

# COMMUNITY PROJECT/REZONING

210560

## Ordinance Fact Sheet

Ordinance Number

**Case No.** CD-CPC-2021-00089

### Brief Title

A request to approve a rezoning from District R-1.5 (Residential 1.5) to District O-2 (Office 2) to allow for a Home-Health Office and Daycare Center on about 0.77 acres generally located south of the southeast corner of Logan Avenue and 40 HWY

### Details

**Location:** 4727 Logan Ave

**Reason for Legislation:** Rezoning requires Council approval.

### REZONING ANALYSIS

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

**88-515-08-A. Conformance with adopted plans and planning policies;**

The Little Blue Valley Area Plan recommends Mixed Use Neighborhood land uses within this area. The proposed O-2 zoning is in conformance with the area plan. No area plan amendment is required with this rezoning.

**88-515-08-B. Zoning and use of nearby property;**

This subject site sits between residential developments zoned R-7.5 and R-80, and a commercial area zoned B3-2 & B2-2.

**88-515-08-C. Physical character of the area in which the subject property is located;**

The surrounding neighborhood is generally a mixture of commercial uses & single family residential uses.

**88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

The existing public facilities are adequate for the proposed request.

**88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;**

The current zoning would allow for a single family residence on the site, or a low-impact

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	4th District (Shields, Bunch)
<b>Applicants / Proponents</b>	<b>Applicant</b> Brian Hackworth Above & Beyond Home Health
	<b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For
	<input type="checkbox"/> Against
	<b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (8-0) 06-15-2021 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas, Sadowski
	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken
	<input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do Pass
	<input type="checkbox"/> Do Pass (as amended)
	<input type="checkbox"/> Committee Sub.
	<input type="checkbox"/> Without Recommendation
	<input type="checkbox"/> Hold
	<input type="checkbox"/> Do not pass

commercial use via a special use permit, such as a bed & breakfast or neighborhood-serving retail.

**88-515-08-F. Length of time the subject property has remained vacant as zoned;**

The subject property is not vacant.

**88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and**

The proposed rezoning is not anticipated to detrimentally affect any nearby properties. The proposed zoning district of O-2 appears to be appropriate for this site, as it was formerly used as an office.

**88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

There does not appear to be any gain to the public health, safety, or welfare due to the denial of the rezoning request.

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<b>Policy or Program Change</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections – Including Indirect Costs</b>	
<b>Financial Impact</b>	

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<b>Funding Source(s) and Appropriation Account Codes</b>	

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**Fact Sheet Prepared By:**  
Jared Clements  
Staff Planner

**Date:** 06-17-2021

**Reviewed By:**

**Date:** 06-15-2021

**Initial Application Filed:** 04-29-2021

**City Plan Commission:** 06-15-2021

Zach Nelson  
Staff Planner  
Development Management

**Revised Plans Filed:** N/A

**Reference Numbers:**

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