

PLANNING & ZONING COMMISSION MEETING OF 11-10-15 AGENDA ITEM #15-273Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, Planning Manager

FROM: Samantha Pickett, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “AG” – Agricultural District to “SF5” – Single Family Residential District, Located Approximately 3,500 Feet North of Virginia Parkway and on the East Side of Lake Forest Drive

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 1, 2015 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request.

APPLICATION SUBMITTAL DATE: October 12, 2015 (Original Application)
October 26, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 26.55 acres of land from “AG” – Agricultural District to “SF5” – Single Family Residential District, generally for single family residential uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“AG” – Agricultural District (Agricultural Uses)	Undeveloped Land
North	“AG” – Agricultural District (Agricultural Uses) and “PD” – Planned Development District Ordinance No. 2004-09-091 (Park Uses)	Undeveloped Land

South	“RS-84” – Single Family Residence District (Single Family Residential Uses)	The Church of Jesus Christ of Latter-Day Saints
East	“AG” – Agricultural District (Agricultural Uses)	Undeveloped Land
West	“AG” – Agricultural District (Agricultural Uses)	Single Family Residence

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally for single family residential uses. Given the property’s midblock location, nearby similar residential uses, and conformance with the Future Land Use Plan (FLUP), Staff feels that the request for single family residential uses is appropriate for this location, and as such recommends approval.

All development on the subject property will be required to meet all applicable City ordinances and regulations; however, Staff has some concerns regarding the ability to develop in the extensive floodplain on the property and the potential removal of quality trees within the floodplain. Upon completion of the necessary engineering, no more than 30% of the quality trees within the floodplain may be removed per Section 146-136 (Tree preservation) of the Zoning Ordinance. Any amount exceeding the 30% threshold would require the applicant to request a variance to this section of the Ordinance.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for low density residential and floodplain uses. The FLUP modules diagram designates the subject property as Suburban Mix and Floodplain within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of “Land Use Compatibility and Mix” by creating a “land use patterns that complement one another”.
- **Impact on Infrastructure:** The proposed zoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since a portion of the land would change from floodplain to residential uses. Staff is unable at this point in time to determine the exact difference in the impact on infrastructure as the wide range of non-residential uses currently allowed could

impact the infrastructure more or less than the impact of the proposed development.

- Impact on Public Facilities/Services: The proposed zoning request should have an impact on public facilities and service, such as schools, fire and police, libraries, parks and sanitation services, as a portion of the land will change from floodplain to residential uses requiring additional public services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar and residential uses and should remain compatible.
- Fiscal Analysis: The fiscal analysis shows a negative cost benefit of \$74,481 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 34 is currently comprised of approximately 50.3% residential uses and 49.7% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will have an impact on the anticipated land uses in this module as the request will increase the residential component. Estimated tax revenues in Module 34 are comprised of approximately 88.8% from residential uses and 11.2% from non-residential uses (including mixed-use, institutional and agricultural uses). Estimated tax revenues by type in Module 34 are comprised of approximately 94.6% ad valorem taxes and 5.4% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of residential land uses in the area.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Fiscal Analysis
- Land Use and Tax Base Summary
- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Layout Exhibit – Informational Only
- PowerPoint Presentation