

**DECEMBER 12, 2002**

**906 W 2<sup>ND</sup> ST**

**ZONE CHANGE**

**From:** B-4 General Business

**To:** R-4DT Inner-City Residential

**Acreage:** 0.122 acres

**Applicant:** Brad Hutchins, Ed Varble (0212.1507)

<b>Property Zone Existing Use</b>	<b>to North</b> B-4 Residence	
<b>to West</b> R-4DT vacant	<b>Subject</b> B-4 ⇄ R-4DT Residence	<b>to East</b> B-4 Residence
	<b>to South</b> B-4 Residence	

**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 an R-4DT Inner-City Residential zone. The subject property is located in a Business Plan Area, where low density residential uses are appropriate in very-limited locations.

**SPECIFIC LAND USE CRITERIA**

- (a) **Building and lot patterns** should conform to the criteria for “**Urban Residential Development**”(D6).
- (b) **Existing, expanded or new sanitary sewers-** Urban low-density residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.
- (c) **Only logical expansions-** In Business Plan areas, completely new locations of urban low-density residential use should not be established. However, existing areas of this use may be expanded onto contiguous land.

**Applicant's Findings**

The proposed rezoning is in compliance with the existing Comprehensive Plan, because it is an extension of the existing zone to the west.

The existing zone classification is inappropriate, because the subject property has always been used as a residence.

**Planning Staff Review**

The subject property is located in the 900 block of W 2<sup>nd</sup> St. 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.

**Development Patterns**

The subject property is located in an area with mixed R-4DT Inner-City Residential and B-4 General Business zoning. The OMPC recommended approval of a zoning

change from B-4 General Business to R-4DT Inner-City Residential in July 2002 for the property to the west of the subject property at 910 W 2<sup>nd</sup> St for the construction of a new single-family residence. Because the subject property is zoned B-4 General Business, a 10-foot average buffer with a six-foot high solid element would be required before construction of a home on 910 W 2<sup>nd</sup> along the property boundary common to that property and the subject property. The subject property contains a single-family residential home and the proposal is to continue that use. A zoning change to R-4DT Inner-City Residential would bring the current use of the property into conformance with the Zoning Ordinance. However, it should be noted that the lot would become non-conforming with a zoning change to R-4DT because it measures 45 feet in width instead of the required 50 feet. The subject property will meet the minimum square footage requirement for single-family lots in an R-4DT zone. A change in the zoning classification from B-4 to R-4DT on the subject property will eliminate the buffer requirement on the adjacent property at 910 W 2<sup>nd</sup> St, allowing more buildable area on 910 W 2<sup>nd</sup> St. Property to the east is zoned B-4 General Business and is vacant. Properties to the north across W 2<sup>nd</sup> St are zoned B-4, but are in use as residential structures. Property to the south of the subject property is zoned B-4 General Business, and contains a non-conforming single-family residence. The owner of the subject property plans to continue its use as a single-family residence.

### **SPECIFIC LAND USE CRITERIA**

The subject property is located in an area where five lots (one fronting W 2<sup>nd</sup> St and four fronting Sycamore St) have been recently redeveloped as residential lots with new single-family residences constructed there. The subject property adjoins R-4DT Inner-City Residential zoning and uses, and is a logical expansion of existing R-4DT zoning. Housing densities should be consistent with the character of streets and urban services in the neighborhood. Maintaining a single-family home on the property is consistent with the density of the residential uses adjoining the subject property.

### **Planning Staff Recommendations**

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

### **Findings of Fact:**

1. The subject property is located in a Business Plan Area, where urban low-density residential uses are appropriate in very-limited locations;
2. The subject property is currently in use as a single-family residence and a zoning change to R-4DT will bring the use into conformance with the Zoning Ordinance and be consistent with housing densities in the immediate vicinity; and
3. The applicant's proposal is a logical extension of adjoining R-4DT zone and uses.