

REZONING STAFF REPORT

Date: March 17, 2005

APPLICANT NAME

Ricky Bacon

LOCATION

97 Center Drive
(East side of Center Drive, 690'± South of Old Shell Road)

CITY COUNCIL DISTRICT

District 6

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

R-3, Multi-Family Residential

AREA OF PROPERTY

0.92± Acres

CONTEMPLATED USE

Apartments

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

None

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 requesting rezoning of the site to R-3 to allow future development as apartments.

The site is shown as residential on the General Land Use Plan component of the Comprehensive Plan. The plan reflects a general land use pattern based on categories such as residential commercial, industrial, public and semi-public, and does not specify zoning districts for individual lots.

The Zoning Ordinance states that an amendment or rezoning is appropriate 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.

The applicant did not provide documentation to illustrate that any of the above referenced conditions are applicable to the site or this application. Further, the applicant did not submit a site plan to illustrate the proposed development, nor was any information given regarding a time frame for development. Additionally, the site consists of two lots of record and as such would require resubdivision into a single lot of record.

While the site is adjacent to existing R-3 properties, the commission has generally considered requests such as this as speculative and the timing as inappropriate or premature.

RECOMMENDATION
application be denied.

Based on the preceding, it is recommended that this

LOCATOR MAP



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REQUEST Rezoning from R-1 to R-3



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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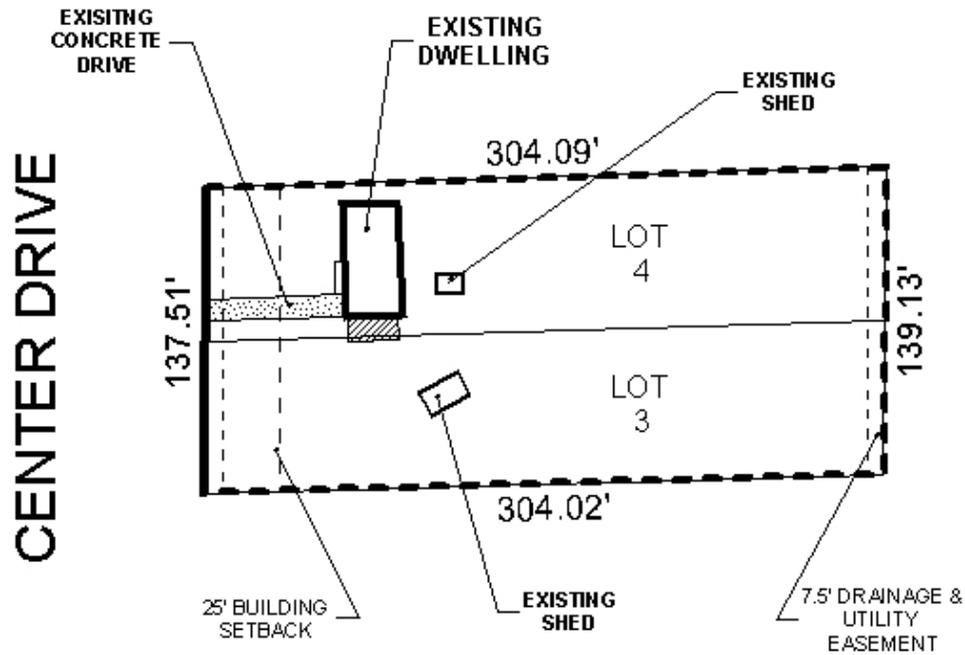
REQUEST Rezoning from R-1 to R-3

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
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SITE PLAN



The site is located on the East side of Center Drive, 690' South of Old Shell Road.
The plan illustrates the existing structures, setback and lots.

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NTS