

## **\*PRE-HEARING STAFF ANALYSIS\***

### **Rezoning Petition No. 2006-133**

**Property Owner:** B F Holdings II, LLC

**Petitioner:** Foothills Capital, LLC

**Location:** Approximately 0.656 acres located on the north side of Central Avenue across from Westover Street.

**Request:** Change in zoning from B-1 to MUDD (CD)

### **Summary**

The request is to rezone approximately .656 acres of vacant land located on the north side of Central Avenue across from Westover Street, from B-1 (Neighborhood Business) to MUDD (CD) (Mixed-Use Development District, Conditional), in order to allow the construction of a maximum 12,000 square feet building with office, retail, restaurant, and personal services. The building would be two stories.

### **Consistency and Conclusion**

The proposed request is consistent with the *Central District Plan*, which recommends Commercial uses on this site, and rests within ½ mile of the proposed Southeast Corridor Pecan transit station. The proposed project will have a .42 floor area ratio, which does not meet the minimum .50 floor area ratio recommended in the *Transit Station Area Principles*. However, the proposed mix of uses is transit-supportive and the project must meet design guidelines to further ensure it is a transit supportive development in form and function. Therefore, pending resolution of outstanding site plan issues, the petition is considered appropriate from a land use perspective.

### **Existing Zoning and Land Use**

The subject property is zoned B-1 and is a vacant lot. Apartments and single-family homes abut the rear of the property to the north, and are zoned R-22MF. The parcel to the east is zoned B-1, and developed with an auto glass repair shop. The property to the west is zoned B-1, and is a vacant lot.

A large tract located across the street to the south is zoned O-1, and is developed with a National Guard Armory.

## **Rezoning History in Area**

Petition 2006-026 rezoned approximately 33.15 acres located north of Independence Boulevard and west of Morningside Drive from R-4 and R-22MF to MUDD-O for up to 1,000 residential units and up to 30,000 square feet of commercial space.

Petition 2005-062 (SPA) rezoned approximately 1.2 acres on the west side of Firth Court, north of Central Avenue from R-22MF and UR-2(CD) to UR-2(CD) and UR-2(CD) site plan amendment for the development of up to 14 single family dwellings.

Petition 2001-026 rezoned approximately 2.2 acres located on the north and south sides of Firth Court, between Landis Avenue and Fulton Avenue for up to 46 multi-family residential dwellings.

## **Public Plans and Policies**

The **General Development Policies – Transit Station Area Principles (2003)** recommends the establishment of transit supportive development within a ½ mile walk of a rapid transit station. The subject property is within ½ mile of the proposed Southeast Corridor Pecan transit station. The GDPs state that transit-supportive development “focuses on creating compact neighborhoods with housing, jobs, shopping, community services, and recreational opportunities all within easy walking distance (i.e., within ½ mile) of a transit station.”

The **Central District Plan (1993)** recommends commercial uses on the subject property.

## **Proposed Request Details**

Approximately .656 acres of vacant land would be rezoned from B-1 (Neighborhood Business) to MUDD (CD) (Mixed-Use Development District, Conditional), for the construction of a maximum 12,000 square foot building with office, retail, restaurant, and personal services.

- An existing non-conforming billboard will be removed prior to the start of construction.
- A 25.25 feet Class B landscape buffer and 6 feet fence will be placed at the rear of the property next to the multi-family and single-family homes.
- Lighting will not exceed 20 feet in height. All site lighting will be shielded. No wall pack lighting will be used.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT anticipated only a minor impact on surrounding thoroughfare system from this proposed rezoning. The number of trips generated per day would not likely increase over what could be developed under the existing B-1 zoning. CDOT had the following specific comment critical to their support of the rezoning petition:

- Right-of-way should be dedicated along Central Avenue so that the entire planting strip will be located within right-of-way. The sidewalk along Central Avenue can be located on a permanent easement. The developer/petitioner should convey right-of-way in fee simple title to meet this requirement.

**CATS.** CATS requested that the petitioner construct a waiting pad for a shelter as per CATS Development Standards 60.02A on Central Ave. Additionally CATS requested that the petitioner maintain sidewalks along the entire length of the site on Central Ave. CATS would provide and install a shelter after the construction of the waiting pad.

**Connectivity.** There are no opportunities for connectivity at this site.

**Storm Water.** No significant downstream impacts due to drainage are foreseen due to the rezoning of this parcel.

**School Information.** CMS did not comment on this non-residential petition.

## **Outstanding Issues**

**Land Use.** The proposal is consistent with the **Central District Plan (1993)** which recommends commercial development on the subject property. The proposal has also been deemed transit supportive by staff.

### **Site plan.**

- Building elevations are needed to complete the review. MUDD-CD requires the building to encourage and compliment pedestrian-scale activity.
- CDOT is requesting right-of-way be dedicated for the planting strip.
- CATS is requesting a waiting pad for construction of a bus shelter.