



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 4, 2024

Re: Alpine Drive – Rezoning (Case # 49-2024)

## Executive Summary

Approval of this request would rezone 3.72 acres on Alpine Drive from I-G (Industrial) and R-2 (Two-family Dwelling) to R-MF (Multi-family Dwelling).

## Discussion

Brush & Associates (agent), on behalf of TY-CO Investments, LLC, James and Patricia Sears, Coats St. LLC, TDW Investments, LLC, and Willy Investments LLC (owners), is seeking approval of a rezoning of 3.72 acres from IG (Industrial) and R-2 (Two-Family Dwelling) to R-MF (Multi-Family Dwelling) to match the existing uses on the site. The subject site consists of Lots 1 through 6 (including Lot 1E), Lots 12 through 15, and part of lot 16 of the Alpine Estates subdivision. The parcel is currently split-zoned, with approximately 1.26 acres at the north end of Alpine Drive currently zoned I-G and the remainder zoned R-2. A concurrent request to accept dedication of an emergency apparatus turnaround (Case # 116-2024) impacting the subject property to be rezoned has been submitted at the request of the Fire Department. The details of this request are address within Case # 116-2024 which appears under separate cover on the Council's March 4 agenda.

The subject parcel was originally platted shortly before being annexed into the city in 1969 as a part of a much broader annexation. That annexation incorporated, in part, the Paris Road and Brown Station Road corridors from Mexico Gravel Road north to Peabody Road. The current zoning was established upon annexation with Paris Road designated as an industrial corridor, and Mexico Gravel established as medium density residential strip. As such, the subject site was located in the transitional zone between the two corridors, resulting in the conflicting designations.

Both the County and the City have never accepted Alpine Drive for maintenance because it was not built to the street standards of either entity. The street remains privately maintained, although it resides within a 50-foot street easement, which was dedicated to the City in 2021 to facilitate public access. The street was intended to extend to the northwest, and connect back to Paris Road, but this extension was never completed. A large parcel at the northwest corner of the Alpine Estates subdivision was transferred and replatted eliminating the opportunity for this roadway connection. As a result, the 12 lots along Alpine Drive are limited to a single point of access at the street's southern end where it connects to Mexico Gravel Road.

Of the twelve lots on Alpine Drive, five are constructed with four-unit quad-plexes and seven remain vacant. The four northernmost lots are zoned I-G, and three contain multi-family



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structures. The 8 southern lots are zoned R-2, with two developed lots on the east side of Alpine Drive. All structures are legal nonconformities since multi-family uses are prohibited in both R-2 and I-G zoning districts. The undeveloped lots on Alpine Drive would not be allowed to construct similar structures. Therefore; the applicants are seeking the rezoning of the totality of the platted lots to R-MF in order to harmonize the zoning district with the existing uses on the developed parcels and permit similar development on the undeveloped parcels in the future.

The proposed rezoning is not anticipated to generate any significant land use conflicts with adjoining development. Any potential conflicts on undeveloped parcels will be off-set by the imposition of the neighborhood protection standards of Section 29-4.7 of the UDC, limiting the proximity of new multi-family structures to adjacent lots. Multi-family buildings over 30 feet in height would be required to reduce their perceived height from any adjacent R-1 or R-2 zoning district by either increasing setbacks or stepping the height of the building down to a maximum height of 24 feet when such new construction was within 25 feet of the shared lot boundary. Screening and edge buffering would also be required by Section 29-4.4(e) along the eastern parcel boundary where the site lies adjacent to an R-1 district. The requested R-MF zoning is supported by provisions of the comprehensive plan that promote diverse housing options and infill development accessible to employment centers. The parcel is situated such that it has ample access to major roadways capable of supporting additional development impacts.

The Planning & Zoning Commission discussed this request at their January 18, 2024 meeting. Commissioners asked for clarification in regards to the maintenance and future improvement of Alpine Drive. Staff indicated that the street would remain privately maintained for the foreseeable future and there are no plans for the City to take over that responsibility. One member of the public raised concerns over impacts that further development of the parcel would create in terms of stormwater and traffic. The applicants and their representative gave a brief overview of their request, noting that the adjacent industrial uses make the subject parcel undesirable for single-family development and that multi-family uses have existed on the parcel for some time without significant conflict.

After limited further discussion, the Planning Commission moved to approve the requested rezoning, and the motion passed unanimously (6-0).

The Planning and Zoning Commission staff report, locator maps, rezoning exhibit, Alpine Estates subdivision plat, and meeting excerpts are attached for reference.



## Fiscal Impact

Short-Term Impact: Limited. All costs associated with the extension of public infrastructure will be borne by the applicant.

Long-Term Impact: On-going maintenance of public infrastructure and provision of public safety and solid waste services. Future impacts may or may not be offset by increased user fees and/or property tax collections.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Safe Community, Secondary Impact: Secondary, Tertiary Impact: Tertiary

### Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Approve the requested rezoning from IG and R-2 to R-MF as recommended by the Planning and Zoning Commission.