

ZONING AMENDMENT STAFF REPORT

Date: September 2, 2004

NAME

Van Antwerp Realty Corp., Inc.

LOCATION

South side of Bear Fork Road at the Southern terminus of Myers Road, extending South to Eight-Mile Creek.

**CITY COUNCIL
DISTRICT**

District 1

PRESENT ZONING

R-1, Single-Family Residential and I-1, Light Industry

PROPOSED ZONING

B-5, Office-Distribution

AREA OF PROPERTY

43± Acres

CONTEMPLATED USE

Trucking Company

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

**TIME SCHEDULE
FOR DEVELOPMENT**

None given

**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**

All driveway widths and locations to be approved by Traffic Engineering; and design to meet 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).

REMARKS

The applicant is requesting rezoning from I-1, Light Industry and R-1, Single-Family Residential to B-5, Office-Distribution for a trucking company; a trucking company is allowed by right in B-5 district.

The site is illustrated as residential 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.

Although the site adjoins an existing I-1 district to the East, that property has been zoned industrially since the current Zoning Ordinance was adopted in 1967. Additionally, the proposed rezoning site adjoins R-1 development to the West, and access to most of those residential properties is via a 30-foot easement along the East property line of the site.

In outlining the characteristics of B-5 districts, the Zoning Ordinance states that these districts should serve as a transition between commercial and industrial districts, and that these districts should be located along principal thoroughfares and highways. Moreover, B-5 districts should be convenient to major commercial or industrial concentrations, and it is desirable that these districts be proximal to interstate access, and to a lesser extent railroads. The site fronts Bear Fork Road, which is not a planned major street, nor does it function as a major street, and the site adjoins single-family residential development.

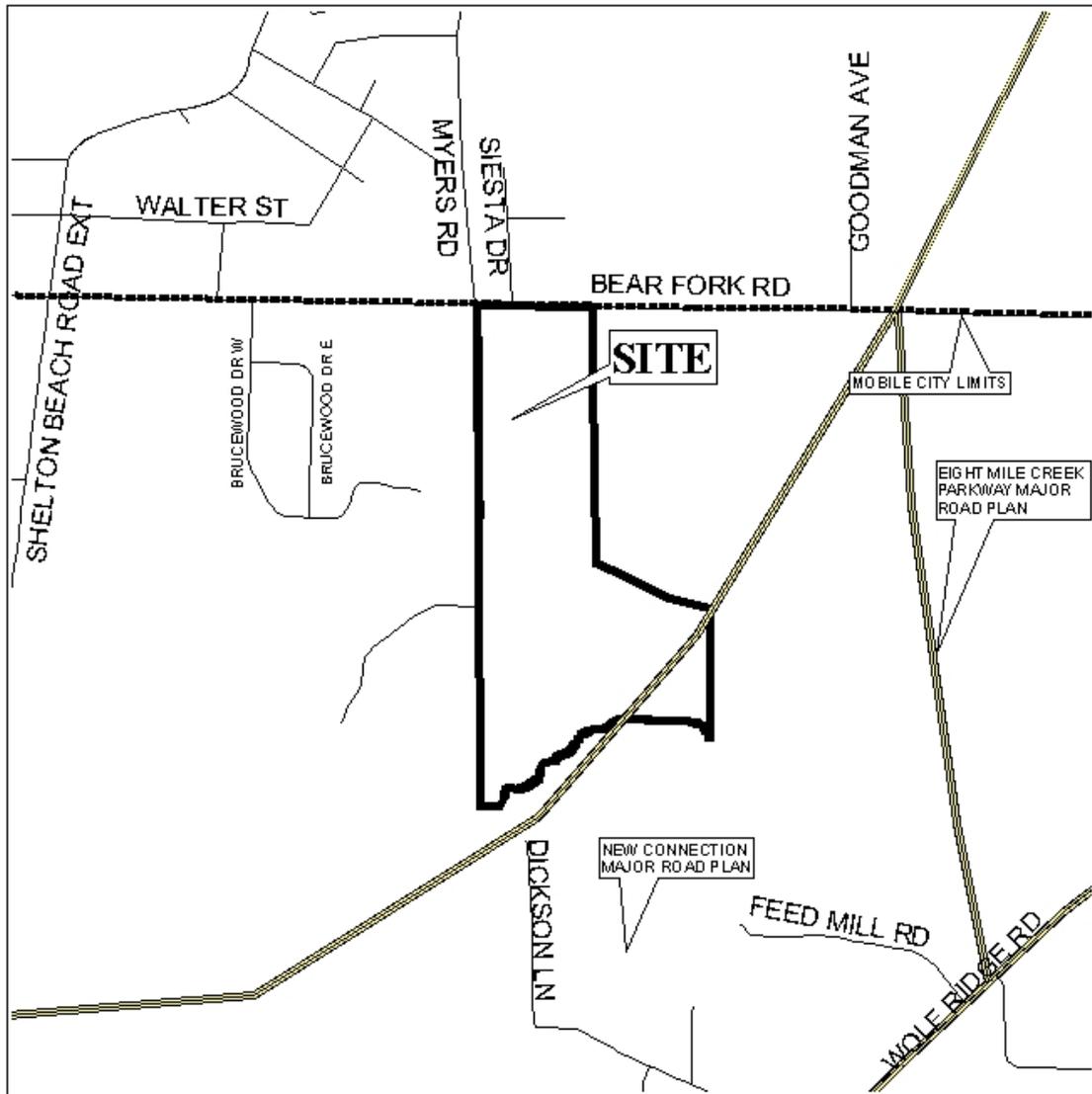
Additional considerations pertain to the floodway and wetlands. While the overall site consists of 43 acres, only 17 acres are elevated above the wetlands and floodway, and it may be undesirable to have a heavy commercial district adjacent to such an environmentally sensitive area.

RECOMMENDATION

for denial.

Based upon the preceding, this application is recommended

LOCATOR MAP



APPLICATION NUMBER 9 DATE September 2, 2004

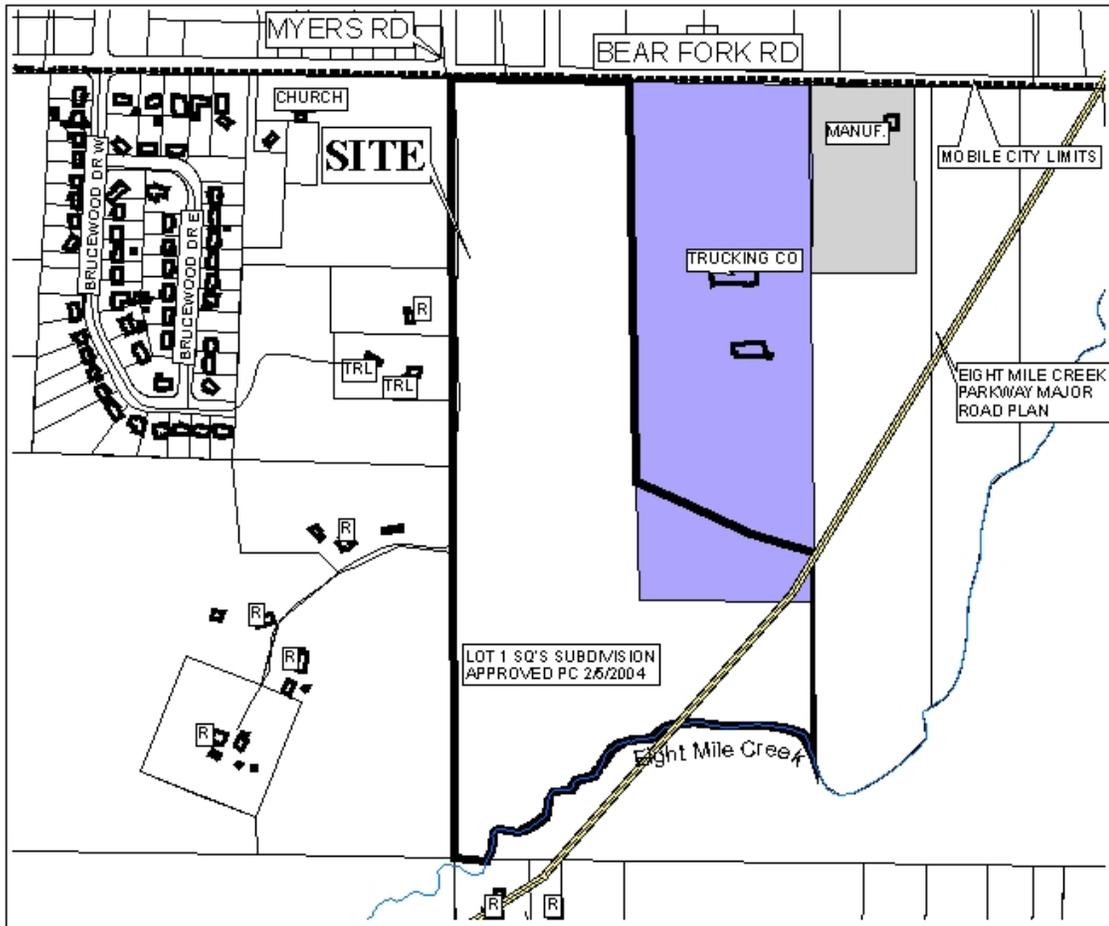
APPLICANT Van Antwerp Realty Corp., Inc.

REQUEST Rezoning from I-1 and R-1 to B-5



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential dwellings and a church are located to the west of the site. Trucking and manufacturing companies are located to the east of the site.

APPLICATION NUMBER 9 DATE September 2, 2004

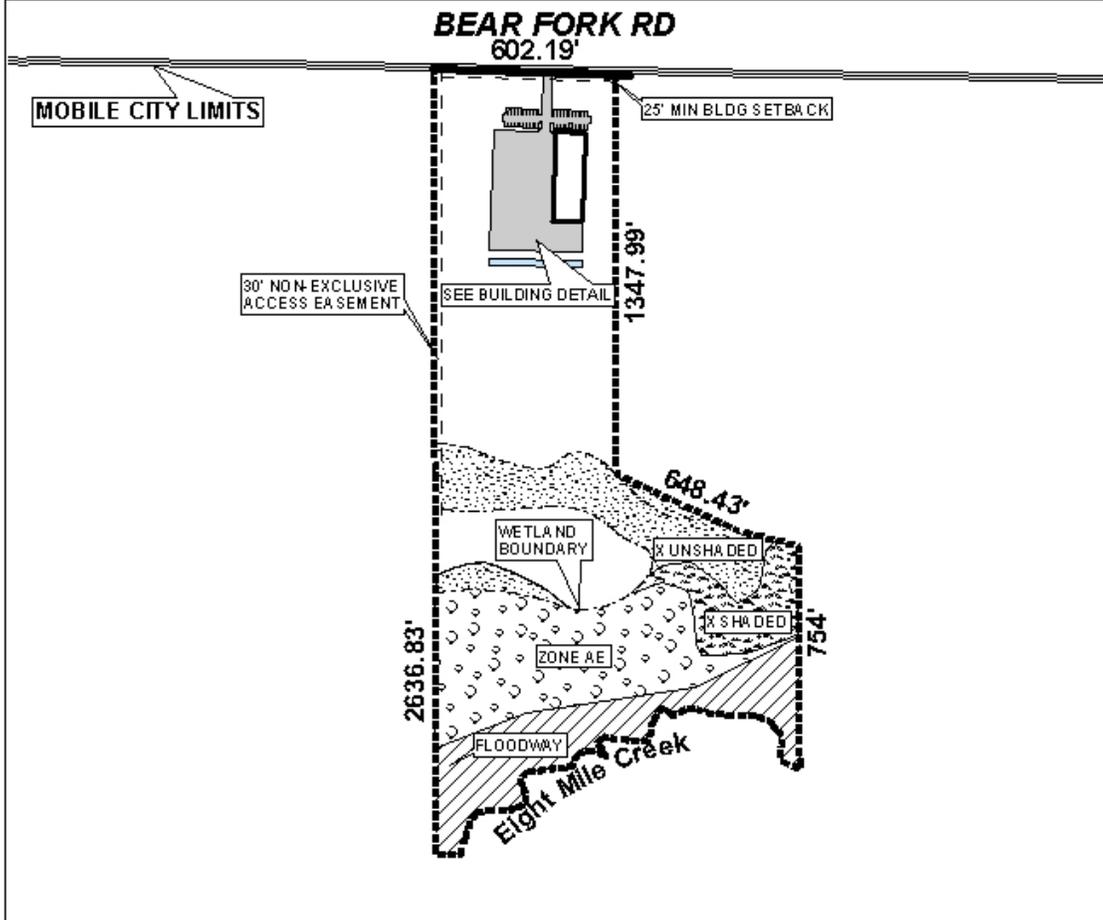
APPLICANT Van Antwerp Realty Corp., Inc.

REQUEST Rezoning from I-1 and R-1 to B-5

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



The site plan illustrates the proposed buildings, parking, detention pond, and existing wetland boundary.

APPLICATION NUMBER 9 DATE September 2, 2004

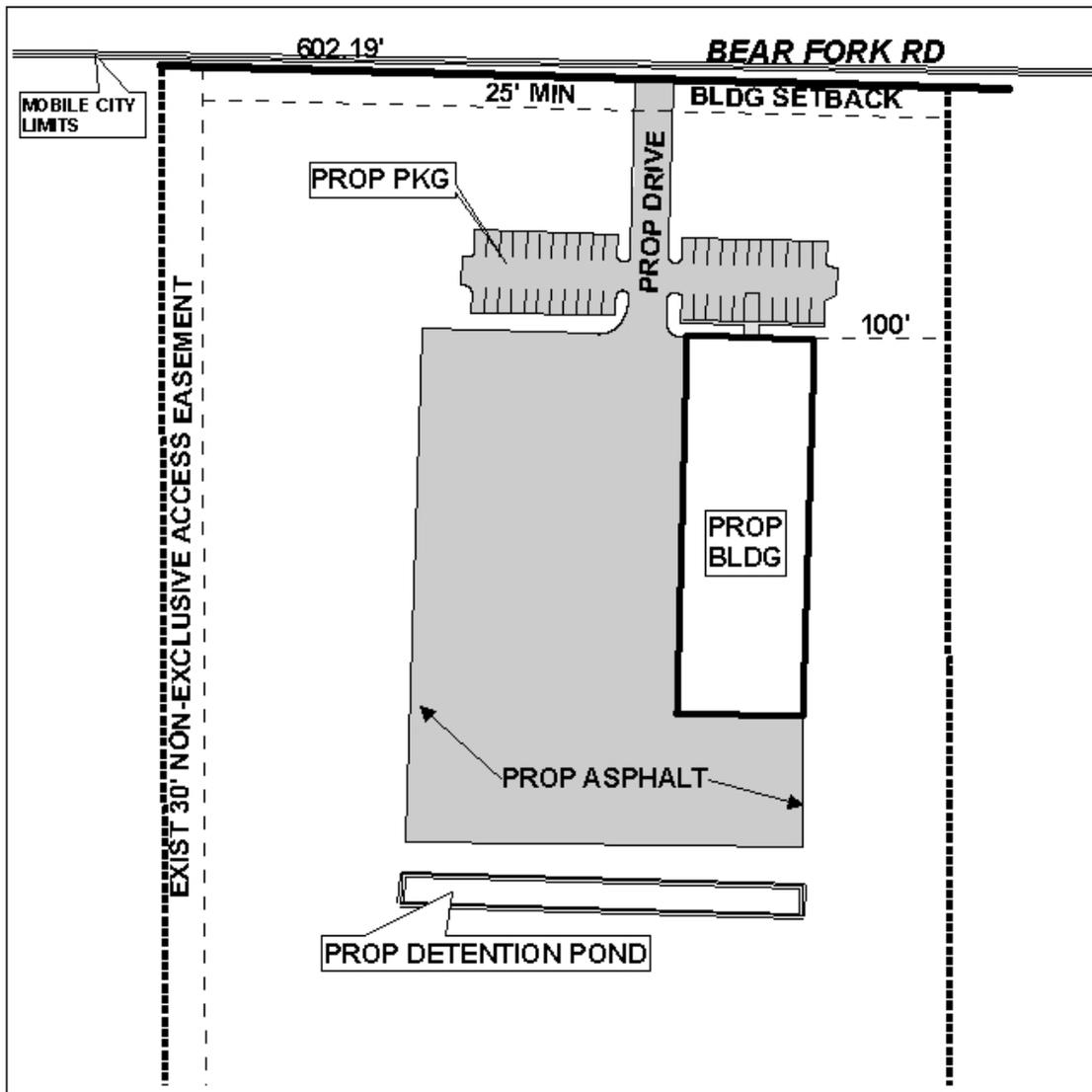
APPLICANT Van Antwerp Realty Corp., Inc.

REQUEST Rezoning from I-1 and R-1 To B-5



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 9 DATE September 2, 2004

APPLICANT Van Antwerp Realty Corp., Inc.

REQUEST Rezoning from I-1 and R-1 To B-5



NTS