

3. **2004Z-163U-11** (Re-referred from Council)
Map 119-02, Parcel 002
Subarea 11 (1999)
District 16 - Amanda McClendon

A request to change from RS5 to SP zoning, property located at 104 Glenrose Avenue, approximately 225 feet east of Foster Avenue (0.27 acres), to permit an existing small business office, requested by Hawthorn Group, applicant/owner.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST - Rezone 0.27 acres from residential single-family (RS5) to Preliminary Specific Plan (SP) district, to permit an existing landscaping office, at 104 Glenrose Avenue, approximately 225 feet east of Foster Avenue.

Existing Zoning

RS5 district - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning

SP district - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards to the extent other standards or requirements are specifically stated in the plan or included as a condition by the Commission or Council. Urban design elements can be determined for the specific development and can be written into the zone change ordinance, which becomes law.
- Use of SP does not relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP does not relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

SUBAREA 11 PLAN

Mixed Use (MU)- MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict -As proposed the site plan is consistent with the Mixed Use policy.

Preliminary Plan Details - A zone change request to CS and a Planned Unit Development (PUD) was disapproved by the Commission in December 2004. The disapproval was based on the inconsistency of CS zoning with the Mixed Use policy called for in the area. The PUD also did not meet all of the technical requirements of the Zoning Ordinance, including meeting landscape buffer yard and setback requirements. The Commission also recommended disapproval of those variance requests to the Board of Zoning Appeals.

The current plan proposes to use the existing 911 square foot building as an office with gravel parking to the rear. An existing garage and shed is also proposed to be used.

RECENT REZONINGS - Yes. The Planning Commission approved an SP zoning district on the adjacent property at the January 12, 2006 meeting. It has not been to Metro Council yet.

There is a Council bill for this property for a PUD (2004P-038U-11) disapproved by the Commission in December 2004. The bill for the PUD will be withdrawn if this bill is approved for SP.

TRAFFIC PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Typical Uses in Existing Zoning District: RS5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	0.27	0.42	2	20	2	3

Typical Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	0.27	--	911	11	2	2

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-9	0	-1

CONDITIONS

1. The only permitted uses are Office, Building Contractor Supply, and Residential (single-family or live work). There shall be no car lots, automotive repair, fast food, or bar/nightclub permitted.
2. The existing structure is to remain and shall be maintained in good conditions, as it is now, and shall not be enclosed in another structure.
3. No more than 1,000 sq. ft. of additional floor area is allowed. Any addition must be located within the rear yard, behind the existing structure, and can be attached or detached.
4. All new development must meet the Metro Stormwater Regulations and Metro Public Works requirements.
5. Any form of outside storage is prohibited.
6. Only the eastern access point to Glenrose Avenue is allowed.
7. Parking is only allowed within the side and rear yard.
8. Setbacks are as follows from the property line:
 - Front: 20 feet
 - Rear: 3 feet
 - East: None
 - West: 15 feet
9. Existing fencing to remain in current type and location. No fence allowed along the front portion of the lot along Glenrose Avenue.
10. The only signage shall be one sign, no larger than 4 foot high by 6 foot long, and shall be no taller than 5 foot from the ground. No other signs or billboards shall be permitted.
11. No cell phone or other telecommunications towers or antennas shall be allowed.
12. The front yard of the house shall not be used for parking (except for on gravel driveways). Parking of employee vehicles and business-type vehicles will be allowed in existing parking lot.
13. Low lux lighting shall be used and positioned so as not to shine into residences on Glenrose

- Avenue.
14. No wrecked vehicles shall be allowed to sit on premises, nor any other mechanical parts that are not stored in permanent buildings.
 15. A final landscaping plan shall be submitted as part of the SP approval.
 16. For any development standards, regulations and requirements not specifically listed above, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.
 17. Any changes on the final development plan from this preliminary site plan may require a new preliminary plan if the changes are deemed significant by planning staff.

Approved with conditions, **Consent Agenda (8-0)**

Resolution No. RS2006-051

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-163U-11 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

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The proposed SP plan is consistent with the areas Mixed Use policy, which is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping.”