AGENDA MEMORANDUM
Public Hearing and First Reading for the City Council Meeting of June 11, 2024
Second Reading for the City Council Meeting of June 18, 2024

DATE: May 17, 2024

TO: Peter Zanoni, City Manager

FROM: Al Raymond, Development Services Department
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Rezoning for a property at or near
4458 Church Street

CAPTION:
Zoning Case No. ZN8242, Zumic Investments LLC (District 1). Ordinance rezoning a property at or near 4458 Church Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District; providing for a penalty not to exceed $2,000 and publication. (Planning Commission and Staff recommend approval).

SUMMARY:
This item is to rezone the property to allow for commercial use; particularly, an office development.

BACKGROUND AND FINDINGS:
The subject property is a vacant and undeveloped half-acre, "RS-6" Single-Family 6 zoned, parcel out of the Shell Road Poultry Acres Subdivision, along Church Street, back-to-back to a property with common ownership along Violet Road, a secondary arterial right-of-way, and the future access road. County records indicate a surface-drainage easement along the western to the southwestern boundaries of the parcel, preventing access from Church Street.

The subject parcel is within the remaining Shell Road Poultry Acres subdivision of 1930, and currently measures approximately 800 feet along the north side of Leopard Street, a secondary arterial road, and 1900 feet along the west side of Violet Road, a secondary arterial road, immediately south of IH 37's access road, at the end of Church Street.

The remaining of the Shell Road Poultry Acres subdivision of 1930 and block, is characterized by "CG-2" General Commercial District parcels along Leopard Street, similarly along IH-37 , and "CN-1" Neighborhood Commercial Districts between the "CG-2" General Commercial Districts at the intersections along Violet Road, with a "RV"

Recreational Vehicle District flag-parcel beyond, and a modest "RS-6" District beyond at the core.

Immediately to the north of the subject property are parcels that are zoned "RS-6" Single-Family 6, "RV" Recreational Vehicle, and "CG-2" General Commercial District with low-density residential, vacancy, and commercial uses. To the east, the properties are zoned "CN-1" Neighborhood Commercial and "CG-2" General Commercial with commercial uses. To the south are properties are zoned "RS-6" Single-Family 6 and "CN-1" Neighborhood Commercial with commercial and low-density residential uses. The properties to the west are zoned "RS-6" Single-Family 6 District with low-density residential use.

The applicant is requesting an amendment to the existing zoning to accommodate an office development. The "CN-1" Neighborhood Commercial District permits office uses, multifamily dwellings, certain indoor recreation uses, retail sales and service uses, medical facility uses, overnight accommodation uses, and restaurant uses less than 5,000 square feet in gross floor area.

The proposed rezoning is consistent with many elements and goals of Plan CC; however, it is inconsistent with the FLUM designation of mixed use.

Public Input Process:
Number of Notices Mailed: 11 notices were mailed within the 200-foot notification area, and 0 outside the notification area.

As of June 7*, 2024:*

In Favor	In Opposition
0 inside notification area	0 inside notification area
0 outside notification area	0 outside notification area

A total of 0.00% of the 200-foot notification area is in opposition.

ALTERNATIVES:
None.

FISCAL IMPACT:
There is no fiscal impact associated with this item.

RECOMMENDATION(April 17, 2024):
Planning Commission and Staff recommend approval of the change of zoning from the "RS-6 " Single-Family 6 District to the "CN-1 " Neighborhood Commercial District.

Vote Results
For: 7
Against: 0
Absent: 2
Abstained: 0

LIST OF SUPPORTING DOCUMENTS:
Ordinance
Planning Commission Final Report
Presentation - Aerial Map