

ZONING AMENDMENT STAFF REPORT**Date: May 15, 2003****NAME**

Ashville, Inc. (Michael Friedlander, Agent)

LOCATIONSouth side of Cottage Hill Road, 50'± East of
Blueridge Boulevard**PRESENT ZONING**

R-2, Two-Family Residential

PROPOSED ZONING

B-2, Neighborhood Business

AREA OF PROPERTY

1.6± Acres

CONTEMPLATED USE

Commercial Building

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**

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**

All driveway widths and locations to be approved by Traffic Engineering; and design to meet AASHTO Standards

REMARKS

The applicant is requesting rezoning from R-2, Two-Family Residential to B-2, Neighborhood Business for an 18,000 square foot commercial building.

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.

The applicant states that the request is “to offer future [a] future tenant or owner same zoning as that of the property due East of the subject property” and that the zoning would “comply with the B-2 zoning of the property” to the East.

The property to the East is zoned B-2. However, in considering rezoning applications, there are numerous criteria to consider and the Zoning Ordinance gives four reasons for zoning changes: the existence of an error; changing conditions in an area; increased need for business or industrial sites; or subdivision of land into building sites making reclassification both necessary and desirable.

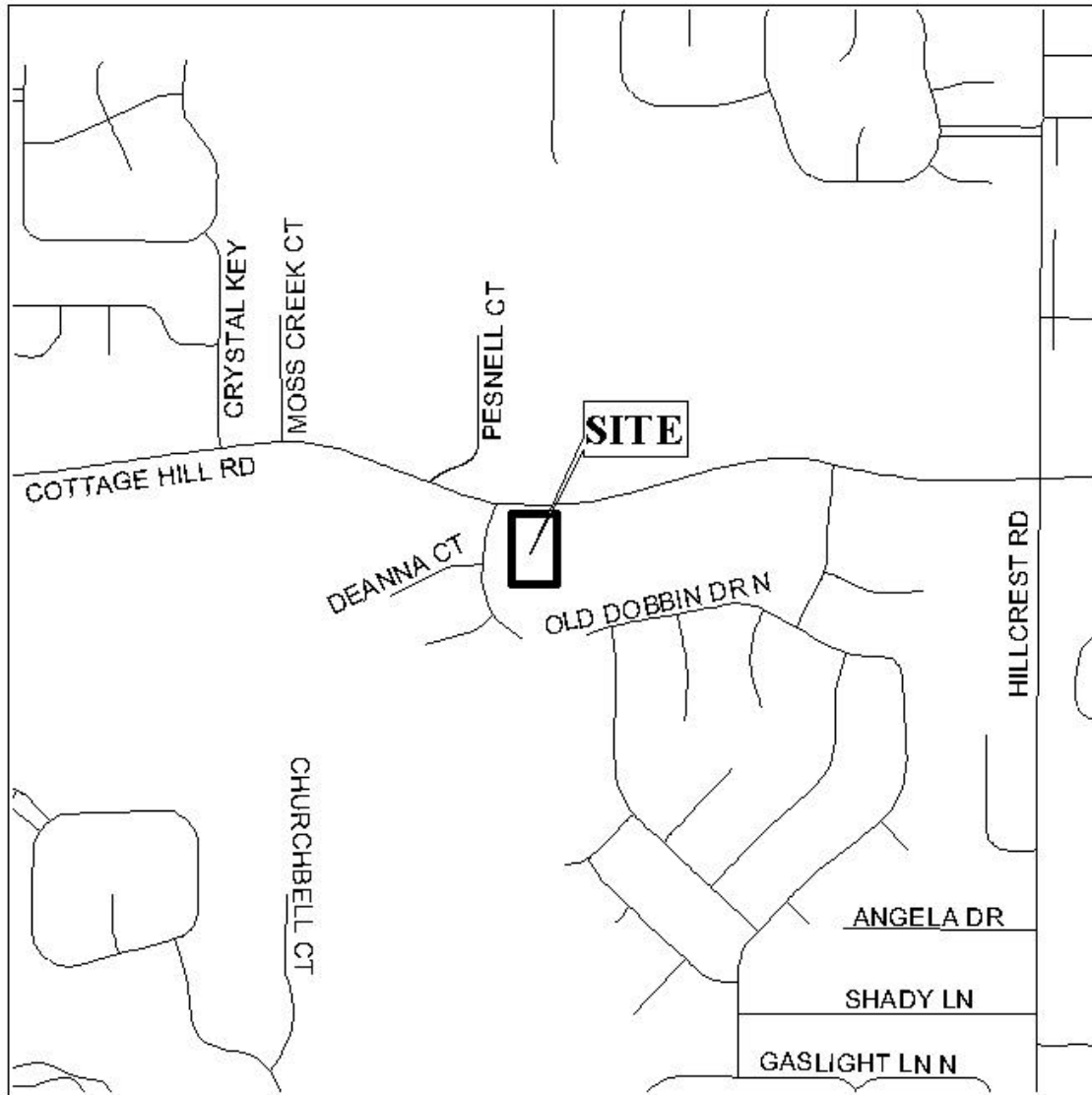
The existing B-2 site to the East was rezoned in 2001 and has not been developed, thus indicating a lack of need for an additional B-2 site in this area. Additionally, as outlined above, the site is shown as residential on the General Land Use Plan, and a residential designation would include any residential classification from R-1 to R-3. Furthermore, as illustrated on the Vicinity Map, this is a strong residential area with single-family and multi-family development; most of the properties that are vacant are zoned commercially.

RECOMMENDATION

recommended for denial.

Based upon the preceding, this application is

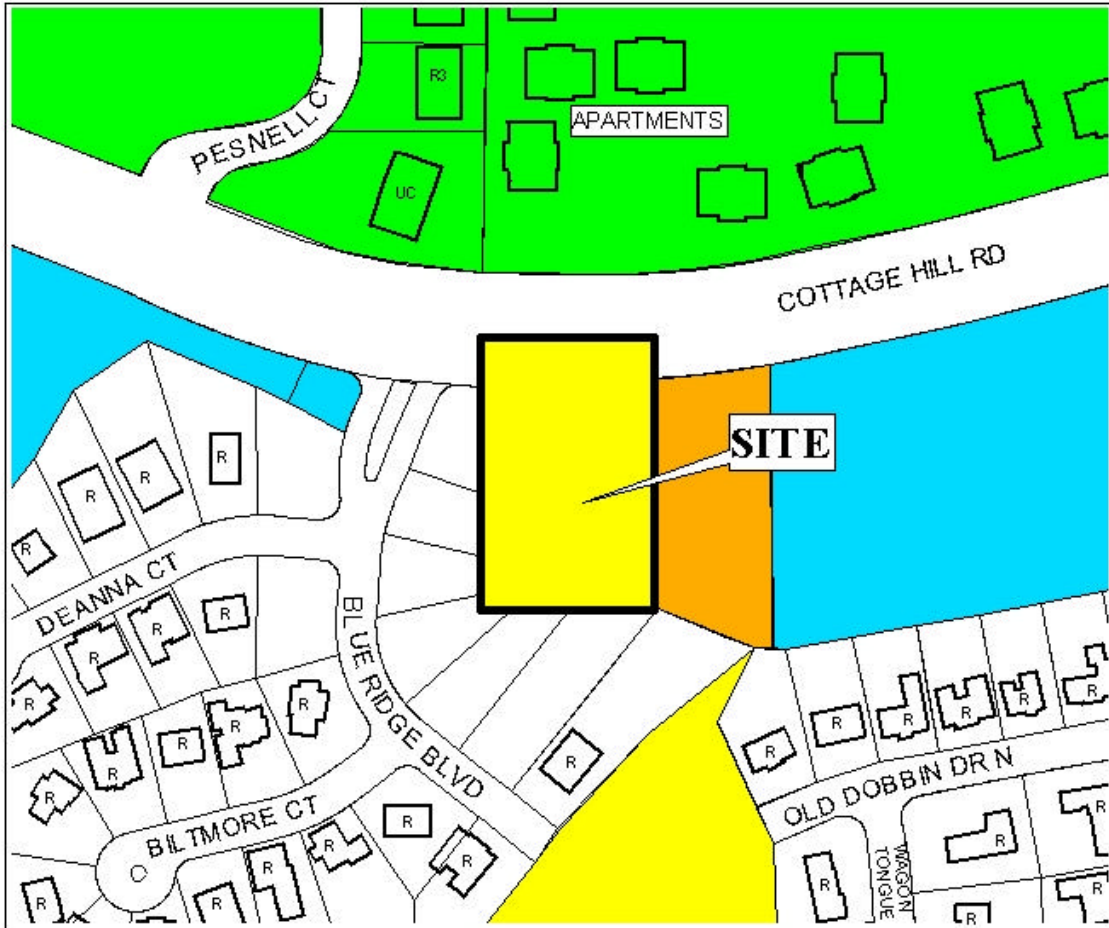
LOCATOR MAP



APPLICATION NUMBER 10 DATE May 15, 2003
APPLICANT Ashville, Inc. (Michael Friedlander, Agent)
REQUEST Rezoning from R-2 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North of the site are multiple family residential dwellings; to the South and West are single family residential dwellings.

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LEGEND



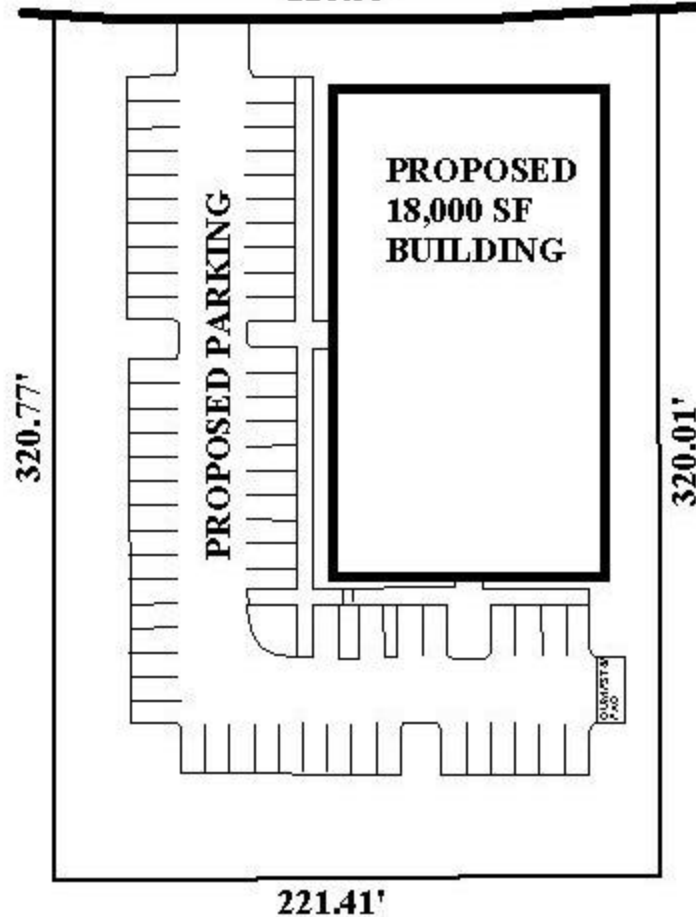
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SITE PLAN

COTTAGE HILL ROAD

220.00'



The site is located on the South side of Cottage Hill Road, 50' East of Blueridge Boulevard. The plan illustrates the proposed building and parking.

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USE/REQUEST Rezoning from R-2 to B-2



NTS