

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-99

Property Owner: Donald R. and Carole A. Naysmith

Petitioner: Don and Caroline Naysmith

Location: Approximately 4.6 acres on the northeast corner of Shamrock Drive and North Sharon Amity Road

Center, Corridor, or Wedge: Wedge

Request: B-2(CD), conditional general business, and R-3, single family residential, to MUDD-O, mixed-use development district with optional provisions

Summary

This petition seeks to add property to a recently approved wedding and conference center and to modify some buffers and other standards of the previously approved petition.

Consistency and Conclusion

This is a modification to a land use authorized by a previous rezoning. Upon correction of the site plan deficiencies noted below this petition would be appropriate for approval.

Existing Zoning and Land Use

To the west across Sharon Amity Road is a church and a single family subdivision. To the north and west are undeveloped properties in R-3 zoning. Across Shamrock Drive to the south is some undeveloped property and single family homes in R-17MF zoning.

Rezoning History in Area

A multi-family residential rezoning was approved in 2006 on Hickory Grove Road. The majority of this site was rezoned to B-2(CD) for a wedding and conference center in 2007. There has not been any additional rezoning activity in the immediate area.

Public Plans and Policies

The *Eastside Strategy Plan* (2001) plan supports recommendations in the *East District Plan*.

The *East District Plan* (1990) plan recommends single family land uses at a density of four dwelling units per acre. The plan also identifies this property as a historic property and notes that “every attempt should be made to preserve historic structures through the development process.”

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

The proposed optional provision is to retain the existing five-foot sidewalk configuration along North Sharon Amity Road instead of constructing a six-foot sidewalk behind an eight-foot planting strip.

Reduce the buffers from the previous petition to 11.5 feet.

It eliminates the sidewalks from the buildings to the public sidewalks.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT will require permits for the gated entrances when building permits are applied for. CDOT objects to a proposed change in the currently allowed circulation. CDOT opposes the proposed optional provision eliminating the eight-foot planting strip. See attached memo for additional detailed comments.

CATS. CATS did not comment on this petition.

Connectivity. No additional connectivity has been provided from this specialized use.

Storm Water. Petitioners have agreed to conform to the standards of the Post Construction Controls Ordinance.

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

Outstanding Issues

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

Site plan. The site plan accompanying this petition contains the following deficiencies:

The requested district needs to be changed to MUDD-O.

The paragraph reserving flexibility in interpreting the site plan needs to reference section 6.207.

The bed & breakfast note needs to reference the standards in section 12.521.

The buffers from the previously approved petition need to be maintained.