Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. A portion of the subject property is located in a Business Plan Area where General Business uses are appropriate in limited locations and a portion of the subject property is located in an Industrial Plan Area where General Business uses are appropriate in very limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “Nonresidential Development” (D7), and outdoor storage yards, with “Buffers for Outdoor Storage Yards” (D1). (b) Logical zoning 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 of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

The planning staff recommends approval subject to the conditions and findings of fact that follow:

Conditions:
1. Access to the property shall be limited to Allen Street and Daviess Street only. The existing access easement on E. 9th Street may remain only to grant access to the adjacent property located at 126/128 E. 9th Street. No additional access to E. 9th Street from the subject property shall be permitted.
2. Obtain approval of a site plan or development plan by the Downtown Design Administrator and OMPC.

Findings of Fact:
1. Staff recommends approval because the proposal is in compliance with the community’s adopted Comprehensive Plan;
2. A portion of the subject property is located in a Business Plan Area where General Business uses are appropriate in limited locations and a portion of the subject property is located in an Industrial Plan Area where General Business uses are appropriate in very limited locations;
3. The proposed use as general business conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the north, south and east. At 1.631 acres, the proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
4. The proposal is a logical expansion of existing B-4 General Business zoning going to the north, south and east; and
5. At 1.631 acre, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.