



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-47 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 0.46 Acres of Real Property Located at 907 North Walnut Avenue, from Light Industrial (M-1) to Multi-Family Residential (R-3).

Submitted By: Patrick Ruiz, Associate Planner

Date: August 20, 2024

Issue Statement

Dogwood Real Estate Holdings, LLC has applied to change the Zoning Classification of approximately 0.46 acres of property located at 907 North Walnut Avenue, or legally described as Lots 20 and 21 of the Chock's Northside First Addition, from Light Industrial (M-1) to Multi-Family Residential (R-3).

Discussion and/or Analysis

The property subject to this Rezoning Application consists of approximately 0.46 acres of land located at 907 N. Walnut Ave.; the property is currently the site of a four-plex residential 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 multi-family dwellings. If approved, the application to rezone the property to Multi-Family Residential (R-3) 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 west and north property lines and to the east across North Walnut Avenue. It is also adjacent to Local Commercial (C-1) zoned parcels to the south across West North Street.

The Multi-Family Residential (R-3) Zoning District is intended to permit and establish regulations to accommodate high density residential development. The land uses to the west and north are commercial and the property across Walnut Avenue is multi-family residential.

Such rezoning would be compatible with the surrounding land uses.

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 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 adjacent to the site through a 4" main across Walnut Avenue.

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

Transportation:

The property has access off Walnut Ave, a local class road. It is also adjacent to North Street, which is classified as a Local Commercial and Multi-Family Street by the Transportation Plan.

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.**