

**ZONING AMENDMENT STAFF REPORT****Date: February 5, 2004****NAME**

Mobile Housing Board (Stevens Gregory, Agent)

**LOCATION**

Northwest corner of Zeigler Boulevard and Middle Ring Road

**PRESENT ZONING**

B-2, Neighborhood Business and R-1, Single-Family Residential

**PROPOSED ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

7+ Acres

**CONTEMPLATED USE**

Single-Family residential subdivision

**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**

Begin construction in one year

**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). The applicant should note that the 30" Live Oak in the southeast corner requires approval and permitting from Urban Forestry for trimming or removal. Also, the 24" Live Oak on Zeigler Boulevard, in the city's right-of-way, requires a Mobile Tree Commission permit for trimming or removal. Additionally, as proposed access is not shown, coordination with and approval by Urban Forestry (in addition to all other required approvals and permit[s]) will be required for any curb cut(s) to Zeigler Boulevard.

**REMARKS**

The applicant is requesting rezoning from B-2, Neighborhood Business and R-1, Single-Family Residential to R-1, Single-Family Residential for a single-family residential subdivision.

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 proposes to develop the site with a single-family residential subdivision consisting of single-family homes on lots. The applicant goes on to state that the lots will comply with “all subdivision requirements such as lot sizes, streets, gutters, sidewalks, setback lines and any and all other requirements.” The applicant states that upon receiving rezoning approval, the following timeline is proposed: “advertising for architectural/engineering services, three (3) months; schematic design development and planning commission approval, four (4) months; construction documents, four (4) months; bidding, two (2) months; and construction one (1) year.”

The applicant did not submit a subdivision application, nor was a proposed lot layout submitted. However, as outlined above, the applicant is aware that subdivision approval is required, and during the subdivision process specific development issues such as limited or restricted access would be addressed.

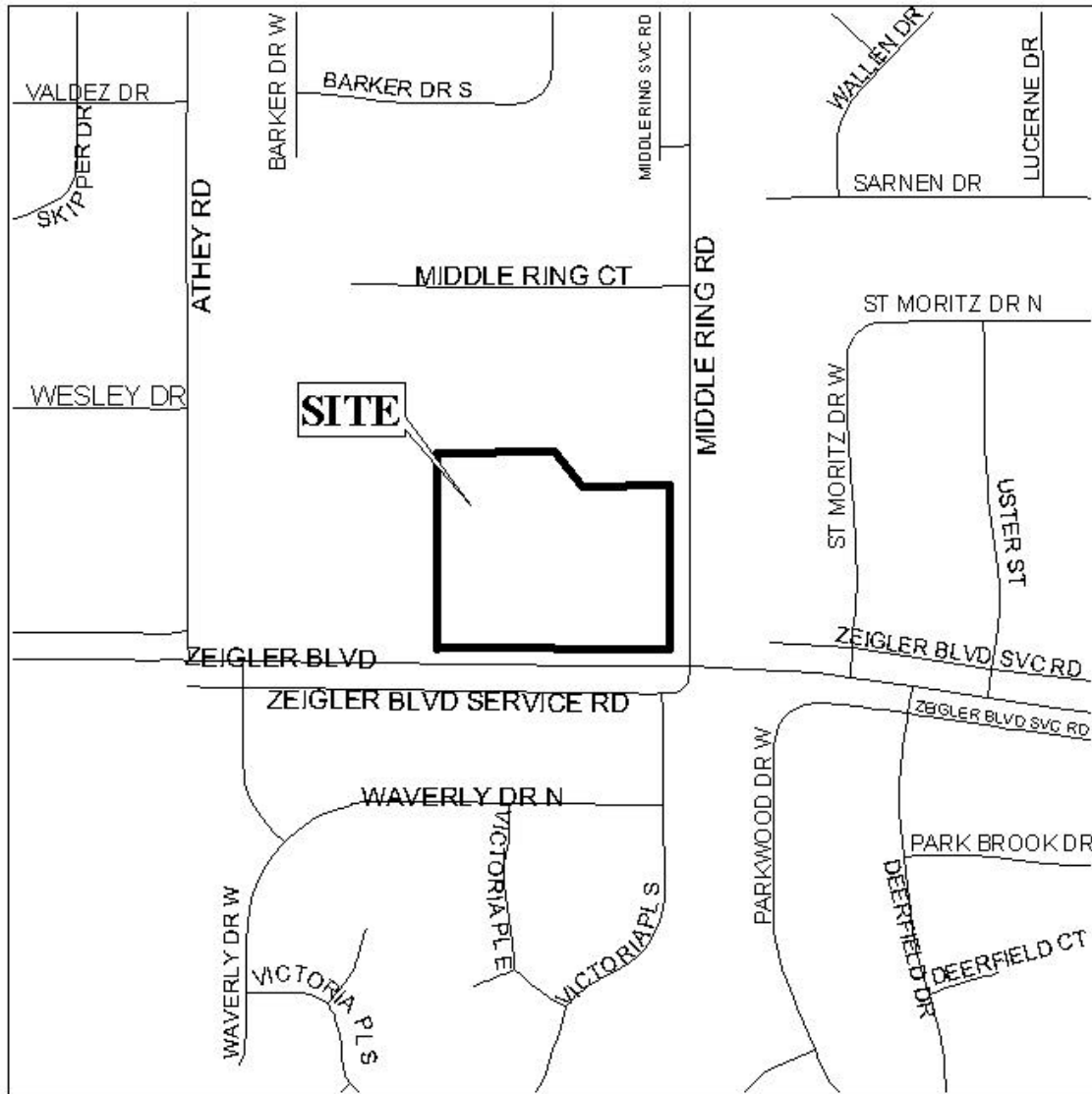
The site is located at the intersection of two planned major streets, and such sites are typically developed commercially. However, this site has been zoned B-2, Neighborhood Business since 1967 and the land has remained vacant. Alternatively, the other three corners were developed between 1960 and 1979, and are still occupied residentially.

The Zoning Ordinance requires commercial development to provide a buffer for adjoining residential properties. However, in this situation, the applicant knowingly proposes residential development adjacent to commercially zoning, thus to protect residents from possible future commercial development on the adjacent property, a buffer in compliance with the specifications cited in Section IV.D.1. should be required where the site adjoins commercial zoning.

**RECOMMENDATION**

Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) submission and tentative approval of a subdivision application within one year; 2) the provision of a buffer, in compliance with the specifications cited in Section IV.D.1. where the site adjoins commercial zoning; 3) compliance with the Urban Forestry Comments (30” Live Oak in the southeast corner requires approval and permitting from Urban Forestry for trimming or removal, the 24” Live Oak on Zeigler Boulevard, in the city’s right-of-way, requires a Mobile Tree Commission permit for trimming or removal, coordination with and approval by Urban Forestry [in addition to all other required approvals and permits] for any curb cut(s) to Zeigler Boulevard); and 4) full compliance with all municipal codes and ordinances.

## LOCATOR MAP

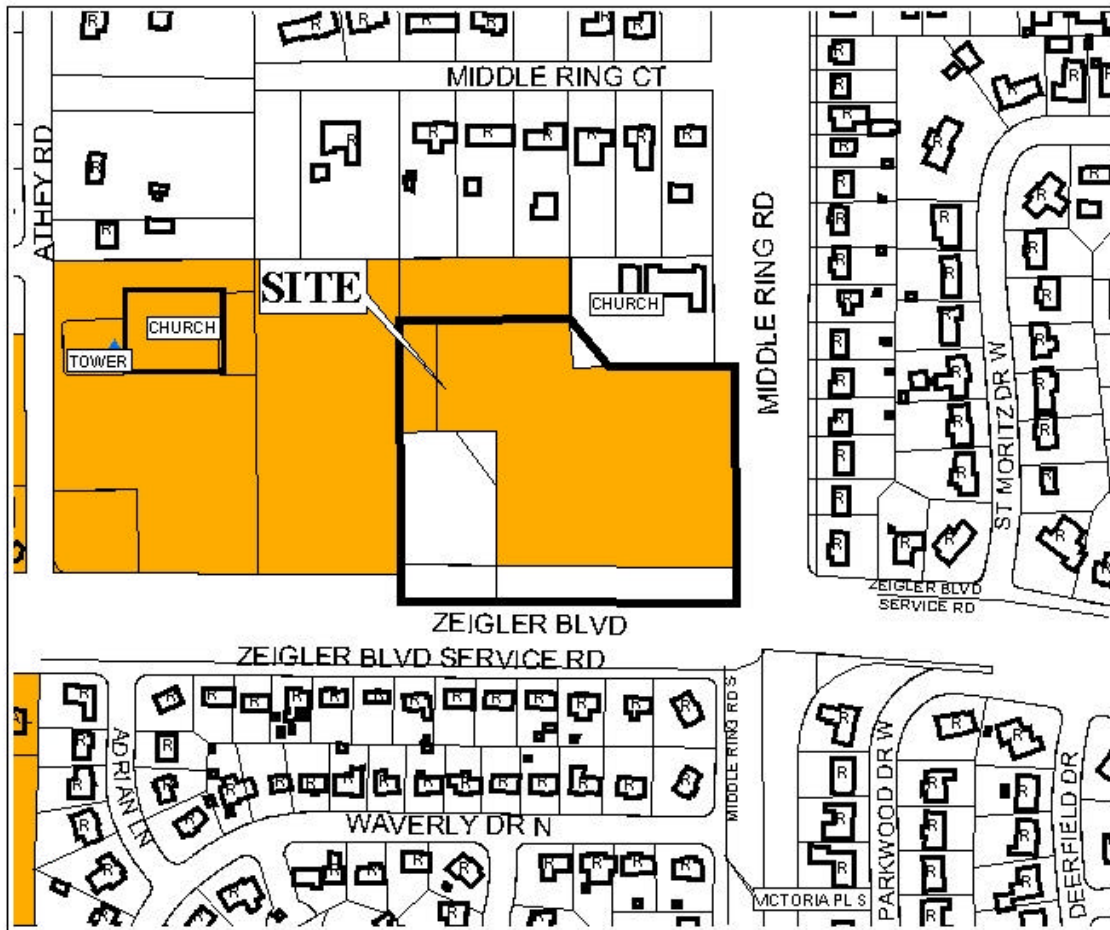


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 REQUEST Rezoning from B-2 to R-1



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# **PLANNING COMMISSION VICINITY MAP - EXISTING ZONING**



The site is surrounded by single-family residential units. A church is located to the west of the site.

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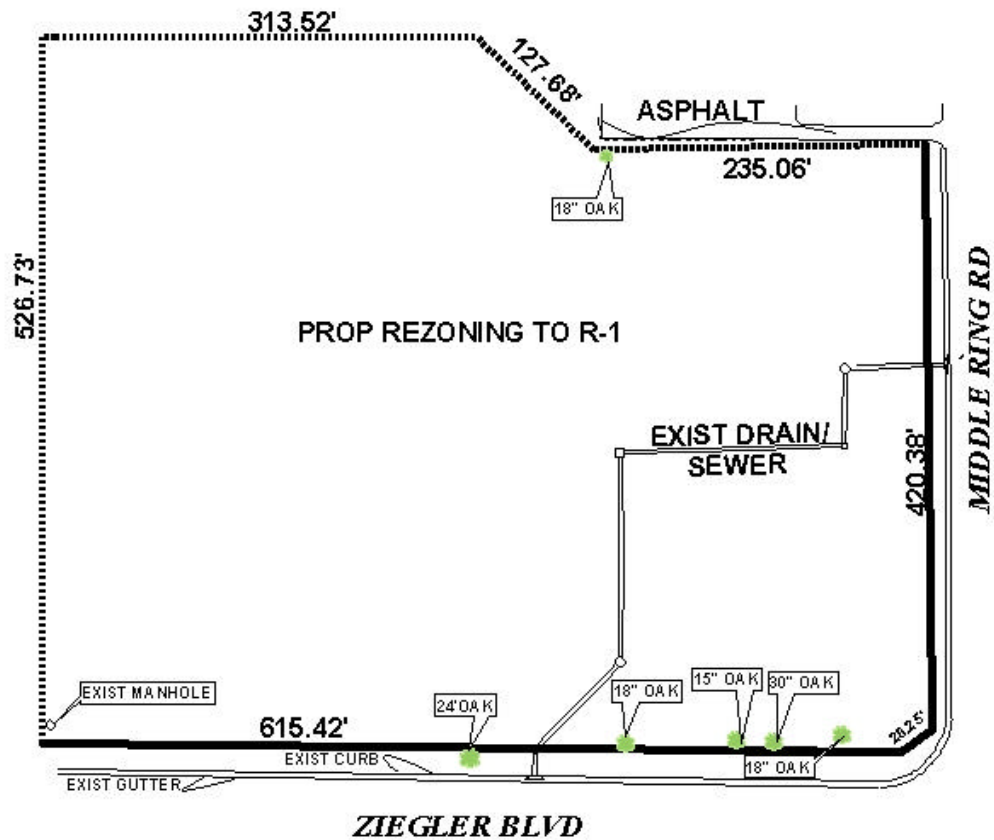
LEGEND

												
R-1	R-2	R-3	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 plan illustrates the existing landscaping, sewer, drainage, and utility structures.

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