



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Vacant
- ☒ 4 = Vacant
- ☐ 5 = Handren
- ☐ All

<b>AGENDA DATE</b>	May 6, 2019
<b>DESCRIPTION</b>	Public Hearing regarding the proposed rezoning at 134 Oak Park Drive (0.428 acres – KAD 21630) from R-1, Medium-Density Single-Family District to B-1, High Density Residential and Neighborhood Commercial District. (Robert S. Thornton)
<b>STAFF'S RECOMMENDED ACTION (be specific)</b>	No Action.
<b>CONTACT PERSON</b>	Laura Talley, Director Planning and Community Development
<b>SUMMARY</b>	<p>The owner is requesting a rezoning of their property from R-1, Medium-Density Residential to B-1, High-Density Residential and Neighborhood Commercial District. The applicant plans to preserve the vacant gas station building and create a neighborhood restaurant/café at the current location.</p> <p>There are several factors which need to be considered with regards to the rezoning of this property:</p> <ul style="list-style-type: none"> <li>• The Master Plan/Future Land Use Plan;</li> <li>• The preservation of the structure; and</li> <li>• Neighborhood Compatibility</li> </ul> <p><b>The Master Plan:</b> The 2018 Master Plan Future Land Use identifies this area as Expanded Downtown and supports this area as part of an Urban Neighborhood Activity Center.</p> <p>An Urban Neighborhood Activity Center, as envisioned, includes an expanded mixed-use downtown (with urban character) which is supported and strengthened by existing residential housing and high density/infill housing which is also supported in this district. This rezoning will enhance the goal of the Plan by further reinforcing the Oak Park neighborhood as a walkable neighborhood with a sense of place.</p> <p>The B-1 zoning would best meet the intended objective of providing small scale neighborhood commercial uses.</p>

**Preservation:**

The B-1 (commercial) zoning will promote preservation of the existing structure as a closer version of former itself. As an R-1 (residential zoning) they could subdivide and construct two homes. The original structure potentially could be modified to be made a home; however, the design of the structure and its placement would impact maintaining the character of the structure.

The structure was constructed as a gas station in 1920 (Rackley Gas Station). In the historic district survey the old gas station is identified as a contributing structure. Known as a "House-Type Gas Station", these were primarily constructed in the early 1920s in response to push back on the growing gas station trends in neighborhoods. The industry at the time adopted conventional forms to make their stations look less like shacks and more like houses. These types of stations often had larger customer areas, and increasingly provided public bathrooms and service bays for car maintenance and repair and were more substantial structures than earlier ones. The only clues that such structures were gas stations were the pumps, a sign, and the increasingly popular canopy linking the pump island and the building.

The applicant has stated that they plan to preserve the existing structure, so it can be adaptively used as a neighborhood cafe. They've provided a site plan and elevation which is included. They will be required to provide parking on-site, which is shown on the site plan.

**Neighborhood Compatibility:**

The B-1 district is applicable to any area where small scale retail and services are desired to support adjacent non-retail land uses. Additionally, the B-1 district requires a grid transportation network with avenue street design types on the primary streets. The neighborhood is compatible with this description.

Also, as noted in the Master Plan, Urban Activity Centers non-residential uses are usually located between residential areas and business areas, these districts are in some instances free-standing in residential areas and are designed to protect and encourage the transitional character of the districts by permitting a limited group of uses of a commercial nature while protecting the abutting and surrounding residential areas by requiring minimum yard and setbacks comparable to those called for in the residential districts.

The Land Use Plan supports this type of use on this site (Expanded Downtown), therefore it is not considered spot zoning. Staff is

	supportive of the B-1 zoning.
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

This summary is not meant to be all inclusive. Supporting documentation is attached.