

**REZONING &  
PUD STAFF REPORT**

**Date: December 18, 2001**

**APPLICANT NAME**

Stuart Alter

**DEVELOPMENT NAME**

Stuart Alter

**LOCATION**

**Rezoning:** East side of Garnett Avenue, 150' ± South of Spring Hill Avenue.

**PUD:** 1401 Spring Hill Avenue

(Southwest corner of Spring Hill Avenue and Garnett Avenue)

**PRESENT ZONING**

B-1, Buffer Business

R-1, Single-Family Residential

**PROPOSED ZONING**

B-1, Single-Family Residential

**AREA OF PROPERTY**

**Rezoning:** 9075± sq.ft.

**PUD:** 0.38 Acres

**CONTEMPLATED USE**

Expansion of Parking Facility for Existing Doctor's Office with Shared Access and Shared Parking Between Two Building 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**

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**

Urban Forestry would like to request that all work under the canopy of the 20" Live Oak in the southeast corner of the property is coordinated with Urban Forestry. 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 the expansion of parking facilities for an existing doctor's office. The proposed new parking facility is to be located on a lot that is currently zoned R-1, Single-Family Residential, and is separated from the Doctor's office by an alley.

Spring Hill Avenue is a major street as shown on the Major Street Plan and has an existing right-of-way in compliance with the plan. Access to the site is via Garnett Avenue, with no curb cuts to the major street. While this satisfies the issue of access management to the major street, Garnett Avenue is substandard in width. Therefore, dedication along Garnett Avenue sufficient to provide 25' from centerline would be appropriate. In addition, dedication of a 25' (minimum) radius at the intersection of Garnett Avenue and Spring Hill Avenue should be provided.

The General Land Use Plan Map designates areas as commercial, residential or industrial, and does not necessarily follow lot configurations; and, due to its scale, it is occasionally difficult to determine if a site is within an area as shown on the map. 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.

While the alley would typically serve as a line of demarcation for the commercial zoning, the properties to the East and West of the site are zoned B-1, Buffer Business. In fact, the existing B-1 districts extend much further to the South than is proposed by the applicant.

In 2002, the property to the East, across Garnett Avenue, was expanded to include an adjacent R-1 property which was rezoned to B-1. Conditions on the rezoning included dedication along Garnett Avenue and a radius at the intersection, full compliance with landscaping and tree plantings for the entire site, the provision of sidewalks, as well as full compliance with all municipal codes and ordinances. Screening of parking was not a specific condition because the properties across Garnett Avenue were zoned R-1, single-family residential and thus, screening would be required under the full compliance with all municipal codes and ordinances condition.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

The applicant originally planned to incorporate the alley into the site through a subdivision and provide alternative access for those other properties abutting the alley. However, as this is a platted alley, it could not be incorporated into the site and must remain open and unencumbered by the applicant's development.

The applicant is proposing the installation of a new 24' curb cut and drive to Garnett Avenue which will be inclusive of the alley, but will in no way impede use of the alley by others. In fact, access to the alley will be improved. The proposal also includes the provision of five parking spaces on the existing developed site – an improvement from the substandard facilities that presently exist, and 15 new spaces on the new lot South of the Alley.

Also shown on the plan is a future drive from the new parking facility to the adjoining lots on the North side of the Alley. This future access would be an improvement over the existing conditions because there are trees in the alley which render approximately ½ of it unusable. However, for the connection to be installed to those adjoining properties, an Administrative PUD will be required (it cannot be considered at this time because the adjoining properties were not included in the application).

The lot on Garnett Avenue is located within the Old Dauphin Way Historic District, and as such development plans and materials will be subject to Architectural Review Board Review. In addition, while the corner lot is not located within the district it is included in the PUD and as such is also subject to ARB review.

The property across Garnett Avenue is zoned commercially, and therefore the screening of the parking facilities is not an automatic requirement of the Zoning Ordinance. However, given the residential character of the remainder of Garnett Avenue and the fact that it is located within a historic district, screening would be appropriate.

### **RECOMMENDATION**

**Rezoning:** based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) dedication of sufficient right-of-way along Garnett Avenue to provide 25' from centerline; 2) screening of parking facilities; 3) provision of a 6' privacy fence along the South property line; 3) compliance with an approved PUD; and 4) full compliance with all municipal codes and ordinances, including but not limited to landscaping and tree planting requirements and provision of sidewalks

**Planned Unit Development:** based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) dedication of sufficient right-of-way along Garnett Avenue to provide 25' from centerline; 2) dedication of a 25'(minimum) radius at the intersection of Garnett Avenue and Spring Hill Avenue; 3) provision of a 6' privacy fence along the South property line; 4) denial of access to Spring Hill Avenue; 5) screening of parking facilities; 6) Parking aisles to be widened to twenty-four feet to allow two-way traffic flow; and 6) full compliance with all municipal codes and ordinances, including but not limited to landscaping and tree planting requirements and provision of sidewalks

## LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE December 18, 2003  
APPLICANT Stuart Alter  
REQUEST Rezoning, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North of the site are single and multiple family residential dwellings, and miscellaneous offices; to the East is a day care. Located to the South of the site are single family residential dwellings; to the West are miscellaneous offices and a restaurant.

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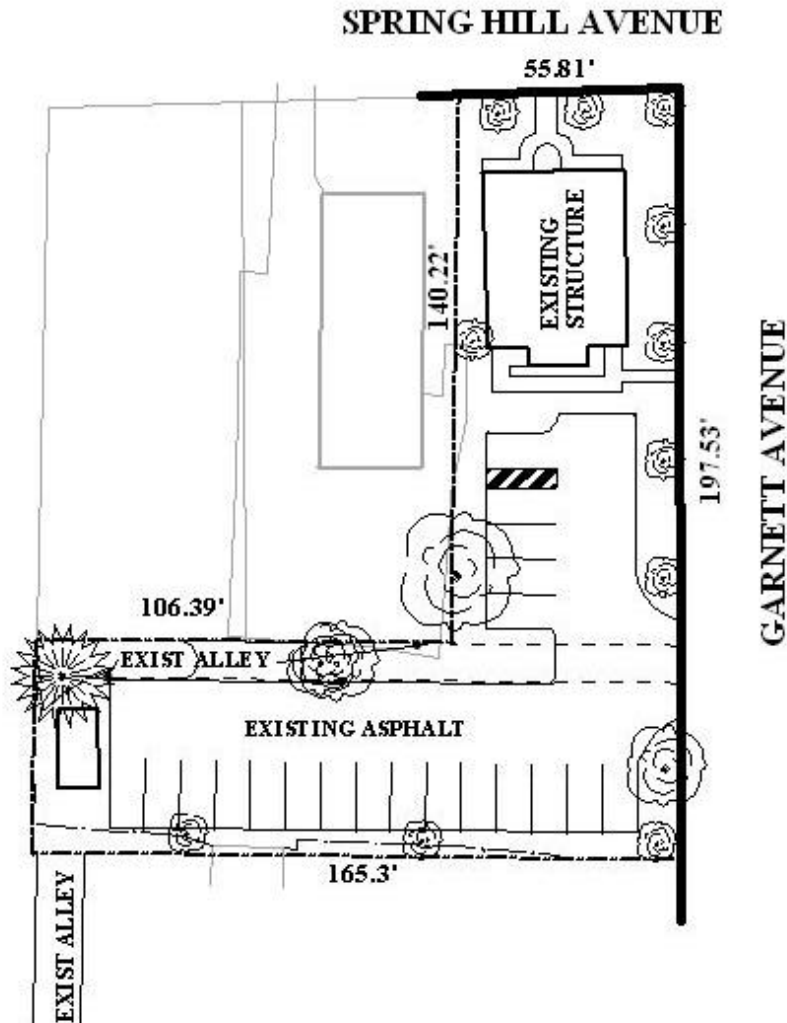
LEGEND



NTS



# SITE PLAN



The site is located on the East side of Garnett Avenue, 150' South of Spring Hill Avenue. The plan illustrates the existing structure and parking lot.

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USE/REQUEST Rezoning, Planned Unit Development

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