



12-053Z2

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Levi A. Wild of Sanchez and Associates, on Behalf of J. Martin Sanchez of S.P. 2 301 E. Virginia, LLC, for Approval to Rezone Approximately 0.57 Acres from "BG" - General Business District to "PD" - Planned Development District, Generally to Modify Development Standards, Located on the Northeast Corner of Virginia Street and Chestnut Street and Accompanying Ordinance.

MEETING DATE: Tuesday, April 17, 2012

DEPARTMENT: Development Services - Planning

CONTACT: Jennifer Cox, AICP, Director of Planning
Kevin Spath, AICP, Assistant Director of Planning
Arrie Mitchell, Planner

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:
 1. The subject property shall be rezoned "PD" - Planned Development District and the subject property shall develop in accordance with the "CHD" - Commercial Historic District, as set forth in Section 146-96 of the Zoning Ordinance, and as amended, except that multi-family residential uses shall be permitted on upper floors without a Specific Use Permit.
 2. The subject property shall generally develop in accordance with the attached Site Layout exhibit.
 3. The subject property shall be exempt from the Architectural and Site Standards as set forth in Section 146-139 of the Zoning Ordinance but the subject property shall generally develop in accordance with the attached Building Design Standards exhibit. To ensure conformance with the Building Design Standards, architectural elevations of proposed building (s) shall be submitted and considered with the Site Plan approval process.
 4. The subject property shall develop in accordance with the following

landscaping requirements:

- a. Internal landscape areas shall have one tree within 65 feet of every parking space;
 - b. Internal landscape areas shall have one tree in the parking area for every 10 parking spaces;
 - c. Within parking lots, landscaped areas with concrete curbs and gutters shall be provided to define parking areas;
 - d. A landscape island shall be located at the terminus of each parking row and shall contain at least one canopy tree;
 - e. Evergreen shrubs (acceptable for a 6-foot living screen) shall be provided around dumpster enclosure screening wall, and the plant materials shall be minimum 3-feet in height at time of planting; and
 - f. At least 75% of the frontage of parking lots, adjacent to a public right-of-way, shall be screened from Chestnut Street and Herndon Street with evergreen shrubs attaining a minimum height of 3 feet, a low masonry wall of a minimum height of 3 feet, or a combination of the above with a minimum combined height of 3 feet. The masonry wall must be of a similar finished quality and color to the building façade on Chestnut Street.
- The subject property shall develop in accordance with Section 134-9 of the Code of Ordinances, and as amended, specifically governing Sign Requirements in the Downtown Commercial Historic District.

ITEM SUMMARY:

- The applicant is proposing to rezone approximately 0.57 acres of land from “BG” - General Business District to “PD” - Planned Development District with a base zoning of “CHD” - Commercial Historic District in order to redevelop the property with a new building and associated parking lot. If the new building is 1-story (approximately 7,500 square feet), the intended use is restaurant/retail. If the new building is 2-4 stories (15,000-30,000 square feet), vertical mixed use is intended (restaurant/retail on the ground floor and residential units on the upper floors).
- Currently, the property contains a 1-story, 1,500 square foot commercial building used for auto sales/service and private parking lot.
- The Commercial Historic District is intended to ensure that redevelopment within the downtown area is consistent with the historic character of the city’s original business district and the surrounding area.

BACKGROUND INFORMATION:

- Please see attached P&Z Staff Report.

FINANCIAL SUMMARY:

- N/A

BOARD OR COMMISSION RECOMMENDATION:

- On March 27, 2012, the Planning and Zoning Commission voted unanimously to approve the item as recommended by Staff.

SUPPORTING MATERIALS:

[PZ Staff Report](#)

[P&Z Minutes](#)

[Location Map](#)

[Bird's Eye View](#)

[Site Layout Exhibit](#)

[Letter of Intent](#)

[Building Design Standards Exhibit](#)

[Proposed Ordinance](#)

[Power Point Presentation](#)