



## AGENDA ITEM ANALYSIS

Project/Issue Name: 24-31 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 0.23 Acres of Real Property Located at 936-938 North Walnut Avenue, from Light Industrial (M-1) to Two-Family Residential (R-2).

Submitted By: Chris Tabor, BUILDS Department Principal Planner

Date: June 4, 2024

### Issue Statement

Chastain Rentals, LLC has applied to change the Zoning Classification of approximately 0.23 acres of property located at 936 & 938 North Walnut Avenue from Light Industrial (M-1) to Two-Family Residential (R-2).

### Discussion and/or Analysis

The property subject to this Rezoning Application consists of approximately 0.23 acres of land located at 936 & 938 N. Walnut Ave.; the property is currently the site of a two-family dwelling 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 Light Industrial (M-1) is deemed Non-Conforming. The applicable regulations of the Light Industrial (M-1) District do not permit the use of a two-family dwelling. If approved, the application to rezone the property to Two-Family Residential (R-2) 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 residential 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 Light Industrial (M-1) zoned parcels bordering the east, north, and south property lines and west across North Walnut Avenue.

The Two-Family Residential (R-2) Zoning District is intended to permit and establish regulations for two-family residential dwellings. The land uses along the eastern side of Walnut Avenue and the abutting block of Main Street are residential.

Such rezoning would be compatible with the surrounding 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 across Walnut Avenue. Effluent would travel through gravity lines to the Evergreen Lift Station before being pumped to the Wastewater Treatment Facility.

Water is currently available onsite through a 4" main along Walnut Ave.

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 Walnut Avenue, a local class 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.**