



Legislation Details (With Text)

<b>File #:</b>	21-1794	<b>Version:</b>	1	<b>Name:</b>	11/15/2021 Mill Creek Rezoning
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Passed
<b>File created:</b>	11/15/2021	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	12/20/2021	<b>Final action:</b>		<b>Final action:</b>	12/20/2021
<b>Enactment date:</b>	12/20/2021	<b>Enactment #:</b>		<b>Enactment #:</b>	ORD-21-34

**Title:** An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 32.6 Acres from R3 (Townhouse Dwelling) to R4B (Multiple-Family Dwelling), Mill Creek Townhomes Rezoning, 3002 Chelsea Circle, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-21-34)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD-21-34 Briefed and Approved.pdf, 2. ORD-21-34 Briefed.pdf, 3. Mill Creek Zoning Ordinance.pdf, 4. August 17, 2021 Planning Staff Report, 5. August 17, 2021 Planning Commission Minutes, 6. September 22, 2021 Staff Report to ZBA, 7. 2021 Opposed to Mill Creek Rezone Letter.pdf, 8. ORD-21-34 Approval Notice.pdf, 9. WLN clipping Mill Creek Townhomes Rezoning - Public Hearing Notice.pdf, 10. WLN clipping Casa Dominicks PUD Zoning - Approval Notice.pdf

Date	Ver.	Action By	Action	Result
12/20/2021	1	City Council	Held and Closed	
12/20/2021	1	City Council	Adopted on Second Reading	Pass
11/15/2021	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 32.6 Acres from R3 (Townhouse Dwelling) to R4B (Multiple-Family Dwelling), Mill Creek Townhomes Rezoning, 3002 Chelsea Circle, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-21-34)  
Approval of this resolution will zone a 32.6-acre site from R3 (Townhouse Dwelling) to R4B (Multiple-Family Dwelling) to allow new apartment buildings to be constructed as infill development at an existing townhouse community.

The Master Plan’s 8 elements, taken together, seek to guide the City towards sustainability, conservation, and increasing livability, affordability, transportation choices, and denser, mixed uses on vibrant, active, friendly streets. The Land Use element recommends “single family attached” for the site.

Staff’s analysis of the rezoning petition as provided in our report to Planning Commission on August 17, 2021, included the following comments:

- The R3 district is a multiple-family residential district that allows dwelling units side-by-side, up to 10 units per acre. The R4B district is a multiple-family residential district that allows dwelling units in any configuration, up to 15 units per acre. Setbacks and normal height limits are the same in both districts.
- Although the future land use recommendation is for single-family attached use, the proposed

rezoning is in keeping with and furthers the first four land use goals of the Comprehensive Plan Land Use Element [summarized as]: ensuring developments are designed and constructed in a way that preserves or enhances the integrity of natural systems; designs that help reduce reliance on automobiles; developments that provide a full range of housing choices for existing and future needs of all City residents; and supporting continued viability, health and safety of City residential neighborhoods.

- Enabling new apartment buildings along with townhouse buildings on this site will be an almost undetectable difference outside of this development and offers the potential to provide units with more accessibility benefits (single-story apartments, elevators possible, etc.)
- Supporting this rezoning application has many benefits in terms of achieving the land use goals of the Comprehensive Plan with no detriment from deviating from the land use recommendation.

Accompanying the rezoning petition, as a separate submittal, is a site plan application to construct an additional 102 dwelling units in four apartment buildings, and demolish and rebuild the community center. Landscape modifications are requested to allow required landscape improvements to be limited to the areas adjacent to the new buildings. A variance was granted by the Zoning Board of Appeals on September 22, 2021 to apply EV parking space requirements to only the newly constructed parking spaces.

The City Planning Commission determined that the proposed zoning is consistent with the adjacent zoning, the surrounding land uses, and the City's Comprehensive Plan and recommended approval of the request at its meeting of August 17, 2021.

Attachments: August 17, 2021 Planning Staff Report  
August 17, 2021 Planning Commission Minutes  
September 22, 2021 Staff Report to Zoning Board of Appeals  
Ordinance to Amend Chapter 55

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Brett Lenart Planning Manager  
Derek Delacourt, Community Services Area Administrator

Approved by: Milton Dohoney Jr., Interim City Administrator  
(See Attached Ordinance)