

City Council Agenda Memo

From: Ryan Miller, City Planner

City Council Meeting: September 26, 2023 / October 10, 2023

Subject: Ordinance 23-032: Rezone 1.57 acres in Reserve Fourth Addition and Windermere Point Addition from Business B-2A Office District to Business B-2 District

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

CD Properties, LLC, has submitted a request to rezone the North 225 feet of the South 265 feet of the East 308.18 feet of the Southwest Quarter of the Southwest Quarter in Section 36, Township 110, Range 50 and the South 225 feet of Lot 100 in Block 2 of Windermere Pointe Addition also described as the East 122 feet of Lot 2, and all of Lot 3, in Block 2, of the Preliminary Plat of Reserve Fourth Addition.

Background:

The property was rezoned from Agriculture to Business B-2A along with adjacent rezones to B-2 and R-3 under the name Nelson's Fourth Addition in 2007. The property was preliminary platted as a Lots 2 and 3 in Reserve Fourth Addition in 2021. CD Properties is seeking to rezone the property to Business B-2 to match adjacent commercially zoned properties along the 20th Street corridor in order to provide flexibility in use options.

Item Details:

The request is to rezone the East 120 feet of Lot 2, and all of Lot 3, in Reserve Fourth Addition from B-2A to B-2. Adjacent properties are zoned Business B-2 to the west along 20th Street South, Residence R-3 Apartment District to the north and east, and Agriculture to the south. Additional B-2 Zoning is located nearby on the south side of 20th Street in the recently preliminary platted Branch Creek Addition. The Future Land Use Map designates this area as Urban Medium, which supports the rezone request to Business B-2 District.

The property was initially zoned B-2A with a buffer in mind to nearby residential zoning districts. Since this time, the City has developed landscape buffer requirements which apply in this scenario as the B-2 zoned property would be adjacent to residentially zoned property and must include bufferyards if development were to occur. Additionally, a storm water pond has been built between this property and the Windermere Pointe Addition to the east and acts as an additional natural buffer.

The Business B-2 District is the most common commercial zoning district along the 20th Street South corridor and is located in proximity to residential zoning districts throughout the corridor.

Legal Consideration:

None.

Strategic Plan Consideration:

Economic Growth – The rezone would support potential business growth.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

The Development Review Team recommends approval of the rezone of 1.57 acres in Reserve Fourth Addition from Business B-2A Office district to Business B-2 district.

The Planning Commission voted 6-0 to recommend approval of the rezone of 1.57 acres in Reserve Fourth Addition from Business B-2A Office District to Business B-2 district.

Supporting Documentation:

Ordinance

Hearing Notice – City Council

Hearing Notice – Planning Commission

Planning Commission Minutes

Petition to Rezone

Location Map

Preliminary Plat - 2021

Zoning Map

Future Land Use Map