



Legislation Details (With Text)

File #: CPC DP 98- 00346-A7MN16 **Version:** 2 **Name:**

Type: Planning Case **Status:** Passed

File created: 2/8/2016 **In control:** City Council

On agenda: 3/22/2016 **Final action:** 3/22/2016

Title: A minor amendment to the Shoppes at Academy Development Plan associated with the change of zoning of 1.28 acres located at Shrider Road and Academy Boulevard. Quasi-Judicial

Presenter:
Katie Carleo, Principal Planner, Planning and Community Development Department
Peter Wysocki, Director, Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. FIGURE 1 DP Minor Amendment_A1, 2. 7.5.502.E Development Plan Review

Date	Ver.	Action By	Action	Result
3/22/2016	2	City Council	approved	
2/18/2016	1	Planning Commission	referred	Pass

A minor amendment to the Shoppes at Academy Development Plan associated with the change of zoning of 1.28 acres located at Shrider Road and Academy Boulevard. Quasi-Judicial

Presenter:

Katie Carleo, Principal Planner, Planning and Community Development Department
Peter Wysocki, Director, Planning and Community Development

Summary:

Applicant: Equity Ventures
Owner: Ethan Allen Retail Inc.
Location: Northwest corner of Shrider Road and Academy Boulevard

There are two applications as part of this project:

1. Zone Change
2. Minor Amendment to the Shoppes on Academy Development Plan

The applicant is requesting a zone change for North Academy III Filing No. 1, Lot 3 only. The zone change will permit a Specialty Food Sales use on Lot 3 only, with previously established conditions remaining on all portions of the development. In addition, the applicant is proposing a minor amendment to the existing Shoppes on Academy development plan to reflect these zoning changes

and establish Lot 3 with a Specialty Food Sales use.

Previous Council Action:

None

Background:

This project requires a rezone of Lot 3 North Academy III to allow Specialty Food Sales. The site is currently zoned PBC/CR with conditions of record that restrict General Food and Convenience Food sales. Specialty Food Sales is a permissible use in a standard PBC zone district. The rezone will establish the allowance of Specialty Food Sales on Lot 3 only, reflected similarly in the minor amendment to the Shoppes on Academy Development Plan. The surrounding area is developed as a commercial center. The proposed use is consistent and fits well with the intention of this commercial corridor.

This item supports the City's strategic goal relating to building community. The new use will allow for growth of the Shoppes on Academy commercial center and add to the existing community amenities.

Please see the attached Planning Commission staff report for additional detailed analysis.

Financial Implications:

N/A

Board/Commission Recommendation:

At their meeting on February 18, 2016 the Planning Commission voted 8-0 to approve the zone change and minor amendment to the development plan.

Stakeholder Process:

The public process for this project included posting the site and sending postcards to 77 property owners within 500 feet. On December 9, 2015 a neighborhood meeting was held as part of the pre-application stage. There were eight citizens in attendance. In addition, a second neighborhood meeting was held on January 27, 2016 as part of the internal review stage. There were five citizens in attendance. Staff received two written comments from the neighbors, one of which is a letter from the Falcon Estates HOA. These comments can be found in the attached Planning Commission staff report. Comments have been addressed from the neighbors.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration.

Proposed Motion:

CPC DP 98-00366-A7MN16 - Amendment to the Shoppes on Academy Development Plan
Approve the minor amendment to the Shoppes on Academy Development Plan, based upon the finding that the amendment complies with the review criteria in City Code Section 7.5.502.E.

N/A