



**REPORT TO: CITY COUNCIL**

**MEETING DATE: SEPTEMBER 13, 2021**

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| <b>Agenda Item:</b>                        | 7a. CC-21-168   |
| <b>Prior Council Action/Related Items:</b> | August 3, 2021 <a href="#">Planning Commission Report</a>   |
| <b>Background / Issue:</b>                 | <ul style="list-style-type: none"> <li>• 5J Properties, LLC requests review and approval of a Map Amendment (MA21-09), to rezone properties addressed as 2302 &amp; 2324 W 8<sup>th</sup> Avenue and 802 S Western Road from Small Lot Single Family (RSS) to Commercial Shopping (CS) Zoning.</li> <li>• The subject site is currently within an area of Residential zoning and is bordered on the north by Commercial Shopping (CS).</li> <li>• Four citizens who own property nearby spoke at the Planning Commission meeting in opposition of the application. The following concerns were expressed:             <ul style="list-style-type: none"> <li>○ Increased traffic</li> <li>○ Loss of existing affordable housing</li> <li>○ Growth and development have changed in the area</li> <li>○ Neighboring homes will be impacted by commercial</li> <li>○ Need for additional screening and buffering if commercial is allowed</li> </ul> </li> <li>• Staff has received two letters of opposition and a protest petition, all of which are part of the packet. The protest petition included 31% of the surrounding property owners who are within 300-feet of the subject site. This protest petition did not meet the 50% or more signatures required to prompt the super majority vote requirement for a rezoning application.</li> </ul> |
| <b>Proposal/Solution:</b>                  | <p>Planning Commission recommended approval with a 4 to 0 vote with one abstention.</p> <ul style="list-style-type: none"> <li>• The Future Land Use Map within the Comprehensive Plan indicates that the desired land use within this part of the community is commercial for areas adjacent to S. Western Road between 6<sup>th</sup> Avenue and 19<sup>th</sup> Avenue.</li> <li>• The subject site is currently zoned as residential with adjacent residential uses to the south, east and west.</li> <li>• Commercial zoning and uses exist to the north of the site.</li> </ul>   |

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| <b>Financial Impact/Funding Source(s):</b> | None  |
| <b>Strategic Plan Alignment:</b>           | <p>#4 Connected Spaces: To develop a strong sense of place that recognizes the interconnectedness of people, buildings and public systems (such as transportation, utilities and parks) that best serve the needs of the public.</p> <p>#5 Unique Culture: To cultivate partnerships that enhance the unique culture of Stillwater with equal access to services and amenities, strong and connected neighborhoods, and a thriving economy and business atmosphere.</p> |
| <b>Recommended Action/Motion:</b>          | Motion to accept Planning Commission recommendation to approve the Map Amendment for the property located at 2302 and 2324 W 8th Avenue and 802 S Western Road.   |
| <b>Prepared By:</b>                        | Lanc Gross, Planning Manager  |
| <b>Reviewed By:</b>                        | Brady Moore, Interim Community Development Director<br>Patti Osmus, Assistant to the City Manager   |
| <b>Submitted By:</b>                       | Norman McNickle, City Manager   |
| <b>Attachment(s):</b>                      | Area Map<br>Zoning Comparison Table<br>Planning Commission Minutes  |