



## Legislation Details (With Text)

**File #:** 19-756      **Version:** 1      **Name:** P19-15F. Rezoning of property from Single Family 10 (SF-10) to Single Family 6 (SF-6)  
**Type:** Consent      **Status:** Agenda Ready  
**File created:** 4/9/2019      **In control:** City Council Regular Meeting  
**On agenda:** 5/28/2019      **Final action:**  
**Title:** P19-15F. Rezoning of property from Single-Family 10 (SF-10) to Single-Family 6 (SF-6), located at 600 & 602 Roxie Ave (Tax Map # 0416-78-5714 & 0416-78-5616), containing 0.48 +/- acres, at the intersection of Roxie Ave. and Hanna St. and being the property of Deborah M. New, Sheila A. New-Horne & Denise N. Dickens.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application, 2. Aerial Notification Map, 3. Zoning Map, 4. Land Use Map, 5. Subject Property, 6. Surrounding Properties, 7. Use Table

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Kristoff Bauer, ICMA-CM - Deputy City Manager  
Gerald A. Newton, AICP - Development Services Director  
Taurus Freeman - Planning & Zoning Divisional Manager

**FROM:** Craig Harmon, AICP, CZO - Senior Planner

**DATE:** May 28, 2019

**RE:**  
**P19-15F.** Rezoning of property from Single-Family 10 (SF-10) to Single-Family 6 (SF-6), located at 600 & 602 Roxie Ave (Tax Map # 0416-78-5714 & 0416-78-5616), containing 0.48 +/- acres, at the intersection of Roxie Ave. and Hanna St. and being the property of Deborah M. New, Sheila A. New-Horne & Denise N. Dickens.

**COUNCIL DISTRICT(S):**

5 - Johnny Dawkins

**Relationship To Strategic Plan:**

2024 Goals, Goal II: Diverse and Viable Economy.

**Executive Summary:**

The properties located at 600 & 602 Roxie Ave. are currently undeveloped. The owners of these properties request to have the ability to construct multi-family units in the future. If this property is

rezoned to SF-6, a Special Use Permit will be required before building any multi-family units.

On April 9<sup>th</sup>, the Zoning Commission held a public hearing regarding this case. There was one speaker in favor and none in opposition. The Commission voted 5-0 to recommend approval..

**Background:**

Applicant: Tim Evans - Longleaf Properties

Owner: Deborah M. New, Sheila A. New-Horne & Denise N. Dickens

Requested Action: SF-10 to SF-6

Property Address: At the intersection of Roxie Ave. and Hanna Street

Council District: 5

Status of Property: Vacant

Size: 0.48 +/- acres

Adjoining Land Use & Zoning:

North: SF-10 - Single-Family Residential

South: SF-10 - Single-Family Residential

West: SF-10 - Single-Family Residential

East: SF-10 - Single-Family Residential

Traffic Count: Roxie Ave - AADT 5700

Letters Mailed: 63

2010 Land Use Plan: Low Density Residential

**Issues/Analysis:**

The subject properties are located on Roxie Avenue, which is classified as a local street. This request is to rezone these two properties from Single-Family 10 (SF-10) zoning to Single-Family 6 (SF-6).

The parcels adjacent to this property are all zoned SF-10. A rezoning to SF-6 would allow for smaller lots and with a Special Use Permit (SUP) multi-family development. Under the current zoning two units would be allowed on these properties. A rezoning to SF-6 would allow up to four units on these properties (with a Special Use Permit).

This application states that approval of this request will allow for infill development with a mix of housing types within the general area. This area has changed from primarily owner-occupied homes to rental properties. The applicant states that if approved, the rezoning will allow for development of these vacant tracts with duplexes and/or multi-family units to provide a mixture of housing types within this area. This is an older neighborhood and some redevelopment in this area would be good for the health of the area.

Land within the City is generally classified by the Unified Development Ordinance (UDO) to be within one of a number of base zoning districts. Land may be reclassified to one of a number of comparable zoning districts in accordance with Section 30-2.C.

Map Amendment/Straight Rezoning:

The applicant is requesting to rezone the subject property to SF-6 for the purpose of potentially building multi-family units.

The intent of the SF-6 District is to "accommodate principally single-family detached residential development at moderate densities that is designed to respond to environmental and site conditions. It also accommodates two- to four-family dwellings, single-family attached, and zero lot line

development subject to the requirements of this Ordinance.”

The reclassification of land to a straight zoning district allows all of the residential uses as shown on Table 30-4.A.2 of the UDO. The City Council may not consider conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards and other regulations that are applicable.

**Land Use Plan Analysis:**

These properties are subject to the 2010 Land Use Plan, and are just outside of the Hospital Area Overlay. According to the 2010 Land Use Plan, the recommended use for this parcel is Low Density Residential, mainly for single-family residential development. The SF-10 district is typically a medium density residential zoning, as is the proposed SF-6 district.

The Zoning Commission and Planning Staff recommend APPROVAL of the rezoning to SF-6 based on the following:

- This proposed zoning map amendment/rezoning implements the policies adopted in the Unified Development Ordinance and the 2010 Land Use Plan and an SUP is required in order to build any type of multi-family units in an SF-6 district.
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property;
- This proposed change is in accordance with the existing zoning and uses surrounding this property since both SF-10 and SF-6 are single family medium density zoning districts. This change in zoning would not constitute an illegal spot zoning;
- This proposed change is in accordance with the existing and proposed plans for the area; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare

**Budget Impact:**

There is not an immediate budgetary or economic impact this rezoning.

**Options:**

1. Approval of the SF-6 zoning as presented by the Planning Staff (recommended).
2. Approval of a more restrictive zoning district.
3. Deny the request.

**Recommended Action:**

The Zoning Commission and City Staff recommend that the City Council move to APPROVE the rezoning to SF-6, as presented by the Staff and based on the information provided above and all attachments.

The Amendment is consistent with applicable plans because: 1) the City’s Unified Development Ordinance and the 2010 Land Use Plan all support single family residential uses in this area; 2) that the uses near this property are all single family residential uses which are compatible with the proposed zoning; and 3) the proposed zoning is reasonable and in the public interest because the proposed zoning does fit with the character of most of the

development in this area. This proposed amendment is consistent with the 2010 Land Use Plan because the subject property is shown as a low density residential use classification, and the proposed zoning and use are consistent with that classification.

**Attachments:**

1. Map Amendment Application
2. Aerial Notification Map
3. Zoning Map
4. Land Use Plan Map
5. Subject Property
6. Surrounding Properties
7. Use Table