

**REZONING STAFF REPORT****Date: February 17, 2005****APPLICANT NAME**

Russell Adcock

**LOCATION**

2411 Government Street

**CITY COUNCIL****DISTRICT**

District 3

**PRESENT ZONING**

B-2, Neighborhood Business

**PROPOSED ZONING**

B-3, Community Business

**AREA OF PROPERTY**

10,829 sq.ft.

**CONTEMPLATED USE**

Tattoo Parlor

**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**

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**

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 proposing primary use of the site as a tattoo parlor. The Zoning Ordinance requires a minimum of B-3 zoning this use. The applicant is currently operating a retail establishment which has tattooing as an accessory use – less than 35% of the overall business. The applicant wishes to expand the accessory use, thus requiring the change in zoning.

An application for a Use Variance was submitted and considered by the Board of Zoning adjustment on January 10, 2005. Variances are generally granted only in the case of a hardship associated with the property. The Board found insufficient evidence of an unnecessary hardship and denied the variance request.

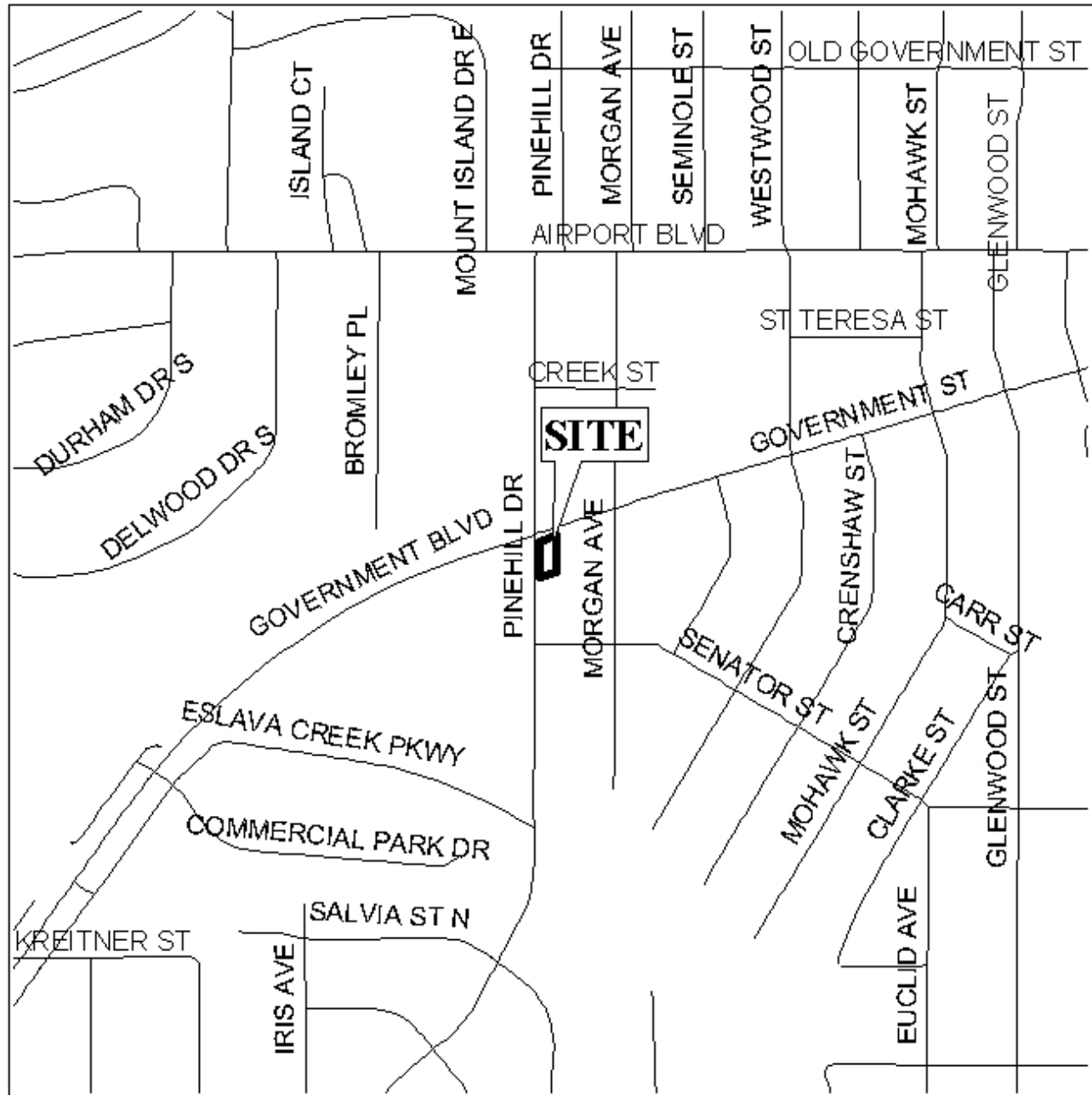
This area is shown on the General Land Use component of the Comprehensive Plan as commercial. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may consider individual cases based on 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 Northwest corner of Government Boulevard and Pinehill Drive was rezoned to B-3 several years ago to allow the expansion of an auto repair business. The general nature of much of Government Boulevard in this area is that of heavier or more intense commercial uses.

**RECOMMENDATION**  
application be approved.

Based on the preceding, it is recommended that this

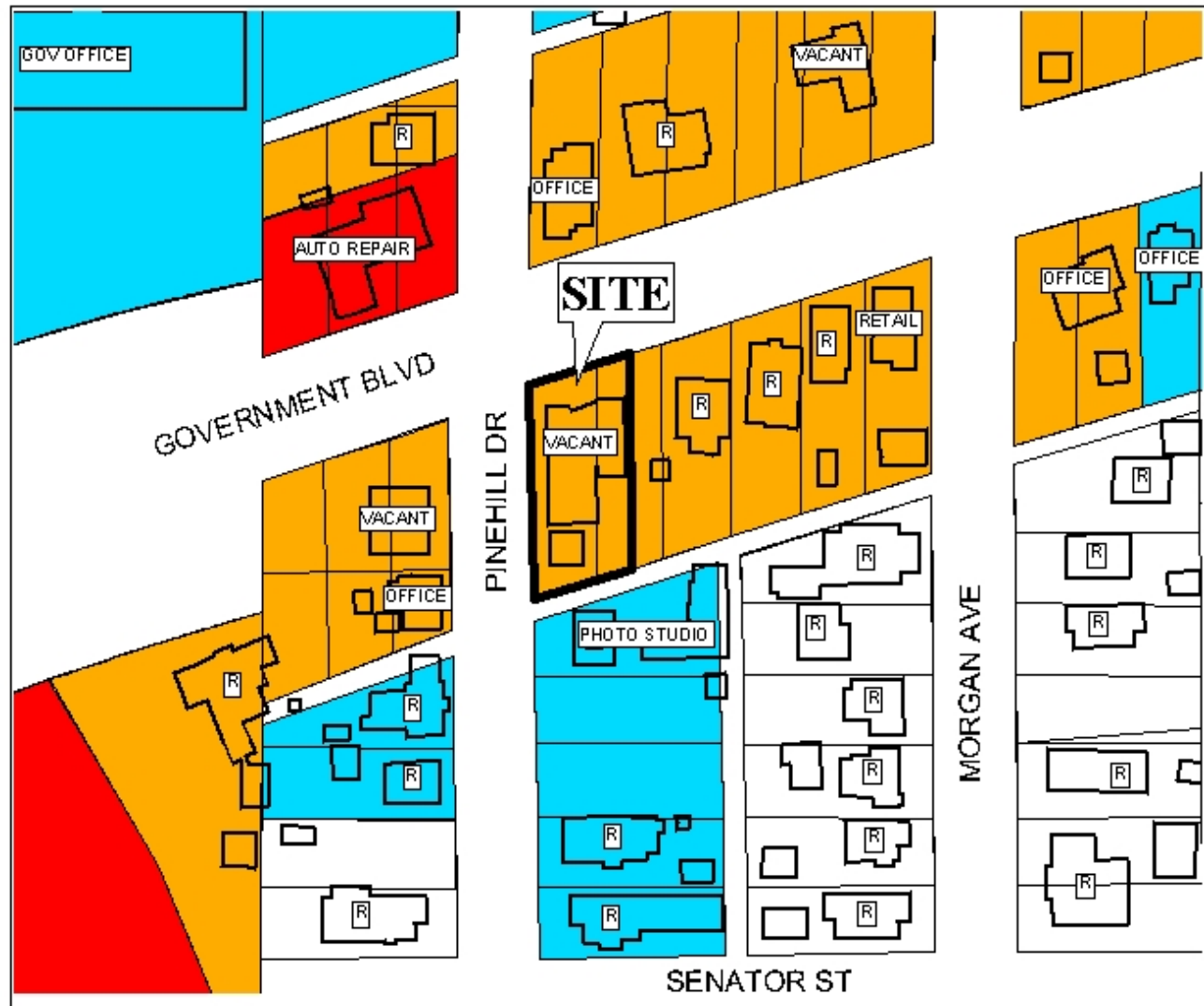
## LOCATOR MAP



APPLICATION NUMBER 13 DATE February 17, 2005  
APPLICANT Russel Adcock  
REQUEST Rezoning from B-2 to B-3

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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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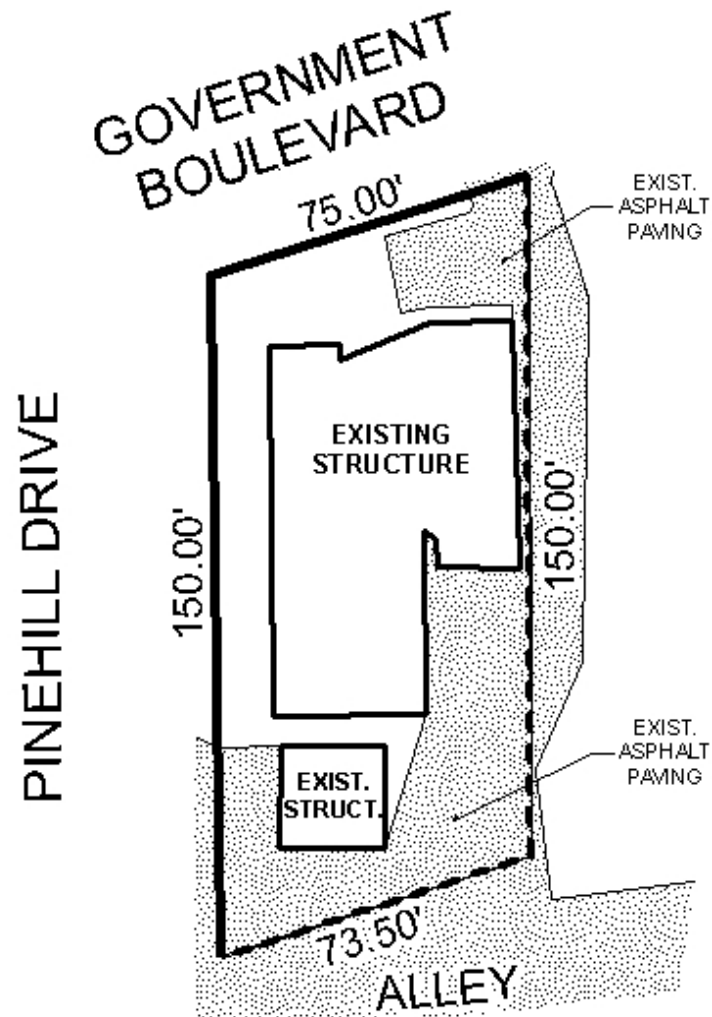
REQUEST Rezoning from B-2 to B-3

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 at the Southeast corner of Government Street and Pinehill Drive.  
The plan illustrates the existing structures and parking.

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