



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 18, 2021

Re: **Tracts 1 & 2 – John Garry Drive – Rezoning** (Case # 256-2021)

Executive Summary

Approval of this request would rezone portions of two (2) tracts (Tracts 1 & 2) of an eleven (11) tract rezoning request within the Corporate Lake development, south of Rock Bridge High School, from M-OF (Mixed-Use Office) to R-MF (Multi-Family Residential). The purpose of the rezoning is to eliminate split-zoning of the tracts and conform the zoning to the actual use of the land as multi-family development.

Discussion

Overall Rezoning Request Background

The applicant is seeking to rezone 11 tracts of land totaling 17.9 acres within the Corporate Lake development. The intent of the rezoning actions is to correct instances of split-zoning and to simplify the zoning on the applicant's property. The majority of the tracts are proposed to be consolidated into M-N zoning and removed from PD (Planned District) zoning. Of the 11 total tracts, 7 are proposed to be rezoned to M-N, 2 to M-C, and 2 to R-MF. It should be noted that Tract 11 was originally proposed to be rezoned to M-C; however, has been amended to be considered as M-N following the Commission's public hearing.

This case was presented to the Planning Commission as a single request with four (4) separate zoning recommendations. However, in preparing for Council action the Law Department requested that individual ordinances be prepared for each group of tracts seeking similar zoning. Given that Tract 11 was proposed to be zoned M-C, but has since been amended a separate report for Council's consideration has been prepared. As such, there will be four individual Council reports associated with this single case number.

To assist in providing clarity as to the tracts which are the focus of each Council report, the attached "Rezoning Locator Maps" have been included to highlight the tracts. Also attached to this report is a "Rezoning Exhibit" which identifies each of the tracts to be rezoned with the tract's current and proposed zoning. Areas shown as "Hatched" on the map are included within the boundary of the subject tracts, but are not included within the area that would be rezoned.

Tract Specific Rezoning Considerations

In 1990, Tracts 1 & 2 were zoned R-3 (Multi-Family Residential) and O-1 (Office), with the zoning boundary roughly bisecting Tract 1 from north to south, creating a split-zoned parcel. These zoning designations remain largely intact to this day; they have only been renamed in accordance with the Unified Development Code. The portion of the Tract 1 presently zoned R-MF (formerly R-3) is not included in this rezoning request.



Both tracts are developed with multi-family apartment buildings. Rezoning the property to R-MF is considered a downzoning and is proposed to off-set the proposed impacts of up-zoning other tracts elsewhere in the development. The applicant also wishes to harmonize the zoning on the parcels with the existing uses thereon. The location of Tracts 1 & 2 is appropriate for residential uses, given it lies off the major roadway corridors and serves as a transitional use between one and two-family residential uses to the south and west and the office and commercial uses to the north and east.

The Planning & Zoning Commission considered this rezoning at their September 9, 2021 meeting. Staff presented a staff report, and there were no comments by the Commission or members of the public. The Commission made a motion to approve the rezoning, which passed unanimously (8-0).

A copy of the Planning and Zoning Commission staff report, locator maps, rezoning locator maps, rezoning exhibit, public correspondence, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated.
Long-Term Impact: None anticipated.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Economic Development, Tertiary Impact: Mobility, Connectivity, and Accessibility

Legislative History

Date	Action
07/02/90	Ord. 012663 – Approved O-1 zoning on Tracts 1 & 2, and R-3 zoning on Tract 1
02/19/90	Ord. 012517 – Approved R-3 zoning on Tract 1 and O-1 zoning on Tract 2

Suggested Council Action

Approve the rezoning of portions of Tracts 1 & 2 from M-OF to R-MF as recommended by the Planning and Zoning Commission.