

JUNE 12, 2003

819 W PARRISH AV

ZONE CHANGE

| | | |
|--|---|---|
| From: R-4DT Inner-City Residential | | |
| To: B-4 General Business | | |
| Acreage: 0.092 acres | | |
| Applicant: Bob Williams (0306.1519) | | |
| Property Zone Existing Use | to North R-4DT Single-family residential | |
| to West R-4DT Single-family residential | Subject R-4DT → B-4 Vacant | to East B-4 General Business |
| | to South R-1A Single-family residential | |

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-4 General Business zone. The subject property is located in a Central Residential Plan Area, where general business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns: outdoor storage yards**
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) **Logical expansions of proportional scope –**
Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity or roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

The proposed rezoning is in accord with the Comprehensive Plan. The subject property is in a Central Residential Plan Area.

The criteria for General Business (B-4) are that B-4 is allowed in limited locations. Existing General Business zones may be expanded onto contiguous land that generally abuts the same street. The expansion of the General Business zone would not significantly increase the extent of the zone in the vicinity of the expansion. The subject property is located at [W] 819 Parrish Av. The proposed rezoning is an expansion of the general business area. The property that adjoins at 813 [W] Parrish Av is zoned B-4. The property that adjoins 813 [W] Parrish Av with the address of 1330 Elm St is zoned B-4.

The expansion of the General business zone by rezoning the subject property located at 819 [W] Parrish Av would not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

IN THE ALTERNATIVE:

The existing zoning classification given to the subject property of R-4DT is inappropriate and the proposed zoning classification of B-4 is appropriate because of the zoning change in 1980 of the property at 813 W Parrish Av

and 1330 Elm St from R-4DT to B-4.

In addition, the widening of Elm St to allow for traffic to the Cigar Factory Mall are changes that have substantially altered the basic character of the area.

Planning Staff Review

The subject property is located in the 801 block of W Parrish Av near the intersection of Elm St and W Parrish Av. Land use criteria applicable to this request 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.

Development Patterns

The subject property is located adjacent to property that was rezoned in 1980 to B-4 General Business with a development plan. At that time two structures existed on the rezoned property that have since been removed. The right-of-way of Elm St was increased after this property was rezoned, which reduced the area of land zoned B-4 and the development plan was not implemented. Because of the physical change in the property size due to the increased right-of-way of Elm St, additional property must be added in order to make a lot large enough to accommodate a structure and parking. The applicant wishes to zone the subject property to B-4 General Business with a final development plan, which would join properties at 813, 819 W Parrish Av and 1330 Elm St and allow for the construction of one principal building on the property with parking spaces.

The property to the west of the subject property is zoned R-4DT and contains an occupied single-family residence. A 10-foot wide average landscape easement with a 6-foot high continuous element and one tree per 40 linear feet of boundary is required along this property line to provide screening between residential and commercial use. Property to the south of the subject property is zoned R-1A Single-Family Residential and is in single-family residential use. Property to the north across the alley is zoned R-4DT Inner-City Residential and contains single-

family residences. Property to the east of the subject property is zoned B-4 General Business and is vacant.

Intersection & Driveway Spacing

W Parrish Av is classified as a minor arterial roadway at this location. Driveway spacing standards call for 500 feet between driveways for new development. The frontage of the subject property, when combined with the two adjoining lots equals only 157.35 feet. While the proposed lot does have frontage on Elm St, that frontage is only 48 feet and a median constructed on Elm St would prohibit a northbound left turn from Elm St to an entrance at this location. An entrance from Elm St would also be too close to W Parrish Av to meet access standards. There is an alley behind the property, but again an existing median limits its use. The alley is 10 feet in width, which could also cause conflicts with two-way traffic if this were the only access point. The final development plan submitted proposes an access point onto W Parrish Av on the western portion of the lot, keeping it as far from the intersection with Elm St as possible. There is also an access to the alley. This is a reasonable position for an access point, but provisions should be made for an access easement to the adjoining lot at 821 W Parrish Av to provide for a shared access in the event the property at 821 W Parrish is rezoned or changes use.

Roadway Buffer Standards

A 50-foot roadway buffer from the centerline of W Parrish Av applies in this location. The final development plan submitted for consideration shows the buffer with no required landscaping or parking spaces located within the roadway buffer.

SPECIFIC LAND USE CRITERIA

The applicant's request is a logical expansion of existing B-4 General Business zoning that would not significantly increase the B-4 zone in the vicinity and would not overburden the capacity of roadways or other necessary urban services in the affected area. Limited expansions of existing nonresidential areas should be accommodated where they reasonably satisfy a set of logical expansion criteria. Landscape buffers should be located between adjoining land uses that are incompatible with each other.

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. Dedication of an access easement on the subject property to serve 821 W Parrish Av if the use of that property changes;
2. Submission and approval of a final development plan;
3. Consolidation of lots at 813, 819 W Parrish and 1330 Elm St; and,
4. Access shall be limited to one point on W Parrish Av to be located the greatest distance from the intersection of W Parrish Av and Elm St.

Findings of Fact:

1. The subject property is located in a Central Residential Plan Area, where general business uses are appropriate in limited locations;
2. The subject property adjoins B-4 General Business zoning to the east; and,
3. The applicant's proposal is a logical expansion of existing B-4 General Business zone in the vicinity and will not overburden the capacity of roadways or other necessary urban services in the area.