

**ZONING AMENDMENT,
PUD, & SUBDIVISION STAFF REPORT****Date: June 1, 2006**

<u>NAME</u>	B. White-Spunner
<u>SUBDIVISION NAME</u>	A & H Subdivision
<u>LOCATION</u>	Southeast corner of Airport Boulevard and Hillcrest Road
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	R-1, Single Family Residential B-3, Community Business
<u>PROPOSED ZONING</u>	B-2, Neighborhood Business
<u>AREA OF PROPERTY</u>	10.9± acres, 2-lot
<u>CONTEMPLATED USE</u>	Drug Store 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.
<u>REASON FOR REZONING</u>	Eliminate split zoning on a single building site.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediately
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. The intersection improvements are part of a current ALDOT project. The improvements include an exclusive right turn lane for northbound Hillcrest Road and realignment of the right swing lane. Coordination should be made with ALDOT concerning these changes in the existing ROW.

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 approval to rezone a small portion of the site from R-1, Single Family Residential and B-3, Community Business, to B-2, Neighborhood Business, to allow a Drug Store; Planned Unit Development (PUD) approval, to allow shared access to multiple building sites; and Subdivision approval, to create a two-lot subdivision from two existing metes and bounds parcel and a portion of vacated right-of-way.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

This area is shown on the General Land Use component of the Comprehensive Plan as commercial. However, 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.

The applicant states that rezoning is necessary, due to the split zoning of proposed Lot 1, which is zoned commercially. This claim is supported by a review of zoning district map. It should also be noted that a portion (northeast corner) of the proposed Lot 1 is zoned R-1, Single-Family Residential, this portion was once a proposed 40-foot service road that was vacated by the applicant but was never included in previous rezoning cases. The site is currently flanked by B-3 properties to the East, West and South, and is directly across the street (Airport Boulevard) from B-2 districts. Rezoning the site to B-2 would allow the site (Lot 1) to be designated as one zoning district. Typically, rezoning is also subject to conformance with the accompanying PUD.

Regarding the PUD application, the applicant proposes shared access with the developed shopping center (Lot 2) and the proposed drug store (Lot 1).

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.

Parking and circulation provisions satisfy the requirements of the Zoning Ordinance, and having shared access to two building sites appears to pose no problem. Additionally, since the site is located at the intersection of two major streets, limiting the curb cuts as illustrated on the approved Planned Unit Development should be required.

Regarding the request to create a two-lot subdivision from two metes and bounds parcels and a portion of vacated right-of-way. The site is served by public water and sanitary sewer, and fronts Airport Boulevard and Hillcrest Road, which illustrate 140-foot right-of-way and 100-foot right-of-way respectively. Airport Boulevard and Hillcrest Road are shown as major streets on the Major Street Plan, requiring a 100-foot right-of-way.

RECOMMENDATION

Rezoning Based on the preceding, this application is recommended for approval, subject to the following conditions: 1) completion of the Subdivision process; 2) that the site be developed in compliance with an approved Planned Unit Development; 3) full compliance with the landscaping and tree planting requirements of the Ordinance for Lot 1; and 4) full compliance with all municipal codes and ordinances.

Planned Unit Development Based on 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 Lot 1; and 2) full compliance with all municipal codes and ordinances.

Subdivision The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval with the following condition: 1) a note be placed on the final plat limiting curb cuts to the approved Planned Unit Development.

LOCATOR MAP



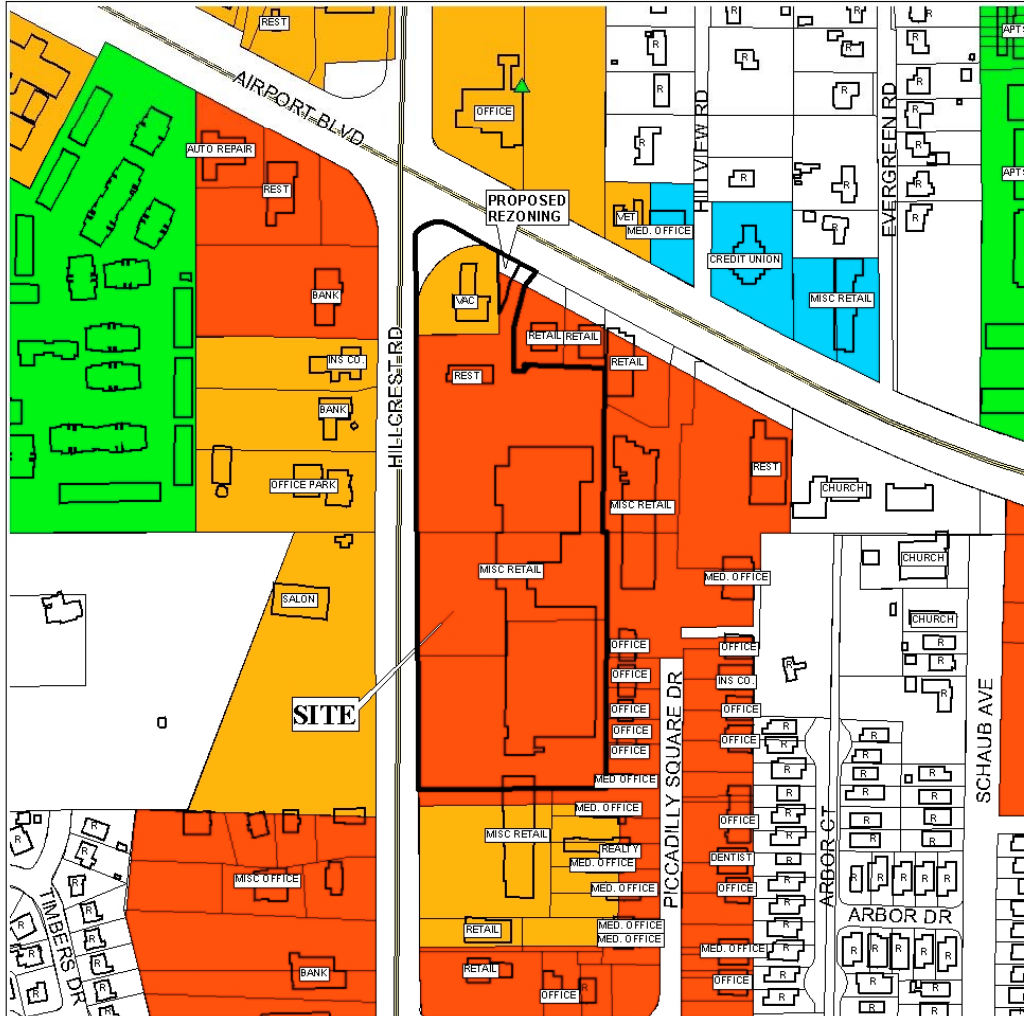
APPLICATION NUMBER 34 & 35 & 36 DATE June 1, 2006

APPLICANT B. White-Spunner

REQUEST Rezoning, PUD, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous offices and retail.

APPLICATION NUMBER 34 & 35 & 36 DATE June 1, 2006

APPLICANT B. White-Spunner

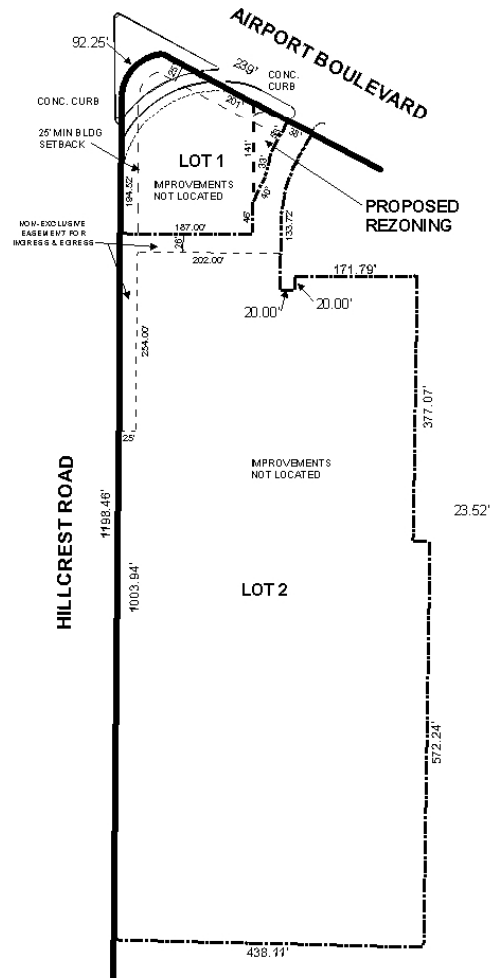
REQUEST Rezoning, PUD, Subdivision

LEGEND

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



SITE PLAN

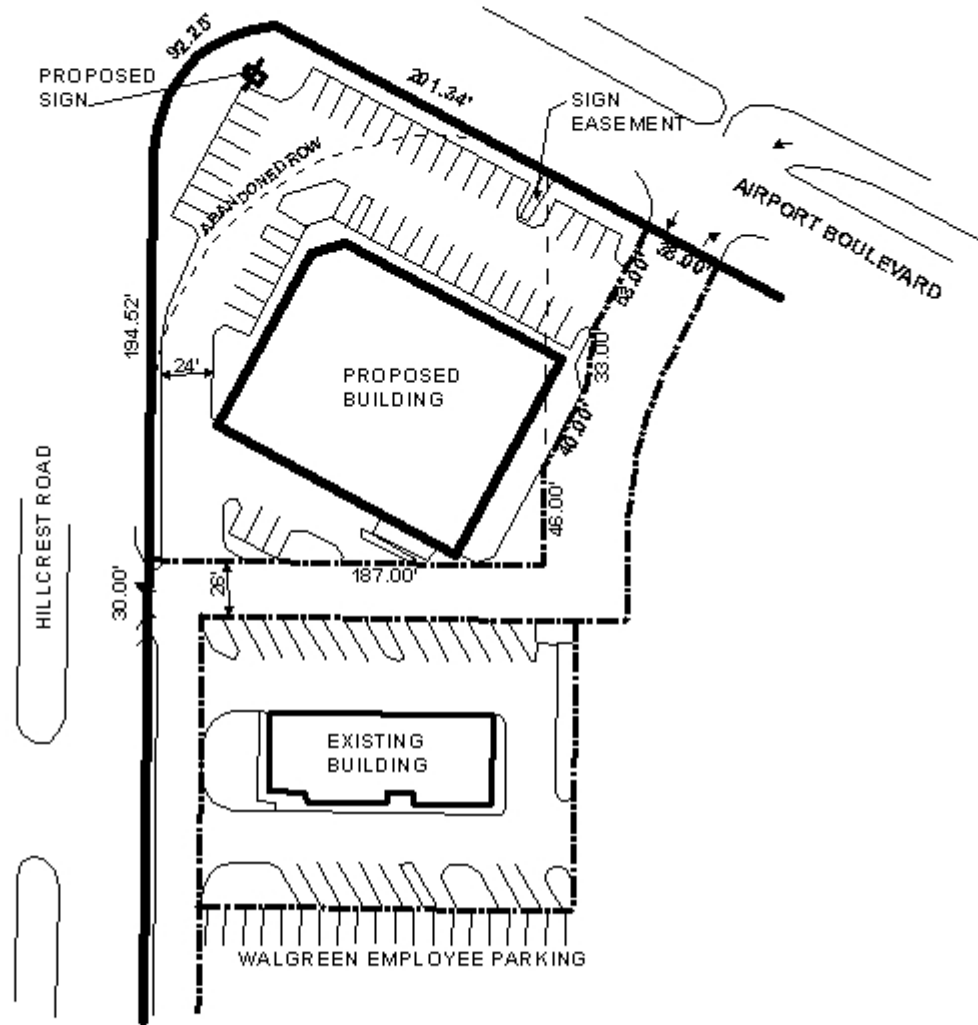


The site is located on the South side of Airport Boulevard, 200' East of Hillcrest Road.
The plan illustrates the proposed rezoning and subdivision.

APPLICATION NUMBER 34 & 35 & 36 DATE June 1, 2006
APPLICANT B. White-Spunner
REQUEST Rezoning, Planned Unit Development. Subdivision



SITE PLAN



The site is located on the South side of Airport Boulevard, 200' East of Hillcrest Road. The plan illustrates the existing building and parking, along with the proposed building and parking.

APPLICATION NUMBER 34 & 35 & 36 DATE June 1, 2006
APPLICANT B. White-Spunner
REQUEST Rezoning, PUD, Subdivision

