

**ZONING AMENDMENT &  
SUBDIVISION STAFF REPORT**

**Date: March 20, 2003**

**NAME** Wayne Hartung (M. Don Williams, Agent)

**SUBDIVISION NAME** 2869 Government Boulevard Subdivision

**LOCATION** 2869 Government Boulevard  
(Southwest corner of Government Boulevard and  
Thompson Drive)

**PRESENT ZONING** B-3, Community Business

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

**AREA OF PROPERTY** .8± Acres

**CONTEMPLATED USE** Automotive Paint and Body Shop  
**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 FOR DEVELOPMENT** Within Six Months

**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** All driveway widths and locations to be approved by Traffic Engineering; and design to meet AASHTO Standards

**REMARKS** The applicant is requesting rezoning from R-1 and B-2, to B-3, for an automotive paint and body shop; and subdivision approval to consolidate multiple parcels.

The existing zoning pattern corresponds with 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. However, 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.

As illustrated on the Vicinity Map, multiple parcels on the South side of Government Boulevard are split zoned B-2 and R-1; and this zoning district line was established prior to the adoption of the current Zoning Ordinance in 1967, and does not correspond with existing property lines or existing developments.

The Vicinity Map also illustrates that this portion of Government Boulevard is essentially a B-3 corridor. Although there are two B-2 zoning districts in the area, many of the sites are actually occupied with legal, nonconforming (grandfathered) B-3 uses.

Adjoining the site to the North is an existing substandard road—Thompson Drive, which has an existing right-of-way of 24-feet, thus the dedication of 13-feet, to provide 25-feet from centerline, should be required. It should be noted that the dedication would not impact the existing building (although it would increase the degree of the existing side street setback violation). Additionally, in order to provide access to the rear of the site, a curb cut to Thompson Drive would be required; however, it should be noted that there is an existing curb cut to Thompson which is needed already, as there is inadequate room for two-way traffic along the East side of the existing building.

The proposed use is a paint and body shop and as illustrated on the site plan, the building addition would be closer to the adjacent residence. Additionally, the rear area along Thompson Drive North is proposed for parking and storage of vehicles waiting for servicing, thus buffering and screening are critical. Therefore, a 20-foot landscaped buffer and an eight-foot wooden privacy fence should be required along the South property line (adjacent to residential development). Additionally, a six-foot wooden privacy fence, setback 25-feet, should be required along Thompson Drive North. The applicant proposes a six-foot wooden privacy fence, setback five feet along Thompson Drive, which is allowed by Section VI.A.3.i.; and it should be noted that screening in this area is not as crucial, as the site across Thompson Drive is not developed residentially.

Other issues to consider are noise, lighting, and possible paint spray outside the building. Due to this site's proximity to residential development, the applicant should provide thorough documentation regarding noise abatement, paint spray containment, and a lighting plan for the rear parking area; thus a holdover is recommended.

Regarding the subdivision application, the applicant is simply creating a legal lot of record, and the plat complies with the minimum requirements of the Subdivision Regulations. However, the two applications should be considered simultaneously, thus the subdivision is also recommended for holdover.

**RECOMMENDATION**

**Rezoning:** Based upon the preceding, it is recommended that this application be heldover to allow the applicant to submit thorough documentation regarding noise abatement, paint spray containment, and a lighting plan for the rear parking area. This information should be submitted by March 24<sup>th</sup> in order to be presented at the Commission's April 3<sup>rd</sup> meeting.

**Subdivision:** This application is recommended for holdover so that both applications (rezoning and subdivision) may be considered simultaneously.

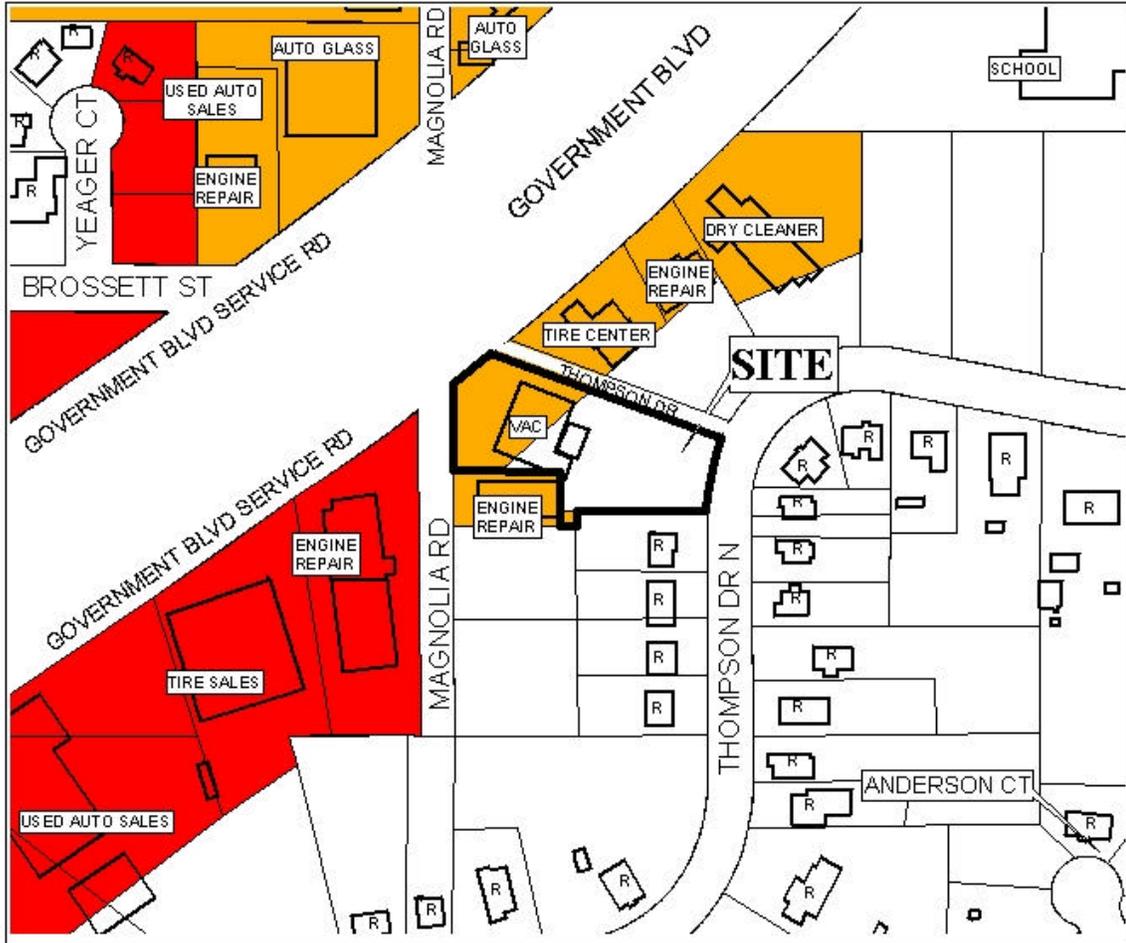
# LOCATOR MAP



APPLICATION NUMBER 5 & 6 DATE March 20, 2003  
APPLICANT Wayne Hartung (M. Don Williams III, Agent)  
REQUEST Rezoning and Subdivision



## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North and West of the site are miscellaneous retail and engine repair shops; to the East and South of the site are single family residential dwellings.

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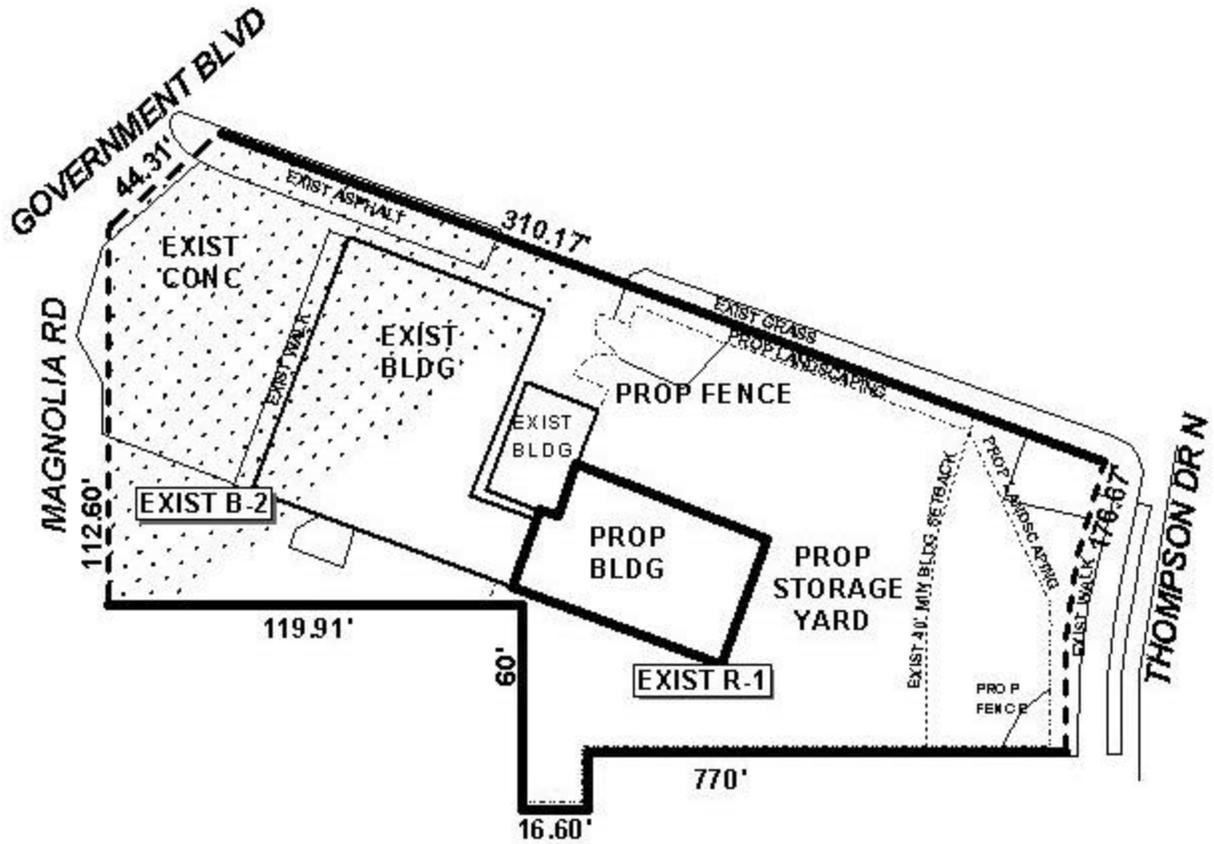
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LEGEND



# SITE PLAN



The site plan illustrates the proposed building, landscaping, storage yard location, fencing, and existing buildings, and existing surfaces.

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USE/REQUEST Rezoning from B-2 and R-1 to B-3, Subdivision

