

CITY OF GREEN
PLANNING DEPARTMENT REVIEW

PLANNING & ZONING COMMISSION

June 20, 2012

ITEM 12-27 REDWOOD MANAGEMENT REZONING

(J. Simler, Redwood Management)

Location: West Side of S. Arlington Rd, North of Boettler Rd

Rezoning Request: 12.36 acres from R-1 to R-2 (applicant initiated)

3.6 acres from R-1 to R-2 (staff initiated)

PLANNING DEPARTMENT

This item was reviewed by the Planning & Zoning Commission at the September 21, 2011 meeting, which made an unfavorable recommendation to City Council. Upon introduction to Council, the applicant requested that the item be tabled in order to reassess the project. The item was later withdrawn by Council. Per the Law Director, since the original legislation was withdrawn, the item must return to the PZC for recommendation and introduced as a new ordinance to City Council. (Per Sect. 1224.04(4)(E), the ordinance must be introduced to Council within 30 days of the PZC's recommendation). The applicant now wishes to proceed with the rezoning request per the following:

Applicant is proposing to amend the City of Green Zoning Map and District by rezoning approximately 12.36 acres of land from R-1, Single-Family Residential to R-2, Multiple-Family Residential. The land is located on the west side of S. Arlington Road, north of Boettler Road.

The applicant is representing Redwood Management, which is seeking to expand the existing Emerald Ridge Luxury Apartment community, located at 3916 S. Arlington Road and adjacent to the north of the land now being considered for rezoning. A concept plan for this expansion was presented as a discussion item at the June 15, 2011 Planning & Zoning Commission meeting. A copy of the plan is provided for reference only. The area being considered for rezoning consists of three (3) parcels of land at 3944, 3946, and 3990 S. Arlington Road. The two northernmost parcels, at 0.500 acres and 4.500 acres, each contain a single-family dwelling and are under common ownership. The flag-shaped parcel to the south contains a single-family dwelling on 7.36 acres and is under separate ownership. The respective property owners have signed the application forms for this request. The area of rezoning has a "U-shaped" configuration, as two properties in the "middle" area are not included in this proposal. The land, therefore, has two frontages on S. Arlington Road, 165' on the north side and 109' to the south. Given this configuration, staff would also recommend that the two "middle" properties, which total approximately 3.6 acres of land, be included in the rezoning request from R-1 to R-2. The existing single-family residential uses on these properties would be permitted in the R-2 District and they would be allowed to continue. The current property owners have no objection to this recommendation. The total applicant/staff initiated rezoning request would therefore be approximately 15.96 acres from R-1 to R-2.

The existing Emerald Ridge Apartments were reviewed and approved in 2009. This involved the rezoning of 15 acres of land from R-1 to R-2 and site plan approval that limited the total number of units to 102. To date, 101 units, which have a single-story design with no steps, have been constructed and leased (this excludes the model unit/rental office). The community is designed to appeal to the "empty nest"/elderly population and actual rental of units has been representative of this market, per applicant. Demand for the product has created a waiting list and is the basis for this rezoning request. The developer wishes to construct 81 additional single-story units to meet the demand.

Per code, this request for R-2 zoning is not tied to a concept or general development plan. The rezoning to R-2 would permit the developer to proceed with formal site plan review of the project through the Design Review Board/Planning & Zoning Commission process. This rezoning to R-2 would, however, contain a safeguard that would restrict the type of development within the area under consideration. This safeguard would come in the form of a development agreement that will be provided by Redwood Management. The effect of this agreement would be to restrict the total number of single-story units to be constructed on the site and provide protection to adjacent property owners from a more intensive form of R-2 development. If the rezoning is approved, the actual number of units and overall layout would be subject to final site plan approval. (The concept plan is not the final site plan.) A development agreement of this nature was utilized in conjunction with the rezoning of the original 15 acres.

The Planning & Zoning Commission is being asked to review the request for rezoning and make a recommendation to City Council. Contiguous property owners have been notified of the Planning & Zoning Commission meeting as a courtesy. Code requires the Clerk of Council to notify affected and contiguous property owners of Council’s required public hearing.

<i>Summary of Area</i>	<i>Adjacent Zoning</i>	<i>Adjacent Land Use</i>
North	R-2	Existing Emerald Ridge Apts
South	R-1	Agriculture
East (across S. Arlington Road)	B-3	Vacant/Agriculture
West	R-1	Wooded/Agriculture

The rezoning of the land from R-1 to R-2 would permit the following principal uses, per code:

1. Agriculture
2. Adult Family Home (3-5 Adults)
3. Single-Family Dwellings
4. Two-Family Dwellings
5. Multi-Family Dwellings
6. Day Care Home, Type B
7. Passive Parks and Conservation Areas
8. Public and Private Utility Services
9. Parking Lots/Decks

The use of a development agreement would, however, specify and limit the actual land use in this case.

DESIGN REVIEW BOARD

No review required.

ENGINEERING

No comments requested.

FIRE

No comments requested.

ZONING

No comments.

STAFF RECOMMENDATION

The area under consideration lies within the S. Arlington Road corridor identified by the City's Long Range Land Use Plan as suitable for housing types other than single-family detached homes, such as attached single-family homes and townhomes. The developer is also willing to make a commitment, via a development agreement, to restrict the number and type of dwelling units to be constructed, which would be an expansion of the existing units. Based on current occupancy rates, the existing apartment community appears to be meeting the housing needs of the target population and the product has widened the range of housing options for current and future residents, which is a goal of the Long Range Plan.

The Planning & Zoning Commission, when reviewing this request for rezoning, needs to consider the impact this would have upon the community. Also, the two adjacent property owners that would be surrounded by the rezoned land have made a choice not to be included in the project and steps would need to be taken to mitigate impacts to those properties as well as the property to the south/west of the site.

Staff would therefore recommend a favorable recommendation by the Planning & Zoning Commission to City Council for the rezoning of a total of 15.96 acres of land from R-1 to R-2. Any such rezoning, however, should include at a minimum the proposed development agreement included in the application packet to specify and limit the actual land use of the 12.36 acres being requested by the applicant. This agreement would guide the project to final site plan approval. If rezoned, staff would be willing to support a "softer" development configuration, one that does not repeat the "continuous rows" of apartment buildings found in the existing complex by providing a mix of building orientations. It should be acknowledged that this may result in a decrease in the number of units being contemplated by the applicant. Staff would also expect an increase in the amount of stone/masonry on the units to meet the 80% code requirement and additional street connections with the existing complex.

Any comments/concerns of contiguous property owners or others should also be considered in the rezoning request.

A list of contiguous property owners is on file.