

**ZONING AMENDMENT &
PLANNING APPROVAL STAFF REPORT** **Date: September 16, 2004**

NAME Van Antwerp Realty Corp., Inc. (Steve Quinnelly, Agent)

LOCATION South side of Bear Fork Road, 400'± West of the South terminus of Goodman Avenue, extending to the North side of Eight Mile Creek.

**CITY COUNCIL
DISTRICT** District 1

PRESENT ZONING R-1, Single-Family Residential

PROPOSED ZONING I-1, Light Industry

AREA OF PROPERTY 16± Acres

CONTEMPLATED USE Outdoor shooting range
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** None given

**ENGINEERING
COMMENTS** Engineering requests dedication of Flood Plain easement along Eight-Mile Creek. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. 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).

REMARKS

The applicant is requesting rezoning from R-1, Single-Family Residential to I-1, Light Industry and Planning Approval to construct an outdoor shooting range. Outdoor shooting ranges are allowed with Planning Approval in I-1 districts.

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 site is adjacent to existing industrial zoning and development to the West, and the adjacent property has been zoned industrially since the adoption of the current Zoning Ordinance in 1967.

As illustrated on the vicinity map an application for B-5, for a large property to the West of the site was heard by the Commission on September 2nd. Both the staff and the Commission recommended denial of that rezoning.

While this application is for I-1, Light Industry, there are factors that distinguish this application from the B-5 request. While the property to the East is zoned residentially, it is undeveloped; in contrast, the B-5 request adjoined residential development, and access to those residences would have been via the proposed commercial site.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

There are concerns associated with the applications. First, the proposed shooting range would be an outdoor range and there are concerns regarding safety and noise. Additionally, while the site is large—16 acres, half of it consists of wetlands, floodplain and floodway, thus it is an environmentally sensitive area, and there is debris associated with a shooting range.

At this point, additional information regarding noise abatement, safety features and containment of debris, etc. is needed to adequately evaluate the applications.

RECOMMENDATION

Rezoning and Planning Approval Based upon the preceding, these applications are recommended for holdover to allow the applicant to submit additional information regarding noise abatement, safety features and containment of debris.