

## **City Council Agenda Summary Sheet (Non Purchases)**

**Agenda No:** 2004-0389, Hamlin/Adams Rezoning Request  
**Date:** July 6, 2004  
**Prepared By:** Derek L. Delacourt  
**City File No:** 03-013

**Meeting Date:** July 14, 2004

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### **PURPOSE:**

The referenced application involves a request to rezone 28± acres identified as Parcel Nos. 15-29-101-022 and 15-29-101-023 from R-2, One Family Residential to B-2, General Business. The parcels are located on the northeast corner of Hamlin and Adams Roads.

### **DISCUSSION:**

#### **MASTER LAND USE PLAN CONSISTENCY**

The proposed rezoning is not in accordance with the Master Planned identified Single Family designation for the subject site.

#### **ADJACENT LAND USE AND ZONING**

To the north and west the surrounding property is zoned and developed as single family residential. The property to the east is zoned single family and is used as a City Park (Riverbend Park). To the south, the property's current use as a private recreation facility (i.e., softball fields and golf driving range) has been and is currently controlled through Use Variance and/or Consent Judgment. Its potential future use is outlined in a revised consent judgment that allows for the redevelopment of the property as a mixed-use office and commercial development. Also to the south a new M-59 Adams Road Interchange is planned.

#### **REASON FOR REZONING REQUEST**

The applicant has indicated that the reason for the requested rezoning is the subject sites status as a Brownfield (contaminated site) and therefore inability to develop the site as single family. The applicant has received approval from the City's Brownfield Authority for a Brownfield Plan for the subject site (minutes attached). The plan approved by the authority was based on a proposed office/commercial development. The BRA does not review the plan relevant to zoning, therefore its approval is conditioned on the applicant resolving the zoning issue with the Planning Commission and City Council.

The Brownfield Plan dated September 2, 2003 and BRA meeting minutes dated September 18, 2003 are included for review and regard the specifics of the brownfield process and some of the contamination issues.

Staff does believe there are considerable issues related to the known environmental contamination and potential additional unknown environmental concerns on the subject site, and if proven to be serious enough, it may be difficult to develop the site or portions of the site as single family residential. However, the applicant has not demonstrated why B-2 General Business is the appropriate zoning district for the subject site nor have they demonstrated that, although difficult, it is not possible to develop the site consistent with the exiting zoning district and the City's Master Plan.

**FISCAL INFORMATION:**

None

**RECOMMENDATION:**

The City's Planning Commission and Staff recommend denial of the requested rezoning.

**ATTACHMENTS:**

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Department Authorization: Ed Anzek, Director of Planning and Development.

Reviewed by:

Fiscal: *Jean Farris*

Clerks: *Susan Koliba-Galezka*

Approved by: *Pat Somerville*

**RESOLUTION**

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**