



## Legislation Details (With Text)

**File #:** Ord. 1021      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Second Reading  
**File created:** 12/9/2020      **In control:** City Council  
**On agenda:** 1/5/2021      **Final action:**  
**Title:** Consideration of Ordinance Rezoning 1050 Highway 3 North from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1 - Ordinance, 2. 2 - Location Map - 1050 Highway 3 North

Date	Ver.	Action By	Action	Result
1/5/2021	1	City Council	approve the first reading	Pass

**City Council Meeting Date:** January 5, 2021

**To:** Mayor and City Council  
City Administrator

**From:** Mikayla Schmidt, City Planner

Consideration of Ordinance Rezoning 1050 Highway 3 North from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2.

**Action Requested:**

The City Council is asked to conduct the first reading and adopt the findings on the requested rezoning for 1050 Highway 3 North from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2.

**Summary Report:**

There are two parcels of land that are being requested for a rezone - 1050 Highway 3 N and PID 2231226001. Both parcels are located northeast of Fremouw Avenue and Sheldahl Road. The applicant, Community Action Center, wishes to rezone both parcels to N2-B: Neighborhood General 2 to facilitate building Hillcrest Village, an accessible and sustainable housing community. The proposed project would create six buildings with 17 units (two 4-plexes, one 3-plex, and three 2-plexes). Following the rezoning, the applicant intends to file for preliminary and final plat.

This staff report is for the ordinance of the rezone request for 1050 Highway 3 N. The applicant requests 1050 Hwy 3 N be rezoned from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2.

The Conservation and Development map in the Comprehensive Plan denotes this parcel as “Corridor Redevelopment”. This parcel has hosted the existing housing, converted from a motel use, which has reached the end of its life cycle. “Corridor Redevelopment” notes that these areas are best suited for redevelopment and land intensification along the corridor with a mix of uses, with increased intensity at major nodes, or

intersections, and with a redesign of existing roadways to calm traffic flow.

The Framework Map of the Comprehensive Plan designates the parcel as “Corridor”. These classifications can be found along arterials or major collectors and include all the parcels that front the roadway. Corridors are generally made up of non-residential uses (e.g.: commercial or office). These zones are often not pedestrian friendly. They may include sidewalks, however, the auto-oriented nature of the corridor zone and the amount of traffic from commercial structures creates conflict zones for pedestrians. This description is fitting of this parcel as it is located on a major collector and is one of the few locations that is residential. Pedestrian connectivity will be improved with the redevelopment of the site. Access will be removed from Highway 3 N and rerouted for access from Sheldahl Rd. The project will have internal sidewalk connections along the street and leading up to the units.

In addition, the N1-B: Neighborhood General 1 district is a Fixed-Boundary District. Fixed-Boundary districts are maintained in the LDC to minimize the creation of nonconformities, but amendments of the zoning map to the N1 district are prohibited. Therefore, rezoning PID 2231226001 to N2 is the next viable option and is part of the reasoning why the larger parcel, 1050 Hwy 3 N, is being requested to be rezoned to N2 as well. If just PID 2231226001 were rezoned N2 and 1050 Hwy 3 N remained N1, then two zoning districts would end up on two parcels based on the current proposed site plan. This could be worked through by staff and the applicant, but given there are less variances anticipated for the project if both parcels are zoned N2 it makes sense to amend the zoning map to N2 for both parcels, so there is only one zoning district for the project.

The Planning Commission voted unanimously, in favor, to make a recommendation to the City Council approving a zoning map amendment for 1050 Highway 3 North to be rezoned from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2. Two written comments were received, one from the Environmental Quality Commission and the other from Habitat for Humanity, in support of the rezoning for this project.

### **Approval Criteria:**

When reviewing a rezoning, the Planning Commission is to consider several criteria as established in Article 8 of the Land Development Code (8.5.14.C). The Planning Commission and City Council shall review the necessary submittal requirements, facts, and circumstances of the proposed amendment and make a recommendation and decision on the application based on, but not limited to, consideration of the following criteria:

- (1) The specific policies, goals, objectives, and recommendations of the comprehensive plan and other city plans, including public facilities and the capital improvement plans.

The Conservation and Development map in the Comprehensive Plan denotes this parcel as “Corridor Redevelopment”. This parcel has hosted the existing housing for many years, which has essentially reached the end of its life cycle. “Corridor Redevelopment” notes that these areas are best suited for redevelopment and land intensification along the corridor with a mix of uses, with increased intensity at major notes, or intersections, and with a redesign of existing roadways to calm traffic flow.

The Framework Map of the Comprehensive Plan designates the parcel as “Corridor”. These zones can be found along arterials or major collectors. These zones include all the parcels that front the roadway. Corridors are generally made up of non-residential uses (e.g.: commercial or office). These zones are often not pedestrian friendly. They may include sidewalks, however, the auto-oriented nature of the corridor zone

and the amount of traffic from commercial structures creates conflict zones for pedestrians. This description is fitting of this parcel as it is located on a major collector and is one of the few locations that is residential. Pedestrian connectivity will be improved with the redevelopment of the site. Access will be removed from Highway 3 N and rerouted to enter the site off Sheldahl Rd. The project will have sidewalk connections along the street and leading up to the units.

In addition, following the Strategic Plan, the rezoning of this parcel helps facilitate the city goals for workforce and affordable housing:

- The preference for accommodating future growth is in infill locations, then redevelopment/land intensification opportunities and then on the edge of existing developed areas (Principle 3).
- New and redeveloped residential communities (areas) will have strong neighborhood qualities (Principle 4).
- Environmentally-sensitive and sustainable practices will be integrated into new developments and redeveloped areas (Principle 5).
- A wider range of housing choices will be encouraged - in the community as well as in neighborhoods.
- The small town character will be enhanced (Principle 1).
- Workforce Housing
  - HS 1.6 Establish standards for compact residential development and intensified land uses.
  - HS 1.7 The preference for new residential development should be for infill, then redevelopment/land intensification.
- Affordable House
  - Objective 3: The City should assist in providing affordable housing.
  - HS 3.4 Continue to utilize community organizations and area agencies that promote affordable housing, such as ..., nonprofit organizations familiar with affordable housing ....., to plan and develop affordable housing.
  - HS 3.5 Provide housing that is accessible to community resources such as jobs, commercial districts, and bike and pedestrian paths.

- (2) The purpose and intent of this LDC, or in the case of a map amendment, whether it meets the purpose and intent of the individual district.

The existing zoning, N1-B: Neighborhood General 1, is applied to existing residential neighborhood of the city that are found outside the R1 district. The N1 district is characterized by primarily single family homes, or attached housing, on parcels that are generally larger than those found in the R1, and that are located on streets more curvilinear and less connected than traditional urban development patterns. The essential, existing character of the N1 district should be reinforced with any infill or redevelopment of properties. When feasible, infill or redevelopment in the N1 district should also create a more pedestrian-friendly, walkable development pattern with a mixture of housing types.

The N1 district would achieve the goal of the housing the Community Action Center would like to offer. The project will provide infill and redevelopment of the site to better meet the goals of the LDC and Strategic Plan. However, the proposed site plan meets more site development standard in the LDC requirements of the N2 district. Based on a preliminary review of the site plan, rezoning from N1-B to N2-B allows the proposed project to move forward with fewer variances.

The Neighborhood General 2 (N2) district is applied to residential neighborhoods of the city that may include larger vacant areas within the current city limits and areas that will be within city limits through future annexations. The N2 district will create a pedestrian-friendly environment, such as found in the R1 district, with strong neighborhood qualities, such as a grid-like street pattern, consistent block size, compact development, a range of housing types and architectural styles, street connectivity, sidewalks, and homes located in close relationship to the street. In addition, the N2 district will include greenways and natural areas, and options for neighborhood-serving commercial. This development pattern is the preferred future pattern for the city, as expressed in the comprehensive plan.

The parcel is an existing neighborhood, will create a more pedestrian-friendly environment, consistent block size, compact development and a range of housing types, better street connection, better sidewalk connection and homes located closer to the street. These characteristics meet the intent of the N2 district though not all aspects align completely.

(3) The adequacy of infrastructure available to serve the proposed action.

The properties are served by adequate public utilities for the proposed use, including existing water and sanitary sewer mains off Sheldahl Road. The infrastructure would continue down the public street to service the units. Adequate access for emergency vehicles will be met by the standards in the LDC and review with the Fire Chief.

(4) The adequacy of a buffer or transition provided between potentially incompatible districts.

No buffering standards are required for the N2 zone per LDC Table 3.5-3. Buffering for parking lots is required per 3.5.8 Parking Lot Landscaping Requirements. Trees will be maintained to the extent possible to provide buffering from Highway 3.

Based on the analysis, the parcel meets the approval criteria for a zoning map amendment listed in 8.5.14(C) of the Land Development Code (LDC). Staff recommends City Council approve the first reading and adopt the findings for a zoning map amendment for 1050 Highway 3 North to be rezoned from N1-B: Neighborhood General 1 to N2-B: Neighborhood General 2.

If approved, future redevelopment will be subject to site development standards for the N2-B: Neighborhood General 2 district as defined in Article 3 of the LDC, Sec. 3.2.

**Alternative Options:**

The City Council may approve or deny the request for rezoning with a simple majority vote.

**Financial Impacts:**

There are no immediate financial impacts to the City.

**Tentative Timelines:**

City Council second reading and summary publication is scheduled for January 19, 2021.