

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00010: WAR ADMIRAL, LLC



STAFF REVIEW

Within the original staff report, staff requested further information relating to changes that have occurred in the area that would make the site's conditional zoning restriction limiting total building square footage inappropriate today. The original zoning restrictions were as follows:

1. The subject property shall be limited to a maximum of 532,000 square feet of gross building area.
2. Use of the 1.5 net acre parcel at the southern end of the subject property (to be rezoned from P-1 to B-6P) shall be limited to off-street parking, vehicular circulation, and use of no more than a 1,500 square-foot area for a portion of a vehicle fueling facility and canopy.

In the period following the August Zoning Committee meeting, the applicant met with staff to discuss the concerns described within the initial staff report and the comments received during the committee meetings. Since that time, the applicant has submitted a supplemental letter of justification providing a more detailed description of the significant changes to the area since the previous map amendment when the conditional zoning provisions were adopted for the site.

The applicant notes that at the time these properties were zoned B-6P, the Winchester Road corridor was much more sparsely developed than it is today. In fact, there were several hundred acres of undeveloped land between the subject property and the more urbanized areas of the city. At the time of the initial rezoning, the applicant offered the restrictions to provide an additional mechanism to ensure a less intrusive integration to the surrounding properties and uses. In the 20 years since that initial zone change was approved, the Winchester Road corridor has experienced significant growth which is anticipated to continue. The area to the east of Interstate 75, in addition to the ongoing medical center construction, is one of five areas included in the most recent expansion of the Urban Service Area. Shown as Area 2 in the 2024 Urban Growth Master Plan, additional growth is projected for the Winchester Road corridor.

The applicant opines that the condition limiting total building size to 532,000 square feet no longer serves any tangible purpose in light of the subsequent urbanization of this corridor, and the expansion of growth further out from the urban core. Additionally, the applicant points out that the low lot coverage and massively oversized parking lots that are reinforced by the limit on building area, and are inconsistent with Comprehensive Plan recommendations for efficient land use, increasing density, and limiting surface parking.

Staff agrees with the applicant's assertion that there has been a significant physical change in the immediate area that make the current conditions inappropriate. Staff finds that the restrictions enacted in order to limit the intensity of the site are now inappropriate, as the intensification of the Winchester Road corridor will serve a larger regional area well beyond the boundary of the Urban Service Area that existed in 2004. The Staff recommends maintaining the second restriction since no justification has been offered to remove it.



STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:

1. The nearby changes in land use intensity, expansion of the Urban Services Boundary, adoption of the Urban Growth Master Plan, and the construction of large regional scale institutions are changes that have occurred that have shifted the intensity of anticipated development along this portion of Winchester Road, and make the current condition restricting square footage inappropriate.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is recommended via conditional zoning:
 - a. *Use of the 1.5 net acre parcel at the southern end of the subject property shall be limited to off-street parking, vehicular circulation, and use of no more than a 1,500 square-foot area for a portion of a vehicle fueling facility and canopy.*

These use restrictions are appropriate and necessary for the subject property to ensure greater compliance with the detailed land use recommendations of the 2001 Comprehensive Plan, and since they have been volunteered by the applicant.

3. This recommendation is made subject to approval and certification of PLN-MJDP-25-00039: HAMBURG PLACE B-5P & B-6P HIGHWAY COMMERCIAL AREA (AMD) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.