

JUNE 9, 2016**6976, 6980 & A PORTION OF 6946 W.
LOUISVILLE LANE
ZONE CHANGE**

From:	R-1A Single-Family Residential & B-4 General Business
To:	B-4 General Business
Proposed Use:	Gun Store & Indoor Storage
Acreage:	3.306 acres
Applicant:	Darrell & Rebecca Whittaker (1606.1959)
Surrounding Zoning Classifications:	
North:	R-1A
South:	A-U & R-1A
East:	B-4, A-U & R-1A
West:	A-U & R-1A

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Community 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 “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 Review**GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Maps 21059CO235 D.
- The property does not appear to be designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

Urban Services

Electricity, water and gas are available to the site. Sanitary sewage disposal will be accomplished by a new on-site private system.

Development Patterns

The subject properties in this rezoning application are two parcels and a portion of another that total 3.306 acres in size and are located in the rural community of West Louisville. The applicant, the owner of Whittaker Guns, proposes to remove the residence

located at 6976 West Louisville Lane and construct a new gun store in its place. The existing gun store located at 6980 West Louisville Lane will become an accessory storage building for the business. A small portion of 6946 West Louisville Lane is proposed to be rezoned from R-1A to B-4 to be incorporated with this business. The end result, if approved, will be a single 3.306 acre B-4 zoned parcel. The applicant has submitted a plat consolidating these parcels pending approval of the rezoning application.

According to the Whittaker Guns website, the business began at this location in 1988. In 1996 the OMPC granted approval of a B-4 rezoning request for an adjacent parcel owned by the Whittaker's that allowed the construction of a larger gun store the following year.

Properties in this area are a mixture of commercial, agricultural and residential. The properties to the north of the site are residential, zoned R-1A. To the east are commercial, agricultural and residential properties, zoned B-4, A-U and R-1A. To the south and west are residential and agricultural properties, zoned A-U and R-1A.

If the rezoning is approved, the applicant will be required to provide landscape buffer screening in compliance with Article 17 of the zoning ordinance along the south and west property boundaries where adjacent to residential property. West Louisville Lane and Hobbs Road are designated as local roadways.

If the rezoning is successfully approved, zoning ordinance requirements related to landscaping, parking, signage, setbacks, buffers and access will be reviewed by OMPC staff during the required site plan review process prior to any permits being issued.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed retail use conforms to the criteria for non-residential development. This proposal is a logical expansion of existing B-4 zoning to the east. At 3.306 acres, the proposal is not a significant increase in B-4 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.

Planning Staff Recommendations

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

Condition: Approval of a plat consolidating 6980, 6976 and the B-4 zoned portion of 6946 West Louisville Lane.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Rural Community Plan Area where general business uses are appropriate in limited locations;
3. The proposed retail use conforms to the criteria for non-residential development;
4. This proposal is a logical expansion of existing B-4 zoning to the east; and
5. At 3.306 acres, the proposal is not a significant increase in B-4 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.