

**ZONING AMENDMENT &
PLANNED UNIT DEVELOPMENT
STAFF REPORT**

Date: March 17, 2005

NAME

Willie Shipman, Jr.

LOCATION

950 Baltimore Street and 1008 Marine Street
(Northwest corner of Baltimore Street and Marine Street)

**CITY COUNCIL
DISTRICT**

District 3

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

R-2, Two-Family Residential

AREA OF PROPERTY

.6± Acres

CONTEMPLATED USE

Duplexes with shared access between sites

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**

Compliance with stormwater ordinance will be required for all increases in impervious area since 1982. 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. Parking aisles should be widened to twenty-four feet to accommodate traffic flow.

**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 R-2, Two-Family Residential to allow an additional duplex; and Planned Unit Development (PUD) approval to allow shared access and parking between multiple building sites.

The applicant proposes to convert the existing vacant structure at the corner of Marine and Baltimore Streets to a duplex, with parking provided on an adjacent lot.

The rezoning site plan illustrates a three-lot subdivision (with the corner excluded), which was granted subdivision approval by the Commission in June 2004. When the subdivision was reviewed, the corner lot was not included because the applicant submitted documentation which established the corner lot as a nonconforming lot of record. At the time the 2004 application was made, the remainder of the property (excluding the corner) existed as three lots, and the Planning Commission simply approved a reconfiguration of the three lots. Based upon the zoning of the property, a single-family would be allowed on each lot; and the existing duplex on Marine Street could remain as a nonconforming use.

The current rezoning and PUD applications were submitted in January; however, there were problems with the applications. Urban Development staff met with the applicant's agent to review these concerns, but there are still problems with the applications.

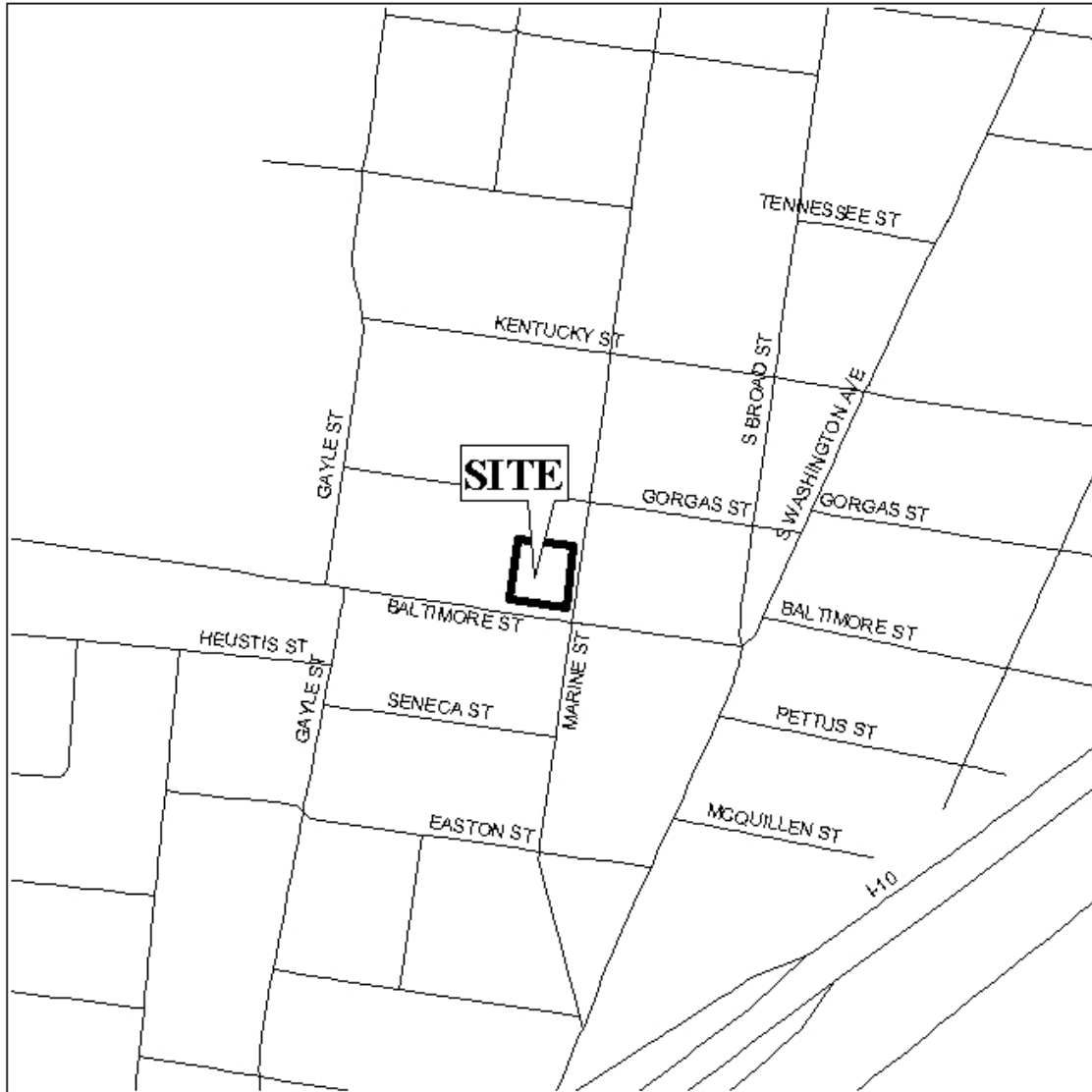
First, the legal description of the property, which defines the boundaries of the site, does not correspond to the site plans submitted by the applicant. The legal description of the property is reflected on the Vicinity Map and includes the vacant structure at the corner of Baltimore and Marine Streets, the existing duplex on Marine, a vacant lot north of the duplex, and an existing single-family residential structure on Baltimore Street. The site plan submitted for the rezoning is simply a copy of the recorded subdivision plat, and excludes the property at the corner. Furthermore, it does not illustrate any of the existing or proposed improvements. The site plan submitted for the PUD illustrates only illustrates the corner lot and the adjacent lot; it does not illustrate the overall site as defined in the legal description—it excludes the existing single-family home on Baltimore Street and the vacant lot on Marine Street.

The most serious concern pertains to the proposed rezoning request. While PUD approval allows the overall site area to be calculated toward density requirements; even if the entire site as defined by the legal description was used, the site would not comply with R-2 density. Additionally, the proposed site plan does not illustrate adequate maneuvering area for the parking lot.

RECOMMENDATION

Rezoning and Planned Unit Development: Based upon the preceding, these applications are recommended for denial for the following reasons: 1) the site does not comply with R-2 density; 2) the site plans submitted do not correspond to the legal descriptions submitted by the applicant; and 3) the site plan does not illustrate adequate maneuvering area for the parking facility.

LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE March 17, 2005

APPLICANT Willie Shipman, Jr.

REQUEST Rezoning, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single and multiple family residential dwellings.

APPLICATION NUMBER 1 & 2 DATE March 17, 2005

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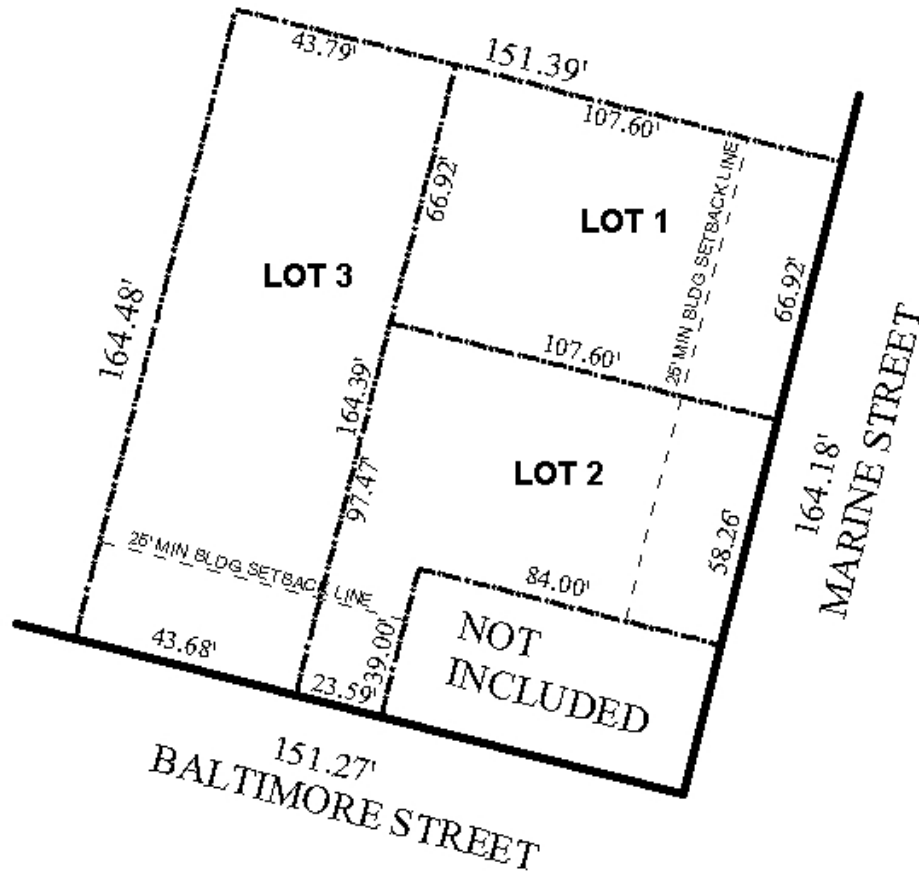
REQUEST Rezoning, Planned Unit Development

LEGEND



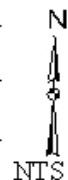
NTS

PROPOSED REZONING SITE PLAN

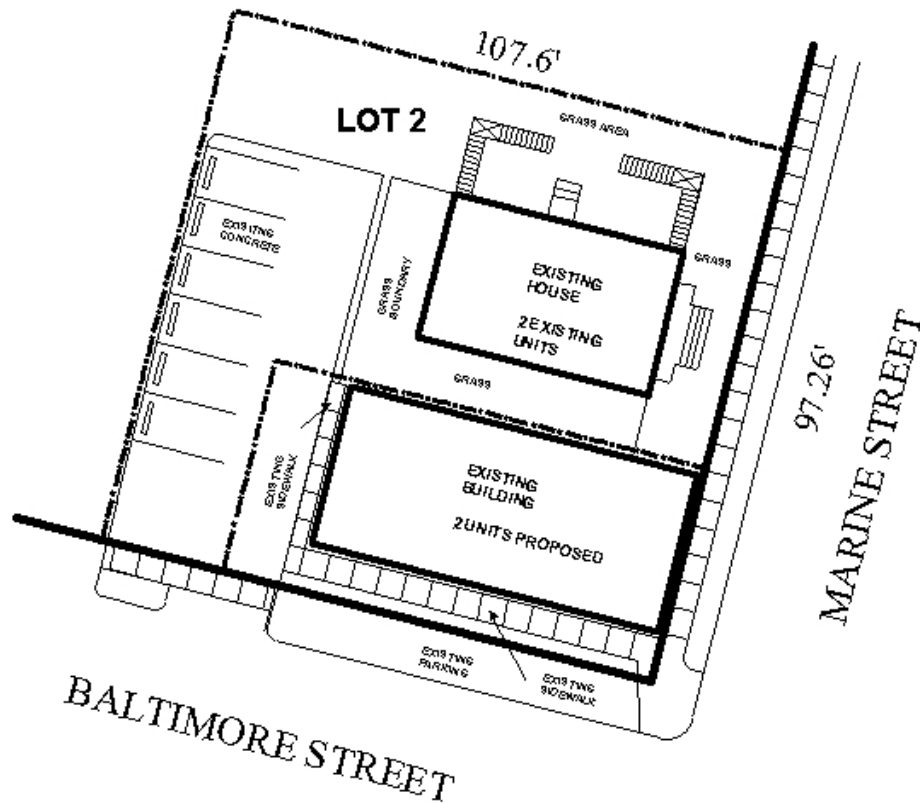


The site is located on the Northwest corner of Baltimore Street and Marine Street. The plan illustrates the proposed rezoning.

APPLICATION NUMBER 1 & 2 DATE March 17, 2005
APPLICANT Willie Shipman, Jr.
REQUEST Rezoning



PROPOSED PLANNED UNIT DEVELOPMENT SITE PLAN



The site is located on the Northwest corner of Baltimore Street and Marine Street. The plan illustrates the existing structures and parking.

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REQUEST Planned Unit Development

