

City Council Regular Meeting**L.1**

Meeting Date: 07/08/2019
Recommended by: Paul Tice, Planning & Development Director
Prepared by: Jim Gagliardi, Planner
Finance Director Review: Celina Morris
City Attorney Review: Brett Wallace
Approved by: Larry Rains **Date Submitted:** 06/10/2019
Type of Action Requested: Ordinance, Formal Action/Motion, Public Hearing

SUBJECT:

Public hearing and consideration of a request by EPS Group on behalf of Trekell-Kortsen 17, LLC for the following land use approval for five acres of land located east of Trekell Rd, south of Kortsen Rd, abutting Cottonwood Ranch:

1. **DSA-19-00037: Zone Change** from B2 (General Business) and CO (Commercial Office) to R-2 (Multi-Family Residential). (Planner James Gagliardi)

RECOMMENDATION:

The Planning and Zoning Commission held a public hearing on this item at its June 6, 2019 meeting (See Exhibit A P&Z Minutes). A unanimous vote (7-0) was made to forward staff's recommendation to City Council to approve this zone change request subject to the following eight conditions:

1. Except for single-family dwellings on individual lots, a Major Site Plan shall be required to be considered for approval by the Planning Commission prior to construction of any use on this property.
2. Development is limited to single-story structures with a maximum height of 20 ft. for principally permitted uses and a maximum height of 28 ft. for conditionally permitted uses.
3. All buildings, other than accessory, shall be setback a minimum distance of 75 ft. from this property's south and east boundary. Accessory structures shall have a minimum setback of 20 ft.
4. A minimum 20 ft. landscape buffer shall be provided along this property's south and east boundaries. Quantity, minimum spacing, and varietal type of landscaping, as well as any wall design and placement, shall be determined at the time of Major Site Plan/Preliminary Landscape Plan consideration by the Planning Commission.
5. The site design shall address the concern regarding pedestrian access between this subject site and Cottonwood Ranch Tract 'P'.

6. Four-sided architecture is required, which is to include the use of masonry; door and window detail such as popouts, recesses, or ledges; and wall articulation of on all sides of principle buildings.
7. Prior to any development, the subject property shall be placed in its own parcel or parcels, all of which shall be completely contained within the new R-2 zone boundary.
8. Vehicular, utility and emergency access easements to the property, where needed, meeting City standards shall be recorded prior to the issuance of any building permits on this property.

DISCUSSION:

Located at the southeast corner of Kortsen and Trekell lies undeveloped property abutting the Cottonwood Ranch neighborhood that is zoned B-2 and CO. The applicant is requesting that a five-acre portion of a 14+-acre parcel be zoned to R-2 to accommodate plans for a skilled nursing facility. A skilled nursing facility is conditionally permitted in the R-2 zone district, but it is not an allowed use in either the B-2 nor the CO zone districts. Future Planning Commission consideration of a Conditional Use Permit and a Major Site Plan for a skilled nursing facility would be required to develop this proposed use, and these plans are currently under review. Otherwise, as an R-2 zone, single-family, two-family, three-family, and four-family dwellings could be permitted. Public notification yielded a variety of concerns from Cottonwood Ranch neighbors. The recommended conditions of record reflect these concerns to help assure compatibility, regardless if this site develops as a skilled nursing facility or as single-family, duplexes, triplexes, or fourplexes.

There are other zone districts such as single-family residential (R-1) or multi-family residential (R-3) that could also be considered to allow a skilled nursing facility with the issuance of a conditional use permit; however, it was determined that R-2 was the most appropriate district, due to the fact that the remaining undeveloped acreage at the corner of Kortsen and Trekell is commercially zoned. R-2 offers a good transition of uses from the single-family neighborhood to the more intense business uses closer to the roadways. The recommended conditions result in height limitation, setbacks, and buffering that will help create good compatibility regardless of whether these five acres are developed for a skilled nursing facility or for medium density residential uses.

The staff report, Exhibit B, discusses the proposal and the zone change criteria in further detail, specifically how this conforms with the General Plan. Exhibit C is a compilation of comments, including emails that weren't provided as an exhibit to the Planning Commission staff report.

FISCAL IMPACT:

This zone change will have very little impact on the cost of surrounding public infrastructure, due to this being an infill site adjacent to Trekell Rd., which is already fully improved.