

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: October 21, 2004****NAME**

South Florida Ceiling Systems (Joe Chambliss, Agent)

LOCATION

Property on the North side of Bruns Drive, 50'± West of its East terminus, and property 520'± South of Grelot Road, adjacent to the North side of Health Center Subdivision.

**CITY COUNCIL
DISTRICT**

District 6

PRESENT ZONING

B-2, Neighborhood Business

PROPOSED ZONING

B-3, Community Business

AREA OF PROPERTY

41.9± Acres

CONTEMPLATED USE

Eliminate split zoning for subdivision of property
It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning were 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**

As required by the Subdivision Regulations, the Engineer/developer should provide contours and all drainage features of site. All areas receiving public water should be defined to properly evaluate site for development and drainage easement requirements. 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 B-2, Neighborhood Business to eliminate split zoning for a proposed five-lot commercial subdivision.

The site is illustrated as residential on the General Land Use Component of the Comprehensive Plan. However, the Land Use Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development, allowing 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 zoning classification.

While a site plan with a proposed use was not provided, the immediate plan for the property is to sell a lot(s); to create a legal lot of record, subdivision approval is required. However, the property is split-zoned, thus rezoning is also needed. As illustrated on the Vicinity Map, the majority of the site West of Milkhouse Creek is zoned B-3, Community Business. Moreover, the site is at the intersection of two major streets, a typical location for a community business district. While the southeast corner of Lot 4 will technically adjoin single-family residential development, Milkhouse Creek and the corresponding floodway would restrict development in the area adjoining residential property. It should also be noted that the proposed Lot 5 is split-zoned and that rezoning of Lot 5 was not submitted; therefore, Lot 5 should not be recorded until the lot is rezoned to one zoning classification.

Both Grelot and Cody Roads are planned major streets, and Grelot Road has an existing right-of-way in compliance with the Major Street Plan. The right-of-way for Cody Road is illustrated as variable; therefore, the dedication of any necessary right-of-way to provide 50-feet from the centerline of Cody Road should be required. Additionally, as the site fronts two major streets, access management is a concern; therefore, coordination with and approval by both Urban Development and Traffic Engineering should be required for the location, number and design of all curb cuts.

As with any rezoning, when each lot is developed, full compliance with all municipal codes and ordinances will be required; including but not limited to full compliance with the landscaping and tree planting requirements of the Zoning Ordinance; provision of buffers where the site adjoins residential zoning; provision of sidewalks; and compliance with the City Engineering Comments referenced above.

RECOMMENDATION

Rezoning Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) dedication of any necessary right-of-way to provide 50-feet from the centerline of Cody Road, a planned major street; 2) coordination with and approval by both Urban Development and Traffic Engineering for the location, number and design of all curb cuts; 3) full compliance with the City Engineering

Comments (Engineer/developer to provide contours and all drainage features of site, all areas receiving public water be defined to properly evaluate site for development and drainage easement requirements, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit); and 4) full compliance with all municipal codes and ordinances including but not limited to compliance with the landscaping and tree planting requirements of the Zoning Ordinance, provision of buffers where the site adjoins residential zoning, and provision of sidewalks.

Subdivision Based upon the preceding, this application is recommended for Tentative Approval subject to the following conditions: 1) the elimination of split zoning prior to the recording of the final plat (lots may be recorded in phases); 2) dedication of any necessary right-of-way to provide 50-feet from the centerline of Cody Road, a planned major street; and 3) coordination with and approval by both Urban Development and Traffic Engineering for the location, number and design of all curb cuts.

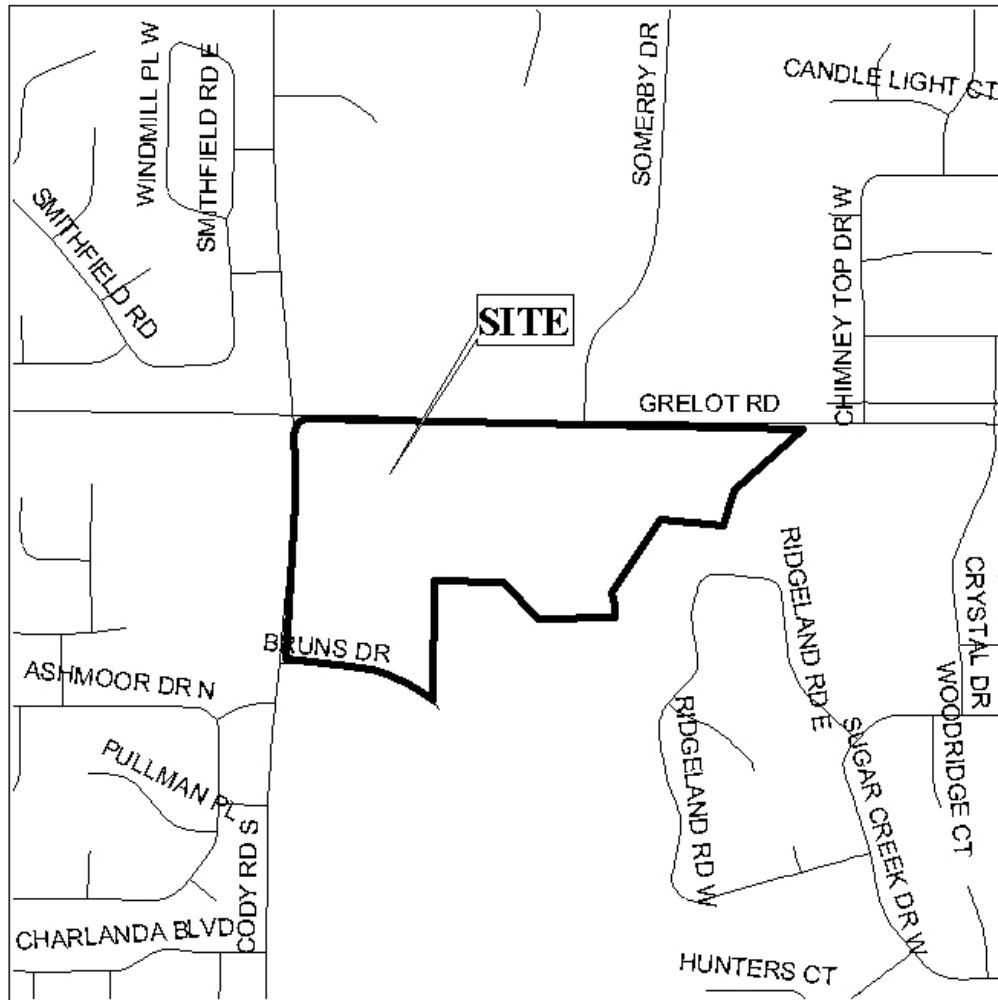
Revised for November 4th Meeting:

At the applicant's request, this application was heldover from the Commission's October 21st meeting. However, at the time of mailout no additional information had been submitted, and both applications are recommended for approval as outlined above.

Revised for the November 18th Meeting:

This application was heldover from the November 4th meeting to allow the applicant to submit Voluntary Conditions and Use Restrictions. At the time of mailout, the Voluntary Conditions and Use Restrictions form had not been submitted; however, it is anticipated that the form will be submitted prior to the meeting. Copies of the form and a revised recommendation will be provided to the Commission upon their receipt.

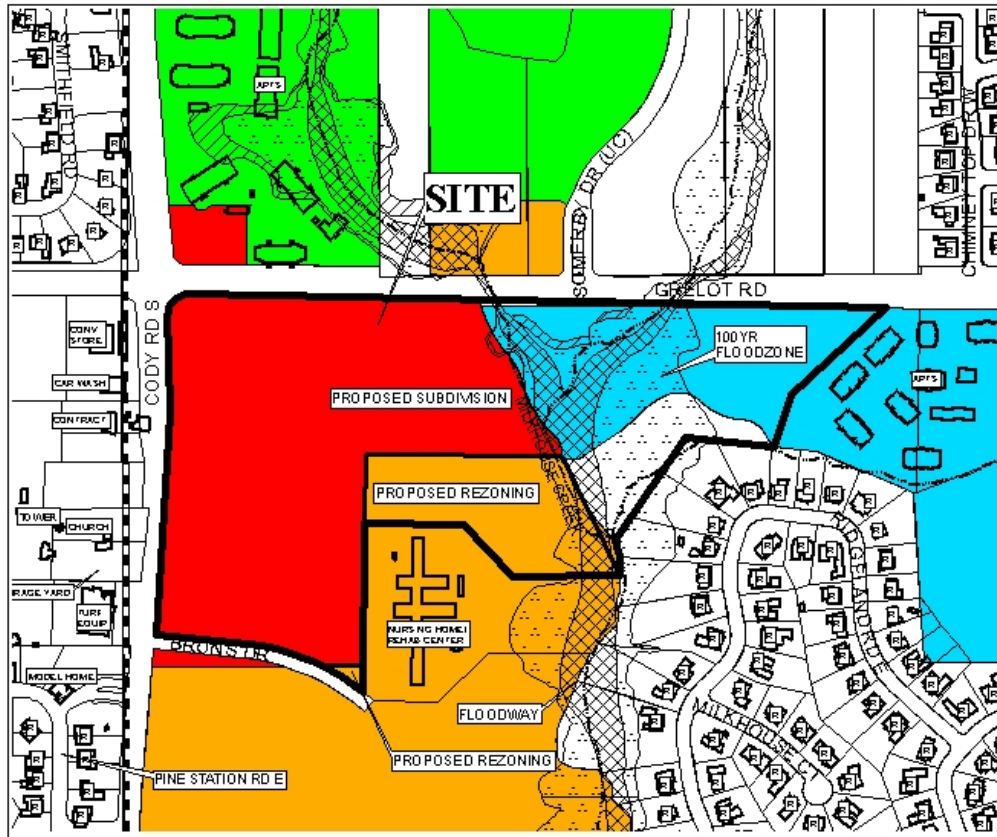
LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE October 21, 2004
APPLICANT South Florida Ceiling Systems (Joe Chambliss, Agent)
REQUEST Rezoning, Subdivision

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North and East of the site are single and multiple family residential dwellings; to the South of the site are single family residential dwellings and a medical facility. Located to the West of the site are miscellaneous offices, contractors, and church.

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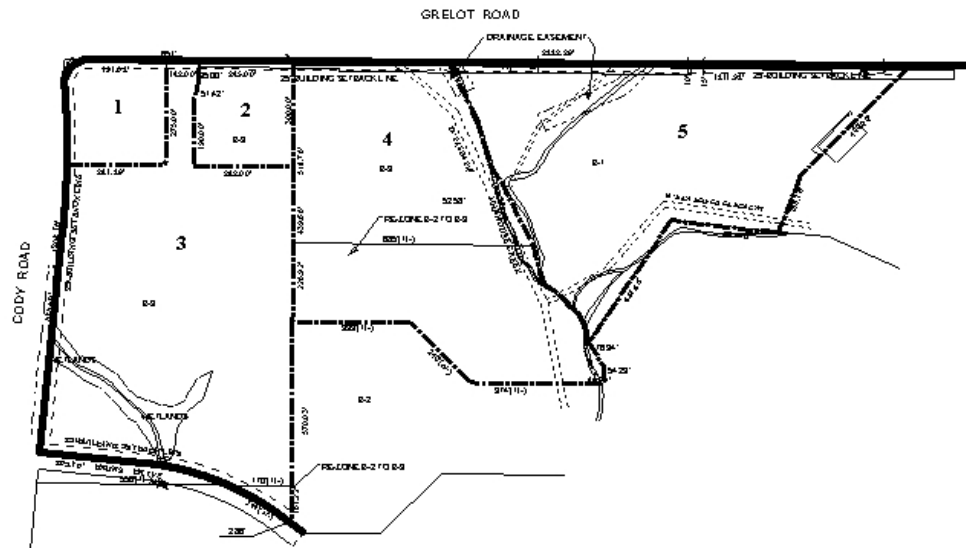
APPLICANT South Florida Ceiling Systems (Joe Chambliss, Agent)

REQUEST Rezoning, Subdivision

LEGEND



SITE PLAN



The site is located on the Southeast corner of Grelot Road and Cody Road, extending to the North side of Bruns Drive and the South side of Grelot Road, 750' West of the South terminus of Chimney Top Drive West. The plan illustrates the proposed rezoning and subdivision.

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 REQUEST Rezoning, Subdivision

