

FEBRUARY 14, 2002

PORTION 1809, 1811 CARTER RD

ZONE CHANGE

From: R-1A Single-Family Residential

To: **B-4 General Business**

Acreage: 0.248 acres

Applicant: Richard Anderson (0202.1466)

Property Zone Existing Use	to North R-1A Single-Family Residence	
to West B-4 Undeveloped	Subject R-1A ↻ B-4 Vacant Single-Family Residence	to East R-1A Vacant
	to South R-1A Single-Family 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 a B-4 General Business zone. The subject property is located in an Urban Residential 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 “**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 of roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

The proposed zoning map amendment is in compliance with the Comprehensive Plan. There is existing B-4 zoning across Carter Road, which is a mostly undeveloped tract of land, except for Lee’s Famous Recipe Chicken located at 1800 Carter Road. The subject property is separated by only one lot to the north from a B-4 zoned property on which is located Koehler’s Bakery at 1801 Carter Road. Carter Road has recently been widened, which makes the property adjoining the road more suitable for business zoning rather than residential zoning.

Planning Staff Review

The subject property is located in the 1801 block of Carter Road between Richbrooke Trace and N York 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. The subject property is currently served by an on-site septic system.

Connection to sanitary sewers is available and must be completed or surety posted for the connection as a condition of this zoning change and prior to a property division approval, because the minimum allowable lot size when served by an on-site septic system is 0.5 acres. The proposed lot size to be zoned to B-4 General Business is 0.248 acres. This size lot must be connected to a sanitary sewer system before it can receive final plat approval.

Development Patterns

The subject property contains a single-family home that is currently vacant. The lots immediately adjacent to the subject property on the north and the south contain occupied single family homes and are also zoned R-1A Single-Family Residential. These lots are under the same ownership as the subject property. Property to west across Carter Rd is zoned B-4 General Business and is currently undeveloped. There is B-4 General Business zoning separated by one lot to the north of the subject property at 1801 Carter Rd and a laundry and bakery occupy that property. The general vicinity has a significant amount of business uses north toward Parrish Ave. The property to the east is currently a portion of the subject property and is zoned R-1A Single-Family residential. The applicant proposes to create a lot of 0.248 acres, which is the boundary of the B-4 General Business zoning request. The remainder of the property would be consolidated to the existing R-1A lot at 1819 Carter Rd.

Land-Use Intensity, Clusters and Buffers

Landscape buffers should be located between adjoining land uses that are incompatible with each other. The subject property would be required to be screened from the adjoining R-1A lots with a 10 foot landscape easement containing one tree for every 40 linear feet plus a continuous 6 foot high planting, hedge, fence, wall, or earth mound.

Intersection & Driveway Spacing

Carter Rd is classified as a minor arterial roadway. The subject property currently has two access points to Carter Rd with current spacing in conflict with the access standards. One of the access points must be closed. The total allowable access point width on the one remaining access would be 40% of the lot frontage (82.68 feet) for a maximum width of 33 feet at the property line. The two single-family residences on the north and south of the subject property, respectively, each have an access point to Carter Rd. The applicant is working on a plan to rezone these two lots to R-3MF Multi-Family Residential and to consolidate these lots to the R-3MF property located on Richbrooke Trace. Eventually, the applicant hopes to develop additional multi-family units on this property and eliminate these two single-family dwellings. Once the

dwellings are removed, the two access points on Carter Rd would be removed. Any change in use of the two single-family dwellings would also cause the properties to be brought into conformance with the access standards.

Roadway Buffer Standards

A roadway buffer of 50 feet from the centerline applies to properties along Carter Rd. No required parking areas or required perimeter landscaping may occur within the roadway buffer.

SPECIFIC LAND USE CRITERIA

Limited expansions of existing non-residential uses and areas should be accommodated where they reasonably satisfy a set of logical expansion criteria. The subject property is located in close proximity to existing B-4 zoning and uses to the north. The subject property is adjacent to B-4 General Business zoning across Carter Rd. Although the subject property is located within an Urban Residential Plan Area, its frontage is on a minor arterial roadway with significant commercial use north toward Parrish Ave. The applicant's proposal would be a logical expansion of General Business zoning and uses in the immediate vicinity.

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. Connection to the sanitary sewer system or surety posted for this connection.
2. Submittal and approval of a subdivision and consolidation plat to create a lot along the proposed zoning boundary and to consolidate the remaining R-1A portion to an adjacent lot having road frontage.
3. Elimination of one access point to Carter Rd. The remaining access would have a maximum allowable width of 40% of the lot frontage.

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area, where general business uses are appropriate in very-limited locations;
2. The subject property is contiguous to B-4 zoning and uses to the north and west; and

3. The applicant's proposal is a logical expansion of B-4 General Business zoning in the vicinity and would not significantly increase the extent of the zone in the vicinity and would not overburden the capacity or roadways and other necessary urban services in the affected area.