



GLPC AGENDA ITEM # 9

AUGUST 29, 2022

Rezoning Request by Hamilton Dickey File #: VA-2022-12

Hamilton Dickey, on behalf of Culbreth Family Limited Partnership, is requesting to rezone 1.44 acres from Single-Family Residential (R-10) to Highway Commercial (C-H). The subject property is located at 1705 Ellis Drive, which is along the east side of the street about half way between North St Augustine Road and Baytree Road. The property previously contained a single-family residence, which has been recently demolished. The properties immediately to the east, facing Gornto Road and under the same ownership, formerly contained the Astro Exterminating business whose buildings have also been recently demolished. The applicant and the owners are proposing to market all of these properties together for future commercial development. There is currently no proposed specific use nor proposed site plan for this property.

The subject property is located within a **Community Activity Center (CAC)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H zoning.

The existing R-10 zoning is non-compliant in the CAC Character Area and it needs to be upgraded to something a little more intensive to match the future development policy of the area. The surrounding zoning patterns include C-H on properties facing the commercial corridors along Gornto Road to the east, and North St Augustine Road to the south. The patterns to the north and south include both residential and office-professional, on properties facing Ellis Drive and Springhill Place which are non-commercial. The surrounding land use patterns reflect the zoning patterns. These include hotels and general commercial development to the east and south, multi-family (Heather Glenn Condos) to the west and a single-family residence (rental) to the immediate north with offices and another residence beyond. The subject property is located in the border fringe area between these two patterns.

The applicant's request is purely speculative, with no proposed site plan nor specific use(s) being proposed. It should be noted that although the subject property is bordered by C-H zoning, the commercial land uses on these properties are all C-C type uses. It should also be noted that although the subject property is planned to be marketed simultaneously with the adjoining vacant property facing Gornto Road, this property is still its own parcel of land (1.44 acres) and can certainly stand on its own for future development – and have its only access coming from Ellis Drive. Given the nature of Ellis Drive and its lower intensity zoning and development patterns, staff is concerned about placing the more intensive commercial zoning of C-H (or even C-C) on this bordering property. C-H zoning is intended to be along higher-classification roadways, and its potential for "heavy commercial" uses would certainly be out of character for Ellis Drive. C-C zoning would be more compatible, and deemed consistent with the existing use patterns on these neighboring commercial properties. However, given the existing lower-intensity patterns along Ellis Drive and the very speculative nature of this request, staff believes that C-N zoning would be more appropriate at this time. The last 2 pages of this report are a use comparison chart showing all 3 of these commercial zoning districts – with the different land uses that are allowed in each. For speculation purposes, C-N zoning would allow most of the likely commercial uses to be developed here, while also protecting Ellis Drive from possible commercial uses that would be too intensive for this location.

Staff Recommendation: Find C-N zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend approval of C-N zoning to the City Council, instead of C-H.