



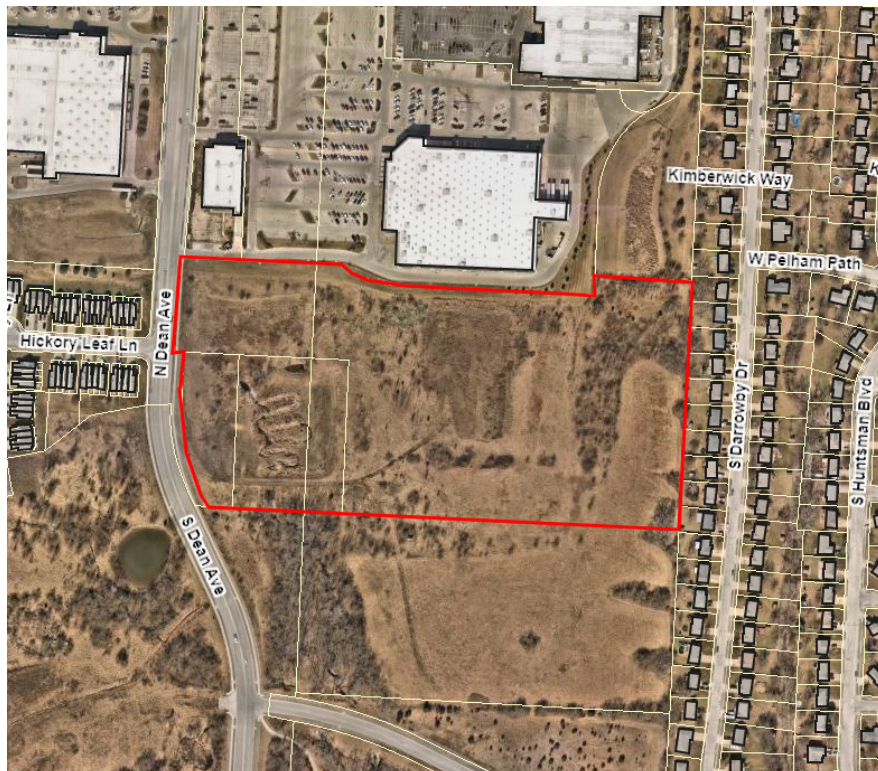
To: City Council
From: Planning and Zoning Commission
Date: August 23, 2021
Re: Case #21015 Raymore Galleria - Watermark - Rezoning C3 to R3B

GENERAL INFORMATION

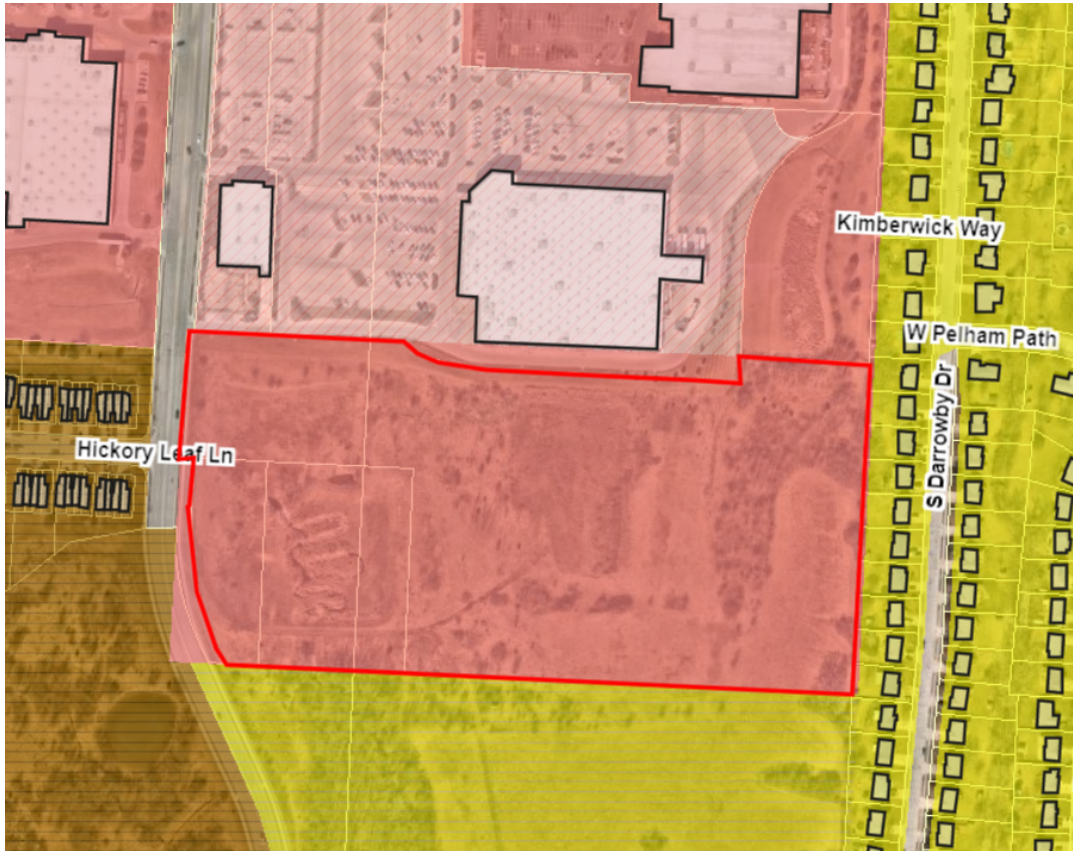
Applicant: Garrett Linville
Thompson Thrift Development, LLC
111 Monument Circle, Ste 1500
Indianapolis, IN 46204

Requested Action: Request to rezone approximately 21.03 acres from C-3 to R-3B

Property Location: East side of Dean Avenue, south of OfficeMax and Sam's Club



Existing Zoning: "C-3" Regional Commercial District



- North:** C-3P (Regional Commercial Planned District)
- East:** R-1 (Single Family Residential)
- South:** R-1P (Single Family Residential Planned District)
- West:** R-3AP (Multi-Family Residential Planned District)

Growth Management Plan: The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for Commercial.

Strategy 3.2.4 of the City Strategic Plan is to ***provide quality, diverse housing options that meet the needs of our current and future community***

Major Street Plan: The Major Thoroughfare Plan Map classifies Dean Avenue as a Minor Arterial.

Legal Description: A tract of land in the Northeast Quarter of Section 18 and the Northwest Quarter of Section 17, Township 46 North, Range 32 West of the 5th Principal Meridian in the City of Raymore, Cass County, Missouri, being described as follows:

Beginning at the Northwest corner of "Raymore Galleria- Second Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence North 03°30'54" East, along the East right-of-way line of Dean Avenue, as now established, a distance of 245.26 feet; thence North 05°06'14" East, along said East right-of-way line of Dean Avenue, a distance of 8.54 feet to the Southwest corner of Lot 6-F, "Replat of Lot 6-A, 6-B, 6-C and Tract D, of the Replat of Lot 6, Raymore Galleria - First Plat", a

subdivision of land in the City of Raymore, Cass County, Missouri; thence South 87°29'23" East, along the South line of said Lot 6-F and 6-E, a distance of 426.95 feet; thence South 42°29'23" East, continuing along said South line, for a distance of 35.55 feet; thence South 73°44'18" East, continuing along said South line, a distance of 104.59 feet; thence South 87°29'23" East, continuing along said South line, a distance of 554.77 feet; thence North 02°30'35" East, along the East line of said Lot 6-E, a distance of 50.00 feet; to the Southeast corner of said "Replat of Lot 6, Raymore Galleria - First Plat"; thence North 02°30'35" East, along the East line of said "Replat of Lot 6, Raymore Galleria - First Plat", a distance of 2.00 feet to the Southwest corner of Tract B, "Raymore Galleria - First Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence South 87°29'23" East, along the South line of said Tract B, a distance of 278.02 feet to the Southeast corner of said "Raymore Galleria - First Plat", said corner also being a point on the West line of "Foxhaven - Second Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence South 03°03'58" West, along said West line and the West line of "Foxhaven - Second Plat and Foxhaven - Eighth Plat", both subdivisions of land in the City of Raymore, Cass County, Missouri, 685.49 feet; thence North 86°58'22" West, 934.84 feet to the Southeast corner of Tract "A" in said "Raymore Galleria - Second Plat"; thence North 02°30'38" East, along the East line of said "Raymore Galleria - Second Plat", a distance of 421.27 feet to the Northeast corner of said plat; thence North 87°29'22" West, along the North line of said "Raymore Galleria - Second Plat", a distance of 449.70 feet to the Point of Beginning.

Advertisement: June 17, 2021 **Journal** newspaper
July 22, 2021 **Journal** newspaper

Public Hearing: July 6, 2021 Planning Commission meeting
August 9, 2021 City Council meeting

Items of Record: **Exhibit 1. Mailed Notices to Adjoining Property Owners**
Exhibit 2. Notice of Publication in Newspaper
Exhibit 3. Unified Development Code
Exhibit 4. Application
Exhibit 5. Growth Management Plan
Exhibit 6. Staff Report
Additional exhibits as presented during hearing

REQUEST

Applicant is requesting to rezone approximately 21.03 acres from the existing "C-3" Regional Commercial District to R-3B (Apartment Community Residential District) to allow for an apartment community with residential amenities.

REZONING REQUIREMENTS

Chapter 470: Development Review Procedures outlines the applicable requirements for Zoning Map amendments.

Section 470.020 (B) states:

"Zoning Map amendments may be initiated by the City Council, the Planning and Zoning Commission or upon application by the owner(s) of a property proposed to be affected."

Section 470.010 (E) requires that an informational notice be mailed and "good neighbor" meeting be held.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council. The Planning and Zoning Commission will submit a recommendation to the City Council upon conclusion of the public hearing.

Section 470.020 (G) outlines eleven findings of fact that the Planning and Zoning Commission and City Council must take into consideration in its deliberation of the request.

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

1. The subject property was rezoned from “A” Agriculture to “C-3” Regional Commercial District on March 27, 2005. The rezoning included property up to Highway 58 including Lowes, Steak N Shake, Golden Corral, and Big O Tires.
2. The property to the south was rezoned to R-1P (Single Family Residential Planned District Overlay) on February 8, 2004.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday, June 23, 2021 in Council Chambers at City Hall. 10 people attended including Councilmember Townsend. Applicant Garrett Linville and Chris Alexander for Thompson Thrift Development also attended to make the presentation and answer questions and concerns. City Planner Katie Jardieu, and Development Services Director Jim Cadoret represented City staff. The comments below provide a summary of the meeting:

Mr. Linville and Mr. Alexander went through the history of the company which started out in single family renting. They are just getting into the Kansas and Missouri area with Elements by Watermark which is a Class A luxury apartment community that just opened. This would be the quality of product they are looking to replicate here in Raymore. The project would be three-stories and a garden style. There would be premium interiors as well as a 7-10 thousand square foot clubhouse including a courtyard, bike repair station, valet trash, fire pits and outdoor games. This is for those that want to rent by choice for experiential living. Every unit has its own balcony with the first floor allowing a fenced area for a pet. The detention pond would be landscaped and every apartment would have a detached garage. With the on site detention pond, the building would be at least 300 feet from the backyards of Foxhaven.

Attendees had the following questions regarding the project:

Q: How many bedrooms will you have? 1, 2, 3s with 300 total units

Q: How will that affect Raymore's utilities (sewer, water pressure, etc), Dean Ave?

Residents per unit is about 1.7. City services are something we look at as well or people wouldn't rent from us. We will pull data and make sure it is going to be fully operational and not strangle the city resources. There are standards in place as well to hold us to them.

Q: What are the potential rental rates? \$1200 -\$1800

Q: During development, including during Sam's bldg, people had land and foundation repairs due to the shifting ground. Runoff is also a problem. Construction raising will affect that as well. Is there a plan should/if this happens and who would be liable? We would take all approaches to only affect our site. We hope to improve the drainage in the area by including a storm drainage area for the runoff to go to. We will also include a storm system that isn't there right now. Anything we cause we will be liable for.

Q: Should we have our foundations inspected prior to construction? Also the ponds can be disgusting with bugs and such. Some ponds have fountains and such so that the apartments that look out over it will not be looking out over a scummy area? That is up to you but we do our best that we do not affect our neighbors and it is up to you if you want to establish a baseline.

Q: The 2 bldgs by the pond are 3 story? Yes, there is substantial landscaping and a buffer area. We can put together a landscape plan to showcase that.

Q: Is this gated? No, the line on the drawing is the property line.

Q: What is the construction timeline? 20-24 months and all together in one mobilization. Once approved, we would break ground potentially next summer but not earlier. Design phase is next, which takes a while.

Q: Where are all the people for these apartments coming from? Of the existing small stock, there are high occupancy levels to show that additional units are needed. Even with The Lofts and the apartments behind Target we feel there is a demand. This is a big investment for us and so we did study it and our ownership was in town to make sure.

Q: What is the current elevation? and what is the proposed elevation? We have not completed the final engineering and grading plan. However, we don't want to have to bring dirt in or haul away so we will use what is available.

Q: Do you own the property now? It is under contract subject to approvals.

Q: What is your occupancy rate? 95% across all of our properties.

Q: You are building next to the highest crime density? We haven't looked at that but we are typically located close to commercial areas

Q: How many garages are there? There will be approximately 100. We are trying to provide 1 parking space per bedroom

Q: Will any of the apartments be Section 8? Zero

Q: Property tax contribution with high capacity at the elementary schools? We are working through that right now. Typically we have about 19 of the 250 to 300 units that have kids that feed into schools. We do look at the schools because we want the best of the best and that is a selling point so we don't want to overcrowd them.

Q: Have you looked at other properties within Raymore and the County? The traffic is so bad on Hwy 58 and 71. We will do a traffic study, our residents will be affected by this as well. New development has to abide by traffic rules and the level of service. We have looked at others but this is already zoned commercial which would be a more intense traffic use than apartments.

Q: Bringing in the additional apartments takes away a business opportunity. We need restaurants and smaller businesses. I have issues with the location because there is nothing there. There is a lot of land that is flatter further south with better access. We don't want to see another business fail and out to pasture. We want you to come to Raymore, just not in that exact spot.

Q: What is your lighting like? There will be zero light leaving our site. We light parking areas, but not like Costco. The buildings would then block the lighting from the parking lights.

Q: Are there additional neighbor meetings? Yes with Preliminary Plans there will be another Good Neighbor meeting and Public Hearing to go over the details of the proposed plan.

Councilmember Reginald Townsend then spoke regarding the process and how The Lofts and townhomes had to go through this. He explained that he was a Ward 1 representative and how traffic in general flows and the perspectives that the City is looking at (existing businesses along Hwy 58 that we can't tell to move to widen the street). There are additional projects that feed to North Cass Parkway regardless of this project that we are looking at. Also there are multiple factors that are leading to the drive for apartments. This is a different generation that ubers everywhere and scooters

with less ownership than we are used to. This is a market trend that is creating a demand. We, as a community, have to find a way to maintain the level of service that we are used to. Lots are decreasing and there aren't many left. This allows for some planning best practices. These are challenges that we are trying to figure out along with the best use for the land. We know people want more than dental offices and chains but we need the people to sustain that. It goes both ways with commercial wanting residents and then residents wanting businesses and it is a balance.

Q: There is a hill and it causes a lot of runoff into our backyards? We haven't done engineering yet and we will follow city standards. A preliminary Plan will also necessitate a Good Neighbor meeting and show you grading plans and stormwater plans.

Q: The land goes up and plateaus would you be creating a crest or more flat hill? We would address it during grading and full engineering. The pond will catch that water and then it will flow out at a slower rate.

STAFF COMMENTS

1. The R-3B, Apartment Community Residential District, is intended to accommodate multiple-family residential development where there are sufficient services and infrastructure to support higher density residential development. The principal use of the land in this district is multiple-family development that is planned and developed only on a lot or tract under single ownership or unified control.
2. The uses permitted in the R-3B district are as follows:

Use	R-3B	Use Standard
RESIDENTIAL USES		
Household Living		
Single-family Dwelling, Detached (conventional)	–	
Manufactured Home Residential – Design	–	Section 420.010D
Single-family Dwelling, Attached	–	Section 420.010A
Two-family Dwelling (Duplex)	–	
Multi-family Dwelling (3+ units)	–	Section 420.010A
Apartment Community	S	Section 420.010A
Cluster Residential Development	–	Section 420.010B
Manufactured Home Park	–	Section 420.010C
Employee Living Quarters	–	
Accessory Dwelling, Attached	–	Section 420.050E
Accessory Dwelling, Detached	–	Section 420.050E
Group Living		
Assisted Living	C	
Group Home	S	Section 420.010E
Nursing Care Facility	C	

Transitional Living	C	
Group Living Not Otherwise Classified	C	
PUBLIC AND CIVIC USES		
Cultural Exhibit or Library	C	
Government Buildings and Properties	C	
Place of Public Assembly	C	
Public Safety Services	C	
Religious Assembly	P	
School	P	
Utilities		
Major	C	
Minor	P	
COMMERCIAL USES		
Animal Services		
Kennel	-	Section 420.030E

Day Care		
Day Care Home	S	Section 420.030C
Entertainment and Spectator Sports		
Indoor	-	
Outdoor	-	
Funeral and Interment Services		
Cemetery	C	
Funeral Home	-	
Lodging		
Bed and Breakfast	-	Section 420.030H
Medical Marijuana Cultivation Facility	-	Section 420.030N
Sports and Recreation, Participant		
Outdoor	C	
Indoor	-	
OTHER USES		
Accessory Uses	S	Section 420.050
Agricultural Uses		
Farming	-	
Boarding Stables and Riding Schools	-	Section 420.040A
Home Occupation	S	Section 420.040B
Parking		
Accessory Parking	P	
Wireless Communication Facility		Section 420.040C
Colocated	S	
Small Wireless Facility	S	

3. There are 8 properties within the City that are currently zoned R-3B:

- a. The Lofts at Foxridge
- b. Manor Homes
- c. Raymore Senior Village (north of Price Chopper)
- d. Grant Park Villas (Adams Street, north of 58 Highway)
- e. Bristol Manor of Raymore (Sunrise Drive)

- f. Redwood of Raymore (Sunrise Drive)
 - g. Greenway Villas
 - h. Walnut Estates
4. Apartments are a permitted use subject to special conditions in the R-3B zoning district. Section 420.010A of the Unified Development Code outlines the special conditions applicable to apartment communities:

Section 420.010 Use-Specific Standards, Residential Uses

A. Single-Family Attached and Multiple-Family Dwellings

1. Number of Buildings per Lot

Multiple buildings containing attached single-family and multiple-family dwellings are permitted on a single zoning lot.

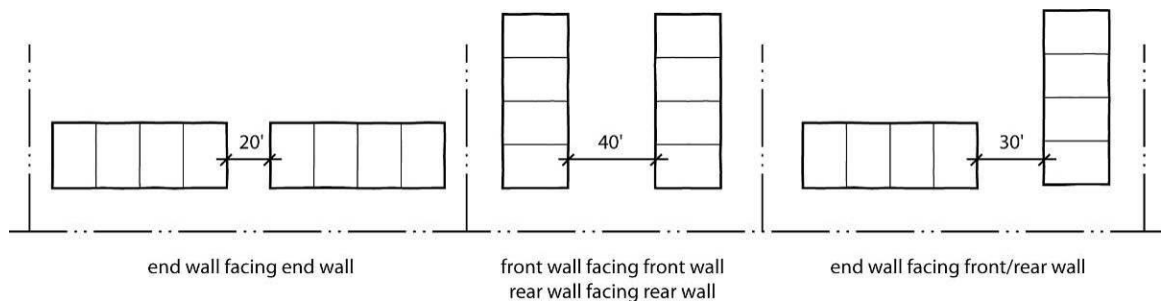
2. Number of Units per Building

- a. No more than eight attached single-family dwelling units are permitted within a single building.
- b. There is no limit on the number of multiple-family dwellings permitted within a single building.

3. Minimum Separation between Buildings

Single-family attached and multiple-family buildings situated around a courtyard will have the following minimum distance requirements as measured between exterior walls:

- a. back to back, 40 feet;
- b. front to front, 40 feet;
- c. end to end, 20 feet;
- d. end to back, 30 feet;
- e. end to front, 30 feet;
- f. no dwelling unit will face directly upon the rear of a building; and
- g. service areas and vestibules, porches, balconies and canopies not extending more than 10 feet from the building, will be excluded from the distance requirements of this section.



4. Building Design (*Amendment 33 - Ordinance 2020-068 11.23.2020*)

Attached single-family and multiple-family dwellings must:

- a.** be designed with windows and/or doors on all building facades that face a street to avoid the appearance of blank walls; and
- b.** be designed with garage doors or carports facing an alley, where there is an alley serving the site, or facing an interior driveway, whenever possible. Where attached garages face a public street, they may not extend more than five feet beyond the street-facing façade.
- c.** Any portion of the building that is within one-hundred (100) feet of a less intense zoning district may not exceed one-hundred twenty-five percent (125%) of the maximum height permitted in the less-intense zoning district.
- d.** Four-sided design, including entryways, windows and consistent materials along with architectural details shall be utilized on all elevations to add diversity and visual character to the building(s).
- e.** Front entrance features shall include pedestrian-scale design elements. This includes: side lights or transom windows, architectural ornamentation or single-story roofs or canopies that are then integral to the overall architectural design of the building.
- f.** Variety in exterior materials is encouraged. Composition of entirely one material is prohibited. A brick, stone or similar material base is required up to at least three (3) feet of the front building facade.
- g.** Prohibited building materials include:
 - (1)** Plywood sheathing, including oriented strand board (OSB) and CDX plywood [fiber cement siding, T1-11 plywood, LP Smartsiding, and similar materials are allowed].
 - (2)** Painted CMU
 - (3)** Corrugated metal
 - (4)** Painted metal
 - (5)** Wood shake roofing material
 - (6)** Plastic awning material
- h.** Roof mounted equipment, including ventilators and satellite dishes, shall be completely screened from view using parapet walls at the same height as the equipment. Screening shall be of the same materials and design as the larger building to maintain a unified appearance.

5. Private Yards for Attached Single-Family Dwellings

All attached single-family dwelling unit developments must include private yards space in accordance with the following:

- a.** attached single-family dwellings must have private yards consisting of a minimum of 200 square feet in area for each attached single-family dwelling unit;
- b.** a private yard may be located next to a front wall, rear wall or end wall, provided that it is immediately adjacent to the attached single-family dwelling unit it serves and is directly accessible from the unit by way of a door or steps;

- c. required private yards must be landscaped with turf, groundcover, shrubs, trees or other landscape improvements, such as walkways or patios; and
- d. private yards may be enclosed with fences.

6. Common Open Space for Multiple-Family Dwellings

In addition to the minimum lot area required per dwelling unit in the district, all multiple-family dwelling unit developments must include common open space in accordance with the following:

- a. a minimum of 150 square feet of common open space must be provided per dwelling unit;
- b. common open space must be accessible to all dwelling units and improved with landscaping, recreational facilities, and/or pedestrian walkways; and
- c. common open space must be maintained by the property owners association.

5. Development standards applicable to the R-3B district are:

R-3B	
Minimum Lot Area	
per lot	12,000 sq ft
per dwelling unit	2,000 sq ft
Minimum Lot Width (ft.)	90
Minimum Lot Depth (ft.)	120
Yards, Minimum (ft.)	
Front	30
rear	30
side corner	30
side	10
Maximum Building Height (feet)	50
Maximum Building Coverage (%)	40

6. Based upon a total lot size of 21.03 acres, the maximum density that would be allowed within the R-3B district on this property is 458 units, for a density of 21.77 units per acre.. The developer is proposing an apartment community of 300 units, equating to a density of 14.26 units per acre. Density of other R-3B communities is:

- a. Manor Homes - 14.59 units per acre
- b. The Lofts at Foxridge - 16.54 units per acre
- c. Walnut Estates - 14.59 units per acre
- d. Grant Park Villas -12.63 units per acre
- e. Raymore Senior Village -15.41 units per acre

7. The rezoning request was submitted to the administration of the Raymore-Peculiar School District for review and comment. The school district indicated they were “aware of the development”. The property lies within the current attendance boundary lines for the Eagle Glen elementary school.

8. The ITE (Institute of Transportation Engineers) Trip Generation Manual indicates the peak hour (4-6 p.m.) trip generation rate for a 3-story apartment community dwelling unit is 0.39 trips per unit. The trip generation rate for a single family home is 1.01; the rate for a specialty retail store (per 1,000 sq. ft. of floor area) is 2.71; and the rate for a fast food restaurant with a drive-thru is 16.92. An apartment community is one of the lowest trip-generating residential uses. Senior adult facilities have a lower rate. The trip generation rate for most commercial uses that are currently permitted under the C-3 zoning designation of the property are higher, and in many cases, much higher, than the trip generation rate of an apartment unit.
9. Dean Avenue was constructed to its current design taking into account that the subject property would be developed with commercial uses. The total trip generation allocated from the subject property for the design of Dean Avenue was much higher than the trip generation rate from an apartment community being developed on the property. Dean Avenue can easily support the traffic generated by 300 apartment units on the subject property.
10. If the rezoning application is approved, the developer will be required to submit a preliminary plat for the site. The preliminary plat will include a stormwater study and preliminary utility plans. Final Plat and Site plan approval is also required for apartment communities.
11. The conceptual plan submitted with the rezoning application indicates that stormwater will be served with the existing detention pond on the west side of the property. An additional detention pond is proposed along the east side of the property as well and serve as a buffer to the Foxhaven subdivision as well.
12. Conceptual elevations were shared at the Good Neighbor meeting

Conceptual Rendering



13. The property has been zoned for commercial development since 2005. No developer or business has approached the City for development of the site for commercial purposes. This is the first development group that has shown interest in the property that staff is aware of.

14. Economic Development Director David Gress shared the following:

The site presents many challenges concerning the development of the property for commercial uses. In terms of location, this site would be considered a 3rd tier lot, given its proximity to 58 Highway and limited access from Dean Avenue. The presence of Sam's Club, Office Max, and Lowe's limits visibility from 58 Highway, and the undevelopable area of the site (detention pond and easements) limits visibility from Dean Avenue. Portions of the site may still be suitable for professional office style development, however, the current market for professional office space would likely make the development of this site as such unfeasible, as only portions of the site would be suitable for this type of development. A multi-family use on this site would make a logical transition from the Galleria commercial center, into the Timber Trails subdivision, as evidenced by a similar mixture of uses on the west side of Dean Avenue, and in other similar areas of the City. Today's multi-family market tends to be driven by proximity to services, amenities, and existing commercial development.

15. There are currently 1,344 multi-family units in the City, accounting for 15% of all dwelling units. 80% of all units in the City are single-family homes.

Multiple-family	
Falcon Crest	56
Foxwood Springs	372
126 apt	
246 garden	
Greenway Villas	51
Legends	34
Manor Homes	269
Pointe	74
Remington Village	60
Ridgeway Villas	50
SkyVue	264
Timber Trails	68
Walnut Estates	34
<u>Walnut Grove</u>	<u>12</u>
	1,344

16. There are several multi-family developments either under construction or approved:

<i>Multiple-family</i>	
Lofts	396
Grant Park Villas	48
Sunset Plaza	67
The Venue	204
Raymore Senior	96
Timber Trails	268
Watermark	<u>300</u>
	1,379

17. As a balance to the number of multi-family dwelling units under construction or planned, there are a number of single-family dwelling units under construction or planned.

Park Side	320
Alexander Creek	55
The Prairie at Carroll Farms	312
Saddlebrook	172
Oak Ridge Farms	23
Sendera	428
Creekmoor	300
Timber Trails	250
Madison Valley	127
White Tail Run	<u>504</u>
	2,491

Other potential developments

Knoll Creek
Madison Creek

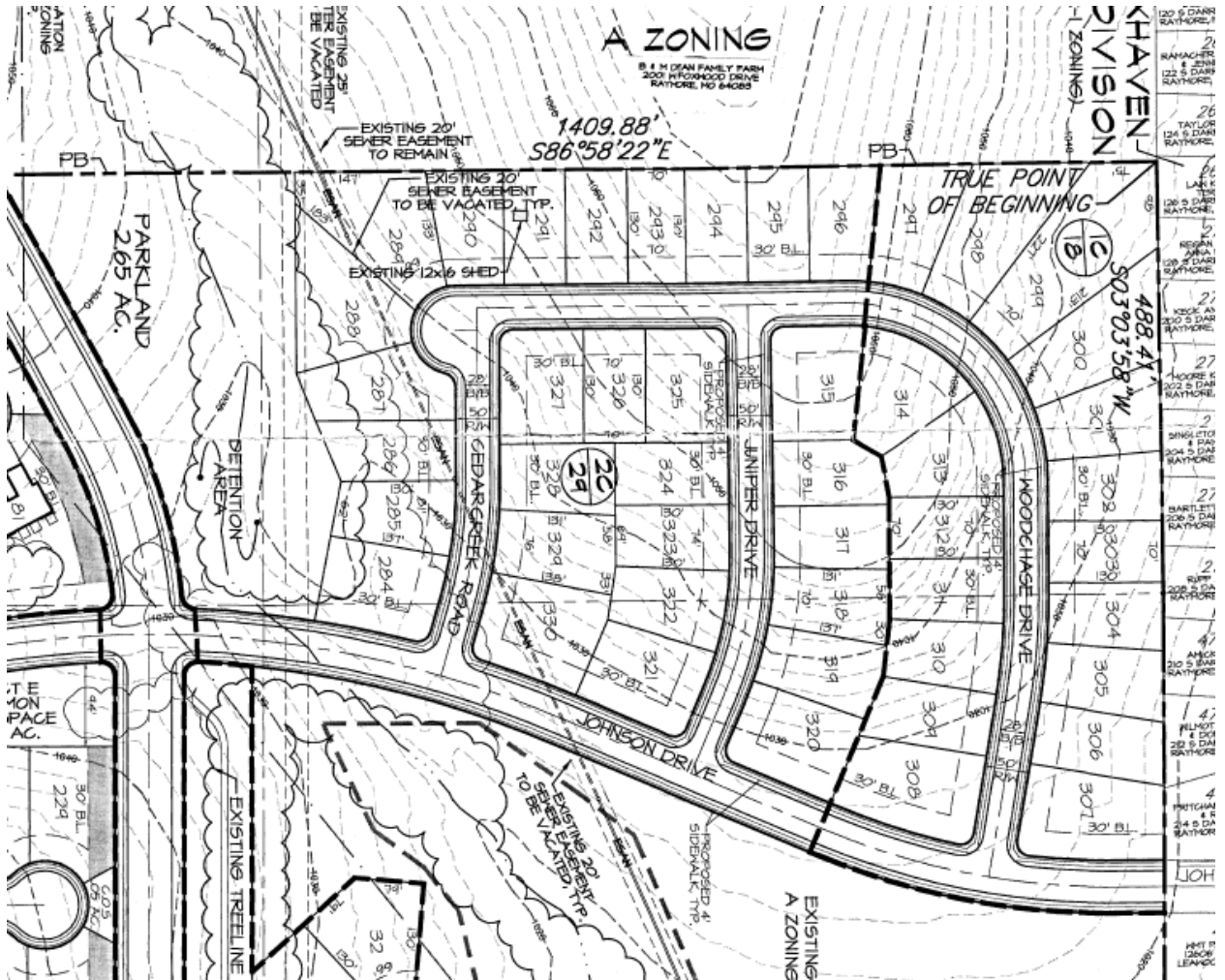
18. If all multi-family units and single-family units are constructed as planned, the end ratio of single-family, two-family and multi-family units will be:

Single-Family	11,531	78%
Two-Family	472	3%
Multiple-Family	<u>2,723</u>	<u>19%</u>
	14,726	

Raymore remains a predominantly single-family community.

19. The request to reclassify the zoning of the property does not eliminate the requirement under the current zoning of the developer to install a Type "A" landscape screen along the eastern and southern property lines for the adjacent R-1 zoned properties.

20. The 12-acre parcel located adjacent and south of the subject property is included in the still valid preliminary plat for Timber Trails Subdivision. The tract identified as A ZONING is the subject property.



21. The South Metropolitan Fire Protection District was consulted on the proposed reclassification of zoning. The conceptual plan for the apartment community does provide a 2nd means of ingress/egress to the site..

ENGINEERING DIVISION RECOMMENDATION

See attached memorandum.

PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

- 1. the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;** The character of the surrounding neighborhood is a mixture of single-family residential, undeveloped residential areas, existing multi-family residential and commercial area..
- 2. the physical character of the area in which the property is located;** The physical character of the area in which the property is located is a mixture of residential to the east (Foxhaven), multi-family residential (Timber Trails) to the west, commercial to the north and undeveloped land to the south. There is a crest in the middle of the property with a natural slope to the property towards the detention on the west side of the property and a slope to the property towards the rear lots of homes in Foxhaven.
- 3. consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;**
The Growth Management Plan identifies this property as appropriate for commercial use. However after 15 years there has been no interest in the property as commercial land. There have been other inquiries for the property as residential and multi-family.
- 4. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**
The property appears to be unsuitable for use under the existing zoning as no interest has been garnered in the last 15 years to utilize the property as commercial land. The City Economic Development Director classifies the property as a 3rd tier commercial property, indicating the property is undesirable for commercial use.
- 5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;**
Property to the north and to the west of the subject property were developed as commercial and multi-family residential. There is a nationwide housing shortage with prices increasing as demand for housing continues to increase.
- 6. the extent to which the zoning amendment may detrimentally affect nearby property;**
The proposed zoning map amendment would not detrimentally affect the surrounding properties. A new detention pond as well as landscaping would provide at least 300 feet of a natural buffer between Foxhaven homes and the proposed community. The new

detention pond will also help alleviate extensive stormwater collection in the rear yards of Foxhaven lots.

7. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Adequate public infrastructure is available to serve the site, or will be available at the time development of the property occurs. There is existing water and sanitary sewer infrastructure to serve the property. The adjacent road network can adequately serve the site.

8. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

There has been interest in utilizing the property for multi-family, however this is the first development that has come forward to rezone the property.

9. the length of time (if any) the property has remained vacant as zoned;

The property has remained vacant since it was incorporated into the City.

10. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

The proposed zoning map amendment is in the public interest as it allows for a variety of housing within the city. There are a decreasing number of lots available for building and not every person is interested in home ownership. This community provides upscale amenities that many single family neighborhoods do not offer.

11. the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

There will be no gain to the public health, safety and welfare of the community as a result of the denial of the application.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	July 06, 2021	August 9, 2021	August 23, 2021

STAFF RECOMMENDATION

City staff support the reclassification of zoning for this property. While the elimination of commercial zoned land must be carefully considered, the subject property was never identified as “prime” commercial property. The initial plan for the subject property was for an office building complex, which is no longer a viable development scenario for the property.

Creating a more densely populated residential community adjacent to the City commercial area helps to support, and attract, additional businesses. The change of zoning of the parcel also creates a transition of land uses from commercial to the north, multi-family, and then single-family residential to the south.

City staff has determined that the existing network of infrastructure can support the proposed residential development of the property. Water and sanitary sewer are in place to serve the development and Dean Avenue is constructed to fully support the traffic demands from future residents of the apartment community.

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21015, requesting to rezone approximately 21.03 acres from the existing “C-3” Regional Commercial District to R-3B (Apartment Community Residential District) to allow for an apartment community with residential amenities, to City Council with a recommendation of approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its July 6, 2021 meeting, voted 8-0 to accept the staff proposed findings of fact and forward case #21015, requesting to rezone approximately 21.03 acres from the existing “C-3” Regional Commercial District to R-3B (Apartment Community Residential District) to allow for an apartment community with residential amenities, to City Council with a recommendation of approval.

CITY COUNCIL ACTION 1ST READING - 8/9/2021

The City Council, at its August 9, 2021 meeting, voted 7-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21015, requesting to rezone approximately 21.03 acres from the existing “C-3” Regional Commercial District to R-3B (Apartment Community Residential District) to allow for an apartment community with residential amenities on 1st reading.

CITY COUNCIL ACTION 2ND READING - 8/23/2021

The City Council, at its August 23, 2021 meeting, voted 7-1 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21015, requesting to rezone approximately 21.03 acres from the existing “C-3” Regional Commercial District to R-3B (Apartment Community Residential District) to allow for an apartment community with residential amenities on 2nd reading.