

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

Garrett Investments, LLC

LOCATION7 and 11 North Broad Street
(Northwest of Broad Street and St. Francis Street)**PRESENT ZONING**

B-4, General Business and B-1, Buffer-Business

PROPOSED ZONING

B-4, General Business

AREA OF PROPERTY

.5± Acres

CONTEMPLATED USE

Retail Sales

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**

Upon approval

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 B-1, Buffer-Business and B-4, General Business to construct a new retail building and associated parking, which are allowed by right in B-4 districts.

The site is illustrated as commercial 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 currently split-zoned, the B-4 portion has an existing building, and the B-1 portion has been used for associated parking (although it is unimproved). The applicant proposes to remove the existing 9,000 square foot building, and construct a new 5,000 square foot retail center with asphalt parking. With the new development the site must fully comply with the landscaping and tree planting requirements of the Ordinance.

Although the rezoning application is not site plan specific, there are some issues the applicant should keep in mind. First, the proposed site plan shows adequate parking for retail or office use; however, it is inadequate for a restaurant or bar. Secondly, there are no minimum setback requirements in B-4 districts; however, if a setback is provided it must be a minimum of five-feet.

Both Broad Street and St. Francis Street are major streets as illustrated on the Major Street Plan and have existing rights-of-way in compliance with the Plan. In terms of rezoning, the intersection of two major streets adjacent to the Central Business District is an appropriate location for B-4 zoning. However, because of the site's frontage on two major streets, access management is critical, especially since St. Francis Street is a one-way street; therefore, the location, number and design of all curb cuts should be approved by both Urban Development and Traffic Engineering.

In regard to the proposed subdivision, the plat will simply combine two parcels into one lot.

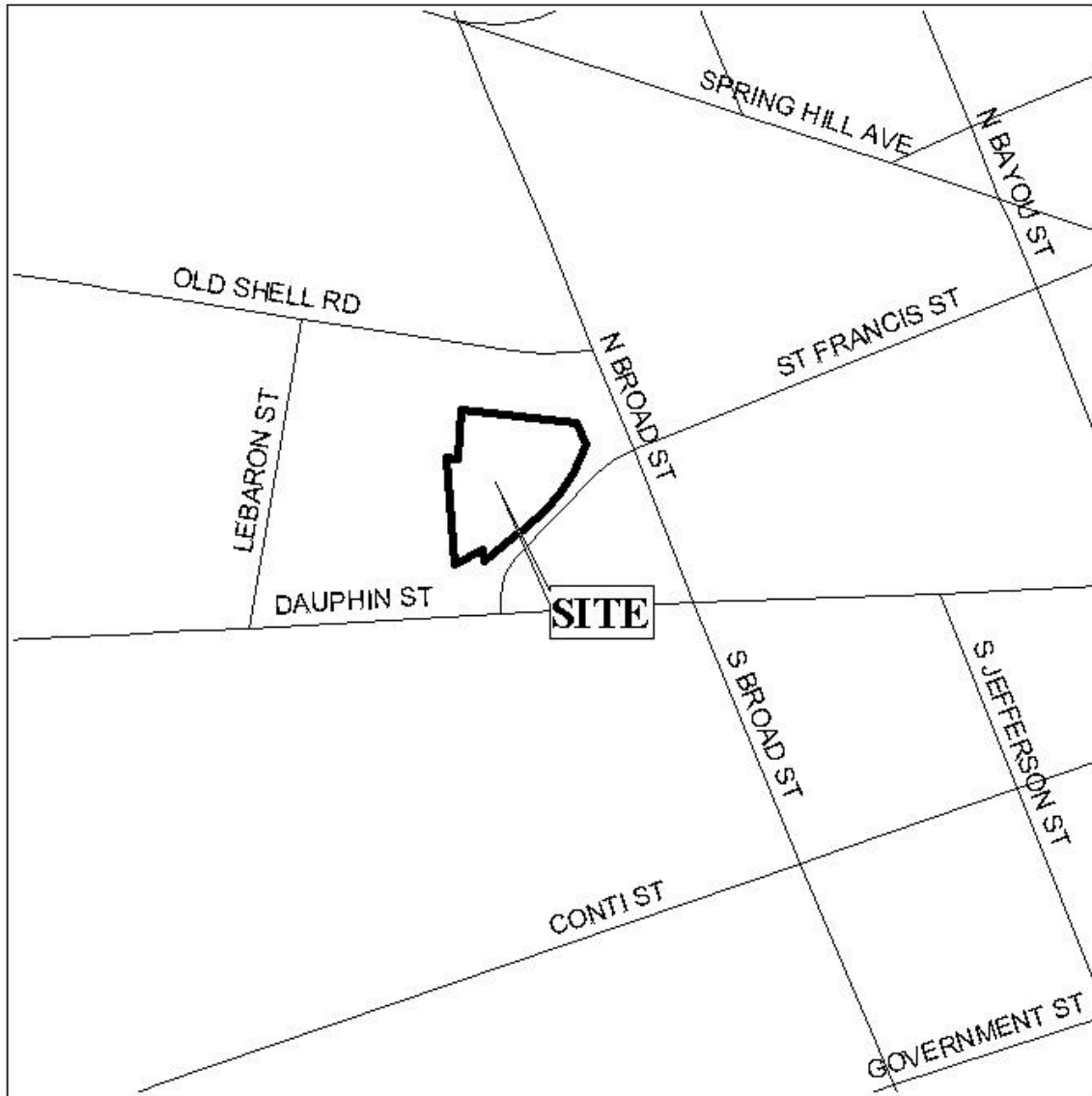
RECOMMENDATION

Rezoning: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the Ordinance; 2) the approval of Traffic Engineering and Urban Development for the number, location and design of all curb cuts; and 3) full compliance with all municipal codes and ordinances.

Subdivision: With modifications, the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following condition: 1) the approval of Traffic Engineering and Urban Development for the number, location and design of all curb cuts.

This application was heldover from the Commission's February 5th meeting to provide the applicant an opportunity to address concerns regarding compatibility with the surrounding area and explore site design options. Due to timing constraints, a revised site plan was not available at the time of mailout; however, the staff anticipates a revised plan prior to the Commission's meeting on February 19th, and if possible, revised plans and staff comments will be sent to Commission members prior to the meeting.

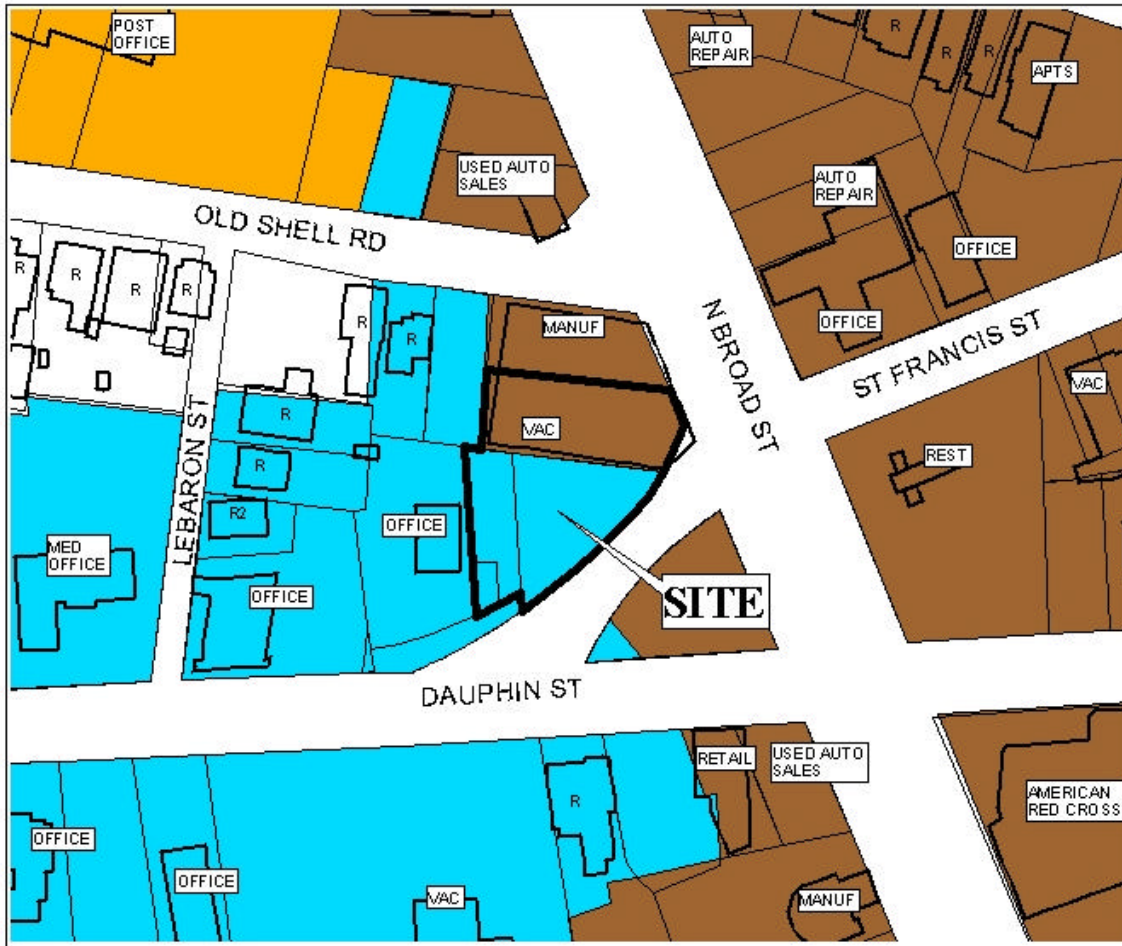
LOCATOR MAP



APPLICATION NUMBER 7 & 8 DATE February 5, 2004
APPLICANT Garrett Investments, LLC
REQUEST Rezoning, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous offices, restaurants, and manufacturers, with single family residential dwellings located to the West.

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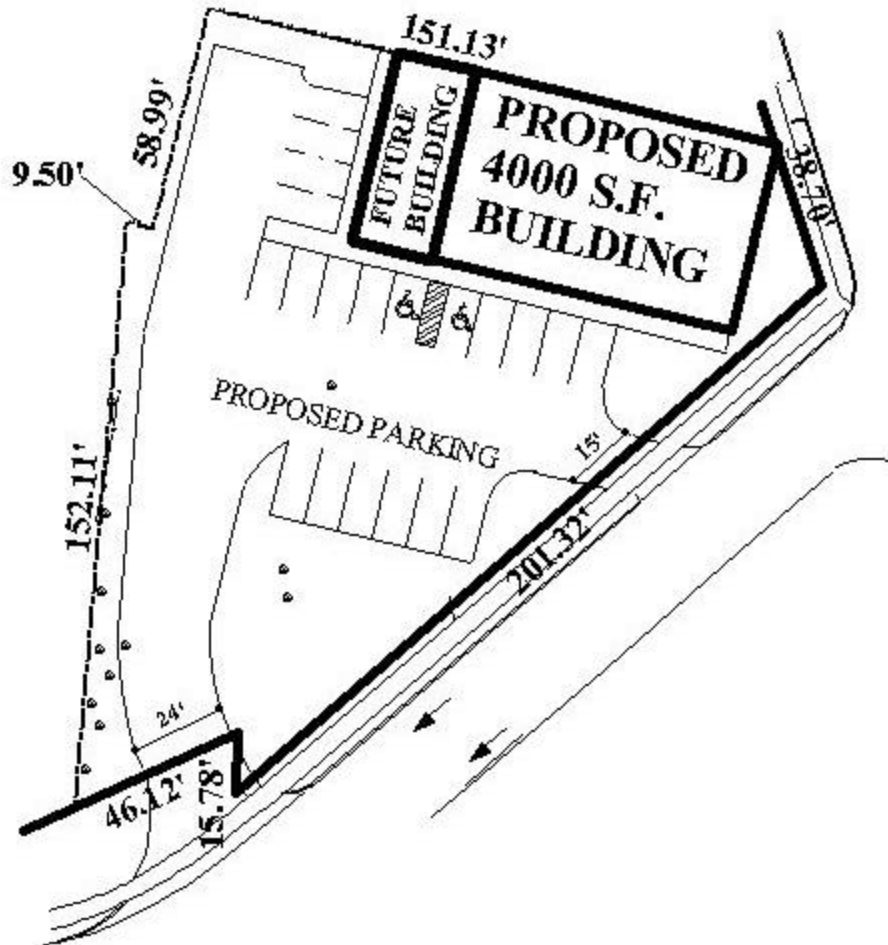
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LEGEND



SITE PLAN



The site is located on the Southwest corner of Broad Street and Old Shell Road, extending to the North side of St. Francis Street. The plan illustrates the proposed structure, future addition, and proposed parking.

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