

PLANNING COMMISSION CASE REPORT**Case Number: 2016-177****PC Meeting Date: 11-14-16****Applicant Request****Rezone From R-2 Residential Zone to C-2 Convenience Commercial Zone and O-1 Office Zone**

Property Location:	All of 5933 Hixson Pike & a portion of 6001 Hixson Pike
Property Owner:	Estate of George Rogers
Applicant:	David Kelly

Project Description

- Proposal: Develop 6.7-acre site with restaurants, offices, and convenience store with fuel station.
- Proposed Access: Multiple entrances on Hixson Pike including access at the light of Hixson Pike and Cassandra Smith Road.
- Proposed Development Form: 1-story buildings with drive-thru and gas pumps fronting Hixson Pike.

Site Analysis**Site Description**

- Location: The site is located on the north side of Hixson Pike at the corner of Hixson Pike and Cassandra Smith Road.
- Current Access: From Hixson Pike
- Current Development form: The site has several small buildings fronting along Hixson Pike, but the majority of the site is undeveloped. To the west and north are single family detached residential subdivisions. Property to the east is a one story building with a parking field fronting Hixson Pike. The properties to the south are small outparcels with a 50,000 square foot grocer anchoring in the rear.
- Current Land Uses: To the west and north are single-family residential uses. To the east is a religious use. To the south are commercial uses including a large grocery store.

Zoning History

- The site is currently zoned R-2 Residential Zone.
- A case earlier this year (2016-043) to rezone this site to C-2 Convenience Commercial Zone was withdrawn before Planning Commission.
- The properties to the west and north are zoned R-1 Residential Zone. The property to the east is zoned R-2 Residential Zone. The properties to the south are zoned C-2 Convenience Commercial Zone and R-4 Special Zone.
- The nearest C-2 Convenience Commercial Zone (same as the request) is directly across Hixson Pike from the site.

Plans/Policies/Regulations

- The Hixson North River Community Plan (adopted in 2004) recommends medium density residential.
- The C-2 Convenience Commercial Zone permits most commercial uses and would require a 20-foot wide landscape buffer where adjacent to a residential zone.
- The O-1 Office Zone permits office uses as well as single-family homes.

Key Findings

- The proposed commercial and office uses are not supported by the recommendations of the Hixson North River Community Plan.
- The large commercial site south of the site, anchored by a Publix Grocer, was rezoned after the creation of the 2004 Hixson North River Community Plan.
- The proposed use could be compatible with surrounding uses depending on the area and size of zoned portion of the lot.

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- The proposal is not consistent with the development form of the residential subdivision adjacent to the site.
- The proposal is consistent with the development form of the commercial area across Hixson Pike from the site.
- The proposed structures do raise concerns regarding location, lighting, or height in proximity to residential neighborhood.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests by allowing commercial uses on this portion of the north side of Hixson Pike.
- Transportation Department - the speed along Hixson Pike and issues with congestion caused by so many driveway curb-cuts in such a short stretch of roadway frontage.

Staff Recommendation

Approve, subject to the following conditions:

1. Dumpsters not to be located within 50' of western property line of parcel 100E-A-024
2. No drive-thru shall face a property line which abuts residential uses.
3. Exterior spot lighting or other illumination on non-residential uses or structures shall be directed away from any residential zones or uses.
4. Development shall be limited to one new curb cut along Hixson Pike in addition to the upgraded driveway that currently aligns with the signal at Cassandra Smith Road. New driveway shall be located at the parcel's furthest distance from the traffic signal.