



AGENDA MEMORANDUM

Public Hearing for the City Council Meeting of 02/11/20
First Reading Ordinance for the City Council Meeting of 03/17/20
Second Reading Ordinance for the City Council Meeting of 03/24/20

DATE: February 20, 2020
TO: Peter Zaroni, City Manager
FROM: Al Raymond, AIA, Director
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Rezoning a property at or near 4938 Moody Drive

CAPTION:

Zoning Case No. 1219-02, Zeba, Inc. (District 3). Ordinance rezoning property at or near 4938 Moody Drive from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

SUMMARY:

The purpose of the zoning request is to allow for the construction of a senior apartment complex.

This case was originally presented to the City Council on February 11th. After discussion and deliberation, the City Council moved to table the rezoning case in order to have City staff craft a Special Permit. Discussions between City staff and the applicant occurred, and language for the potential Special Permit was agreed upon.

BACKGROUND AND FINDINGS:

The subject property is 1.62 acres in size. According to the applicant the purpose of the request is to construct a senior apartment complex.

Conformity to City Policy

The subject property is located within the boundaries of the Westside Area Development Plan and is planned for a medium density residential use. The proposed rezoning to the "RM-1" Multifamily 1 District is inconsistent with the adopted Comprehensive Plan (Plan CC), incompatible with the adjoining residential properties, and could potentially have a negative impact upon the adjacent single-family residential properties. Adjacent properties consist of single-family homes, professional offices, and an industrial park. Plan CC specifically states that there should be direct arterial access for apartments and traffic should avoid passing through a lower density residential area. The proposed apartment complex would route traffic to the north along Moody Drive and through the residential neighborhood. Buffer yards will be required along the northern, southern, and eastern property lines. The "RS-TF" District is in line with the character of the neighborhood and promotes a reduced traffic impact to surrounding residential properties.

Public Input Process

Number of Notices Mailed
28 within 200-foot notification area
5 outside notification area

As of December 13, 2019:

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

Totaling 0.00% of the land within the 200-foot notification area in opposition.

Commission Recommendation

Planning Commission approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District on December 18, 2019.

This case was originally presented to the City Council on February 11th. After discussion and deliberation, the City Council moved to table the rezoning case in order to have City staff craft a Special Permit. Discussions between City staff and the applicant occurred, and language for the potential Special Permit was agreed upon.

ALTERNATIVES:

1. Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District.
2. Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-TF” Two Family District.
3. Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-6/SP” Single-Family 6 District with a Special Permit.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Staff recommends denial of the zoning request, in lieu thereof approval of the “RS-6/SP” Single-Family 6 District with a Special Permit.

Planning Commission recommended approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District with following vote count.

Vote Count:

For:	8
Opposed:	1
Absent:	0
Abstained:	0

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation - Aerial Map
Planning Commission Final Report

