

**COUNTY OF ALBEMARLE
STAFF REPORT SUMMARY**

Project Name: ZMA201200007 5 th Street Commercial	Staff: Elaine Echols
Planning Commission Public Hearing: March 15, 2016	Board of Supervisors Public Hearing: TBD
Owner: FTV Investments	Applicant: Katurah Roell
Acreage: 4.35 acres	Rezoning: Modify plan and proffers for property zoned HC Highway Commercial and LI Light Industrial
TMPS: 0.875 acre portion of 07600-00-00-055A0, 3.041 acre portion of 076M1-00-00-00100, and all of 07600-00-00-055C0	By-right use: Proffers restrict the use to hotels, motels, restaurants, service stations, convenience stores, and gift, craft, or antique shops according to the proffered plan; a proffered plan shows the limits of development, reflecting a special use permit for fill in the floodplain
Magisterial District: Scottsville	Proffers: Yes
Proposal: Request to amend proffers and application plan of ZMA199900013 for 4.35 acres on property zoned HC – Highway Commercial, which allows commercial and service; residential by special use permit (15 units/ acre) and property zoned LI Light Industrial, which allows – industrial, office, and limited commercial uses (no residential use). No zoning district change and no dwellings proposed. (The Special Use Permit Request for Drive through Windows on 1.1 acres under Section 24.2.2(12) of zoning ordinance is no longer needed) Property is located in the Entrance Corridor, Airport Impact Area, and Flood Hazard Overlay districts.	Requested # of Dwelling Units: None
DA (Development Area): Southern Urban Neighborhood – Neighborhood 5	Comp. Plan Designation: Regional Mixed Use and Parks and Green Systems
Character of Property: Currently vacant with trees.	Use of Surrounding Properties: To the south – the Holiday Inn motel; to the north, Moore’s Creek and a Waffle House restaurant; to the west, the Christian Aid Mission and a motel; to the east, Biscuit Run creek and the new 5 th Street Station development
Factors Favorable: <ol style="list-style-type: none"> 1. The rezoning generally is consistent with recommendations for land use in the Southern and Western Urban Neighborhoods Master Plan. 2. The rezoning is supportive of the County’s desire to expand its tax base. 3. Although it does not meet the recently adopted performance standards for drive through windows, the proffered plan could be modified to meet those standards. 4. The ARB is satisfied that the proposed design which includes the drive through window can meet the EC guidelines. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. The proposed plan is not consistent with principles of the Neighborhood Model for relegated parking, a pedestrian orientation, and buildings and spaces of human scale. 2. Setbacks shown on the plan are not consistent with the zoning ordinance. 3. The proposed plan does not appear to be consistent with the approved special use permit for fill in the floodplain. 4. The plan does not clearly show consistency with prior approvals to disturb the stream buffer. 5. Additional technical issues are in need of resolution, as indicated in Attachment F.
RECOMMENDATION: Staff does not recommend that ZMA201200007 be recommended for approval as submitted due to the many outstanding issues in need of resolution. Instead, staff recommends that the Commission discuss and provide direction on the overall layout, design and conformity with the principles of the Neighborhood Model for relegated parking, pedestrian oriented design and buildings and spaces of human scale. If requested by the applicant, staff recommends that the Commission defer action to a specific date to allow the applicant to make changes identified by the Commission.	

**STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS**

**Elaine Echols
March 15, 2016
TBD**

**ZMA201200007 5th Street Commercial
(SP201300027 Drive Through Window – No longer needed)**

PETITION

PROPOSAL: Request to amend proffers and application plan of ZMA199900013 for 4.35 acres on property zoned HC – Highway Commercial, which allows commercial and service; residential by special use permit (15 units/ acre) and property zoned LI Light Industrial, which allows – industrial, office, and limited commercial uses (no residential use). No zoning district change and no dwellings proposed.

ENTRANCE CORRIDOR: Yes

AIRPORT IMPACT AREA: Yes

FLOOD HAZARD OVERLAY: Yes

PROFFERS: Yes

COMPREHENSIVE PLAN: Regional Mixed Use (regional serving retail, service and office uses, non-industrial employment centers and residential up to 6.01 – 34 units per acre) and Parks and Green Systems (parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams) in Southern Urban Neighborhood (N5).

LOCATION: The east side of 5th Street Extended just north of its intersection with Interstate 64.

TAX MAP/PARCELS: 0.875 acre portion of 07600-00-00-055A0, 3.041 acre portion of 076M1-00-00-00100, and all of 07600-00-00-055C0

MAGISTERIAL DISTRICT: Scottsville

CHARACTER OF THE AREA

The currently vacant acreage is located at the confluence of Moore's Creek to the north and Biscuit Run creek to the east and is mostly vegetated with trees and shrubs. Nearby and surrounding developed uses are commercial along the 5th Street corridor. Floodplain from both Moore's Creek and Biscuit Run creek are present on all parcels (Attachment A).

SPECIFICS OF THE PROPOSAL

An approved proffered plan which includes fill in the floodplain exists for the properties. The applicant proposes to modify the previously approved plan and proffers to allow for a different design and additional development (Attachment B). The proposed new plan is provided as Attachment C and proposed new proffers are in Attachment D.

Requested changes to the approved plan include:

- adding a third building to the site;
- adding a parking lot in front of the building facing 5th Street;
- adding dry swales on the eastern and southern limits of development;
- increasing the height of the retaining wall on the eastern limits of development shown on the approved special use permit from 10' to 15'; and
- changing the parking layout and circulation pattern

Proposed changes to proffers include:

- proffering a different plan;
- increasing the proffered uses from hotels, motels, restaurants, service stations, convenience stores, and gift, craft, or antique shops to all uses in the C1 district and additional uses in the HC district;

- removing a commitment to site the building facing 5th Street so that the front is oriented to 5th Street;
- removing a commitment to locate fuel pumps behind the building that is closest to 5th Street;
- removing or modifying a proffer to underground all existing utility lines on the site and committing to only underground new utilities;
- granting an easement for a greenway on the west side of Biscuit Run creek; and
- acknowledging that the greenway easements for Moore's Creek and the eastern side of Biscuit Run creek have already been granted.

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant has said that he is not able to sell the property because the proffered plan does not allow for parking in front of the buildings along 5th Street. The applicant also requests an increase in available uses for the site for better marketing of the site.

PLANNING AND ZONING HISTORY

This project (ZMA 201200007) has an extensive history that involves fill in the floodplain, stream buffer disturbance, proffers, and deferrals. Detailed information is found in Attachment E. An abbreviated history is provided below:

History predating 2012

- ZMA199900013 and SP199900059 -- Board of Supervisors (BOS) approved request to rezone 3.5 acres of Light Industrial (LI) zoned land to Highway Commercial (HC) with proffers and special use permit to fill 4 acres of floodplain in accordance with proffered plan on 7/3/02
- SP200700063 -- BOS reapproved request for fill in the floodplain on 5/14/08 due to expiration of SP
- State Code amendment extended period of validity of SPs valid on January 1, 2009 to July 1, 2014.
- State Code amendment extended period of validity of SPs valid on January 1, 2011 to July 1, 2017.
- SDP201100063 -- Cracker Barrel Old Country Store - Preliminary site plan approval requested for site; after initial review comments were provided, project was suspended and deemed withdrawn.

Since 2012

- ZMA201200007 -- On October 15, 2012, applicant made request to remove all proffered conditions related to building layout on the approved plan and increase the number of by-right uses
- During 2012 & 2013 -- Staff worked with applicant to develop plan for review; applicant applied for preliminary ARB approval
- SP201300027 -- On December 9, 2013, applicant made request for drive through window
- February 20, 2014 -- Applicant requested and received administrative deferral for one year
- February 12, 2015 -- Applicant requested and received administrative deferral for an additional 6 months
- September 2, 2015 -- Applicant requested and received BOS deferral until December 31, 2015s
- December 29, 2015 -- Applicant provided letter of intent to submit on January 19, 2016 with request for March 15, 2016 public hearing
- January 19, 2016 -- Applicant resubmitted plan and proffers
- March 2, 2016 -- BOS approved zoning text amendment to remove requirement for special use permit for drive through windows

Staff reviewed the most recent submittal and found that there were still a number of issues in need of resolution before a recommendation for approval could be made. Because the applicant had exceeded his available deferrals and requested a public hearing for March 15, written comments

could not be provided to the applicant for response prior to the writing of this staff report. Outstanding issues are provided in Attachment F and many are discussed in this report.

COMPREHENSIVE PLAN

Land Use: Designated for Regional Mixed Use and Parks and Green Systems, properties under review are located in Neighborhood 5 of the Southern Urban Neighborhood. They are in a priority area near the center which is as the future 5th Street Station development. The large Parks and Green Systems designation recognizes the presence of floodplain, streams with required stream buffers, and steep slopes. The Parks and Green Systems plan shows greenways and trails along Moore's Creek and Biscuit Run creek at this location.

Neighborhood Model: Staff's analysis below indicates how well this proposal meets the 12 principles of the Neighborhood Model.

Pedestrian Orientation	The proffered plan shows a sidewalk in the right-of-way across the frontage of the site along 5 th Street and throughout the site which will help to encourage pedestrian movement. However, in general, the site is very auto-centric with parking in the front of buildings and a drive through window and aisle. To truly have a pedestrian orientation, the building facing 5 th Street should be moved closer to the sidewalk and a walkway from the public sidewalk to a door or doors at the front of the building provided. In addition, it is preferred that curb and gutter be provided along 5 th Street and a sidewalk be extended from the end of the sidewalk in the City to the joint entrance with the Holiday Inn. Location of the curb, gutter and sidewalk should allow space for future bike lane along 5 th Street If approvable by VDOT, trees should be placed between the street and the sidewalk. This principle is partially met.
Mixture of Uses	The nearest residential units are over a half mile away; however, staff does not believe that residential units are necessary at this location due to the closeness of the interchange and the amount of existing development in the area. This principle is not applicable.
Neighborhood Centers	The closest center to this area is the larger 5 th Street Station project. The relationship of this project to that center would be complementary. This principle is met.
Mixture of Housing Types and Affordability	This principle is not applicable.
Interconnected Streets and Transportation Networks	Opportunities to connect to other public streets are not possible given the two creeks/streams on the site. Interconnections shown to Holiday Inn are adequate in number. This principle is met.
Multi-modal Transportation Opportunities	As noted above, sidewalks are being provided along the frontage of 5 th Street and throughout the site. Regarding other multimodal opportunities, a bike lane may be possible in the right-of-way along 5 th Street; however, the extent of needed frontage improvements is not yet known. This item will be considered at the site plan stage. A greenway trail from the recently reconstructed bridge to 5 th Street would also improve non-vehicular transportation options. The applicant has agreed to consider this additional trail opportunity.

Parks, Recreational Amenities, and Open Space	The Comprehensive Plan designates a portion of this site for parks and greenways. This is because much of the property is in floodplain. When it was originally rezoned in 1999, the floodplain over the parcel was smaller than it is today. At the time of the rezoning, proffers were made to dedicate an easement for a greenway trail along the northern portion of the property. A portion of this easement has been dedicated. An additional greenway easement being proffered is viewed as positive. However, as shown, the plan is not consistent with approvals for fill in the floodplain. This principle is partially met with the offer of a greenway.
Buildings and Space of Human Scale	Buildings and spaces of human scale are largely a result of heights, massing, orientation, and setbacks from the street. Buildings shown on this plan far exceed the maximum setback requirements from the recent commercial setback amendments. When a building is proposed in an Entrance Corridor, the ARB makes determinations relative to heights, massing and orientation. To date, the ARB has preliminarily approved the plans for landscaping and buildings that can be seen from the Entrance Corridor. This principle is partially met.
Relegated Parking	<p>Relegated Parking is an important principle that helps create a pedestrian oriented environment. Parking is relegated when it is placed to the side or the rear of buildings along a street. In their action on February 7, 2014, the ARB asked that this information be forwarded to the Planning Commission:</p> <p><i>With appropriate landscaping along the property line west of Building C, Building C need not be oriented to 5th Street. However, the ARB notes that the change in the plan from two (2) buildings to three (3) has created a site plan and road configuration that has a high potential of creating a confusing and difficult site to navigate.</i></p> <p>While the proposed plan may be able to address EC guidelines through landscaping, it does not meet the Neighborhood Model principle for relegated parking. Staff believes that a changed design to relocate parking could also meet EC guidelines. This principle is not met.</p>
Redevelopment	This principle is not applicable.
Respecting Terrain and Careful Grading and Re-grading of Terrain	The <u>proposed</u> plan of development shows a 15 foot retaining wall at eastern limits of construction; however, the latest approved plan showed a 10 foot wall at this location. For conformity with the Neighborhood Model, lower walls or terraced walls are preferred to tall retaining walls. Staff notes that there are discrepancies between the prior approved SP for fill in the floodplain and the fill area shown on the <u>proposed</u> plan. The applicant is aware of the inconsistency and intends to correct the floodplain boundaries on any new submittal. These changes will likely result in a reduction of the retaining wall height. However, at present, the principle is not met.
Clear Boundaries with the Rural Area	This principle is not applicable.

Economic Development

The Goal for Economic Development, as stated in Chapter 6 in the Comprehensive Plan, is to have a diverse, strong, and sustainable economy and retain and benefit County citizens, existing businesses, and new local ventures. The first strategy in Chapter 6 is to promote new employment activities in the Development Areas and encourage developers of commercial and industrial projects to incorporate the Neighborhood Model principles. As noted in the table above, there are principles of the Neighborhood Model that are not yet adequately addressed.

Strategy 4C encourages development of business and industrial uses in the Development Areas on appropriately zoned land. The land under consideration is appropriately zoned. Proffer changes to expand uses available for the site would broaden opportunities for development of the site. This development has the potential to expand the commercial tax base and support the creation of jobs for local residents.

Relationship between the application and the purpose and intent of the requested zoning district

Highway Commercial Districts are intended for development of commercial establishments, other than shopping centers, primarily oriented to highway locations rather than to central business concentrations. It is further intended to limit sprawling strip commercial development by providing sites with adequate frontage and depth to permit controlled access to public streets.

In this particular situation, a change to the district is not proposed; however, a much broader set of uses is requested. Because of the duplication between uses shown with the proffers, it is difficult to assess which uses are being requested and which uses are being proffered out. In general, however, a broader range of uses is not viewed as problematic.

Anticipated impact on public facilities and services

Streets:

Access to the site is provided from a joint entrance with the Holiday Inn development. This arrangement allows for a right-in-right-out movement only at 5th Street. At the request of VDOT a traffic study was provided for the proposed development and, based on that study, VDOT has preliminarily approved the layout shown on the plan.

Fire and Rescue:

The Monticello Fire-Rescue Station (County) and Ridge Street Fire Station (City) are within close proximity of the site. Albemarle County Fire-Rescue has no objection to the development as proposed.

Utilities:

Public water and sewer service is available to the site. No known service capacity issues were identified by Rivanna Water and Sewer Authority.

Anticipated impact on natural, cultural and historic resources

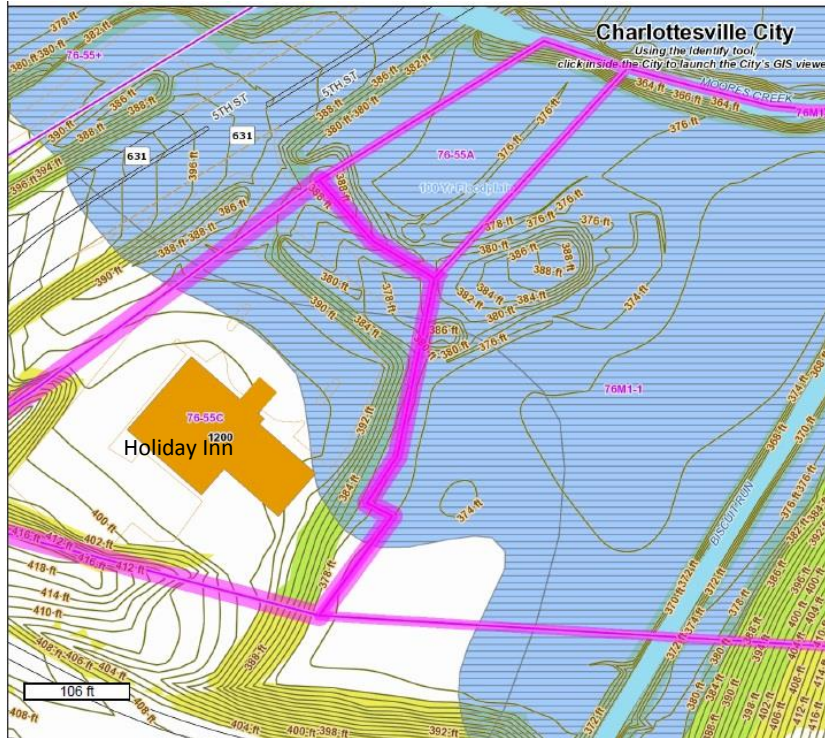
There are no known historic resources on the property. Natural and cultural resources are present.

Chapter 3 of the Comprehensive Plan speaks to the importance of preserving natural resources and protecting lives and property from hazards such as flooding and debris flow. The prior approvals for this site have set expectations for development with regard to flood protection.

The County Engineer has provided the following comments, indicating that impacts on natural resources are not consistent with prior approvals:

- 1. Please have the application show the current floodplain limits according to FEMA mapping. The proposed line or Conditional letter of Map Revision (CLOMR) lines do not appear to be the current regulatory limits.*

2. Please have the applicant clarify the limits of floodplain fill in the context of the previous approval. It appears that the proposed retaining wall may encroach further than the slope shown on previous concept plans. This would increase the proposed fill.
3. Please correct the buffer designation on the plan, and clarify the encroachment into the stream buffers. There is no 50' buffer in the WPO. There is only a 100' buffer. Up to 50' of encroachment and disturbance is permitted with mitigation. This should be compared to what was previously approved.



The image on the left shows both the floodplain and preserved slopes. Preserved slopes have been proposed for disturbance at the entrance and behind the Holiday Inn. Disturbances in both of these areas were approved in prior ZMA and SP approvals according to the plans.

The Entrance Corridor Overlay District helps to maintain the visual integrity of the County's roadways. For preservation of cultural and historic resources in the County, The Architectural Review Board addresses potential adverse aesthetic impacts in the Entrance Corridors by applying the County's Entrance Corridor Design Guidelines during the

review of development proposals. The Architectural Review has done a preliminary review for buildings that can be seen from the Entrance Corridor and suggested changes. The applicant has made those changes. However, current conditions suggest that the proposed development may be more visible from I-64 than was previously thought. The degree of visibility can be considered when the site plan is reviewed by the ARB. Site sections, perspectives, sight lines, etc. will be useful at that time. Depending on the result of those studies, additional trees may be needed on the south and east sides of the site. The County's Design Planner has said that if the retaining wall is visible, terracing may be appropriate. The issue of whether terraced retaining walls will work with floodplain protection will be addressed after the plan is revised to show accurate floodplain boundaries. Provision of accurate boundaries is expected to reduce the height of the walls.

Anticipated impact on nearby and surrounding properties

No major anticipated impact is expected on nearby and surrounding properties with this rezoning request. Most of the properties are already developed commercially.

Public need and justification for the change

The only public need and justification for the change would be to allow for development to increase tax revenues. All rezoning proposals are reviewed for conformity with the Comprehensive Plan and the benefits of the design as well as economic benefits are evaluated. At present, the benefits of the proposed design have not been demonstrated.

PROFFERS

The applicant's proposed proffers (Attachment D) are summarized below:

- 1. The general location of buildings, walkways, retaining walls, and access to the greenway are in general accord with the plan entitled, "5th Street Development Application Plan" last revised September 21, 2015, prepared by Collins Engineering.***

Because the layout does not conform to current zoning regulations, does not adequately relegate parking, and is not consistent with the approved special use permit for fill in the floodplain, this proffer cannot be recommended for approval.

- 2. The uses will be all of the C1 uses, and a few, but not all HC uses.***

Part of the rationale behind approving ZMA199900013 from LI Light Industrial to HC Commercial was a limitation on the actual uses being proposed. However, since 1999, much has changed along the 5th Street corridor. This area is now designated for Regional Mixed Use and a large shopping area is being developed nearby. Because of these changes, staff believes that broadening the uses can conform to the recommendations in the Comprehensive Plan. It is important, though that clarity is provided with this proffer because of difficulty in ascertaining which of the uses from the HC District are actually being eliminated, or "proffered out," as permitted uses on this site. Once it is clear which uses are actually being restricted, a better evaluation can take place on whether the impacts are being mitigated with the changes to the zoning.

- 3. Vehicular access will be provided by a joint entrance with the Holiday Inn.***

This proffer has not changed and is acceptable and appropriate.

- 4. Eliminating a proffer to site buildings so that their fronts are oriented to face 5th Street.***

This proffer was intended to help relegate parking. Elimination of this proffer and changes to the proffered plan are not in keeping with the Neighborhood Model.

- 5. Eliminating a proffer to locate fuel pumps behind the building that is closest to 5th Street.***

The original proffered plan showed locations of buildings and a fuel canopy that conformed to the Neighborhood Model. The applicant has indicated that the proposed proffered plan could not support fuel sales; however, it is still in the list of uses available for the site. This inconsistency needs to be rectified.

- 6. Modifying a proffer to underground all existing utility lines in relation to site development and committing to only underground new utilities.***

The existing proffer was ambiguous as to whether utility lines in the r.o.w. were to be undergrounded or only those utility lines on the property itself. The proposed proffers clarify that the applicant only intends to underground utilities on the site and not in the r.o.w. Staff has researched the original ZMA file and believes that the intent might have been for undergrounding all utilities – both on-site and off-site; however, it isn't clear. The zoning ordinance requires that all new utilities on site be provided underground. While the site would be more attractive with all existing overhead utilities being placed underground, including those in the r.o.w., it is not a proffer that is supported by the Comprehensive Plan. Staff believes that the zoning ordinance requirements of Section 32.5.7.2, which require undergrounding of utilities on-site, are sufficient. Staff can support dropping this proffer altogether to prevent future confusion.

7. *Conducting a traffic study as part of an initial site plan for any development on the rezoned property and constructing improvements required by the traffic study.*

The traffic study recently approved by VDOT was general in nature and a more specific study may be needed, depending on the intensity of a proposed future use. The proffer is viewed as acceptable and appropriate.

8. *Granting an easement to the County for a greenway, as shown on the rezoning plan with:*
a. A vegetated buffer to screen the greenway trail
b. Steps and vehicle travel way from the parking area to the greenway
c. Contributing \$500 to help upgrade the bridge over Moore's Creek

A greenway easement was proffered with the original rezoning, which has been dedicated to the County. (See Attachment G.) As the County's Greenway Plan has been further refined for this area since 1999, staff requested that the applicant consider dedicating an additional greenway easement on the west side of Biscuit Run creek. The applicant has agreed to do this.

- a. For the greenway next to Moore's Creek, which has been dedicated to the County, the applicant still agrees to provide a vegetated buffer with development of the site.
- b. Steps and a travel way are no longer necessary if the pathway shown on the plan is constructed. As such, the proffers need to be corrected so that they are consistent with the plan. In addition, the deed of dedication will need to be changed if the proffered plan is accepted because development is proposed in the places where the owner has dedicated an easement for stairs and a travel way.
- c. The monetary contribution for upgrading the bridge over Moore's Creek has been provided. The proposed proffers acknowledge that the original proffer has been satisfied.

STAFF COMMENT ON SP201300066 DRIVE THROUGH WINDOW

As stated earlier in the report, the recently adopted performance standards for drive through windows make SP201400066 unnecessary and no evaluation of the SP request is included in this report. Staff notes that the drive through configuration will need minor modifications to conform to zoning ordinance requirements; however, these changes can easily be made. Also, in its review of the proposal, the ARB indicated that the proposed design which includes the drive through window can meet the EC guidelines. Staff believes that there are no major issues with the applicant's ability to meet County standards for drive through windows if the Board wishes to approve the proposed plan as submitted.

SUMMARY FOR REZONING REQUEST

Staff has identified the following factors, which are favorable to this rezoning request:

1. The rezoning generally is consistent with recommendations for land use in the Southern and Western Urban Neighborhoods Master Plan.
2. The rezoning is supportive of the County's desire to expand its tax base.
3. Although it does not meet the recently adopted performance standards for drive through windows, the proffered plan could be modified to meet those standards.
4. The ARB is satisfied that the proposed design which includes the drive through window can meet the EC guidelines.

Staff has identified the following factors which are unfavorable to this request:

1. The proposed plan is not consistent with principles of the Neighborhood Model for relegated parking, a pedestrian orientation, and buildings and spaces of human scale.
2. Setbacks shown on the plan are not consistent with the zoning ordinance.
3. The proposed plan does not appear to be consistent with the approved special use permit for fill in the floodplain.
4. The plan does not clearly show consistency with prior approvals to disturb the stream buffer.

5. Additional technical issues are in need of resolution, as indicated in Attachment F.

RECOMMENDATION

Due to the factors unfavorable to the request, staff is unable to recommend approval at this time. However, staff believes that changes are possible to the layout and design of the site that will satisfy the Comprehensive Plan recommendations and prior special use permit approvals for fill in the floodplain.

ACTIONS BY THE PLANNING COMMISSION ON THE ZMA AND SP

At this juncture, the Commission may 1) recommend approval or disapproval to the Board of Supervisors; 2) recommend approval with conditions; or 3) defer action to a future date to provide the applicant an additional opportunity to address Commission and staff concerns.

The applicant acknowledges that changes are needed to the plan to show accurate floodplain information and clean up the proffers, and may request deferral at the public hearing. Deferral can take place with or without discussion by the Commission after the public hearing is opened and closed. Although the ZMA is not ready for approval, staff believes that the applicant could benefit from discussion by and direction from the Commission on the overall layout, design and conformity with the principles of the Neighborhood Model for relegated parking, pedestrian oriented design and buildings and spaces of human scale. Please note that the Planning Commission cannot defer this application unless a deferral is requested by the applicant at the hearing.

Staff recommends that the Commission take public comment at the hearing and, if requested by the applicant, defer action to a future date. Due to the number of applicant requested deferrals to this time, deferral to a fixed date is preferred to an open-ended date. Should the applicant request deferral, staff recommends that the Commission defer action to take place no later than August 9, 2016. By deferring action, the Commission can hold its public hearing on March 15 and advise the applicant on any needed changes prior to the Commission's action.

PLANNING COMMISSION MOTION – ZMA201200007 5th Street Commercial:

- A. Should a Planning Commissioner choose to recommend approval of this zoning map amendment:

Move to recommend approval of ZMA201200007 5th Street Commercial with changes to the concept plan and proffers as recommended by staff.

- B. Should a Planning Commissioner choose to recommend denial of this zoning map amendment:

Move to recommend denial of ZMA201200007 5th Street Commercial with reasons for denial.
Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.

Attachments

- A: Location Map
- B: ZMA1999-13, SP1999-59, and SP200700063 Approvals
- C: History of Project
- D: Proposed Plan dated 9/21/15
- E: Proposed proffers with information on 1/19/16 submittal
- F: Review comments dated 3/7/16
- G: Greenway Easement Exhibit
- H: ARB Action with site plan conditions