

ORDINANCE NO. O-1314-3

ITEM NO. 11b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	1217 South Berry, L.L.C.
REQUESTED ACTION	Rezoning to C-2, General Commercial District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: C-2, R-1 East: R-1 South: R-1 West: C-2, RM-6
LOCATION	1217 South Berry Road
SIZE	0.4912 acres, more or less
PURPOSE	Parking Lot
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Commercial East: Single-Family Home South: Single-Family Home West: Commercial & Multi-Family
LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: The applicant recently purchased this vacant tract intending to rezone and convert the tract into a parking lot for a proposed restaurant located on the lot to the north of this tract. The old Texadelphia restaurant located north of the subject tract closed and was purchased by the applicant. The new owner intends to rearrange the existing parking on the north lot and add additional parking area on this subject tract for a new restaurant yet to be determined.

ANALYSIS:

- **SITE PLAN** The site plan submitted for this project has been reviewed by staff and is in-line with the City requirements. The applicant has proposed landscaping and fencing to buffer adjacent single-family properties. There will be one access point onto Berry Road.

OTHER AGENCY COMMENTS:

- **PARKS BOARD** There are no additional requirements for parkland dedication on commercial developments.
- **PUBLIC WORKS** This property was never included in any plats processed in this area so the applicant is going through the platting process at the same time as the rezoning and plan change requests. The applicant will be required to install a sidewalk adjacent to Berry Road, along the west side of this tract.

The lot to the north of this unplatte subject tract is already platted; however, the City Traffic Engineer has required the applicant to close the existing access onto Berry Road from the northern lot. The newly proposed parking area has an access point onto Berry Road; therefore, the two access points are too close for Traffic to approve both locations. There is an existing one-way access point onto Lindsey Street from the northern tract and that access point will remain.

STAFF RECOMMENDATION: Staff has reviewed this application in several meetings and again for the platting and application process and considers the application compliant with zoning and platting requirements. As previously noted above, the applicant has been required to eliminate a drive along Berry Road, creating a better access point at the Berry Road and Lindsey Street intersection. This new/additional parking area on this subject tract for the proposed restaurant to the north will help with parking congestion and illegal parking from customers on a lot with limited parking.

Staff supports the rezoning request for this property from R-1, Single-Family Dwelling District to C-2, General Commercial District and recommends approval of Ordinance No. O-1314-3.