

ZONING AMENDMENT STAFF REPORT**Date: January 19, 2006****NAME**

O. A. Pesnell, Jr.

LOCATION6951 Cottage Hill Road
(South side of Cottage Hill Road, 50'± East of the South terminus of Crystal Key)**CITY COUNCIL
DISTRICT**

District 6

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

B-1, Buffer Business

AREA OF PROPERTY

8013± square feet

CONTEMPLATED USE

Professional offices

It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

REASON FOR REZONING

To be consistent with surrounding B-1 properties

**TIME SCHEDULE
FOR DEVELOPMENT**

Not given

**ENGINEERING
COMMENTS**

Development must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. Land Disturbance Permit will be required for any increase in impervious area. Any concentrated and/or increased stormwater discharge onto an adjacent property owner will require a Hold Harmless agreement from the affected property owner.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard driveway width for a commercial site is twenty-four feet. Standard parking aisle width for ninety degree parking is twenty-four feet. Changes should be made to accommodate these standards. Limit the site to one driveway cut.

URBAN FORESTRY

COMMENTS Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

FIRE DEPARTMENT

COMMENTS Could not determine from poor quality plans provided what they are doing. From description fire hydrants may have to be provided for any new construction or additions.

REMARKS

The applicant is requesting approval to rezone the subject property from R-1, Single-Family Residential, to B-1, Buffer Business, to allow the existing house to be used as professional offices.

The site fronts Cottage Hill Road, a planned major street with a 100-foot right-of-way at the site.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

In this case, the property is entirely surrounded by B-1 properties, and the change appears to be appropriate. While rezoning is not site plan specific, the submitted site plan presents issues that have been commented on by City Engineering, Traffic Engineering, Urban Forestry, and the Fire Department. Compliance with these comments and with all municipal codes and ordinances will be required.

It should also be noted that, while the application requests the rezoning for Lot 2 of Leah Place, the submitted deed and legal description were for Lot 1 of Leah Place, which is already zoned B-1; thus the applicant should be sure to submit the correct legal description (Lot 2 of Leah Place) prior to forwarding to City Council for consideration.

RECOMMENDATION

Based on the preceding, this application is recommended for Approval subject to the following conditions: 1) submission of the correct legal description (Lot 2 of Leah Place); 2) compliance with City Engineering comments (*Development must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. Land Disturbance Permit will be required for any increase in impervious area. Any concentrated and/or increased stormwater discharge onto an adjacent property owner will require a Hold Harmless agreement from the affected property owner.*); 3) compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard driveway width for a commercial site is twenty-four feet. Standard parking aisle width for ninety degree parking is twenty-four feet. Changes should be made to accommodate these standards.*

Limit the site to one driveway cut.); 4) compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.); 5) compliance with Fire Department comments (fire hydrants may have to be provided for any new construction or additions.); 6) that the site be limited to a single curb cut; 7) that the site be brought into full compliance with the landscaping and tree planting requirements of the Zoning Ordinance, in the event that the existing structure is removed; and 8) full compliance with all municipal codes and ordinances.

LOCATOR MAP



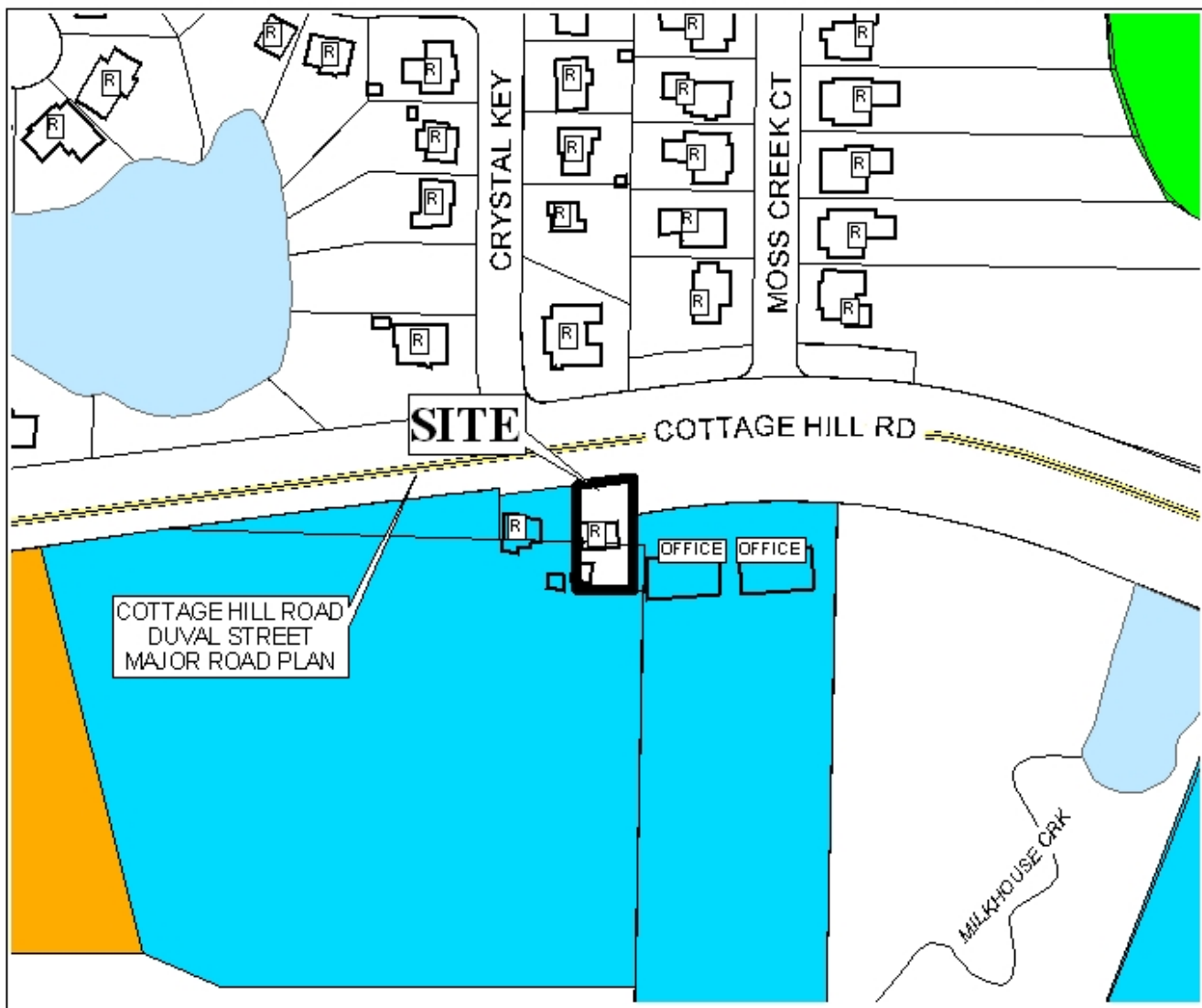
APPLICATION NUMBER 1 DATE January 19, 2006

APPLICANT O. A. Pesnell, Jr.

REQUEST Rezoning from R-1 to B-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed land use.

APPLICATION NUMBER 1 DATE January 19, 2006

APPLICANT O. A. Pesnell, Jr.

REQUEST Rezoning from R-1 to B-1

LEGEND

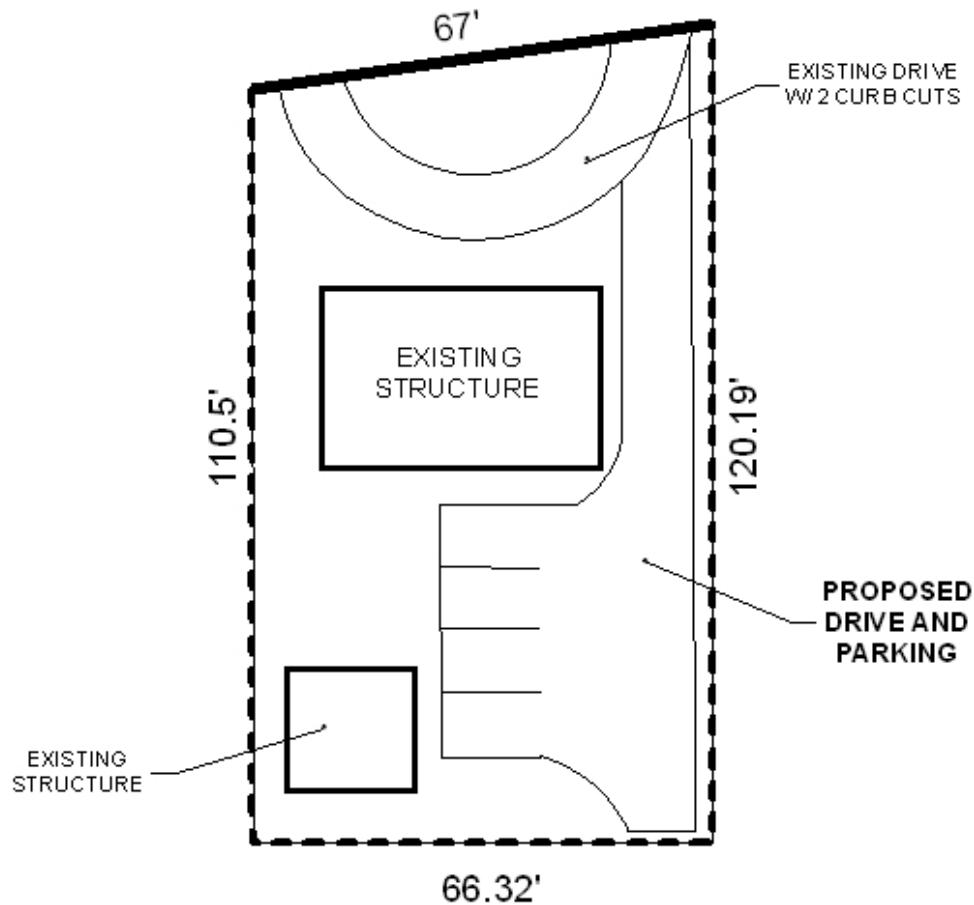
R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	-----	-----	-----



NTS

SITE PLAN

COTTAGE HILL ROAD



The site is located on the South side of Cottage Hill Road, 50'+ East of the South terminus of Crystal Key. The plan illustrates the proposed development.

APPLICATION NUMBER 1 DATE January 19, 2006

APPLICANT O. A. Pesnell, Jr.

REQUEST Rezoning from R-1 to B-1



NTS