

**MEMORANDUM**

TO: Stephen Oliver, Chair
Planning Commission Members

FROM: Mark Walters, Planning and Zoning Department

DATE: December 9, 2016

RE: November 9th, 2016 Small Area Planning Joint Committee Agenda Item 4a -
Initiate a Code Amendment to Create a Zoning Overlay for 1615/1617 South
2nd Street

At their November 9, 2016 regular meeting, the Small Area Planning Joint Committee voted not to recommend to the Planning Commission the initiation of a code amendment that would establish a zoning overlay district for 1615 and 1617 South 2nd Street. The Planning Commission's representatives on the Committee indicated that they would discuss this item at the December 13th Planning Commission meeting.

Following a discussion over the merits of the proposed overlay, the affected property owners choose to initiate a zoning case and plan amendment to address the development issues associated with the site. The indicated that they will work with Bouldin Creek Neighborhood Association as the cases move forward.

Vote: Commissioner Rojas moved to not recommend the initiation of the code amendment as presented, with a second by Commissioner Oliver, on a vote of 4-0. Commissioner Kiolbassa abstained. Commissioners Harris and White absent.

New Business

Sponsors: Planning Commission Chair – Stephen Oliver
Planning Commissioner – Michael Wilson

Overlay District:

We propose that the Planning Commission initiate a Code Amendment to create an overlay district defined by the site area of two lots located in the Bouldin Creek Neighborhood Association which have the addresses more commonly known as 1615 and 1617 South 2nd Street.

Code Amendment:

1. Reduce the site area requirements from 3,500 square feet (LDC 25-2-776(C)) within the overlay district to 3,200 square feet.
2. Eliminate the SF-5 Condominium use access restriction to only a Local Residential Street (LDC 25-2-776(D)(2)) and allow the SF-5 Condominium use access to only a Local Residential Street within the overlay district.

Justification:

Earlier this year, City Council passed a rezoning Ordinance No. 20160211-024 whereby the owners of the properties located at 1615 and 1617 South 2nd Street initiated a change in the zoning map in the Bouldin Creek Neighborhood Plan Area from Family Residence-Neighborhood Plan (SF-3-NP) Combining District to Urban Family Residence-Conditional Overlay-Neighborhood Plan (SF-5-CO-NP) Combining District. The Bouldin Creek Neighborhood Association supported the rezoning to allow eight (8) dwelling units at this site. A subsequent site plan review identified that eight (8) dwelling units could not be achieved due to the site area requirements identified in LDC 25-2-776(C) and that the only access from this site is to a Local Residential Street where it is strictly prohibited (LDC 25-2-776(D)(2)).

The property backs to commercial/mixed use properties along South 1st which is a core transit corridor. The proposed overlay district is suitable for this location within the Bouldin Creek Neighborhood as it is located adjacent to mixed-use zoning districts and provides a transition to single family use. The limitation of number of units and compliance with the Bouldin Creek Neighborhood Plan's design standards were negotiated at the time of rezoning and were intended to maintain the existing neighborhood characteristics. The applicant worked cooperatively with the Bouldin Creek Neighborhood Association for over 12 months, the applicant agreed to a private restrictive covenant and a conditional overlay (as adopted), and the applicant agreed to build smaller-scale houses in keeping with the voluntary design guidelines detailed by the Bouldin Creek Neighborhood Plan. We also believe that this request meets the goals of walk-ability and more affordable housing for this area.