

CITY OF SILOAM SPRINGS PLANNING COMMISSION

Tuesday, May 8, 2018 at 5:30 p.m.
City Administration Building
400 N. Broadway

AGENDA

I. Planning Commission

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes of the regular meeting of April 10, 2018
- D. Development Permit Approval
 - 1. Rezone Development Permit, RZ18-04
Rezoning from C-2 to R-4
620 Hwy. 16 E.
Owner: Lisandro Melgar
Agent: Chavez Management Construction – Javier Chavez
To the Board on **June 05, 2018**
- E. Staff Approved Permits
 - 1. Lot Consolidation Permit, LC18-01
855 S. Wright St.
Owner: Mark Alexander
Agent: Civil Engineering Inc. – Ron Homeyer, P.E.
- F. Adjourn the Planning Commission



STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Justin Bland, PE, City Engineer
Cc: Don Clark, Community Development Director
DATE: April 19, 2018
RE: Rezoning Development Permit, RZ18-04 / Rezone from C-2 to R-4

Recommendation: Motion to approve RZ18-04 (Rezone Development Permit).

Background:

APPLICATION REVIEW DATE

Planning Commission review: May 8, 2018
Board of Directors review: June 5, 2018

APPLICANT AND AGENT

Applicant/Owner: Lisandro Melgar
Agent: Chavez Management Construction – Javier Chavez

SUBJECT PROPERTY ADDRESS

620 Hwy. 16 E.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.
Attribution: Map data ©2018 Google Imagery ©2018, Arkansas GIS, DigitalGlobe, Landsat, State of Arkansas, USDA Farm Service Agency Washington County.

Please click on the following link to access. This link will only operate if reading this report digitally.

https://drive.google.com/open?id=1T6WiusXzjBaHzT0uOx_fI7fCKF6wppXX&usp=sharing

PROJECT INTENT

The applicant desires to rezone an un-platted metes and bounds tract located at 620 Hwy. 16 E., consisting of 5.17 acres, from C-2 (Roadway Commercial) to R-4 District (Residential, multi-family).

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>		<i>EXISTING ZONING</i>	
Multi-family Residential		C-2 District (Roadway Commercial)	
<i>PROPOSED LAND USE</i>		<i>PROPOSED ZONING</i>	
Multi-family Residential		R-4 District (Residential, multi-family)	
<i>SURROUNDING LAND USE</i>		<i>SURROUNDING ZONING</i>	
North:	Commercial / Auto Service	North:	C-2 District (Roadway Commercial)
South:	Vacant / Agricultural	South:	R-2 District (Residential, medium)
East:	Commercial / Residential, two-family	East:	R-4 District (Residential, multi-family) / C-2 District (Roadway Commercial)
West:	Commercial / Vacant / Agricultural	West:	C-1 District (General Commercial) / R-2 District (Residential, medium)

PROJECT ANALYSIS AND APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval. Criteria I-II is a subsection of Sec. 102-47 of the Municipal Code; Criteria III & IV are not directly applicable to the Zoning Code; and Criterion V is Sec. 54-36.

I. ZONING USE UNIT CONSISTENCY: R-4 (Residential, multi-family)

(a) Purpose

The district is established to protect the enjoyment, privacy, and value of medium-density, multifamily dwellings.

(b) Planned uses

This property will be used as multifamily residential. This proposed use best falls within Use Unit 5 (Multiple-family dwelling). Use Unit 5 is permitted in the proposed R-4 district.

The R-4 zone district allows Use Units 2, 3, 4, 5, and 12 by right. These use units permit such uses as, but not limited to, parks, single-family dwelling, two-family dwelling, multiple-family dwelling, and small institution.

(c) Special uses

Special uses for the proposed zone include: Use Units 8 (Small office), 10 (Small impact retailer), 10.1 (Bed and Breakfast), 13 (Utilities), and 14 (Large institution).

II. LOT STANDARDS CONSISTENCY

The minimum R-4 zone standards are compared with the subject property below.

<i>MINIMUM (R-4) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Area: 6,000 sq. ft. for single family lots, 2,700 sq. ft. per dwelling unit.	5.17 acres
Width: 60 ft. (single-family land use) 70 ft. (other land uses)	553 ft.
Maximum Lot Coverage: 60%	Approx. 27%
Maximum Floor to Area Ratio: 0.6 (60%)	18.02%

III. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as High Density Family. The following zone(s) are appropriate according to the designation: R-4. The proposed R-4 zone is consistent with the future land use map.

IV. STAFF TECHNICAL REVIEW

City staff met to review the project. The proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

V. LAND USE CODE REQUIREMENTS

According to the Land Use Code, a rezoning development permit shall only be authorized when the applicant has convincingly demonstrated that the proposed zoning:

- (a) Will not substantially interfere with other owners' reasonable peace and enjoyment of their neighboring properties:

City staff is aware of no evidence that the proposed rezoning to multi-family residential will cause a consistent disturbance to the peace and enjoyment of the neighboring properties. Enforcement of the City Code's nuisance chapter will ensure that excessive noise, or unsightly debris, etc. is mitigated. These rules ensure that the proposal will not inherently decrease the quality of life standards already in place across the City.

- (b) Will not substantially damage, without fair recompense, any property value in the neighborhood:

High density housing in this area will not impact property values due to the land use already being in place at this location since the mid-1970's.

- (c) Will not, whether by the nature of the allowed uses in the proposed zone, or by the allowed siting, height, or design of structures or landscaping in the proposed zone, tend to burden the present or future use of neighboring properties in accordance with current zoning standards:

There is no evidence that the proposed zone would burden existing properties. Future development must be visually screened from residential property of a lower density, including a ten-foot landscape buffer at the abutting property lines. No traffic increases are projected at this time as a result of the proposed rezoning.

- (d) Is adequately supported by infrastructure, including without limitation, water and sewage systems, streets, and drainage:

Water System

There is an existing 6" water main that runs on the north side of the property. Staff finds this existing infrastructure to be adequate for fire and projected water needs.

Sanitary Sewer System

There is an existing 8" sewer line that runs through the property. Staff finds this existing infrastructure to be adequate for waste water needs.

Storm Sewer System

There are known drainage issues with this area, however these issues will be addressed upon significant development review.

- (e) Compared to present zoning of the property, is equally or more consistent with:
1. Sound planning of the city's growth; and with
 2. Public health, safety, and convenience within the neighborhood:

The proposed zone is consistent with sound planning pertaining to the City's growth patterns. The proposed R-4 zone is consistent with the overall intent for this area in the City's land use plan. The plan is also consistent with sound public health, safety, and convenience within the neighborhood.

STAFF DISCUSSION

The applicant is requesting to rezone the site of the Melgaar Apartments, formerly known as the Summerhill Apartments, and previous to that, known as Herford Manor Ltd., from C-2, (Roadway Commercial) to R-4, (Residential multi-family). The rezoning is intended to correct a mis-zoning for the purpose of bringing the existing land use in line with zoning. According to staff records, the apartment complex was built in the mid-1970's with additional units added in the 1980's. The C-2 zone does not allow for multi-family housing by right, so the current facility is considered legal non-conforming. The applicant is also rezoning as he indicated that he desires to construct additional multi-family structures on the same property. The size of the subject property, at 5.17 acres, permits a maximum of 32 *new* dwelling units, although parking, floor-to-area ratio, and lot coverage may limit this to less units depending on the size and configuration of the proposed units. At the time of authoring this report, no plans have been submitted for staff review.

LEGAL NOTICE

- Site posted: April 3, 2018.
- Newspaper legal notification: April 22, 2018 (Herald-Leader).
- Letter legal notification: April 23, 2018.
- Staff received one phone call of a questioning nature, staff resolved the caller's question. Staff received no correspondence on the request.

Fiscal Impact

None anticipated.

Attachments

Site Plan
Bird's Eye View
Drone View
General Area Map

RZ18-04 (Melgar) 1st Submittal

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RZ18-04 – Melgar

**Bird's Eye View
Looking West**



RZ18-04 – Melgar

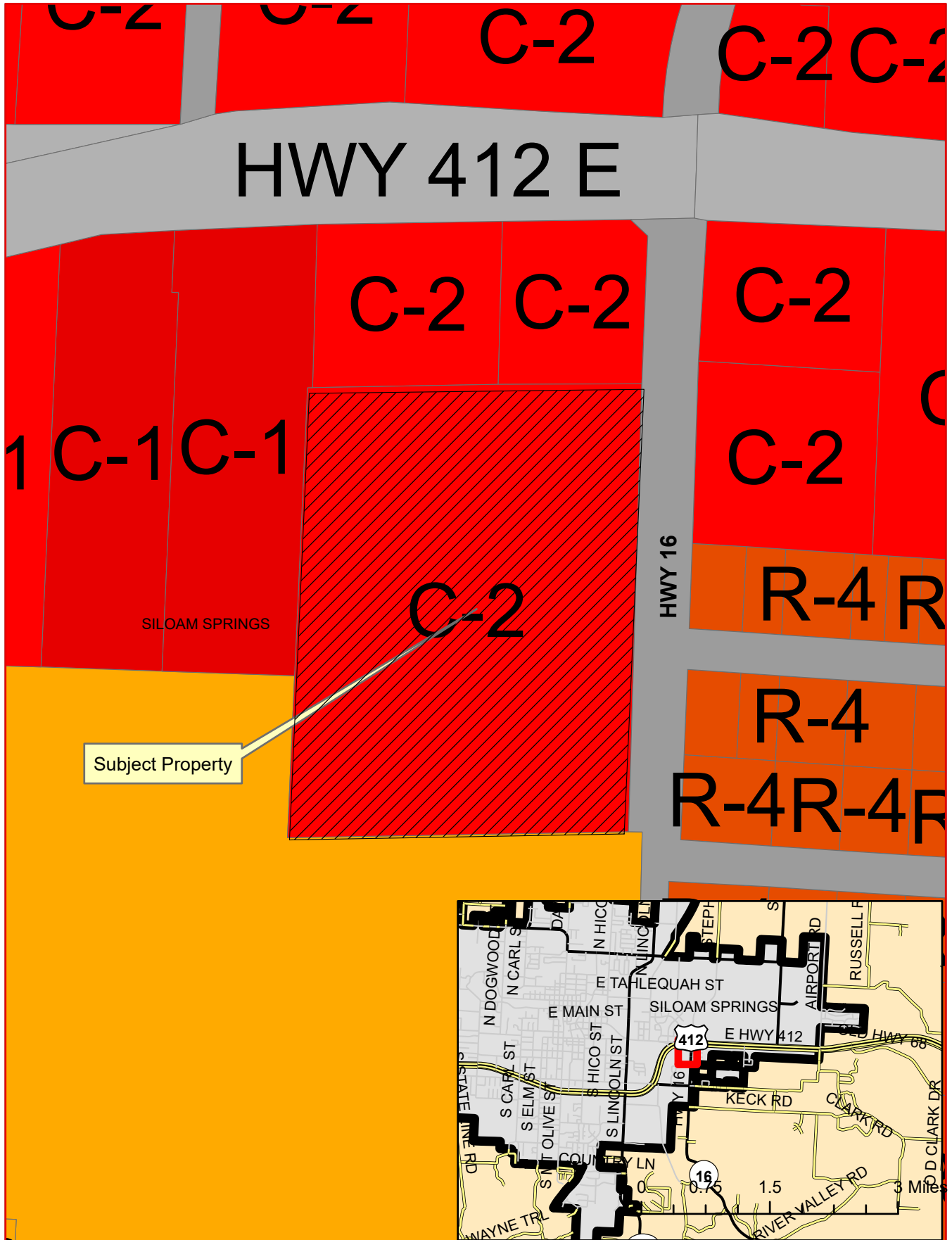
Drone Photo
Looking West



Hwy 16

GENERAL AREA MAP

Rezoning Permit
RZ18-04



Subject Property

