



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 6, 2017

Re: Benton-Stephens – Rezoning (Case #17-23)

Executive Summary

Approval of this request would rezone 35 parcels in the Benton-Stephens neighborhood from R-3 (Medium Density Multiple-Family District) to R-1 (One-Family Dwelling District) and R-2 (Two-Family Dwelling District).

Discussion

The applicants are requesting to “downzone” their properties from R-3 to R-1, with the exception of a single duplex (addressed as 615 Paris Court) which is proposed to become R-2. The requested “downzoning” is consistent with the current use of the properties.

In 1992, Council adopted Policy Resolution (PR 195-92) pertaining to “group” downzoning applications. In 2015, Council passed Ordinance #22651 which reduced application fees associated with downzoning requests and removed a limitation on when such applications could be submitted for consideration. This action was done, in part, to support downzoning of property in residential neighborhoods and as a method of supporting neighborhood revitalization and stabilization.

Since adoption of PR 195-92, seven (7) group downzoning have been processed within the Benton-Stephens neighborhood resulting in 60 parcels being downzoned. The current request represents the largest coordinated downzoning petition to be processed in the neighborhood to date. The largest previous request included 27 parcels.

All of the subject properties fall within the Benton-Stephens Urban Conservation Overlay District boundary. The Overlay was established in 2000 with the intent of promoting development that is compatible with surrounding residential property, and includes several design requirements for new residential development to that end.

All but seven of the 35 subject parcels are legally non-conforming lots by virtue of having either substandard lot width (less than 60 feet wide), area (less than 7,500 sq. ft.), or both. The proposed downzoning will bring three of the currently non-conforming parcels into compliance by meeting the R-1 district’s lesser 7,000 sq. ft. minimum lot area requirement. The remaining non-conforming lots will continue to be subject to nonconforming lot standards that limit redevelopment on any of the individual parcels to no more than a single-family home.

Additionally, if the proposed Unified Development Code (UDC) neighborhood protection standards are adopted they will result in application of new transitional requirements



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between the subject sites and their neighboring, more intensely zoned or used lots, if developed or redeveloped. The *proposed* transitional standards are applicable based on land use and zoning district. Since all of the subject properties contain single-family or two-family homes, existing adjacent R-3 multi-family redevelopment would be subject to the proposed neighborhood protection standards regardless of whether the proposed downzoning is approved or not.

The proposed downzoning is consistent with the goals and objectives of preserving the surrounding neighborhood character and promotes the ongoing preservation goals articulated in the City's Comprehensive Plan. Furthermore, this request will not detrimentally affect existing development should the proposed neighborhood protection standards be adopted, as such standards will only be applicable upon expansion or redevelopment of the more intensely used or zoned adjacent parcels to those lots sought to be downzoned.

On January 5, 2017, the Planning and Zoning Commission voted 9-0 to support the proposed rezoning of all parcels included in the petition. Public comments were generally supportive of the downzoning request on the basis of preserving the single-family character of the neighborhood and maintaining a healthy balance of single- and multi-family dwelling units within the neighborhood. Commissioners sought clarification on the history of zoning in the area and practical implications of the request on surrounding multi-family properties.

A copy of the Planning Commission staff report, locator maps, Ordinance #22651, PR 195-92, Benton-Stephens U-C Overlay Ordinance, public correspondence and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: No short-term costs are associated with approval of the request.

Long-Term Impact: No long-term costs are associated with approval of the request.

Vision & Strategic Plan Impact

Vision Impacts:

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

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable



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Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the requested rezoning from R-3 to R-1 and R-2, as recommended by the Planning and Zoning Commission.