

The subject property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P zoning.

The subject property is part of the "low intensity" stretch of the Bemiss Road corridor between the more intensive commercial nodes of the Castle Park shopping center and the Northside Drive intersection areas. This portion of the corridor is characterized by mostly professional offices and multi-family development, and is reflected on the maps by the NAC Character Area. Most all of the properties in the portion of the corridor are zoned R-P, which allows both the professional offices and high-density residential uses. None of the properties in this corridor are currently zoned O-P. Therefore, this particular Rezoning request gives the impression of "spot zoning" which is often contrary to good land use policy and gives us PAUSE when considering it. Staff was initially opposed to this request because of the spot-zoning nature and it introducing a new zoning classification to the surrounding zoning.

However, in considering the overall nature and history of the Bemiss Road corridor and the overlapping similarities of R-P and O-P zoning, staff is now viewing the request more positively. The only significant differences between these two zoning districts is that R-P zoning allows multi-family development and O-P does not, and that O-P zoning allows a limited few more uses than R-P - such as banks, which R-P does not. O-P zoning also adds a few uses with a CUP approval, such as a commercial-sized daycare center, pharmacy, and the more intensive kind of Personal Services Shops (which the applicant is ultimately proposing). Therefore, even the introduction of a lot of O-P zoning to this corridor would still not have very much effect on its low-key non-commercial nature. And to take the thought process even further, it should be remembered that Bemiss Road is a 5-lane State highway that functions as an arterial roadway with high traffic volumes. In this regard, O-P zoning should certainly be considered interchangeable with the surrounding R-P pattern, which some could argue is a little bit under-zoned.