

**PLANNED UNIT DEVELOPMENT &  
REZONING STAFF REPORT****Date: February 21, 2008**

<b><u>APPLICANT NAME</u></b>	Ethel Catranis (Ben Cummings, Agent)
<b><u>DEVELOPMENT NAME</u></b>	Korbet Square (Revised)
<b><u>LOCATION</u></b>	2054 Government Street (South side of Airport Boulevard, 600'± West of Williams Street and extending through to Government Street)
<b><u>CITY COUNCIL DISTRICT</u></b>	Council District 2
<b><u>PRESENT ZONING</u></b>	B-2, Neighborhood Business B-3, Community Business
<b><u>PROPOSED ZONING</u></b>	B-3, Community Business
<b><u>AREA OF PROPERTY</u></b>	2.6± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared parking and access between multiple building sites, and Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District, to eliminate split zoning in a commercial shopping center.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Narrow existing driveway opening on Little Flower to a standard width of twenty-four feet. Eliminate parking adjacent to the drive-thru entrance and install curbing to at the entrance for delineation.

**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).

**FIRE DEPARTMENT****COMMENTS**

Area to be remodeled exceeds 50 % of the square footage of the building and would be required to meet the requirements for new construction.

**REMARKS**

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared parking and access between multiple building sites, and Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District, to eliminate split zoning in a commercial shopping center.

The Ordinance requires PUD approval for sites that have one or more buildings. As a portion of the overall site is split-zoned commercially, and contains multiple buildings, PUD and rezoning approvals are required.

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.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The site is bounded to the West by commercial businesses in B-2 and B-3 districts, to the North by a B-3 district, and to the South, by an existing church and school in an R-1 district. The Southwest portion of the block is B-2 zoned, with the remaining properties zoned B-3.

The site is depicted as 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 request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

As stated in Section 64-5. of the Zoning Ordinance, 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. PUD approval is site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

Generally, when a development such as this proposes a change of use – especially one that requires application(s) to the Planning Commission, the staff recommends the submission of all applications that would be required to “clean-up” any other issues with the development (multiple buildings, split zoning, etc). In this particular instance, it was the staff’s recommendation to the applicant that the developed site be rezoned to B-3, Community Business, to allow all proposed uses; however, since the site was a previously approved Planned Unit Development, the change in the parking and access between multiple building sites requires an amendment to the Planned Unit Development.

While the addition of a drive thru and the change of use to a restaurant use may seem insignificant, the addition of a drive thru, and the provision of additional parking spaces for an approximately 2,000 square-foot restaurant (based on load calculations provided in the application packet). Based upon the square footage of all buildings and the proposed uses (which is the measure upon which parking requirements for retail and restaurants are based), the minimum number of parking spaces required would be 114 (1 space/300 square feet of retail and 1 space/100 square foot of restaurant use). As illustrated on the site plan the development provides 166 spaces, which exceeds the minimum parking requirements of the Ordinance.

It has been the position of the Commission for many years when considering applications for Planned Unit Development Approval, to require some level of compliance of landscaping and tree plantings. The level of compliance has generally been related to the scale of the project, and frequently limited to the project area. It should be noted that the existing site does not meet the landscape and tree requirements of the Ordinance; however, the proposed plan does increase the overall landscaped area to within 700 square feet of meeting the requirement. Additionally, the site plan should be amended to add additional trees, with the number and type to be approved by Urban Forestry.

**RECOMMENDATION**      **Rezoning**      Based on the preceding, the application is recommended for Approval, subject to the following conditions:

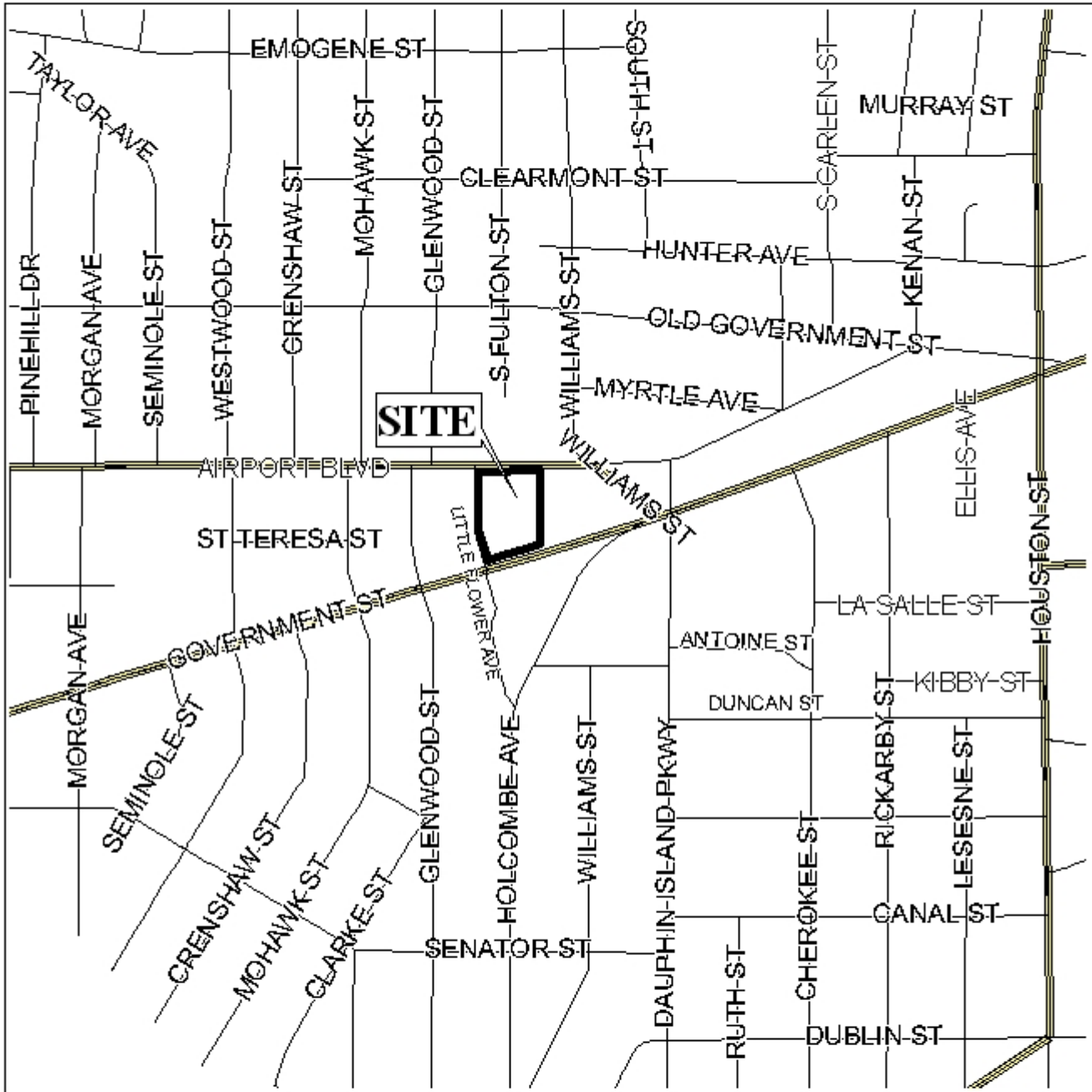
- 1) submission of a revised site plan illustrating the provision of Traffic Engineering comments;

- 2) provision trees, with the number, species and location to be approved by the Urban Forester; and
- 3) full compliance with all municipal codes and ordinances

**Planned Unit Development** Based on the preceding, the application is recommended for Approval, subject to the following conditions:

- 1) submission of a revised site plan illustrating the provision of Traffic Engineering comments;
- 2) provision trees, with the number, species and location to be approved by the Urban Forester; and
- 3) full compliance with all municipal codes and ordinances

## LOCATOR MAP



APPLICATION NUMBER 38 & 39 DATE February 21, 2008

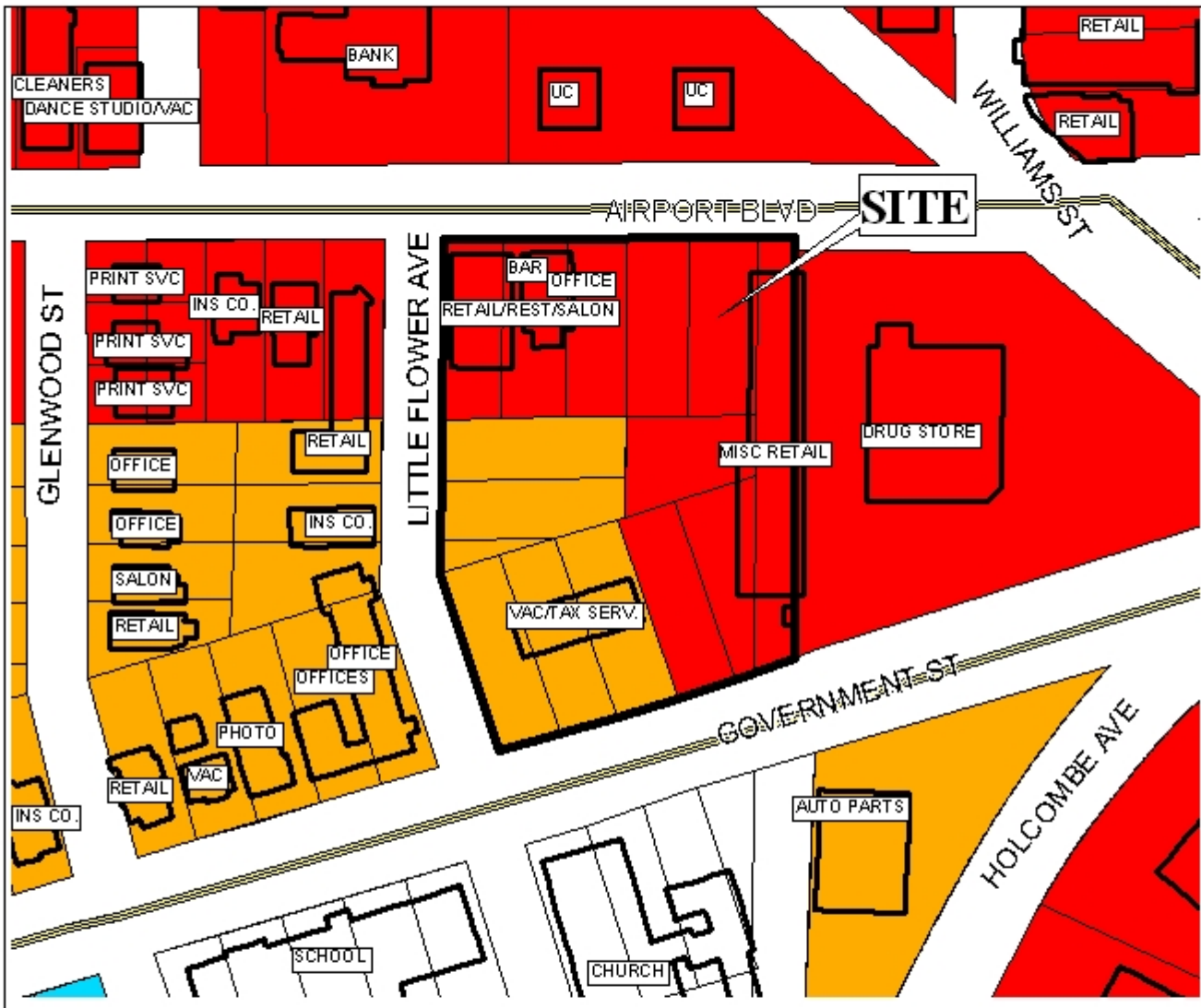
APPLICANT Ethel Catranis (Ben Cummings, Agent)

REQUEST PUD, Rezoning from B-2 to B-3



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are miscellaneous commercial land uses surrounding the site.

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REQUEST PUD, Rezoning from B-2 to B-3

LEGEND 

R-1	R-2	R-3	R-4	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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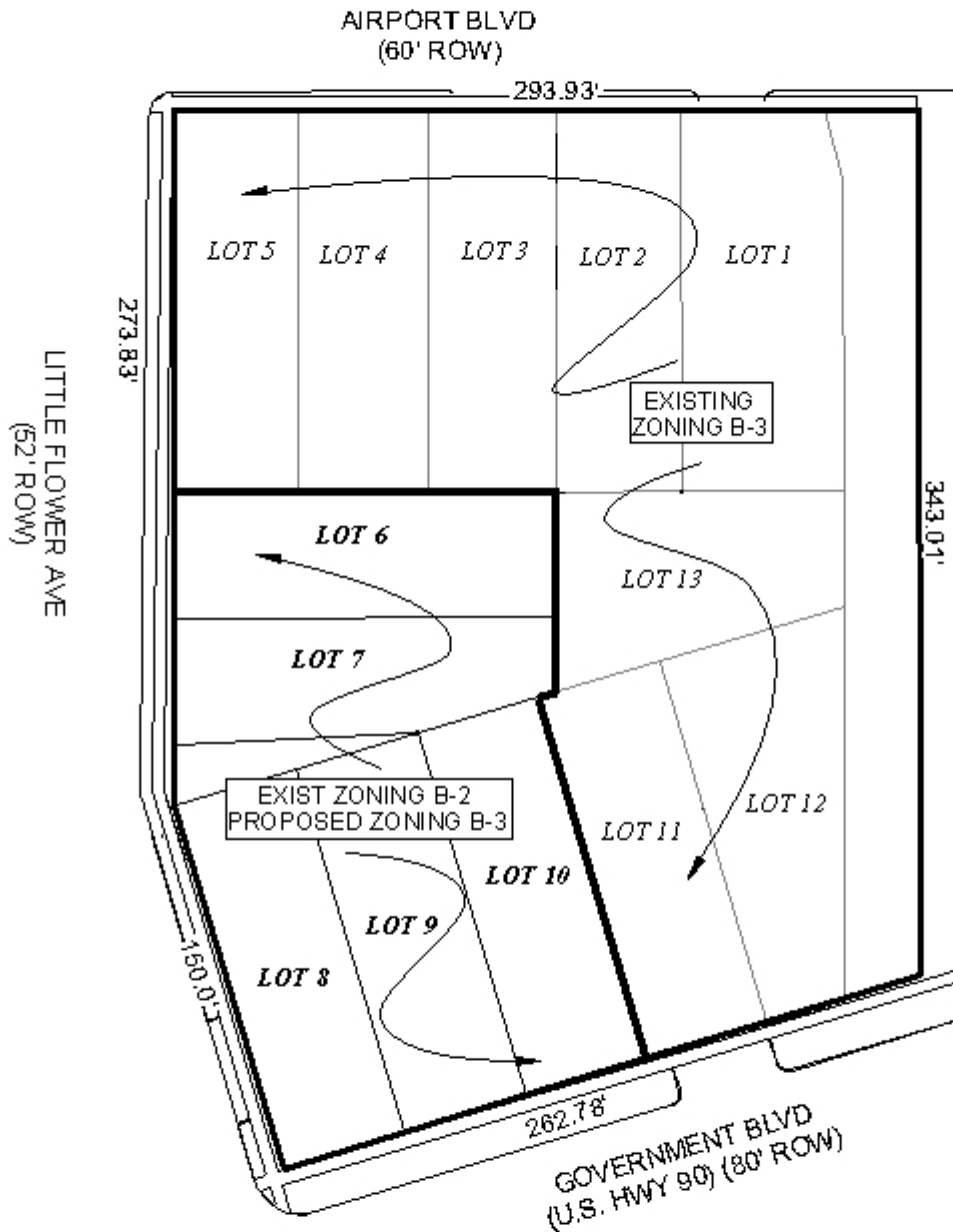
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## DETAIL SITE PLAN



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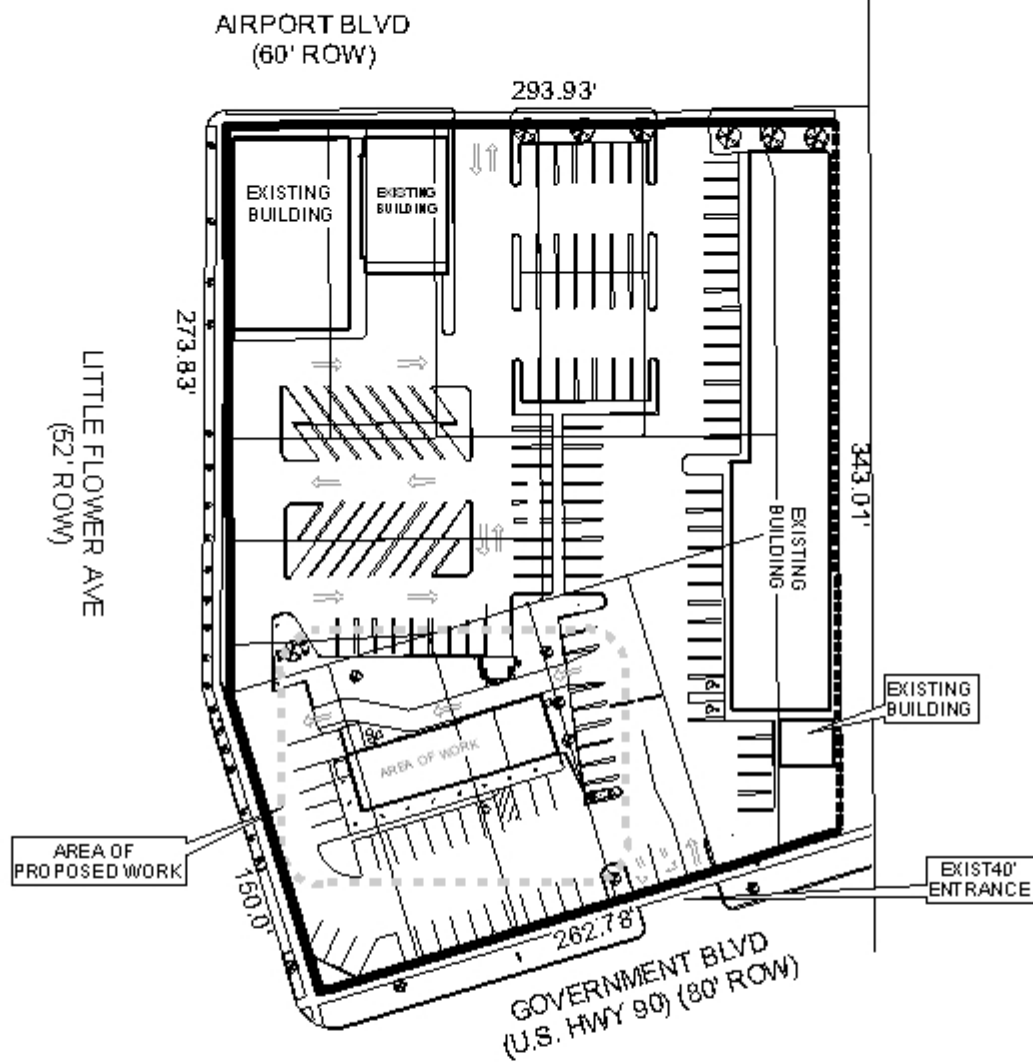
REQUEST PUD, Rezoning from B-2 to B-3



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# SITE PLAN



The site plan illustrates the existing buildings, proposed area of work, parking, and drives.

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 REQUEST PUD, Rezoning from B-2 to B-3



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