



JULY 11, 2002

## PORTION 2200 E PARRISH AV

### ZONE CHANGE

**From:** P-1 Professional/Service

**To:** B-1 Neighborhood Business Center

**Acreage:** 5.013 acres

**Applicant:** The Springs Centre, LLC, Malcolm Bryant Corp. (0207.1486)

<b>Property Zone</b> <i>Existing Use</i>	<b>to North</b> I-1 & A-U <i>Vacant, cemetery</i>	
<b>to West</b> P-1 <i>Proposed doctors' office</i>	<b>Subject</b> P-1 ➔ B-1 <i>Vacant</i>	<b>to East</b> P-1 <i>Proposed doctors' office</i>
	<b>to South</b> P-1 <i>Proposed doctors' offices</i>	

### GENERAL LAND USE CRITERIA Apply, if marked below:

*Described in Comprehensive Plan on pages 445-448*

#### Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

#### Urban Services ⌘

- ⌘ **U1** Roadway Capacity
- ⌘ **U2** Electricity Supply
- ⌘ **U3** Water Supply
- ⌘ **U4** Stormwater Disposal
- ⌘ **U5** Sanitary Sewage Disposal

#### Development Patterns ♦

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- ♦ **D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ♦ **D7** Non-Residential Development
- D8** Building Quality

## Proposed Zone & Land Use Plan

The applicant is seeking a B-1 Neighborhood Business Center zone. The subject property is located in an Urban Residential Plan Area, where neighborhood business uses are appropriate in limited locations.

### SPECIFIC LAND USE CRITERIA

- (a) **Development plan** Neighborhood Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. Building and lot patterns should conform to the criteria for **"Non-Residential Development" (D7)**, and outdoor storage yards, with **"Buffers for Outdoor Storage Yards (D1)**.
- (b) **New locations** of Neighborhood Business Centers should be **"major-street-oriented" (D2)**, at least **five (5) acres** in size, and located no closer than **three-quarters (3/4) of a mile** to any other Neighborhood Business Center.

## Applicant's Findings

The applicant makes the following findings of fact in support of its conclusion that the proposed zoning change is in compliance with the Comprehensive Plan as pertains to the application of The Springs Centre, LLC for a zoning map amendment to change zoning on certain property located at the 2200 block of East Parrish Avenue.

1. The applicant seeks to rezone the subject property from P-1 to B-1.
2. The adjoining property to the property proposed to be rezoned is classified under the Comprehensive Plan as either: Light Industrial (I-1), Urban Agriculture (A-U), or Professional/Service (P-1). One tract adjacent to the P-1 zoning is zoned Multi-Family Residential (R-3MF).
3. Under the Comprehensive Plan, the I-1 Light Industrial zone is intended primarily for light manufacturing, warehouses, shops and special trade, heavy equipment dealers, and related uses. The P-1 zone allows for professional offices, and in limited situations general business uses. Similarly the Urban Agriculture classification allows for professional service and general business uses.
4. The Springs Centre, LLC has proposed to rezone approximately 5.013 acres of its 20+ acre tract (presently zoned P-1) that fronts East Parrish Avenue to B-1, to allow limited general business uses to compliment its existing and future professional office

development.

5. Under the Comprehensive Plan, the area sought to be rezoned is part of an established mixed use area, comprised of mixed industrial, agricultural, business, professional and to a limited extent, multi-family residential area.
6. The remaining acreage of The Springs Centre, LLC, will remain P-1 and will be developed into professional offices and other related uses, compatible with existing uses.
7. The proposed rezoning will be in compliance with the Comprehensive Plan, consistent with the current use of adjacent property and therefore conforms to the requirements of the Comprehensive Plan.

## Planning Staff Review

The subject property is located in the 2200 block of E Parrish Av, within an approved development plan for a professional office complex, The Springs. Land use criteria applicable to this proposal are reviewed below.

### GENERAL LAND USE CRITERIA

#### Environment

No important environmental criteria apply to the subject property.

#### Urban Services

All urban services are available to the site, including sanitary sewers.

#### Roadway Capacity

The roadway capacity of E Parrish Av is adequate with the improvements constructed by the developer as a part of his approval of a final development plan for The Springs medical complex. The approved development plan provided for a right-turn deceleration storage lane leading to the proposed entrance of the subject property. This improvement is currently under construction and usable as a turn lane. The revised development plan submitted for approval in conjunction with this rezoning request also provides for the right-turn deceleration lane serving the subject property.

#### Development Patterns

The subject property is located within The Springs, an approved professional/service development plan. The proposed surrounding uses are doctors' offices. The applicant wishes to establish an area within the development of B-1 Neighborhood Business Center, with initial uses of a restaurant and a branch bank. Other uses

in the area include vacant property, a cemetery and residential uses.

#### Intersection & Driveway Spacing

The subject property is within The Springs, approved as a development plan with P-1 Professional/Service zoning and uses. The larger area encompassing the subject property is bounded on three sides by public roadways (E Parrish Av, E Byers Av, and Leitchfield Rd). The original development plan limits the access point to a single point on E Parrish Av aligned across from a proposed entrance. The development plan submitted in conjunction with this zoning change is consistent with the previously approved plan.

### SPECIFIC LAND USE CRITERIA

New locations of Neighborhood Business Centers should be major-street-oriented. The subject property fronts on E Parrish Av, a principal arterial roadway. The rezoning request is for 5.013 acres meeting the criteria for at least five acres in size. There are no existing Neighborhood Business Centers located within three-quarters of a mile. A revised final development plan has been submitted in conjunction with this rezoning request, incorporating the proposed B-1 Neighborhood Business zoning and uses within the P-1 Professional/Service approved development plan. The request is accompanied by a formal development plan meeting the criteria to initiate Neighborhood Business Centers in accordance with a formal development plan.

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**Planning Staff Recommendations**

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan. This recommendation is made subject to the conditions and findings of fact that follow:

**Conditions:**

1. Submission of a final development plan.
2. The access to the subject property shall be limited to a single access point on E Parrish Av, as previously approved and constructed.

**Findings of Fact:**

1. The subject property is located within an Urban Residential Plan Area, where neighborhood business uses are appropriate in limited locations;
2. A final development plan has been submitted;
3. The subject property is larger than the 5 acre minimum area required for new locations of Neighborhood Business Centers;
4. The subject property is major-street-oriented; and
5. There are no B-1 Neighborhood Business Centers within  $\frac{3}{4}$  of a mile of the subject property.