

**REZONING &
SUBDIVISION STAFF REPORT****Date: June 1, 2006****APPLICANT NAME**M & D Development, LLC
(David Moore, Agent)**SUBDIVISION NAME**

Downtown West Addition to Airport Subdivision

LOCATION3869 Airport Boulevard and 4360 Downtowner
Loop North(South side of Airport Boulevard, 285'± East of
Downtowner Loop West, extending to the North
side of Downtowner Loop North, 180'± East of
Downtowner Loop West)**CITY COUNCIL
DISTRICT**

Council District 5

PRESENT ZONING

R-3, Bulti-Family Residential

PROPOSED ZONING

B-3, Community Business

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.

**REASON FOR
REZONING**Applicant is requesting rezoning of the site to
accommodate the proposed use and to prevent a split zone condition.**AREA OF PROPERTY**

2.0± acres 1 Lot

CONTEMPLATED USE

adjacent restaurant.

Expansion of parking facilities for and existing

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**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 (State Act 61-929 and City Code Chapters 57 and 64). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

REMARKS

The applicant is proposing the expansion of parking facilities for an existing restaurant. The proposed expansion is onto an adjacent property that is currently zoned R-3, Multi-Family Residential. The restaurant site, as well as the surrounding area, is zoned B-3, Community Business. Therefore, rezoning, to allow the proposed commercial use, and subdivision, to incorporate the two lots of record into a single lot of record, are required.

The R-3 property was previously zoned B-3, but was rezoned to R-3 in 2002, to allow development of an apartment complex. The proposed apartment complex was never built and the site remains vacant.

The site is shown as commercial on the General Land Use Plan component of the Comprehensive Plan.

The proposed parking facility is an expansion of an existing development. However, it is located on a vacant property that is at present a separate lot of record. While the proposed subdivision will incorporate it into the existing developed lot, compliance with the landscaping and tree planting requirements will be applicable to the undeveloped lot in its entirety.

While rezoning is not site plan specific, there are issues relating to the site plan submitted that should be addressed. The plan as proposed provides only five feet between the paved parking surface and the front property line. This is very limited area for frontage tree plantings as required by the Zoning Ordinance. Further, the plan as proposed does not provide landscaped areas adequate to meet the minimum requirements of the Zoning Ordinance. Therefore, if recommended for approval, the applicant should be aware that the recommendation does not constitute approval of the site plan.

RECOMMENDATION

Rezoning: Based on the preceding, the application is recommended for approval subject to the following condition: 1) full compliance with all municipal codes and ordinances, including but not limited to landscaping and tree plantings.

Subdivision The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval.

