



Legislation Details (With Text)

**File #:** ORD. 2018-187    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Adopted  
**File created:** 5/23/2018    **In control:** City Council  
**On agenda:** 7/16/2018    **Final action:** 7/23/2018  
**Title:** To rezone the properties known as 210 and 212 Brinser Street; 101, 103, 105, 115, and 117 Thurman Street; and 2400 Elton Street from the M-1 Light Industrial District to the B-6 Mixed-Use Business District.  
**Sponsors:** Mayor Stoney (By Request)  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ord. No. 2018-187, 2. Staff Report, 3. Application Form, 4. Applicants Report, 5. Survey, 6. Map

Date	Ver.	Action By	Action	Result
7/23/2018	1	City Council	adopted	Pass
7/16/2018	1	Planning Commission	recommended for approval	
6/25/2018	1	City Council	introduced and referred	

To rezone the properties known as 210 and 212 Brinser Street; 101, 103, 105, 115, and 117 Thurman Street; and 2400 Elton Street from the M-1 Light Industrial District to the B-6 Mixed-Use Business District.

**O & R Request**

**DATE:** May 31, 2018    **EDITION:** 1  
**TO:** The Honorable Members of City Council  
**THROUGH:** Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This in no way reflects a recommendation on behalf of the Mayor.)  
**THROUGH:** Selena Cuffee Glenn, Chief Administrative Officer  
**THROUGH:** Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning  
**FROM:** Mark A. Olinger, Director, Department of Planning and Development Review  
**RE:** To rezone the properties known as 210 and 212 Brinser Street, 101, 103, 105, 115 and 117 Thurman Street, and 2400 Elton Street from the M-1 Light Industrial District to the B-6 Mixed-Use Business District.

**ORD. OR RES. No.**

**PURPOSE:** To rezone the properties known as 210 and 212 Brinser Street, 101, 103, 105, 115 and 117 Thurman Street, and 2400 Elton Street from the M-1 Light Industrial District to the B-6 Mixed-Use Business District.

**REASON:** The applicant is requesting a rezoning from the M-1 District to the B-6 District in order to develop the property under the mixed-use provisions of the B-6 District.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its July 16, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject properties, occupying approximately 2.556 acres, is located at the southwest corner of Brinser Street and Thurman Street, off of Jefferson Davis Highway, in the Maury neighborhood of the Old South Planning District. The properties adjoin 1000 Jefferson Davis Highway to the south. The properties are currently vacant.

The applicant proposes to develop the properties in a manner consistent with the B-6 Mixed-Use Urban Business District regulations. The B-6 Mixed-Use Business District regulates minimum heights, maximum setbacks and the orientation of parking to the side or the rear of buildings.

The intent of the B-6 zoning district is to encourage development of mixed land uses consistent with the objectives of the master plan and the downtown plan, and to promote enhancement of the character of development along principal corridors and in other areas. The district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of underutilized buildings or enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible, depending on the character and needs of particular areas. The district regulations are also intended to safeguard the character of adjoining properties, to maintain existing streetscape character by providing continuity of building setbacks and heights, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is conducive to preservation of important historic, architectural and cultural features that may exist within the district. Finally, the district regulations are intended to ensure adequate accessible parking and safe vehicular and pedestrian circulation, to facilitate a streetscape with minimum setbacks along principal street frontages and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages.

The Master Plan recommends "Mixed-Use" for the subject property, which includes "combinations of office, retail, personal service, general commercial, and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial" (p. 134). The B-6 district is a typical zoning classification to accommodate this land use category.

Specifically for the Jefferson Davis Highway, the Master Plan states that "revitalization of the Jefferson Davis Highway corridor is a high priority" (p. 274).

Surrounding properties to the west, north, and east are zoned M-1 Light Industrial. Property to the south, including 1000 Jefferson Davis Highway, is zoned B-6(Conditional) and is subject to a rezoning request to amend the existing proffers, which is running concurrently with this rezoning request. A mix of uses, including commercial, office, and industrial uses are present in the vicinity.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** None.

**REVENUE TO CITY:** \$1,800 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** June 25, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** July 23, 2018

**REQUESTED AGENDA:** Consent.

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, July 16, 2018.

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None.

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:** Application Form, Applicant's Letter, Draft Ordinance, Survey, Map

**STAFF:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 646-5734

*PDR O&R No. 18-38*

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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