



## Legislation Text

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**File #:** Ord. 2021-94, **Version:** 1

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### **AGENDA CAPTION:**

Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-94, amending the Official Zoning Map of the City in Case ZC-21-22, by rezoning approximately 12.75 acres of land, described as Lot 3A of the Replat of Lot 3A, Block 1, Section 2, McKinley Place, located at 1250 Wonder World Drive, from "GC" General Commercial District to "CD-5" Character District - 5, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date, and consider approval of Ordinance 2021-94, on the first of two readings.

**[Enter Body Here]**

**Meeting date:** December 7, 2021

**Department:** Planning and Development Services

### **Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

### **Fiscal Note:**

**Prior Council Action:** [Click or tap here to enter text.](#)

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

N/A

N/A

N/A

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

☐ Economic Development - Choose an item.

☐ Environment & Resource Protection - Choose an item.

☒ Land Use - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intensity Zones (supporting walkability and integrated transit corridors)

- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

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**Background Information:**

The site is the former “Starplex” movie theater, which closed in 2020. The applicant is proposing to develop the site primarily as multifamily with the potential for associated commercial uses. CD-5 is the sole non-legacy zoning district that allows large multifamily developments.

The surrounding district is comprised of medical facilities, commercial uses including “big-box” stores Sam’s Club and Lowe’s, and larger multifamily developments. The intensity of uses allowed in CD-5 (such as commercial, restaurants, retail, medical, and multifamily) are considered appropriate in this area. It should be noted that although the 5-story height limit in CD-5 is taller than the surrounding existing buildings (which are predominantly 3 stories), the existing GC zoning has no height restrictions.

**Council Committee, Board/Commission Action:**

The Planning and Zoning Commission recommended **approval** of ZC-21-22 at their regular meeting on November 9, 2021. A motion was made by Commissioner Sambrano, seconded by Commissioner Moore, to recommend approval of ZC-21-22. The motion passed with a 7-1 vote, with Commissioner Agnew dissenting and Commissioner Kelsey being absent.

Discussion topics included potential crime associated with density, increased traffic, and whether or not there is floodplain on the property.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff recommends **approval** of this Zoning Change as requested.

