



Meeting Date: May 15, 2017

Report No. CC-17-76

Agenda Item No. 7e

Status: Public Hearing

Purpose: 12th Avenue Land Use Plan and Land Development Code Amendments

Summary: An application to rezone property at 1220 W. 12th Avenue from RSS to RTM and Office began in October of 2016. At the January 23rd meeting, the City Council postponed this rezoning request for staff to conduct a public process to consider a possible change to the Comprehensive Plan for the vicinity. The planning process began in February and extends through May with significant input for the future of this study area.

The information presented is based on preservation of residential uses and houses while recognizing that the area has, is, and will continue to change. Overlay districts provide the framework by which preservation and appropriate change can be accomplished.

Budget Impact: There is no budget impact at this time.

Prior Council Action or Part of an Approved Project: Yes

Related Items:

<http://stillwater.org/files/city-council/012317/Memo-12th-Ave-Rezoning.pdf>

Alternatives: The alternatives are outlined in the [Planning Commission Report](#)

Recommendation: Planning Commission recommends approval of the 12th Avenue Land Use Plan Alternative #2 and recommends approval of text amendments to the Land Development Code to establish the Neighborhood Conservation Overlay District as presented and the Neighborhood Mixed-Use Overlay District with identified amendments as discussed at the May 2, 2017 meeting.

Prepared by: Paula J. Dennison

Submitted by: Norman McNickle, City Manager

Attachments: PC Minutes; 12th Ave Land Use Plan Study & Notification Area Map; 12th Ave Land Use Plan Alternative #1; 12th Ave Land Use Plan Alternative #2; Neighborhood Conservation Overlay District; Neighborhood Mixed-Use Overlay District; Public Input Data & Information: emails, SurveyMonkey results, consensus meeting polling results, final draft and wrap-up meeting polling results

Background Information: The information presented is based on preservation of residential uses and houses while recognizing that the area has, is and will continue to change. Overlay districts provide the framework by which preservation and appropriate change can be accomplished.

At the direction of City Council, staff began a public planning process to consider possible change to the Comprehensive Plan for the area along 12th Avenue. Included in the planning process is an objective to evaluate any possible changes to Stillwater City Code to apply to the area. A study area was identified for direct evaluation and possible application of zoning changes. A larger notification area was identified to fully inform the neighborhood. The study area encompasses 90 parcels; the notification area encompasses 377 parcels.

Beginning in February of 2017, staff prepared a variety of public input means to facilitate input from owners, residents and workers in the study area, the notification area, and throughout the City. Input was distributed and received through: survey on SurveyMonkey, newsfeed at Stillwater.org; input meetings with notices emailed and mailed through the US Postal Service; direct emails from citizens. The following are results of the input initiatives:

- Total of 138 SurveyMonkey responses:
 - 31 SurveyMonkey responses from owners/residents in the study area
 - 26 SurveyMonkey responses from owners/residents in the notification area
 - 4 SurveyMonkey responses from workers in the study or notification area
 - 77 SurveyMonkey responses from interested citizens outside the study or notification area
- 3 input meetings with average attendance of 36
- Total of 1,609 letters sent via USPS
- Total of 146 recipients of notifications by email
- 25 emails from citizens
- Use of polling software, results provided real-time vote casting and tally from input meeting attendees

The following are general summaries of the input received. Specific data is included in the attachment to this report. The collection of input and the application of planning theory and process are the basis for the two land use plans and the two overlay districts presented for consideration.

Emails: The emails received ranged from support and recognition of change to questions about the process and purpose to firm positions on keeping the residential neighborhood with no changes. Input indicates a strong sense of neighborhood, positive experiences in the neighborhood, preservation of residential uses, proper integration of non-residential uses into the existing neighborhood, and ability to get from the neighborhood to destinations in the vicinity and throughout the community.

Survey: From the total respondents, approximately 74% own the home they occupy. However, according to the Census Bureau, the study area is approximately 65% rental occupancy, which is indicative of the rental occupancy throughout the entire city. Responses indicate a strong desire to preserve the single-family residential aspect of the neighborhood with the provision of park/open space as an appropriate use for the area. Additionally, the need for multi-modal improvements and the need to have

development integrated with the neighborhood through the use of residential-style look, height, and materials are identified as needed for any development in the area.

Polling: Staff provided two opportunities for open polling at input meetings. The study area results of the first poll aided in the development of two land use plans and two overlay districts. The final poll asked specific questions with the results drilled down to specific site/building design requirements and uses for consideration in the overlay districts. The results of these two polls are attached.

Outcome: Staff prepared two land use proposals and two overlay districts for the Planning Commission to review. Land Use Plan Alternative #1 proposes no changes to the existing adopted land use for the study area. Land Use Plan Alternative #2 proposes overlay districts for the study area located on the north side of 12th Avenue. Two overlay districts are proposed:

1. Neighborhood Conservation Overlay District bound by lots on the west side of Pine Street, 11th Avenue, lots on the east side of Stanley Street, and 12th Avenue, and
2. Neighborhood Mixed-Use Overlay District bound by the property bisected by Blakeley Street, 11th Avenue, the lot at 11th and Washington Street on the east side, and 12th Avenue. The properties in the study area on the south side of 12th Avenue are not included in the alternative #2 or overlay district proposals.

At the beginning of this planning process, there existed heavy polarization of opinions with about half wanting nothing but residential development. As the process continued and more information was openly discussed, the atmosphere became more understanding of opposite opinions and of coming together for the betterment of the whole. People moved from “no” or “yes” to “possibly” and “let’s talk about that”. Another outcome is that there are more people within the neighborhood getting to know each other.

Processing Track:

Planning Commission – May 2, 2017

City Council – May 15, 2017

Comprehensive Plan: The C³ Plan indicates the area on the south side of 12th Avenue as Public and Commercial. The north side of 12th Avenue within the study area is indicated as primarily Low-Density Residential with a small portion of Public, with Commercial at the northwest corner of 12th & Washington, and with Park/Open Space for property on the east side of Washington Street.

Discussion: At the final input meeting, a number of items remained unresolved for the overlay district proposals. The Planning Commission discussed these in depth with the following determinations made:

- Fencing between the two overlay districts: important to have fencing on property adjacent to not only the single- and two-family residential uses but also adjacent to residential zoning. However, due to the current screening requirements and the requirements of the Mixed-Use Overlay District, there was no additional action taken on this item.
- Boundary of the Neighborhood Conservation Overlay District is proper.

- Boundary of the Neighborhood Mixed-Use Overlay District is proper.
- Individual property owners within the Neighborhood Mixed-Use Overlay District are to request a map amendment from the current zoning designation to the Neighborhood Mixed-Use Overlay District. The Planning Commission determined it to be in the best interest of all within the area to require this additional public process.
- The items specific to the design requirements of the Neighborhood Mixed-Use Overlay District are reflected in the text and removed items are ~~stricken~~ and added items are underlined.