

# STAFF REPORT

Case No. 0818-04  
INFOR No. 18ZN1022

**Planning Commission Hearing Date:** August 22, 2018

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Maria's Properties, LLC. <b>Applicant:</b> Cliff Atnip <b>Location Address:</b> 5518 Curtis Clark Drive <b>Legal Description:</b> Lot 22A, Block 4, Gardendale No. 2, located on the north side of Curtis Clark Drive, east of South Staples Street, south of Williams Drive, and north of Holly Road.			
<b>Zoning Request</b>	<b>From:</b> "RS-6" Single-Family 6 District <b>To:</b> "CN-2" Neighborhood Commercial District <b>Area:</b> 0.91 acres <b>Purpose of Request:</b> To allow for the construction of a parking lot and a small retail/office building.			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Medium Density Residential
	<i>North</i>	"CN-2" Neighborhood Commercial and "CN-2/SP" Neighborhood Commercial with a Special Permit	Commercial and Vacant	Commercial and Medium Density Residential
	<i>South</i>	"RS-6/SP" Single-Family 6 with a Special Permit	Commercial	Commercial
	<i>East</i>	"CG-2" General Commercial	Low Density Residential	Commercial
	<i>West</i>	"RS-6" Single-Family 6	Commercial	Low Density Residential
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "CN-2" Neighborhood Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. <b>Map No.:</b> 043035 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 132 feet of street frontage along Curtis Clark Drive which is designated as a Local/Residential Street.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Curtis Clark Drive	Local/Residential	50' ROW 28' paved	60' ROW 26' paved	N/A

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “CN-2” Neighborhood Commercial District to allow for the construction of a parking lot and a small retail/office building.

**Development Plan:** The subject property is 0.91 acres in size. The owner is proposing a parking lot and a small retail/office building. The proposed development is to benefit and enhance the new adjoining retail center located at 5333 South Staples Street. A secondary use for this site may include a small professional office or stand-alone small business location. Approximately 50% of the site will be a parking lot and the remaining 50% will be a single tenant building for a professional office or small neighborhood business.

**Existing Land Uses & Zoning:** The subject property is currently zoned “RS-6” Single-Family 6 District and consists of vacant land. The subject property was annexed in 1954 and has remained undeveloped since the time of annexation. To the north is a vacant property zoned “CN-2” Neighborhood Commercial District. Also located to the north is a property zoned “CN-2/SP” Neighborhood Commercial District with a Special Permit and has an ancillary building placed that is associated with the tire business that fronts upon South Staples Street. To the west is a single-family subdivision (Gardendale No. 2) and the subject property is adjacent to a single-family residence built in 2003 and zoned “RS-6” Single-Family 6 District. To the south across Curtis Clark Drive is a parking lot that services a bar/nightclub and is zoned “RS-6/SP” Single-Family 6 District with a Special Permit. To the east are commercial properties consisting of an office building and an automated car wash zoned “CG-2” General Commercial District.

**AICUZ:** The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Plat Status:** The property is platted.

**Utilities:**

**Water:** 6-inch CIP line located along Curtis Clark Drive in front of the subject property.

**Wastewater:** 8-inch VCP Line located along Curtis Clark Drive in front of the subject property.

**Gas:** 2-inch Service Line located along Curtis Clark Drive in front of the subject property.

**Storm Water:** Inlets located to the east and west of the subject property along Curtis Clark Drive.

**PlanCC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the “CN-2” Neighborhood Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC), warrants an amendment to the Future Land Use Map, and is consistent with the following policies:

- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- High-intensity commercial and industrial areas should be buffered to provide transition from low-density residential areas. (Southside ADP, Policy Statement B.6)

**Department Comments:**

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.
- The property is currently vacant, is a remaining undeveloped lot, and has not been developed since annexation in 1954.
- Due to the adjacency to properties zoned “RS-6” Single-Family 6 District, a Type B buffer yard will be required along the western property line. Type B buffer yards consist of 10 feet in width and a 10 point requirement as per the Unified Development Code (UDC).
- If the “CN-2” Neighborhood Commercial District is approved, the proposed development will still need to abide by all requirements of the Unified Development Code (UDC).

**Staff Recommendation:**

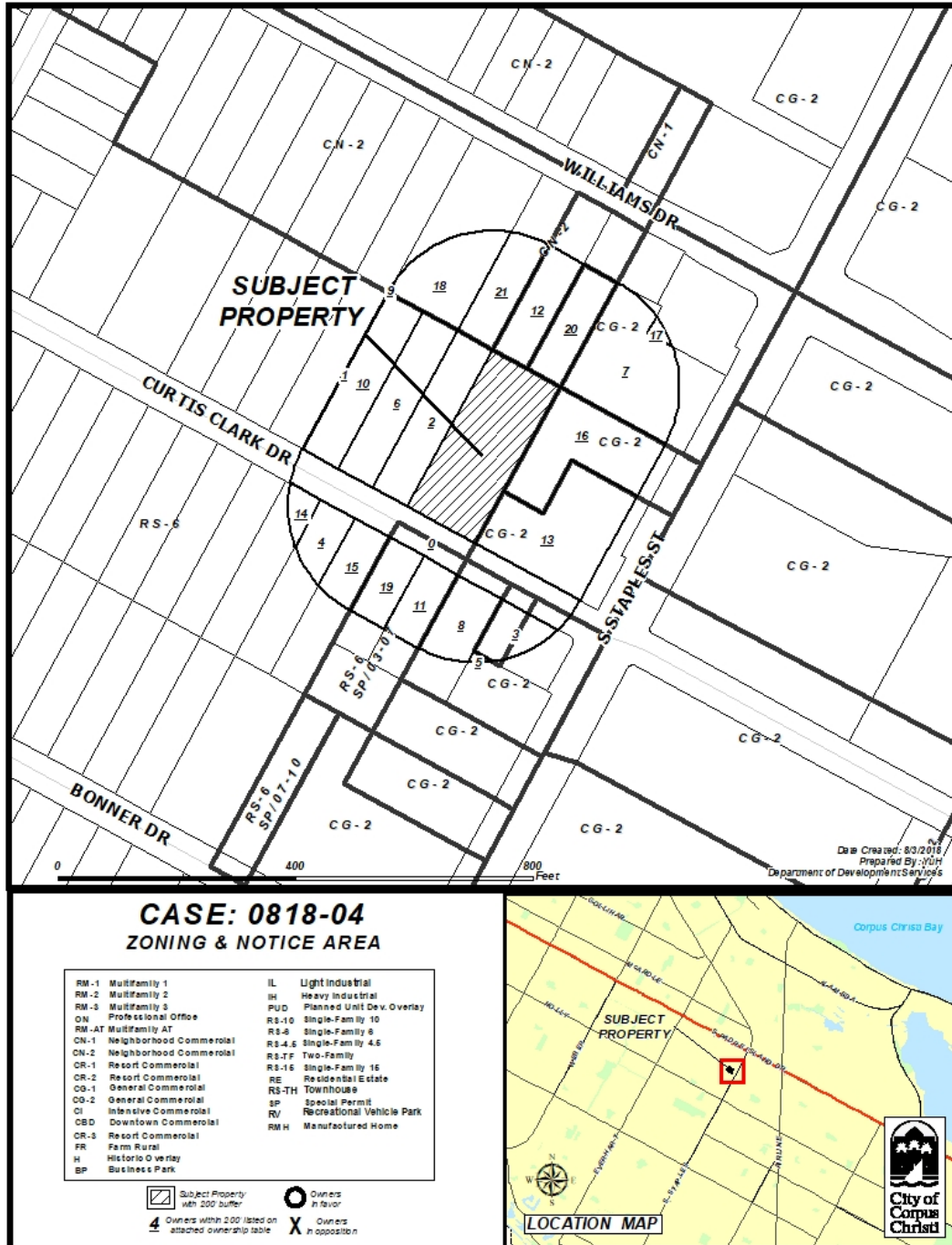
Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-2” Neighborhood Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 21 within 200-foot notification area 5 outside notification area
	<b><u>As of August 17, 2018:</u></b>
	In Favor – 4 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

**Attachments:**

- A. Location Map (Existing Zoning & Notice Area)
- B. Preliminary Site Plan
- C. Public Comments Received (if any)

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Sheet No.

Date: July 21, 2018

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