

PLANNING COMMISSION CASE REPORT

Case Number: 2015-065

PC Meeting Date: 05-11-15

Applicant Request

R-1 Residential Zone to UGC Urban General Commercial Zone

Property Location:	718 Spears Avenue, 721, 725, 729 N. Market Street, & 14, 16, 18, 20 Peak Street
Property Owner:	John Langworthy
Applicant:	Craig Kronenburg

Project Description

- Develop a 0.88-acre site as a mixed-use project with 2 levels of apartments (16 units) over ground level retail (8,500 square feet) at the corner of Peak Street and North Market.
- The site plan shows the 3-story building to front Peak Street with parking to the rear.
- Proposed Access: Parking is accessed from North Market Street (entrance only) and Spears Avenue (exit only). Five back-out spaces are proposed on Spears Avenue.
- Proposed density is approximately 18 dwelling units per acre.

Site Analysis

Site Description

- Location: The 0.88-acre vacant site is located at the southwest corner of Peak Street and North Market Street.
- Current Access: Peak Street
- Development form: The site is located at the eastern edge of an urban neighborhood in the Hill City-Northside area. There are mostly one story buildings within the immediate vicinity of this site.
- Land Uses: A single-family home and two businesses are located across Peak Street north of the site. Several businesses are located across North Market Street to the east. Vacant property and a single-family home are located adjacent to the site on the south side. Single-family homes are located west of the site.
- Density: Average residential density in the area is 7.7 dwelling units per acre (block between Peak, Chambliss, Snow, and Spears)

Zoning History

- The site is currently zoned R-1 Residential.
- The property to the north is zoned M-2 Light Industrial. Properties to the east are zoned R-4 Special Zone, R-1 Residential, and C-2 Convenience Commercial. Properties to the south and west are zoned R-1 Residential.
- While there are currently no UGC Zones in the area, the nearest non-residential zone is directly across Peak Street approximately 50 feet to the north.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Hill City-Northside Neighborhood Plan (adopted by City Council in 2003) recommends *Mixed Use Commercial* at this location. "This land use designation includes a mixture of uses including commercial, office and residential. In most cases, mixed-use developments should incorporate retail and/or office uses on the first floor with residential on the other floors. Mixed-Use Commercial developments should be encouraged along North Market Street, Cherokee Boulevard, and the western end of Manufacturers Road. Any Mixed-Use development should blend with the urban environment of this neighborhood in its site placement and design.
- The R-1 residential Zone only permits single-family homes.
- The UGC Urban Commercial Zone permits residential and non-residential uses while requiring an urban development form and off-street parking.

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Key Findings

- The proposed use is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use is generally consistent with surrounding uses, however careful attention is needed to address how the site transitions to lower scale, single family uses to the west of the site.
- Based on the current design, the proposed three story apartment buildings would be located no closer than 50 feet from the nearest adjoining residence to the west..
- The proposed residential density is somewhat higher than the densities for bordering residential streets. However, the property is more oriented toward Peak and Market Streets which are more commercial in character.
- The proposal would not be an extension of an existing zone, but the proposed zone is consistent with the adopted plan policy recommendation.
- The proposal would set a precedent for future requests.
- The Transportation Department looked at current approaches to the site from North Market. There is an existing left turn storage lane for traffic coming off of N. Market on to Peak Street that can accommodate turning movements into the property.

Staff Recommendation

Approve, subject to the following conditions:

- 1) Limited to apartments or office; retail uses, if included, shall be incorporated into the same structure as the apartments (no free-standing retail structures)
- 2) No auto-oriented commercial uses allowed
- 3) Any structure equal to, or more than, three stories in height must be located at least 50 feet from any bordering residential dwelling.
- 4) No vehicle access on to Spears Avenue.
- 5) No parking fronting Spears Avenue.
- 5) Curb cuts limited to one each for Peak Street and North Market

