

**ZONING AMENDMENT &  
SUBDIVISION STAFF REPORT****Date: January 20, 2005****NAME**

Tam Nguyen

**SUBDIVISION NAME**LaLouisiana Plantation 2 Subdivision,  
Resubdivision of**LOCATION**2400 Airport Boulevard  
(North side of Airport Boulevard, extending from  
Pinehill Drive to Mount Island Drive East)**CITY COUNCIL  
DISTRICT**

District 5

**PRESENT ZONING**R-1, Single-Family Residential and B-2,  
Neighborhood Business**PROPOSED ZONING**

B-2, Neighborhood Business

**AREA OF PROPERTY**

1± Acre

**CONTEMPLATED USE**

Elimination of split zoning for a restaurant  
**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**

None given

**ENGINEERING  
COMMENTS**

Need note on the plat stating that storm water detention will be provided for all impervious surfaces when site is redeveloped. Site was previously developed in small portions and did not comply with COM Storm Water Ordinance. 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 R-1, Single-Family Residential and B-2, Neighborhood Business to B-2, Neighborhood Business to eliminate split zoning on a single site; and subdivision approval to consolidate multiple lots into one lot.

The site is predominately 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 overall site consists of multiple lots which were developed as a restaurant and associated parking. The majority of the parking area is located in an R-1 district and as there has been no record of business activity at the site in the past two years thus any nonconforming status associated with the parking area has been lost. Additionally, the applicant intends to consolidate all the lots; therefore, the entire site should be rezoned to one zoning classification.

As illustrated on the Vicinity Map, this area of Airport Boulevard is a mixture of commercial and residential. However, it should be noted that the lots fronting Airport are zoned commercially, the residential lots front the side street(s). Additionally, the site R-1 portion of the site has been developed commercially for over 20 years.

With the entire site being rezoned to one zoning classification, typically full compliance with the landscaping and tree planting requirements of the Ordinance is required. Additionally, as the site adjoins residential zoning to the North, the provision of a buffer, in compliance with Section IV.D.1. would be required where the site adjoins residential zoning. It should also be noted that full compliance with the Engineering Comments will be required prior to the issuance of any business license(s) for the site.

In regard to the resubdivision, the site fronts Airport Boulevard, a planned major street and as such a 100-foot right-of-way is required. When the R-1 portion of the site was recorded as one lot, that lot dedicated an additional 10-feet of right-of-way, which would only provide 40-feet from the existing centerline of Airport Boulevard. Additionally, it appears that the existing commercial area of the site has not dedicated any right-of-way for the future widening of Airport Boulevard; therefore, the dedication of any necessary rights-of-ways to provide 50-feet from the centerline of Airport Boulevard should be required for the entire site.

It should also be noted that Pinehill Drive has an existing right-of-way of 40-feet and as such is substandard in width; therefore, the dedication of additional right-of-way to provide 25-feet from the centerline of Pinehill Drive should be required. Additionally, as the site fronts a major street as well as minor residential streets, access management is a concern; therefore, the placement of a note on the final plat stating that the site is limited to one curb cut to Airport Boulevard should be required. It should also be noted that access to Pinehill Drive and Mount Island Drive is denied.

**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 for the entire site; 2) provision of a buffer, in compliance with Section IV.D.1., where the site adjoins residential zoning; 3) that the site be limited to one curb cut to Airport Boulevard, with the location and design to be approved by Traffic Engineering; 4) that the site be denied direct access to Pinehill Drive and Mount Island Drive; 5) completion of the subdivision process; 6) full compliance with the City Engineering Comments (the provision of storm water detention for all impervious surfaces when site is redeveloped, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit); 7) dedication of the necessary right-of-way to provide 50-feet from the centerline of Airport Boulevard, a planned major street; 8) dedication of the necessary right-of-way to provide 25-feet from the centerline of Pinehill Drive; and 9) 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 conditions: 1) dedication of the necessary right-of-way to provide 50-feet from the centerline of Airport Boulevard, a planned major street; 2) dedication of the necessary right-of-way to provide 25-feet from the centerline of Pinehill Drive; 3) placement of a note on the final plat stating that access to Pinehill Drive and Mount Island Drive East is denied, and that the site is limited to one curb cut to Airport Boulevard, with the location and design to be approved by Traffic Engineering; and 4) full compliance with the City Engineering Comments (the provision of storm water detention for all impervious surfaces when site is redeveloped, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit).

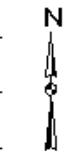
## LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE January 20, 2005

APPLICANT Tam Nguyen

REQUEST Rezoning from R-1 and B-2 to B-2, Subdivision



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the north and west of the site. Commercial sites are located to the east and south of the site. A park is located to the south of the site.

APPLICATION NUMBER 1 & 2 DATE January 20, 2005

APPLICANT Tam Nguyen

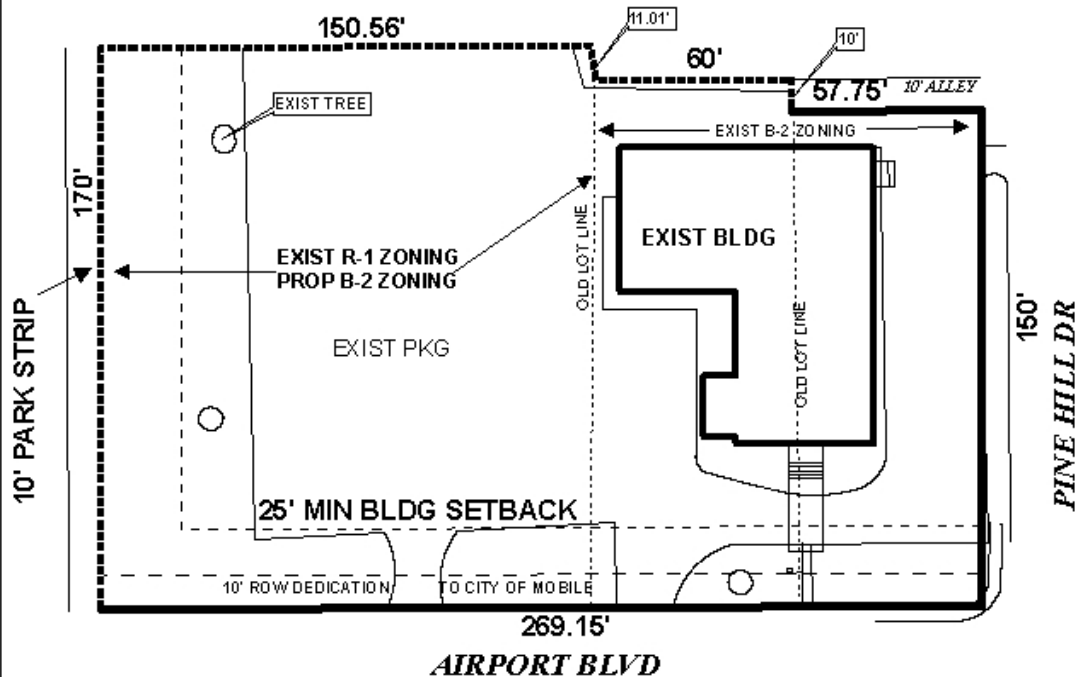
REQUEST Rezoning from R-1 and B-2 to B-2, Subdivision

LEGEND 

R-1	R-2	R-3	R-4	R-5	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	-----	-----	-----

 NTS

# SITE PLAN



The site plan illustrates the existing building, parking, and landscaping.

APPLICATION NUMBER 1 & 2 DATE January 20, 2005  
 APPLICANT Tam Nguyen  
 REQUEST Rezoning from R-1 and B-2 to B-2, Subdivision



NTS