

REZONING STAFF REPORT**Date: July 1, 2004****APPLICANT NAME**

Billy R. Williams

LOCATION2566 Dauphin Street
(Northeast corner of Dauphin Street and Alexander Street)**CITY COUNCIL
DISTRICT**

District 1

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

B-1, Buffer Business

AREA OF PROPERTY

8,000± Sq.Ft.

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.

TIME SCHEDULE

Immediate

**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, sizes, 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 (City Code Chapters 57 and 64 and State Act 61-929).

REMARKS

The applicant is proposing use of the site as professional offices. The site is currently zoned R-1, Single-Family Residential; therefore, rezoning to B-1 would be necessary to accommodate the proposed use.

This section of Dauphin Street, which has an existing right-of-way of 68', is shown as a major street on the Major Street Plan component of the Comprehensive Plan, and as such requires a minimum right-of-way of 100'. While access management is typically a concern along major streets, properties along the North side of this section of Dauphin Street have significant retaining walls and are accessed via an alley.

This area is shown on the General Land Use component of the Comprehensive Plan as commercial. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may 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.

The commercial zoning pattern in this area has been occurring over a period of some 25± years, with the majority of rezoning occurring within the last 15 years. The site in question and the property immediately adjacent to the East are the only two properties in this block of Dauphin Street that are not zoned commercially. Additionally, with the exception of an apartment complex, they are the only two properties on the North side of Dauphin Street between Florida Street and the Railroad track that are zoned residentially.

These changes in conditions indicate that the rezoning of this property is appropriate. The fact that the majority of the commercial properties are zoned B-1 indicates that the applicant's request is for the appropriate commercial district.

As stated above, Dauphin Street is a major street and requires a 100' right-of-way. It has been the practice of the Commission to require dedications sufficient to provide 50' from centerline when rezoning properties along major streets. Additionally, as the site is located at an intersection, the dedication of a radius at the intersection would be appropriate.

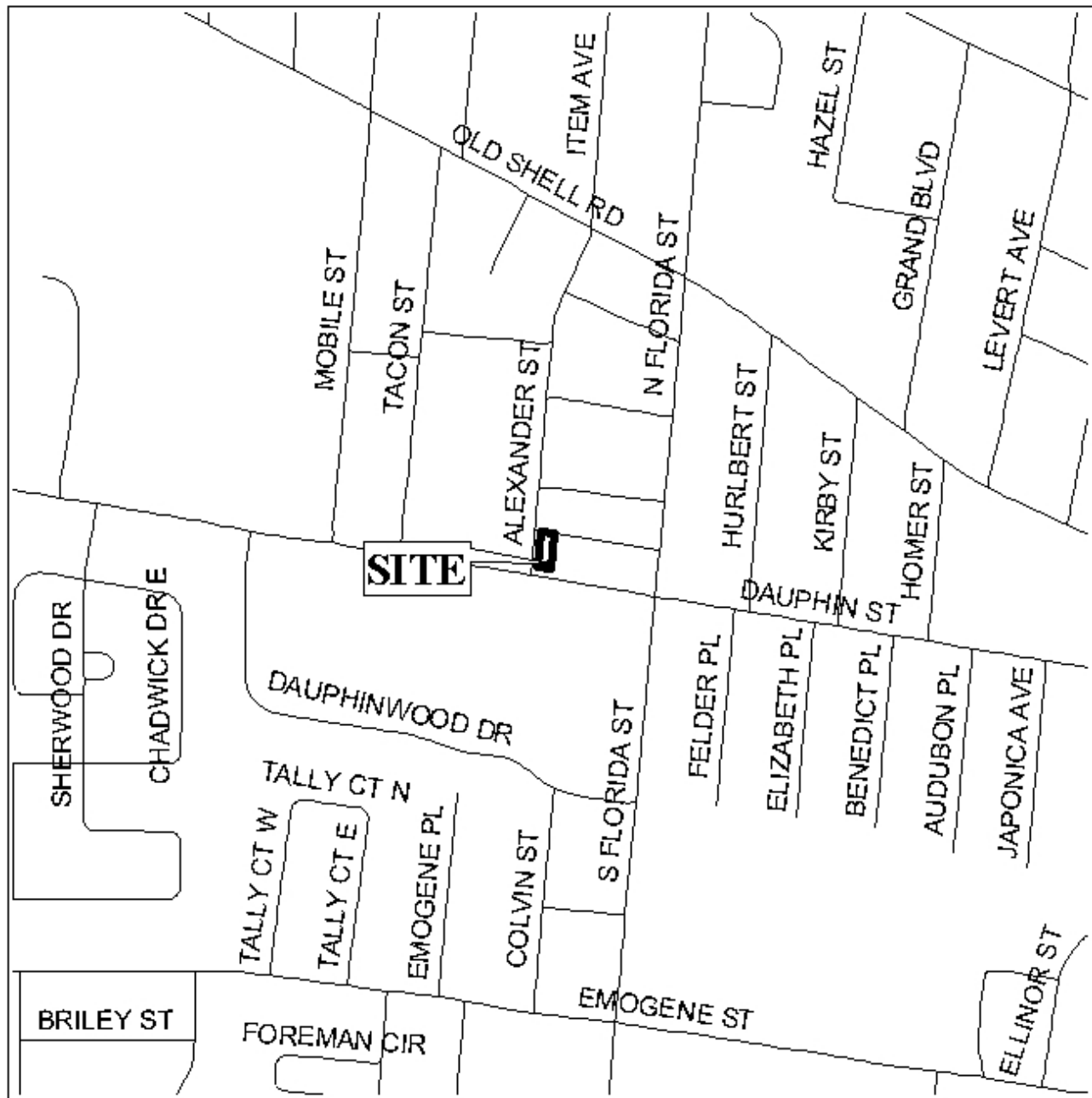
Buffering the site from neighboring residential properties will be somewhat of a challenge, as was learned from the property across Alexander Street. The provision of a privacy fence along the rear property line would be ineffectual in that because of the driveway to the alley, there could only be approximately 10-12 feet of privacy fence above the height of 3' due to maximum height allowances in the required setback. Additionally, the fence could not be placed on the other side of the alley because it would prohibit the neighboring property from accessing the alley.

Given the elevation of the property in conjunction with its location and proximity to other residential properties, including those to the North along Alexander, the most logical buffering would be the provision of a three to four foot wall placed along the West edge of the proposed parking area and walkway, and along the North edge of the proposed parking area.

RECOMMENDATION

Based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) dedication of sufficient right-of-way along Dauphin Street to provide a minimum of 50' from centerline; 2) dedication of an appropriate radius at the intersection of Dauphin Street and Alexander Street, to be determined by city Engineering; 3) provision of a three to four foot wall placed along the West edge of the proposed parking area and walkway, and along the North edge of the proposed parking area; 4) the provision and landscaping and tree plantings in compliance with the ratios set forth in Section IV.E.3.a of the Zoning Ordinance; and 5) full compliance with all municipal codes and ordinances.

LOCATOR MAP



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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.

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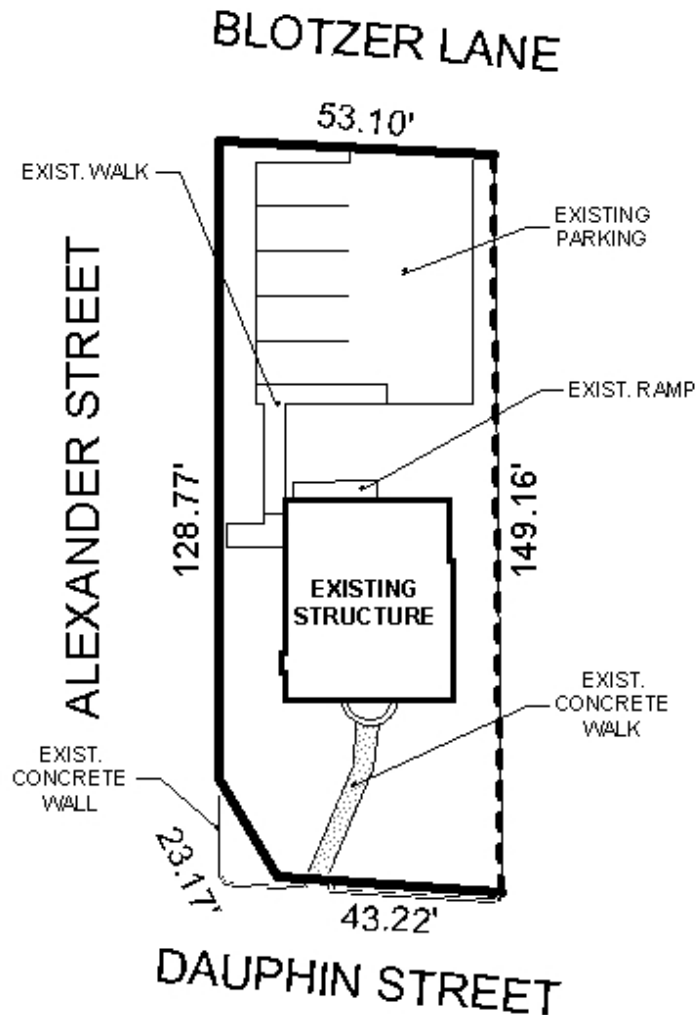
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LEGEND

R-1	R-2	R-3	R-4	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 is located at the northeast corner of Dauphin Street and Alexander Street.
The plan illustrates the existing structures and parking.

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