



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-35 An Ordinance of the City Council Approving Amendment of the Zoning Classification of 0.24 Acres of Real Property Located at 480 East US Highway 60, from Two-Family Residential (R-2) to Local Commercial (C-1).

Submitted By: Chris Tabor, BUILDS Department Principal Planner

Date: May 21, 2024

Issue Statement

Chastain Investments, LLC has applied to change the Zoning Classification of approximately 0.24 acres of property located at 480 East US Highway 60 from Two-Family Residential (R-2) to Local Commercial (C-1).

Discussion and/or Analysis

The property subject to this Rezoning Application consists of approximately 0.24 acres of land located at 480 E. US Hwy 60; the property is currently the site of a commercial structure.

As regulated by Article 405-IX Non-Conforming Uses of the Republic Municipal Code, the use of the structure within the existing zoning of Two-Family Residential (R-2) is deemed Non-Conforming. The applicable regulations of the Two-Family Residential District (R-2) do not permit the use of commercial activities. If approved, the application to rezone the property to Local Commercial (C-1) would make it a conforming lot of record and use.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

In the case of this application, the rezone would encourage preserving the existing use of the commercial development through an appropriate reactive measure.

The Rezoning of this parcel is consistent with City's Adopted Plans.

Compatibility with Surrounding Land Uses



The subject property is adjacent to Local Commercial (C-1) zoned parcels bordering to the east. To the south and west across Morningside Ave the adjacent properties are zoned Medium Density Single-Family Residential.

The Local Commercial (C-1) Zoning District is intended to permit and establish regulations for retail and service-related businesses with a compatible location adjacent to similar uses.

The property is in close proximity to the US Highway 60 corridor and the existing land uses of the neighboring properties to the east are commercial in nature. Due to these facts, the rezone application is compatible with the general area.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service:

City Water and Sewer systems have capacity to serve this property if the application is approved.

The property has access to sewer through an 8" gravity sewer main along Morningside Avenue. Effluent would travel through gravity lines to the Schuyler Creek Lift Station before being pumped to the Wastewater Treatment Facility.

Water is currently available onsite through a 6" main along US Highway 60.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

Transportation:

The property will have access off US Highway 60, an arterial road.

A Traffic Impact Study (TIS) was not required for the Rezoning Application, due to the fact that the size of the developable area is under the one (1) acre threshold of requiring such study. The waiving of the TIS is in line with City policy.

Floodplain: The subject parcel **does not** contain areas of Special Flood Hazard Area (Floodplain).

Sinkholes: The subject property **does not** contain an identified sinkhole.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**