

REZONING AND CHANGE IN FORM DISTRICT
JUSTIFICATION STATEMENT

Racetrac Petroleum, Inc.

11800, 11806, 11900, 11908 East Orell Road and 11705 Dixie Highway

INTRODUCTION

Racetrac Petroleum, Inc. (the "Applicant") proposes to re-zone four of the five subject properties located at 11800, 11806, 11900, 11908 East Orell Road from R-4 Residential to C-1 Commercial, and change the form district for those properties from Neighborhood to Suburban Marketplace Corridor. These changes are consistent with the current zoning and form district for the property located at 11705 Dixie Highway that is part of the proposed project. The Applicant proposes to re-develop all five tracts into a fuel center and neighborhood serving market. For the reasons set out below, the proposed rezoning and change in form district complies with the applicable Plan Elements of the Plan 2040 Comprehensive Plan.

COMMUNITY FORM

The proposal complies with the intent and applicable policies of the Community Form Plan Element. The subject properties are located in the Neighborhood (11800, 11806, 11900, 11908 East Orell Road) and Suburban Marketplace Corridor Form Districts (11705 Dixie Highway), but the Applicant proposes to change the form district for the Orell Road properties to Suburban Marketplace Corridor consistent with the Dixie Highway property. In this location, the form district boundary was mapped according to the zoning in place at the time of mapping. But the more logical line is E. Orell Road, not the middle of the subject property. The property is located at a lighted intersection directly across both Dixie Highway and Flowervale Road from commercial properties.

The Suburban Marketplace Corridor Form District, which the Comprehensive Plan states is "is distinguished by a mixture of medium-to high- intensity uses. . . . When considering proposals that result in an extension of suburban marketplace corridors, particular emphasis should be placed on: (a) use or reuse of land within existing corridors; (b) potential for disruption of established residential neighborhoods; and (c) compliance with the site and community design standards of the Land Development Code." Here, expansion of the Suburban Marketplace Corridor to the 11800, 11806, 11900, 11908 East Orell Road properties is appropriate given that the Applicant is proposing to develop those properties in conjunction with the 11705 Dixie Highway property that is already in the Suburban Marketplace Corridor Form District. Furthermore, the development will cause minimal disruption to established residential neighborhoods as the proposed development will be located closer to the Dixie Highway side of the subject properties, and away from the remaining residences on the east side of E. Orell Road, allowing for significant open space and landscape buffers on the E. Orell Road side of the subject property. Finally, the proposal complies with the site and community design standards of the Land Development Code. The proposal is consistent with the Suburban Marketplace Corridor Form District as it proposes a neighborhood-serving commercial fuel center and neighborhood-

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serving market use off of Dixie Highway, a major arterial. The proposal is also consistent with the pattern of development, scale, and site design in the area, which features other similar commercial uses along Dixie Highway. Gas stations and automobile-service uses are common on this stretch of Dixie Highway. The subject property has easy access to the Gene Snyder expressway to the north.

MOBILITY

The proposed development complies with the intent and applicable policies of the Mobility Plan Element. The proposed development will be accessed via Dixie Highway, a major arterial, and Flowervale Road, a secondary collector that has a signaled intersection with Dixie Highway. There is no proposed entrance along E. Orell Road to minimize disruption to the residential properties on the east side of E. Orell Road. The site has easy access to the interstate system, including access to the Gene Snyder near to the north. The subject properties are easily accessible via a TARC stop at Bethany and Fashion Way. Sufficient automobile and bicycle parking will be provided for customers.

COMMUNITY FACILITIES

The proposed development complies with the intent and applicable policies of the Community Facilities Plan Element. The subject property is adequately served by all utilities, including water and sewer.

ECONOMIC DEVELOPMENT

The proposed development complies with the intent and applicable policies of the Economic Development Plan Element. The proposed use will create a new, job-creating and neighborhood-serving commercial use on the properties, which are currently vacant or residential uses that will be removed. The subject properties are easily accessed via Dixie Highway and the Gene Snyder.

LIVABILITY

The proposed development complies with the intent and applicable policies of the Livability Plan Element. The proposed use will create jobs and is being developed near other commercial uses in an area that already has a number of automobile-centric uses. The subject properties are easily accessed from Dixie Highway and the Gene Snyder. The proposed development will comply with the tree canopy sections of the LDC.

HOUSING

The proposed development complies with the intent and applicable policies of the Housing Plan Element. The proposed gas station and convenience store is a neighborhood-serving use that will be accessible to residents in the surrounding area.

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