

City Council Agenda Memo

From: Ryan Miller, City Planner

City Council Meeting: June 27, 2023 / July 11, 2023

Subject: Ordinance 23-023: Rezone Outlot 2 in Government Lot 4 in the NW $\frac{1}{4}$ of Section 6, Township 109 North, Range 49 West from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-2 District; and Outlots 3 and 4 in Government Lot 4 in the NW $\frac{1}{4}$ of Section 6, Township 109 North, Range 49 West from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-3 Heavy District

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

Summary:

Mills Development Corporation has submitted a request to rezone Outlots 2, 3, and 4 in Government Lot 4 in the NW $\frac{1}{4}$ of Section 6, Township 109 North, Range 50 West. The request is to rezone the three lots, totaling 2.84 acres, from Residence R-3A Apartments, Manufactured Housing and Mobile Homes District to Business B-3 Heavy District.

Background:

Mills Development Corporation recently purchased three outlots from the Western Estates Mobile Home Park. The three outlots are located immediately adjacent to the R'Surene Morgan Farm Addition located at the corner of 22nd Avenue South and 20th Street South. The three outlots are zoned R-3A due to their historical setting in the Western Estates Mobile Home Park. Mills Development would like to rezone the three outlots to match the R'Surene Morgan Farm Addition, which will be replatted into a new subdivision through a preliminary plat which was submitted concurrent to the rezone request.

Item Details:

The three lots to be rezoned are currently legally described as Outlots 2, 3, and 4 in Government Lot 4. Outlot 2 is a 69,713 square foot outlot located to the south of R'Surene Morgan Farm Addition with frontage on 22nd Avenue South. This outlot will become an independent lot in the proposed preliminary plat of Mills Fourth Addition, which will replat the R'Surene Morgan Farm Addition. Outlot 3 is a 43,972 square foot outlot located south of the R'Surene Morgan Farm Addition. Outlot 4 is a 19,071 square foot lot located to the east with frontage on 20th Street South. Outlots 3 and 4 will be

combined with the current block in R'Surene Morgan Farm Addition to become Block 1 in Mills Fourth Addition.

All three outlots are proposed as Business B-3 Heavy District to match the current zoning of the R'Surene Morgan Farm Addition parcel. With outlots 3 and 4 being combined with that parcel, a split zoning would occur if the outlots were not rezoned to B-3. Outlot 2 could hold a separate zoning district due to its future as a separate lot within the proposed Mills Fourth Addition. Because of this, and its location within the Commercial Corridor Design Review Overlay District (22nd Ave S.), staff would recommend a B-2 Zoning District rather than the proposed B-3 Zoning District. Additionally, staff has discussed with the applicant a preference for the entirety of future Mills Fourth Addition to consider alternative zoning in the near future to match development standards along the Commercial Corridor District. Staff is supportive of the R'Surene Morgan Farm Addition and Outlots 3 and 4 retaining the B-3 Zoning District until development options are further refined.

The Future Land Use Map in the area consists of Urban Medium Intensity, Manufactured Home Court, and Open Space land use classifications. The R'Surene Morgan Farm Addition is described as an Urban Medium Intensity future land use area, and the three outlots area described as Manufactured Home Court and Open Space future land use. The Open Space future land use section is located entirely on Outlot 4 due to a less than 170 square foot portion of that parcel being located in the current floodplain. The preliminary floodplain updates remove the floodplain entirely from Outlot 4. The Development Review Team recommends a Future Land Use Map amendment be approved amending the outlots into an Urban Medium Intensity to match the R'Surene Morgan Farm Addition parcel before a rezone is discussed.

The rezone request is being submitted along with a proposed amendment to the Future Land Use map. The Future Land Use map amendment proposal if approved would support a rezone request from R-3A to B-2 and B-3. With the addition of the interchange at 20th Street South, there is interest in additional commercial opportunities and this rezone request would provide such opportunities as well as additional land in the vicinity.

Legal Consideration:

None

Strategic Plan Consideration:

Economic Growth – The rezone would add development potential to a business zoned property located at the intersection of two commercial arterial streets.

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 recommended approval of the rezone of Outlot 2 from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-2 District and of the rezone of Outlots 3 and 4 from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-3 Heavy District.

The Planning Commission voted 8-0 recommending approval of the rezone of Outlot 2 from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-2 District and of the rezone of Outlots 3 and 4 from Residence R-3A Apartments / Mobile Homes / Manufactured Housing District to Business B-3 Heavy District.

Supporting Documentation:

Ordinance

Hearing Notice – City Council

Hearing Notice – Planning Commission

Planning Commission Minutes

Petition to Rezone

Location Map

Zoning Map

Future Land Use Map

Floodplain Map

Floodplain Update Map