



**DECEMBER 13, 2001**

**PORTION 2714 US 60 E**

## ZONE CHANGE

**From:** B-4 General Business & R-3MF Multi-Family Residential

**To:** B-4 General Business

**Acreage:** 1.106 acres

**Applicant:** Charalambos 'Harry' Pavlas, Nicolas Pavlas (0112.1461)

<b>Property Zone Existing Use</b>	<b>to North</b> R-1A & B-4 Tobacco Warehouse, Manufactured Home sales	
<b>to West</b> B-4 Restaurant	<b>Subject</b> B-4 & R-3MF B-4 Vacant gas station	<b>to East</b> B-4 Service station, shopping center
	<b>to South</b> R-3MF Vacant	

## 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 Business 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.

## Applicant's Findings

The existing zoning classification (R-3MF) given to the property is inappropriate and the proposed zoning classification is appropriate.

The property is located in the Business Plan Area, where highway businesses are appropriate.

The subject property is contiguous to existing B-4 zoning.

## Planning Staff Review

The subject property is located in the 2700 block of US 60 E. 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 currently has a mixed zoning classification of B-4 General Business and R-3MF Multi-Family Residential. A vacant service station building occupies the B-4 portion of the property. The applicant proposes to rezone the property to B-4 General Business so that the entire square footage of the lot has a General Business zoning classification. The total lot is made up of 1.106 acres with approximately 0.56 acres having an R-3MF zoning classification. The property to the north across US 60 E is zoned B-4 General Business in use as a manufactured housing sales business and R-1A Single-Family Residential, which is occupied by a non-conforming tobacco warehouse. Property to the east is zoned B-4 and used as a gas service station and shopping center. Property to the west is also zoned B-4 and is occupied by a restaurant.

The applicant proposes to redevelop the property. All zoning ordinance requirements must be met, including perimeter landscaping along vehicular use areas adjacent to the public right-of-way, off street parking requirements, and screening between the subject property and the R-3MF zoned property to the south.

**Intersection and Driveway Spacing**

US 60 E is classified as a principal arterial with a spacing standard of 500 feet for new development. The subject property currently has two access points. The adopted access standards will allow only one access point when the property is redeveloped. This access point should be relocated to maximize the spacing between existing driveways along the street.

**Roadway Buffer Standards**

A roadway buffer of 60 feet from the centerline of US 60 E is applicable to the subject property. No improvements or landscaping may occur within the roadway buffer with the exception of the access entrance.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is a logical expansion of existing B-4 General Business zoning and uses in the immediate vicinity. A portion of the subject property is currently zoned B-4 General Business with a service station as the use. The property adjoins B-4 General Business zoning and uses and is located on a principal arterial roadway. The expansion of B-4 General Business zoning and use on the subject property would not significantly increase the B-4 General Business zoning in the immediate vicinity or overburden the capacity of US 60 E or other necessary urban services in the area.

**Planning Staff Recommendations**

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

**Condition:**

1. Access to US 60 E from 2714 US 60 E shall be limited to one access point not to exceed 50 feet in width.

**Findings of Fact:**

1. The subject property is located within a Business Plan Area, where general business uses are appropriate in general locations;
2. A portion of the subject property is currently zoned B-4 General Business and has been used for general business activities;
3. The subject property adjoins B-4 General Business zoning and uses; and
4. The applicant's proposal is a logical expansion of existing B-4 zoning and uses, will not significantly increase the extent of the existing B-4 General Business zoning and use in the vicinity, and will not overburden the capacity of roadways or other necessary urban services in the affected area.