## CASE SUMMARY

## APPLICATION TYPE: REZONING

File Number:
10-K-02-RZ
Application Filed: 9/11/2002
Applicant:
Owner:

## PROPERTY INFORMATION

General Location:
Southwest side Heiskell Rd., northwest of W Emory Rd.
Other Parcel Info.:
Tax ID Number: 56115 Jurisdiction: County

Size of Tract: $\quad 4.13$ acres
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use:
Residence
Surrounding Land Use:
Proposed Use:
Landscaping business
Density:
Sector Plan:
North County Sector Plan Designation:
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
7625 Heiskell Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning:
A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone:
History of Zoning:
PLAN INFORMATION (where applicable)
Current Plan Category:
Requested Plan Category:

Subdivision Name:
Surveyor:
No. of Lots Proposed: No. of Lots Approved: 0
Variances Requested:
S/D Name Change:
OTHER INFORMATION (where applicable)
Other Bus./Ord. Amend.:

## MPC ACTION AND DISPOSITION

Planner In Charge:
Staff Recomm. (Abbr.):
Staff Recomm. (Full):

## Comments:

MPC Action:
Details of MPC action:

Ken Pruitt
DENY CA (General Business) zoning, consistent with the sector plan recommendation.
CA zoning of this site would be detrimental to the surrounding properties by placing a commercial use in the middle of residential uses. This would create a spot commercial zone that allows uses not permitted by the zoning of adjacent properties.
A. Need and Justification for Proposal

1. This site is developed with a residence and accessory building and can continue to be used for residential purposes.
2. The site is in a stable, low density residential area. Commercial use of the property would disrupt the development pattern and could lead to further commercial requests along Heiskell Rd.

## B. Effects of Proposal

1. The change would lead to substantially more traffic and vehicle trips to a site surrounded by a residential uses. Public water and sewer services are available to the site.
2. Non-residential use of the property would negatively impact surrounding residential areas by introducing more traffic, noise and non-residential visual impacts onto a site adjacent to residential uses.
3. CA zoning would allow this site to have a wide range of commercial uses, in addition to the proposal by the applicant, that would be incompatible with surrounding residential uses.

## C. Conformity to the General Plan

1. Commercial uses should not continue to be extended further away from intersections of arterial and collector streets, such as Heiskell Rd. and W. Emory Rd. to the south, especially when there are established residential uses in the area.
2. Commercial uses should not be intermixed among low density residential uses.
3. Commercial use of this site would not be compatible with the scale and intensity of the surrounding land uses and zoning pattern. Across the street, on the east side of Heiskell Rd. is a single-family subdivision.

Denied
MPC Meeting Date: 10/10/2002

Summary of MPC action:
Date of MPC Approval:
Date of Withdrawal:

DENY CA (General Business) zoning, consistent with the sector plan recommendation.
Date of Denial: 10/10/2002 Postponements:
Withdrawn prior to publication?: $\square$ Action Appealed?:

## LEGISLATIVE ACTION AND DISPOSITION

## Legislative Body:

## Date of Legislative Action:

Ordinance Number:
Disposition of Case:
If "Other":
Amendments:

## Date of Legislative Action, Second Reading:

Other Ordinance Number References:
Disposition of Case, Second Reading:
If "Other":
Amendments:

