

ZONING AMENDMENT STAFF REPORT**Date: December 2, 2004****NAME**

Automotive Computer Services, Inc.

LOCATION

South side of Downtowner Loop South, 555'± West of Downtowner Boulevard.

**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

B-3, Community Business and B-2, Neighborhood Business

PROPOSED ZONING

B-2, Neighborhood Business

AREA OF PROPERTY

.4± Acres

CONTEMPLATED USE

Eliminate split zoning for a commercial subdivision
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.

**TIME SCHEDULE
FOR DEVELOPMENT**

Upon approval

**ENGINEERING
COMMENTS**

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

**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). Plan shows trees to be planted in 100' drainage easement. Trees should not be planted in easement due to future improvements of waterway. Required trees should be planted elsewhere on site or donations to the tree bank be coordinated with Urban Forestry.

REMARKS

The applicant proposes to rezone the entire site from B-2, Neighborhood Business and B-3, Community Business, to B-2, Neighborhood Business to eliminate split zoning for a commercial development.

The site is illustrated as commercial on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

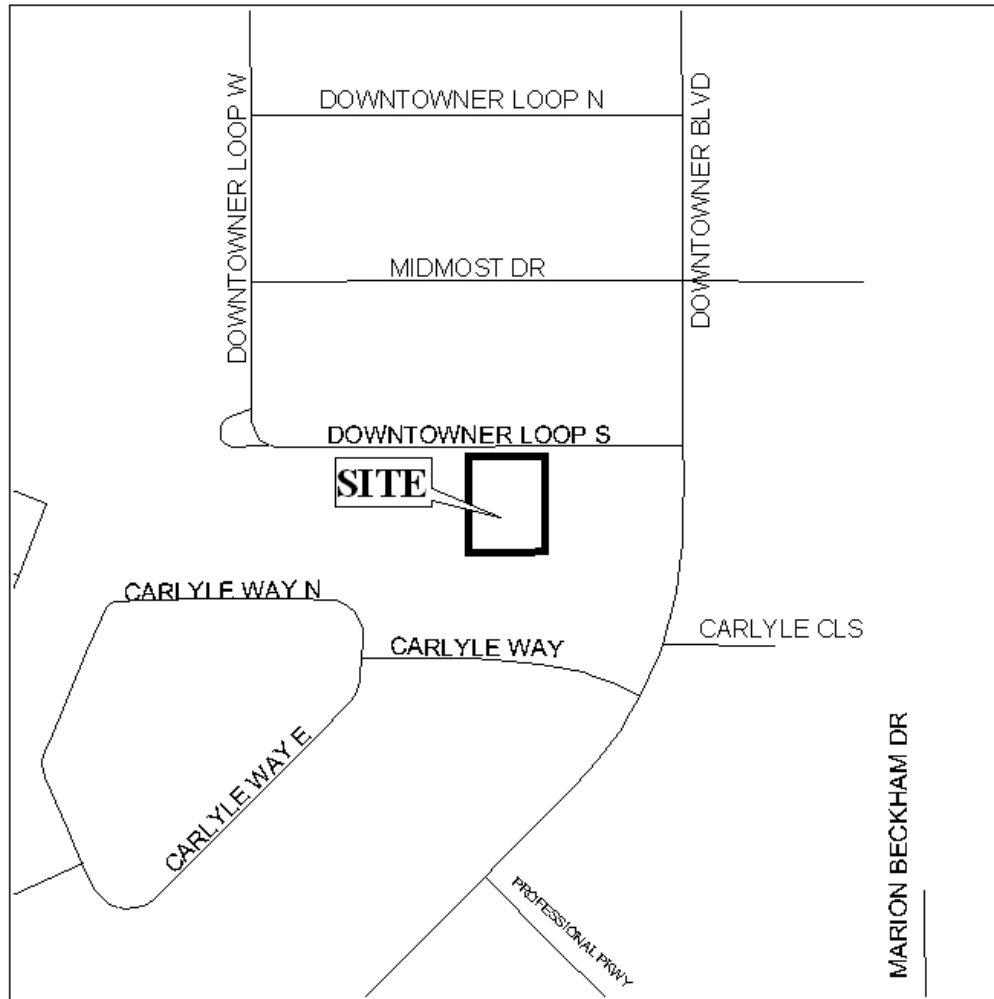
At the Commission's November 4th meeting, the site received subdivision approval to combine four lots into one legal lot of record. However, as the site is split-zoned, a condition of the subdivision approval was the rezoning of the entire site to one classification. The applicant is requesting that the entire site be zoned B-2, Neighborhood Business and as illustrated on the Vicinity Map, B-2 would be compatible with the surrounding development.

As with any rezoning, full compliance with the landscaping and tree planting requirements of the Ordinance will be required. However, as outlined in the Urban Forestry Comments, required trees cannot be planted in the drainage easement.

RECOMMENDATION

Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the Ordinance, required tree plantings cannot be placed in the drainage easement; and 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



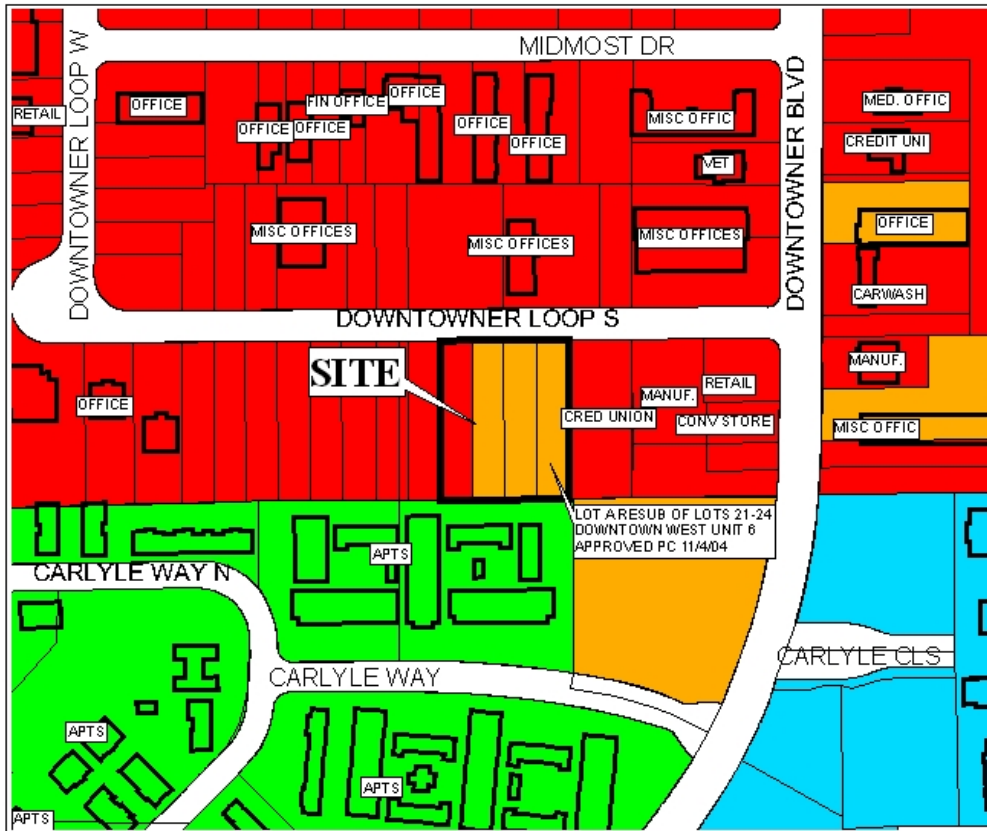
APPLICATION NUMBER 3 DATE December 2, 2004

APPLICANT Automotive Computer Services, Inc.

REQUEST Rezoning from B-3 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial sites. An apartment complex is located to the south of the site.

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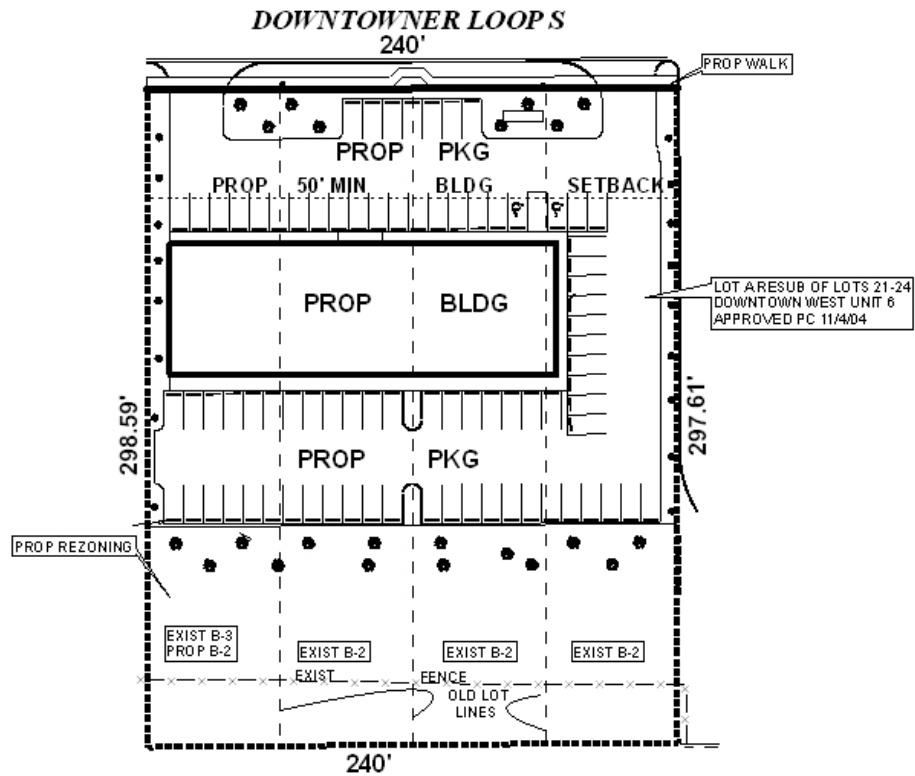
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LEGEND

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
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SITE PLAN



The site plan illustrates the proposed building, parking, sidewalk, landscaping, and proposed rezoning.

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NTS