

memorandum

TO: Mayor & City Council
John Godwin, City Manager

FROM: Alan Efrussy, AICP, City Planning Manager

**SUBJECT: CHANGE FROM A SINGLE-FAMILY TO A MULTI-FAMILY DISTRICT
LOCATED AT 2635 AND 2645 E. PRICE STREET.**

DATE: October 3, 2017

BACKGROUND: This request is to conduct a public hearing and take action regarding the petition of Michael Rhodes for a change in zoning from a Single Family Dwelling District No. 2 (SF-2) to a Multi-Family Dwelling District No. 1 (MF-1), on Lots 7 and 8, City Block 255-A being located at 2635 and 2645 E. Price Street. This property is comprised of 0.3120 acres. At the October 3, 2017 public hearing, one individual spoke in favor of this rezoning request and no one spoke in opposition. The commission voted 6-0 in favor of recommending approval to the city council.

STATUS OF ISSUE: The city staff has determined the following: (A) Existing Land Use: This subject property is currently vacant. The subject area is characterized by some multi-family, single-family, and business uses. (B) Proposed Land Use: The applicant intends to construct a triplex dwelling unit. (C) Existing Zoning: The area is represented by General Retail (GR), Commercial (C), Single-Family (SF-2), Two-Family Dwelling (2F), and Multiple-Family Dwelling (MF-1) Zoning Districts. (D) The Parks, Recreation, and Open Space Master Plan: This subject property is located within the Wade Park existing One-Half Mile Service Radius for Neighborhood Parks, and is also located within the Two-Mile Service Radius for a Community Park. Wade Park is also recommended as a Renovated Park on the Future Park Map. (E) The Future Land Use Plan (FLUP) within the Comprehensive Plan: This subject property including the corridor along the north side of E. Price is recommended for Medium-Density Residential (MDR) use; along the corridor along the south side of E. Price, the future land use is recommended as LDR, which represents single-family detached homes. To the east of this subject property, and on both sides of E. Price, the future land use is recommended for Retail (R) use. (F) Additional Considerations Regarding the Staff Recommendation: (1) The FLUP recommends MDR land uses along this corridor of East Price Street. MDR uses are characterized (in the 2008 Comprehensive Plan definition update) as “representative of duplex units and

townhomes.” The staff believes this land use category can also include triplex and quadplex units, since these four dwelling unit types are typically physically connected to each other in some manner. (2) Also, the 2008 definitional update states that MDR uses can provide a “buffer between single-family uses and non-residential uses.” Approval of this use would aid in establishing the MDR recommendation along this E. Price corridor and would provide said MDR buffer from the existing General Retail (GR) zoning east of and adjacent to this MDR corridor, and would also provide a buffer from the existing single-family zoning (SF-2) north of and adjacent to this subject property and also along this E. Price corridor. (3) While the Zoning Ordinance permits multi-family/apartment uses in MF-1, in support of this rezoning request, the 2008 definitional update states regarding HDR use (which is characterized as traditional apartment-type units): “It should also be noted that medium density (HDR) uses should also be permitted in any area designated for high density uses.” (4) Existing GR zoning exists to the east and directly across the street on E. Price, and to the southeast of this property along E. Price. GR zoning is compatible with MF-1 zoning. (5) Although the zoning directly across the street of this subject property is zoned GR, the actual existing land use is multi-family; this is certainly compatible with the requested MF-1 district. (6) There is currently MF-1 zoning along E. Price two lots to the east, three lots and five lots to the west of this subject property. This fact, in addition to the fact that MDR use is compatible with MF-1 zoning further strengthens the approval of this zoning request. Beyond that, the FLUP recommends MDR along this E. Price corridor, wherein this subject property is located. (7) The above factors provided the basis for staff recommending that this rezoning request be approved by the commission at its October 2nd meeting. (G) Staff Comments from the Development Review Committee (DRC): The fire marshal stated that as of this time, he has no issues or concerns regarding this re-zoning request. The city engineer stated that she requires a 5' (five-feet) of street/thoroughfare right-of-way along East Price Street. She also stated that there is no flood plain on this subject property, and that it is unknown if there are any other natural and/or man-made environmental constraints on this property. The city engineer further stated that as required, she will discuss other civil engineering concerns that are relevant at the actual time of the development activity. The public works director stated that he requires 5' (five feet) for utility right-of-way along East Price Street.

RECOMMENDATION: Approve a change in zoning from SF-2 to MF-1 on property located at 2635 and 2645 E. Price Street.

2600 PINE BLUFF
Prop ID# 18156

257 NE 28TH
Prop ID# 19

2625

2629

2645

2651

2663

201 COLLEGIATE
Prop ID# 400154

201 STE 250
201 STE 225

N COLLEGIATE
Prop ID# 115954

200 N COLLEGIATE
Prop ID# 19807

2625 E PRICE
Prop ID# 18147

2629 E PRICE
Prop ID# 18148

2635 & 2645 E PRICE
Prop ID# 18149

2651 E PRICE
Prop ID# 18150

2663 E PRICE
Prop ID# 18151

2711 2721 2731 2741 2751

E PRICE

N COLLEGIATE

151 NE 27TH
Prop ID# 17478

140 NE 27TH
Prop ID# 18446

2638-2640 E PRICE
Prop ID# 17480

Retail & Office 2720 Retail & Office 2740

2622

2624

135

140

165

155

151

147

145

135

123

2622 E PRICE
Prop ID# 17484

2624 E PRICE
Prop ID# 17483

125 NE 27TH
Prop ID# 17477

130 NE 27TH
Prop ID# 18447

Prop ID# 401444

ArkTexCOG
BKF

120
Residence 100

21

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARIS, TEXAS, AMENDING ZONING ORDINANCE NO. 1710 OF THE CITY OF PARIS, TEXAS, AS HERETOFORE AMENDED, SO AS TO REZONE LOTS 7 AND 8, CITY BLOCK 255-A, BEING LOCATED AT 2635 AND 2645 EAST PRICE STREET, IN THE CITY OF PARIS, LAMAR COUNTY, TEXAS, FROM A SINGLE-FAMILY DWELLING DISTRICT NO. 2 (SF-2) TO A MULTI-FAMILY DWELLING DISTRICT NO. 1 (MF-1); DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission received a request for an amendment to the Zoning Ordinance of the City of Paris to rezone Lots 7 and 8, City Block 255-A, being located at 2635 and 2645 East Price Street, in the City of Paris, Lamar County, Texas, from a Single-Family Dwelling District No. 2 (SF-2) to a Multi-Family Dwelling District No. 1 (MF-1); and,

WHEREAS, on October 2, 2017, following notice and publication as required by law, the Planning and Zoning Commission conducted a public hearing on the proposed amendment to the City Zoning Ordinance and, following said hearing, made formal recommendation to the City Council to approve the requested zoning; and,

WHEREAS, on October 9, 2017, following notice and publication as required by law, the City Council of the City of Paris conducted a public hearing on the proposed amendment to the City Zoning Ordinance, and having considered the recommendations of the Planning and Zoning Commission and the testimony and evidence introduced at said public hearing, found and determined that approving the aforesaid zoning change would be consistent with the Comprehensive Future Land Use Plan of the City of Paris, consistent with the City Zoning Ordinance, and in the best interests of the public health, safety, and welfare of the citizens of the City of Paris by a vote of ____ayes and ____ nays.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARIS, TEXAS:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. That the Official Zoning Map of the City of Paris, Texas and Zoning Ordinance No. 1710 of the City of Paris as heretofore amended is hereby further amended to rezone Lots 7 and 8, City Block 255-A, being located at 2635 and 2645 East Price Street, in the City of Paris, Lamar County, Texas, from a Single-Family Dwelling District No. 2 (SF-2) to a Multi-Family Dwelling District No. 1 (MF-1); and,

Section 3. That the Chief Building Official of the City of Paris be, and he is hereby, directed to change the Official Zoning Map of the City of Paris, Texas to reflect the changes set forth in this ordinance.

Section 4. That all provisions of the ordinances of the City of Paris, Texas in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Paris not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. That the repeal of any ordinance or part of ordinances affected by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this ordinance.

Section 6. That it is the intention of the City Council of the City of Paris that this ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause, or provisions of this ordinance shall not affect the validity of any other portion of this ordinance.

Section 7. That any person violating any provision of this ordinance shall be guilty of a Misdemeanor, and upon conviction, shall be subject to a fine in accordance with provisions of Sec. 1-6 of Chapter One of the City of Paris Code of Ordinances, and each and every day's continuance of any violation of the above-enumerated sections shall constitute and be deemed a separate offense.

Section 8. This ordinance shall become effective from and after its passage and publication as required by law.

PASSED AND ADOPTED on this 9th day of October, 2017, by the City Council of the City of Paris, in regular session, following notice and publication as required by law.

Steven J. Clifford, M.D., Mayor

ATTEST:

Janice Ellis, City Clerk

APPROVED AS TO FORM:

Stephanie H. Harris, City Attorney