

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-013

Property Owner: Iheanyi and Eddit Okwara

Petitioner: Iheanyi and Eddit Okwara

Location: Approximately 0.58 acres located on the north side of Gibbon Road between Nevin Road and Poplar Springs Drive

Request: R-3, single family residential to I-1(CD), light industrial conditional

Note: Staff is requesting an indefinite deferral of this petition.

Summary

This petition seeks to rezone approximately 0.58 acre site occupied by a single family residence, from R-3 to I-1(CD). The property is currently being used for commercial purposes. Neighborhood Development has issued a zoning notice of violation to the owners. The owners are attempting to correct the zoning violation by rezoning the property.

Consistency and Conclusion

The rezoning would permit the continuance of an office, hair salon and automobile repair and parts sales operation. The request is consistent with the *Northeast District Plan* (1996). This request is appropriate for approval upon resolution of outstanding site plan issues.

Existing Zoning and Land Use

A single-family residence used for commercial purposes occupies the subject property, which has a zoning designation of R-3, single family residential. There is a pending zoning enforcement action from Neighborhood Development against the property owner. The surrounding properties are zoned R-3, INST(CD) and I-1(CD). Property uses for these parcels include a religious institution, single-family homes, warehouse and industrial uses.

Rezoning History in Area

There have been no recent rezoning actions in the immediate vicinity.

Public Plans and Policies

Northeast District Plan (1996). The *Northeast District Plan* recommends industrial land uses for this and adjacent parcels along the north side of Gibbon Road.

Proposed Request Details

The petitioner proposes to convert the existing 918 square foot single-family residence to an office, barber shop, automobile repair and service, and automobile parts sales. A future three bay garage of unknown size is shown on the conditional site plan. The freestanding sign will not exceed five feet in height and 50 square feet in area.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT staff noted this site could generate approximately 20 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 30 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT had the following recommendations critical to their support of this petition:

- 8-foot planting strips and 6-foot sidewalks are requested along the Gibbon Road frontage. These items are based on nationally recognized best practices that contribute to creating more walkable communities and are included in *Urban Street Design Guidelines (proposed)*. Transportation Action Plan policy 2.7.3 incorporates these best practices by reference to the *Urban Street Design Guidelines (proposed)*.
- There are several site issues regarding parking layout, parking space size, and on-site maneuvering. These items will be reviewed during the building/driveway permit review process.

CATS. CATS staff did not comment on this petition.

Storm Water. Storm Water Services staff did not have comments on this petition.

School Information. This petition will not impact the school system.

Outstanding Issues

Land Use. There are no outstanding land use issues associated with this site.

Site plan. Staff requests a more detailed site plan that shows compliance with applicable zoning standards.