

## Case Numbers

**CD-CPC-2023-00049**

**CD-CPC-2023-00057**

**CD-CPC-2023-00058**

230827

**Rezoning**

**Area Plan Amendment**

**UR Plan Amendment**

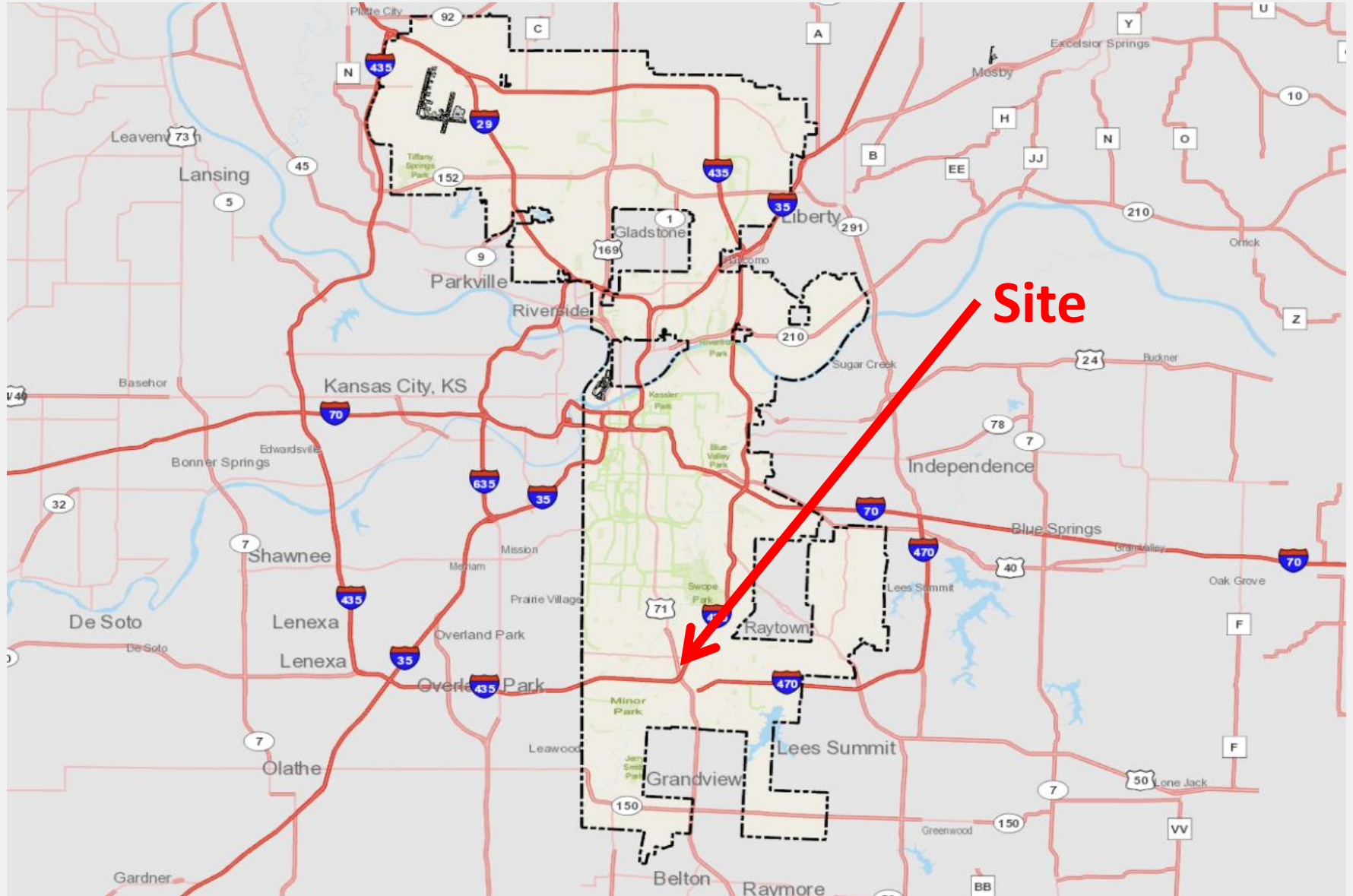
Southwest Corner of East Bannister Road and Marion Park Drive

August 15, 2023

City Plan Commission



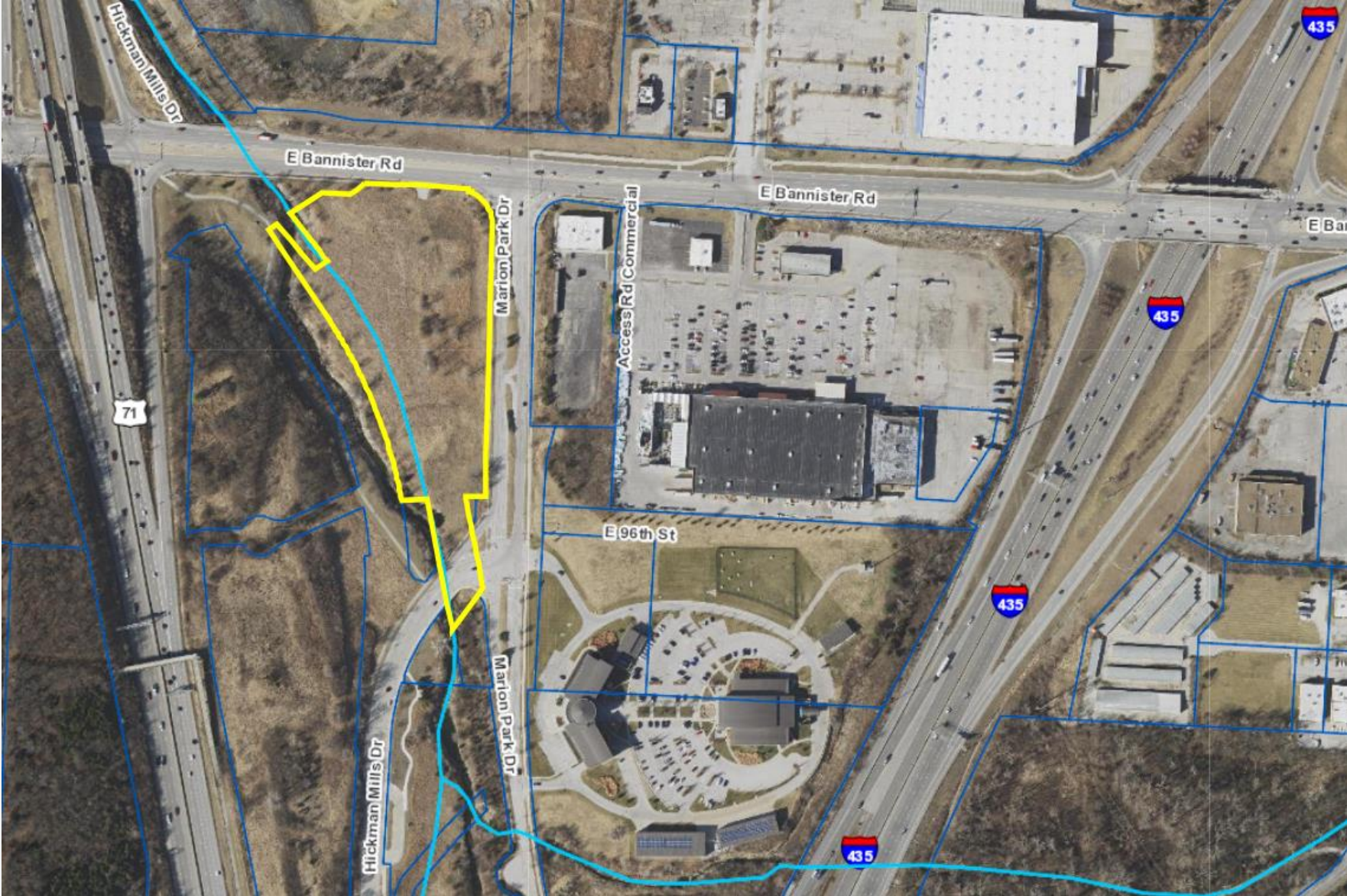
# Location



# Location



# Location



# Looking South from East Bannister Road

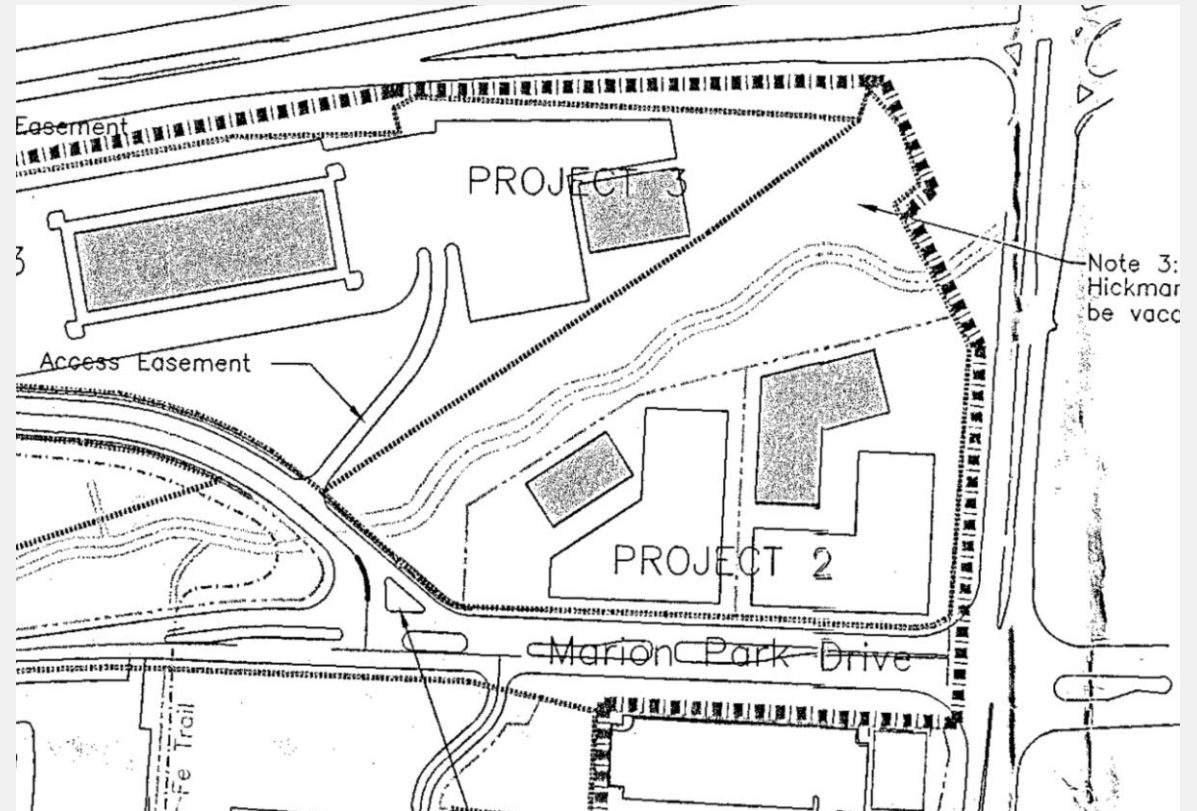


# Looking West from Marion Park Drive



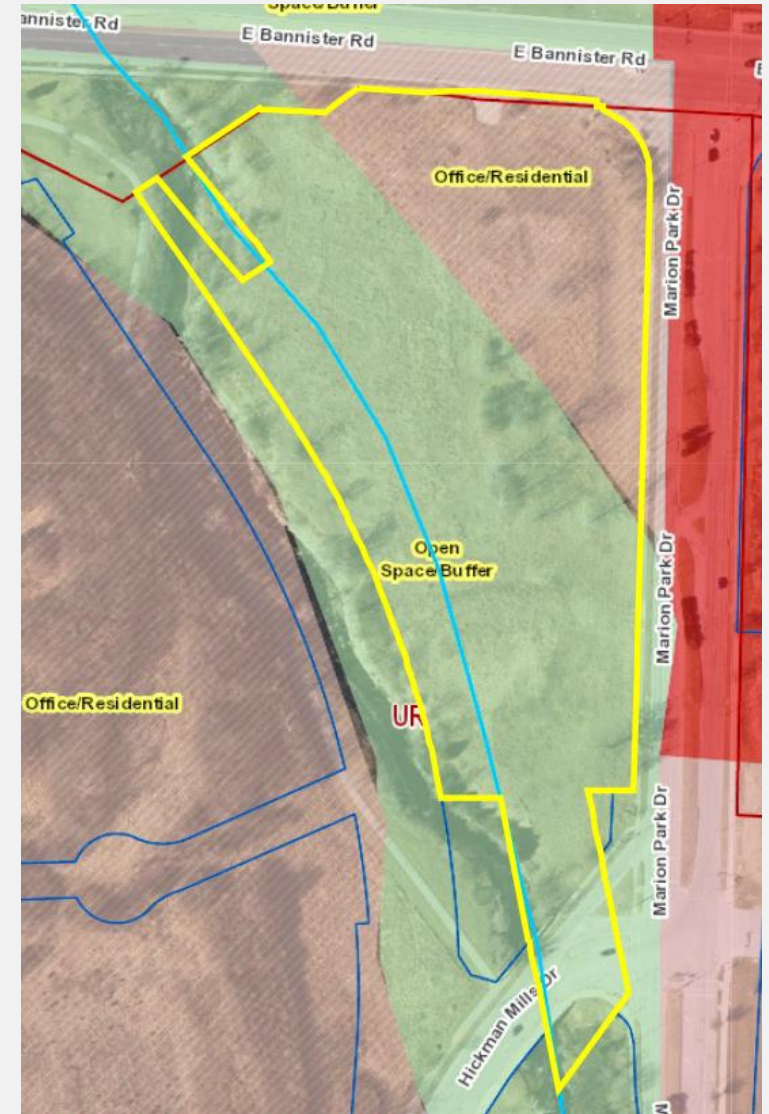
# Hickman Mills Corridor UR Plan

- Controlling UR Plan calls for two to four buildings on site
- Does not expressly state which uses are allowed but has proposed land uses of office retail, service retail, hotel, warehousing, and light manufacturing
- There are no current incentives left in this UR Plan Area



# Area Plan Amendment

- Area Plan Currently recommends Office/Retail and Open Space Buffer
- Applicant is requesting that the plan be amended to Mixed Use Community
- The Open Space Buffer would be preserved in the case of any future development due to the regulated stream adjacent to the site





# Rezoning

- Applicant is requesting to be rezoned to B2-2 which is the same district as the adjacent Home Depot and other retail
- Rezoning from the UR Plan allows for a defined list of uses allowed for this site which are compatible with adjacent properties
- Hickman Mills Area Plan corresponds the B2 Zoning District with the future land use of Mixed-Use Community

# Rezoning Criteria

- Conformance with adopted plans and planning policies;
  - **Does not conform to the Hickman Mills Area Plan- companion case is proposing to amend area plan.**
- Zoning and use of nearby property;
  - **Applicant is proposing to rezone to B2 which is the same district as adjacent properties.**
- Physical character of the area in which the subject property is located;
  - **Adjacent properties are existing commercial. To the west of the property is a regulated stream which under and development would be preserved and buffered.**
- Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;
  - **Existing zoning of UR has restricted the property to a set list of uses. This would allow the uses to be defined by the Zoning and Development Code.**

# Rezoning Criteria

- Length of time the subject property has remained vacant as zoned;
  - **Property has been vacant since 1996 when a single family home was demolished.**
- The extent to which approving the rezoning will detrimentally affect nearby properties; and
  - **Rezoning is not expected to detrimentally affect the adjacent properties. Properties to the north and south are undeveloped. To the east is the existing Cabinets to Go and The Home Depot**
- The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
  - **A gain to the public health, safety, and welfare is not expected with a denial of this application.**

# Allowed Uses Under B2

## Allowed By Right

- Residential (All Types)
- Event Venue Small
- Drive Through Facility
- Office/Medical Office
- Retail Sales
- Indoor Light Equipment Sales
- Artisan Manufacturing

## Special Use Permit

- Event Venue Medium
- **Gasoline and Fuel Sales**
- Car Wash
- Outdoor Light Equipment Sales

# Staff Recommendation

**CD-CPC-2023-00049**

**Rezoning**

**Approval**

**CD-CPC-2023-00057**

**Area Plan Amendment**

**Approval**

**CD-CPC-2023-00058**

**UR Plan Amendment**

**Approval**