

**REZONING &
SUBDIVISION STAFF REPORT****Date: August 21, 2003****APPLICANT NAME**

E. L. Giles, Jr.

SUBDIVISION NAMETotal Touch Child Care Development Center
Subdivision**LOCATION****Subdivision:** West side of Stanton Road, extending from the South side of King Street to the North side of Hart Avenue.**Rezoning:** South side of King Street extending to the North side of Hart Avenue, 110'± West of Stanton Road**PRESENT ZONING**

R-1, Single-Family Residential

PROPOSED ZONING

B-2, Neighborhood Business

AREA OF PROPERTY**Subdivision:** 1.0± Acres 1 Lots**Rezoning:** 14,850± Sq.Ft.**CONTEMPLATED USE**

Child Day Care Facility

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.

**TRAFFIC ENGINEERING
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 (City Code Chapters 57 and 64 and State Act 61-929).

REMARKS

The site is currently six lots of record, four of which are zoned B-2, Neighborhood Business. The applicant is proposing to combine the lots into one legal lot of record and develop it as a day care facility. Day Care facilities are allowed in B-1 districts with Planning Approval, and in B-2 districts by right. As four of the six lots are zoned B-2, the applicant is requesting the remaining two lots be rezoned to B-2 as well.

This area is shown on the General Land Use component of the Comprehensive Plan as residential. 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.

In this particular instance, the proposed B-2 zoning would be an expansion of an existing B-2 district.

There are, however, concerns relating to specifics of the proposed development. First is the number of curb cuts proposed. The site plan submitted illustrates two curb cuts to Stanton Road, and one curb cut each to King Street and Hart Avenue. While the Stanton Road is not a major street in front of the site, it becomes one at its intersection with Florida Street Extension (which is at the Southeast corner of the site). Therefore, a limitation on the number of curb cuts near this intersection would be appropriate.

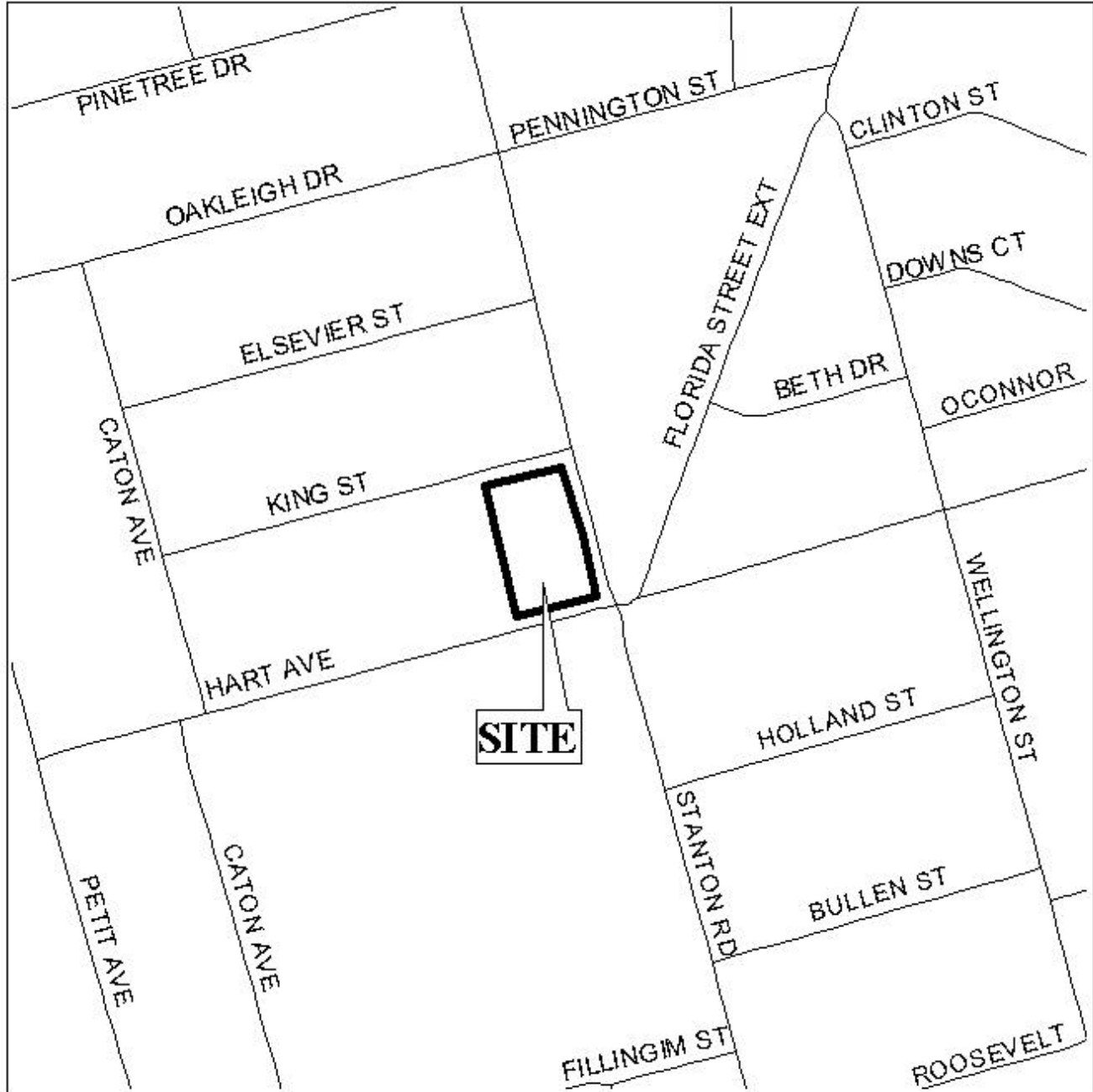
King Street and Hart Avenue are both minor, residential streets. Typically, it is not recommended that commercial uses have access to minor residential streets. However, in this instance, the proposed drives are across the street from existing non-residential uses (a school and a church).

RECOMMENDATION

Rezoning: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) completion of the subdivision process prior to the issuance of any permits; 2) the site be limited to one curb cut to Stanton Road, one curb cut to King Street and one curb cut to Hart Avenue, size, location and design to be approved by the Traffic Engineering Department; 3) provision of a 6' high wooden privacy fence along the rear (west) property line (no higher than 3' in the 25' building setback; 4) screening of parking in compliance with Section VI.A.3.i.; and 5) full compliance with all municipal codes and ordinances.

Subdivision: 1) completion of the rezoning process prior to the issuance of any permits; 2) placement of a note on the final plat stating that the site is limited to one curb cut to Stanton Road, one curb cut to King Street and one curb cut to Hart Avenue, size, location and design to be approved by the Traffic Engineering Department; and 3) provision of a 6' high wooden privacy fence along the rear (west) property line (no higher than 3' in the 25' building setback).

LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential dwellings, with a school located to the South.

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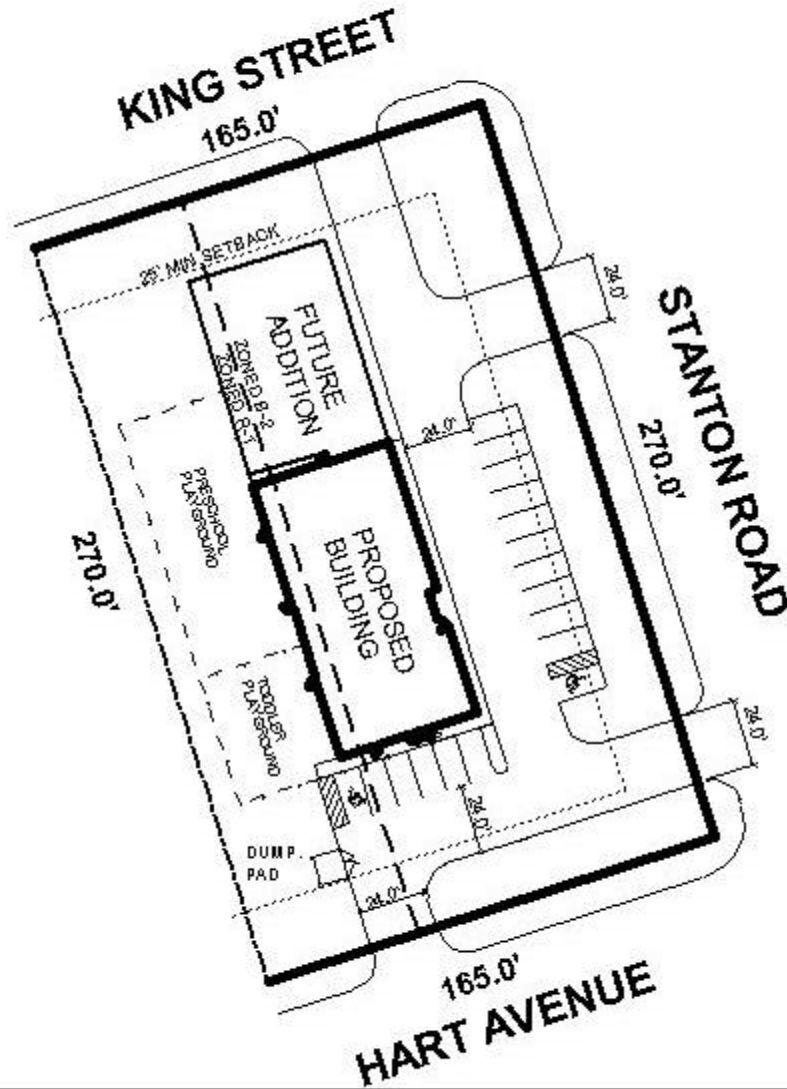
LEGEND



NTS



SITE PLAN



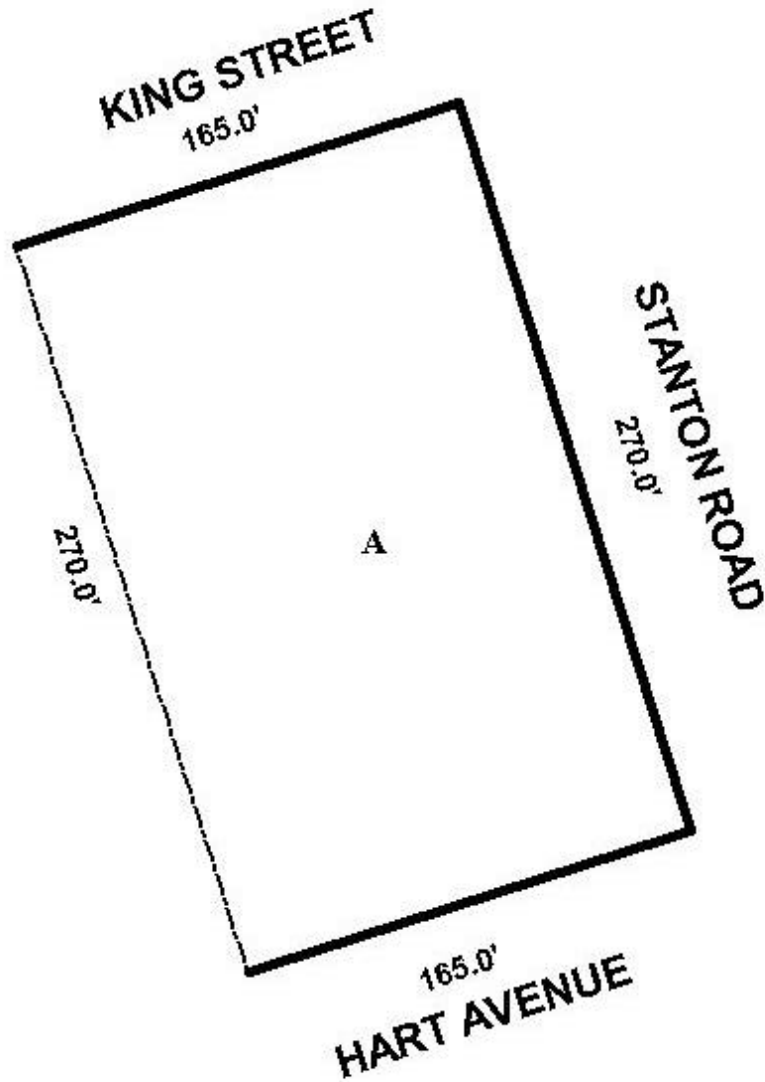
The site is located on the South side of King Street, 110' West of Stanton Road, extending to the North side of Hart Avenue, 110' West of Stanton Road. The plan illustrates the proposed building, parking, playgrounds, and future addition.

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DETAIL SITE PLAN



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