the site and R-1 zoned property, in compliance with Section IV.D.1 of the Zoning Ordinance; 7) full compliance with the landscaping and tree planting requirements of the Ordinance; and 8) full compliance with all municipal codes and ordinances.

Planned Unit Development Based on the preceding, this application is recommended for approval, subject to the following conditions: 1) the dedication of sufficient right-of-way to provide 25' from the centerline of Johnston Lane; 2) completion and documentation of vacation of the Rosedale Avenue right-of-way, north of the former Duncan Lane right-of-way; 3) compliance with Engineering Department comments (existing stormwater detention shown on proposed Lot 2 must be maintained to original design capacity and function); 4) compliance with Traffic Engineering comments (aisles should comply with minimum standards for two-way traffic; standard aisle width for two-way traffic is 24 feet); 5) the provision of an additional point of access between the two proposed lots; 6) area shown as undeveloped to remain in natural vegetated state; 7) the provision of a buffer between the site and R-1 zoned property, in compliance with Section IV.D.1 of the Zoning Ordinance; 8) full compliance with the landscaping and tree planting requirements of the Ordinance for the entire PUD site; and 9) full compliance with all municipal codes and ordinances.

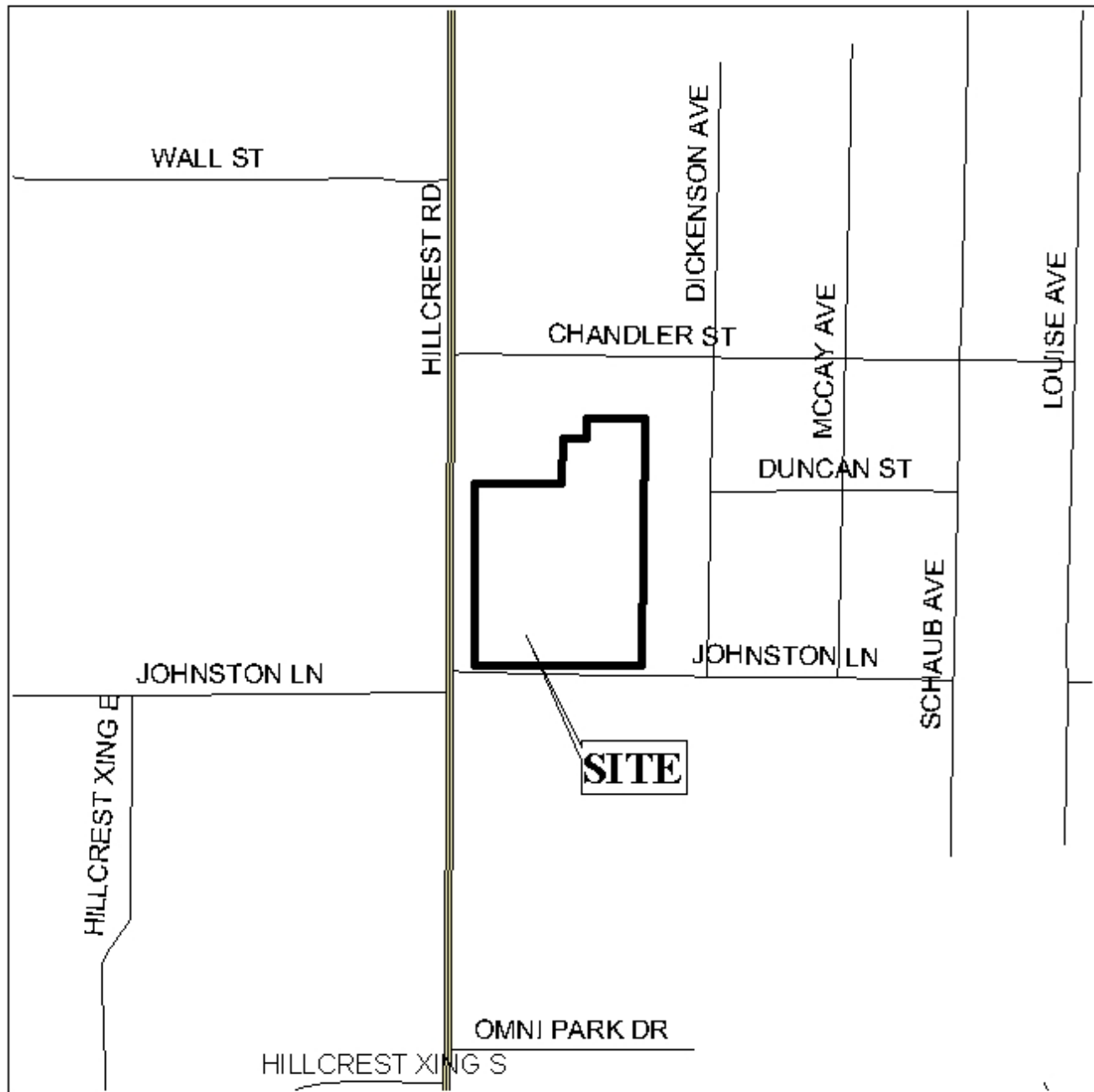
Subdivision Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) the dedication of sufficient right-of-way to provide 25' from the centerline of Johnston Lane; 2) completion and documentation of vacation of the Rosedale Avenue right-of-way, north of the former Duncan Lane right-of-way; 3) the placement of a note on the final plat stating that access to Rosedale Avenue and Johnston Street is denied; 4) the placement of a note on the final plat stating that the site is limited to existing curb cuts; 4) the completion of the rezoning process; 5) the provision of a buffer between the site and R-1 zoned property, in compliance with Section V.A.7 of the Subdivision Regulations; 6) compliance with Engineering Department comments (existing stormwater detention shown on proposed Lot 2 must be maintained to original design capacity and function, and maintenance responsibilities should be shown on the final plat); and 7) ingress and egress easements between the lots to be shown on the final plat.

Revised for the July 21st meeting:

This application was held over from the July 7th meeting to allow the applicant time to submit revised drawings reflecting additional parking.

As revised, the site plan depicts parking, exclusive of existing parking, sufficient to comply with the parking requirements of the Zoning Ordinance. Therefore, the application is recommended for approval, per the conditions listed for Rezoning, PUD, and Subdivision.

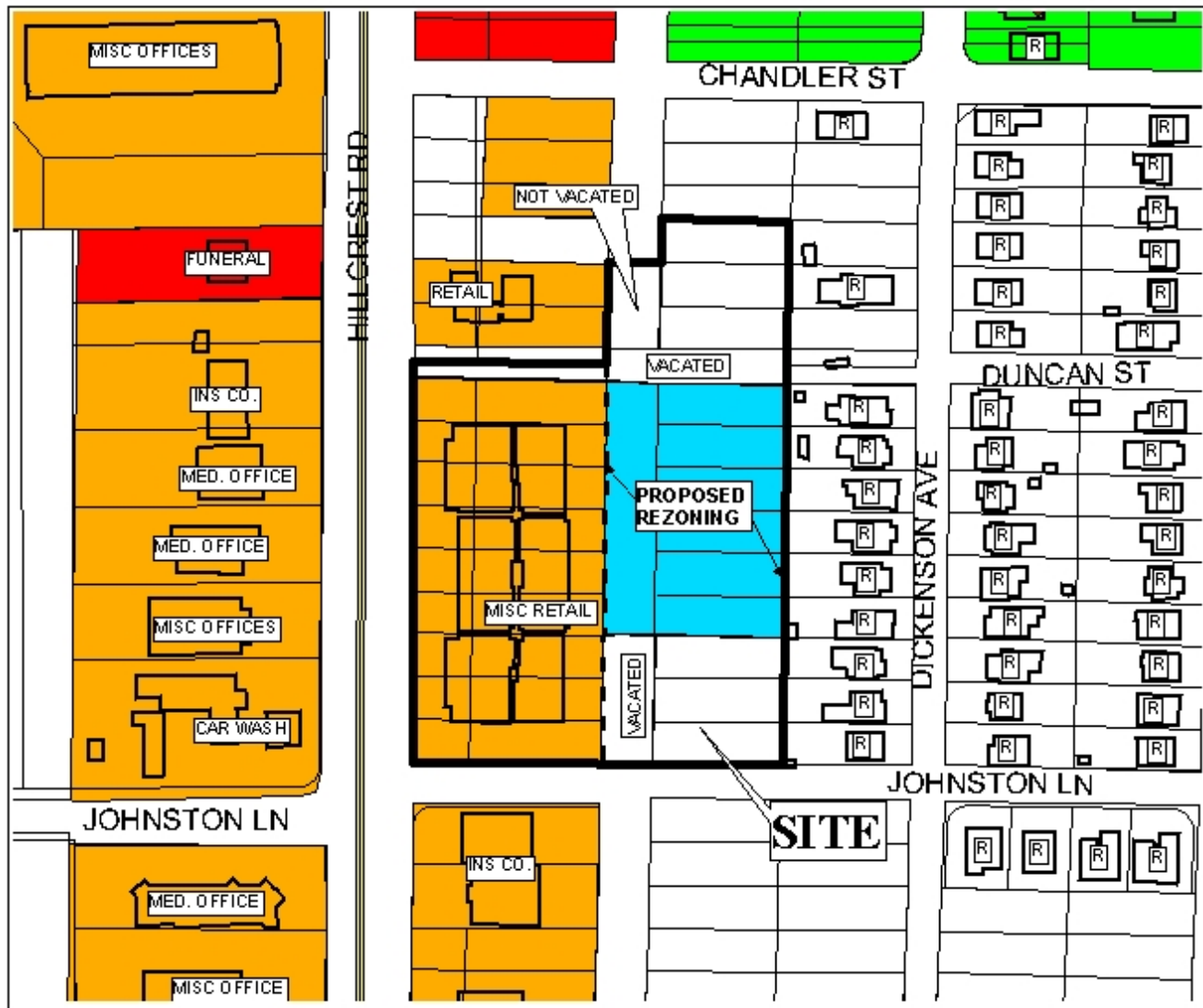
LOCATOR MAP



APPLICATION NUMBER Holdover DATE July 21, 2005
APPLICANT Hillcrest Commons, Inc. (John C. Bell, Agent)
REQUEST Rezoning, PUD, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North of the site is an office; to the East are single family residential dwellings. Located to the South and West are miscellaneous businesses.

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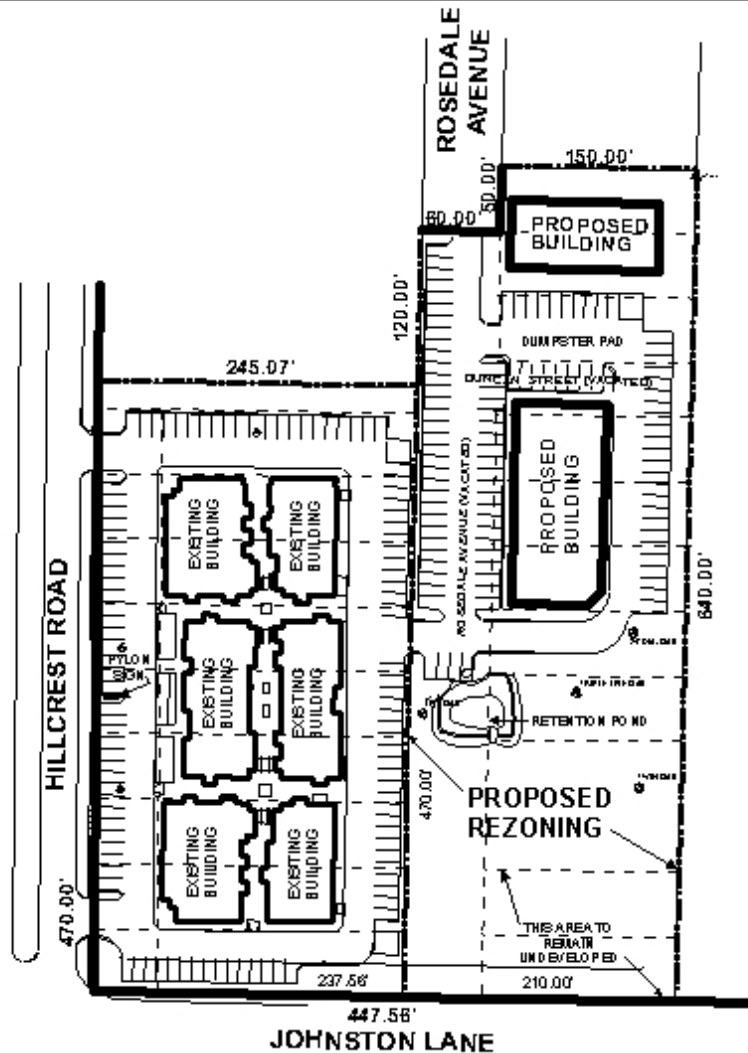
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LEGEND

R-1	R-2	R-3	R-4	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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SITE PLAN



The site is located on the Northeast corner of Hillcrest Road and Johnston Lane. The plan illustrates the existing structures, along with the proposed structures and rezoning.

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