

ORDINANCE NO. 673-A

Introduced by Commissioner Robert L. MAY

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP OF THE CITY OF WARRENTON AS APPLIED TO BLOCK 93, WARRENTON PARK FROM C-2, HIGHWAY COMMERCIAL to R-10, INTERMEDIATE DENSITY, RESIDENTIAL, AND DECLARING AN EMERGENCY.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan and Zoning Map of the City of Warrenton, as applied to Block 93, Warrenton Park be and the same is hereby changed from C-2, Highway Commercial to R-10, Intermediate Density, Residential designation.

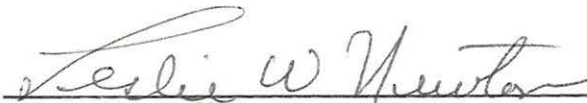
Section 2. The zoning map of the City shall be changed to conform with this ordinance.

Section 3. The Findings of Fact and Staff Report dated May 9, 1979, a copy of which is attached hereto and by this reference incorporated herein be and the same are adopted and the changes set forth herein are ordered.

Section 4. An emergency is declared to exist for the reason that the City of Warrenton staff made an inadvertent error in publication and notice. The error caused a 30 day delay to applicant's prejudice. Applicants have signed a contract to proceed with development and in order to alleviate hardship, it is necessary that an emergency be declared, and this Ordinance shall go into force and effect immediately.

Passed by the City Commission of the City of Warrenton this 6th day of June, 1979.

Approved by the Mayor of the City of Warrenton this 6th day of June, 1979.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Auditor and Police Judge

the

## COMPREHENSIVE PLAN &amp; ZONING MAP AMENDMENT

Andrew and Helen RosenbergerNature of Request

Andrew and Helen Rosenberger have filed an application requesting an amendment to the comprehensive plan and zoning map designations for Lots 1, 2 and 3, Block 93 WARRENTON PARK.

To avoid a spot-zoning situation, the staff has advertised for a public hearing to consider the rezoning of all of Block 93. Involved property owners have been contacted for their consents to the proposed action. The applicant has requested a designation change from the existing C-2 (Highway Commercial) classification to an R-10 (Intermediate Density Residential) designation.

Site and Area Description

The involved property is located in SE Warrenton. Block 93 is roughly a triangular-shaped parcel with boundaries formed by SE 12th Place on the north, SE Neptune on the east and old U. S. Highway 101 on the south and west.

The Rosenbergers own three 95' x 50' lots on the NE corner of Block 93. Properties on all three sides of this triangular block are zoned for residential use. Lands to the south and east are zoned for R-20 (Low Density Residential) use and lands to the north are zoned for R-10 use. There are three older residential dwellings sitting on Block 93 and there are scattered residences along the north side of SE 12th Place. The closest commercial development is a machine and metal workshop located about one block to the west at the intersection of SE Marlin and 12th Place.

The involved property has municipal sewer and water available and is served by two existing roadways--SE 12th Place and old U. S. Highway 101. It is within the designated 100-year flood plain.

Procedure Comments

This hearing is scheduled to consider both a comprehensive plan map amendment and a zoning map amendment. The justifications and decisions regarding these two issues are closely related but two separate motions should be considered. First, the comprehensive plan determination should be considered. If a motion is made to approve the comprehensive plan amendment, then a second motion should be initiated on the zoning map change.

In consideration of the requested comprehensive plan amendment, the following four areas should be reviewed:

1. conformity with statewide planning goals
2. conformity with the comprehensive plan text
3. public need for rezoning
4. amendment would best meet established need

Section 9.020 (page 68) of the zoning ordinance should be reviewed to establish criteria for granting a zoning map change.

Staff comments on comprehensive plan amendment and zoning map amendment justification will be presented in this report.

Statewide Goal Comments

Since the city's comprehensive plan is not in recognized compliance with the statewide goals, this proposed action must be shown to be in conformance with relevant goals. Please note the following responses:

Goal # 5 - open spaces, etc. The site contains no designated important wildlife areas and is not an area known for significant cultural or archeological sites.

Goal # 7 - hazards The land is within the H.U.D. 100-year flood plain and will have to meet appropriate elevation requirements.

Goal # 10 - housing The proposed action would have a slight, positive impact on the availability of residential building sites in the city.

Goal # 11 - public facilities and services Existing sewer, water and street improvements will be more fully utilized in the future if this request is approved.

Goal # 13 - energy conservation This action will represent an energy-efficient expansion of the residential land stock of the city because it will encourage the use of existing public facility improvements.

Comprehensive Plan Text Comments

Pages 15 and 16 of the comprehensive plan provide guidance on the intent and purpose of Low Density Residential and Intermediate Density Residential designations. The applicants request that the use designation of the property be changed to the Intermediate Density classification. The text contains the following standards for Intermediate Density Residential development:

1. Development on parcels ranging from 20,000 sq. ft. should be reserved for areas suitable for development.
2. Developments in this density designation would occur in areas of the city which are served or planned for eventual service by the municipal sewerage system.
3. Areas of the city designated for development at this density should have, or be designated to have, adequate roads which are paved and of sufficient width to accommodate future development.

The requested action appears to be in conformity with text guidance regarding the availability of municipal services and facilities.

Public Need and Consideration of other Available Options

The Public need for the proposed amendment is difficult to examine except in general terms. Public need is approached indirectly through the review of relevant statewide goals. Also there is a general need for residential growth in the city. Other R-10 properties exist in the city but the involved parcel is suited for immediate development due to the availability of services and facilities. The proposed change is limited in scale and the resulting reduction in E-2 property would have a minimal impact on the overall availability of commercial lands in the city.

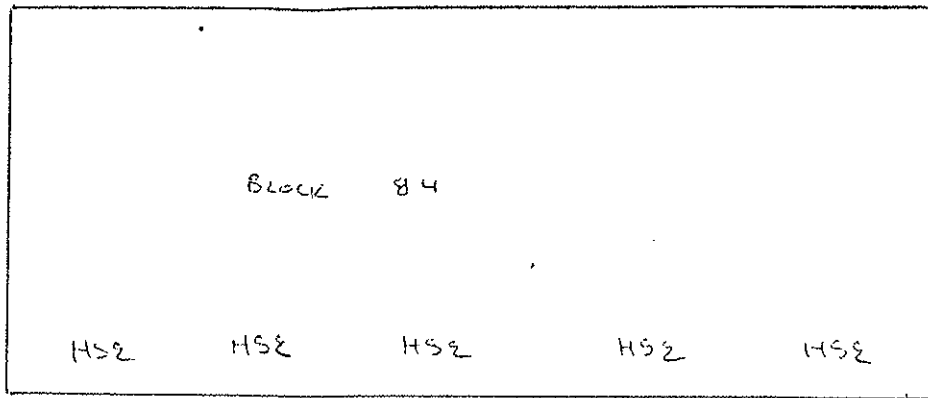
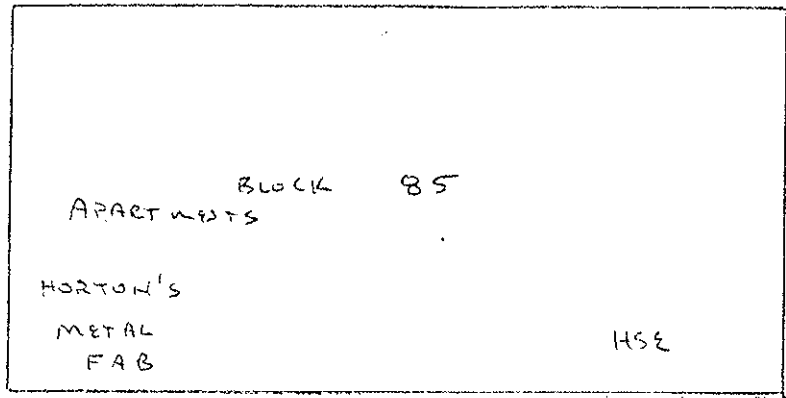
Section 9.020 Criteria Comments

These criteria deal with land use compatibility and general impact upon surrounding properties and the public. Residential development of the involved properties would be compatible with surrounding residential uses. No detrimental impact upon surrounding properties or the general public can be foreseen. The action has also been shown to be in general conformity with the comprehensive plan text.

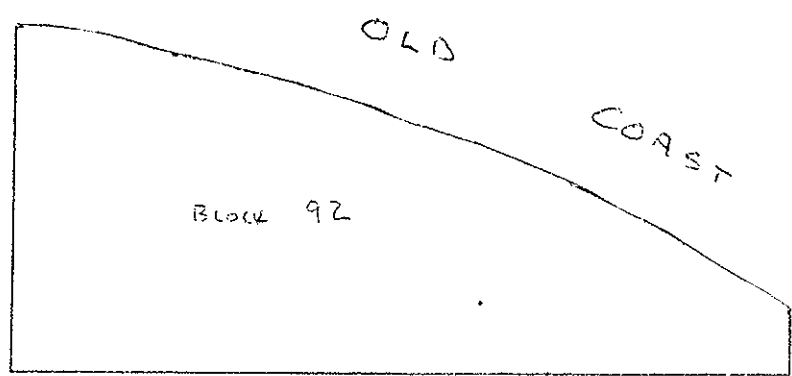
Staff Recommendation

The staff recommends approval of the requested comprehensive land use map and zoning map

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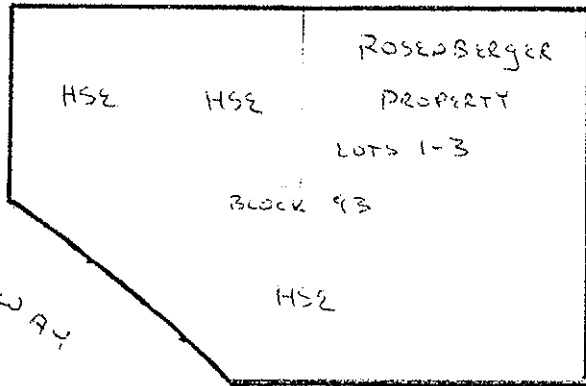


SE 12TH PLACE



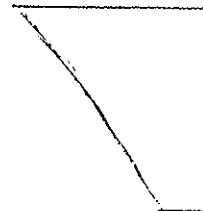
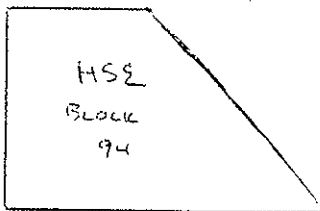
HIGHWAY

101



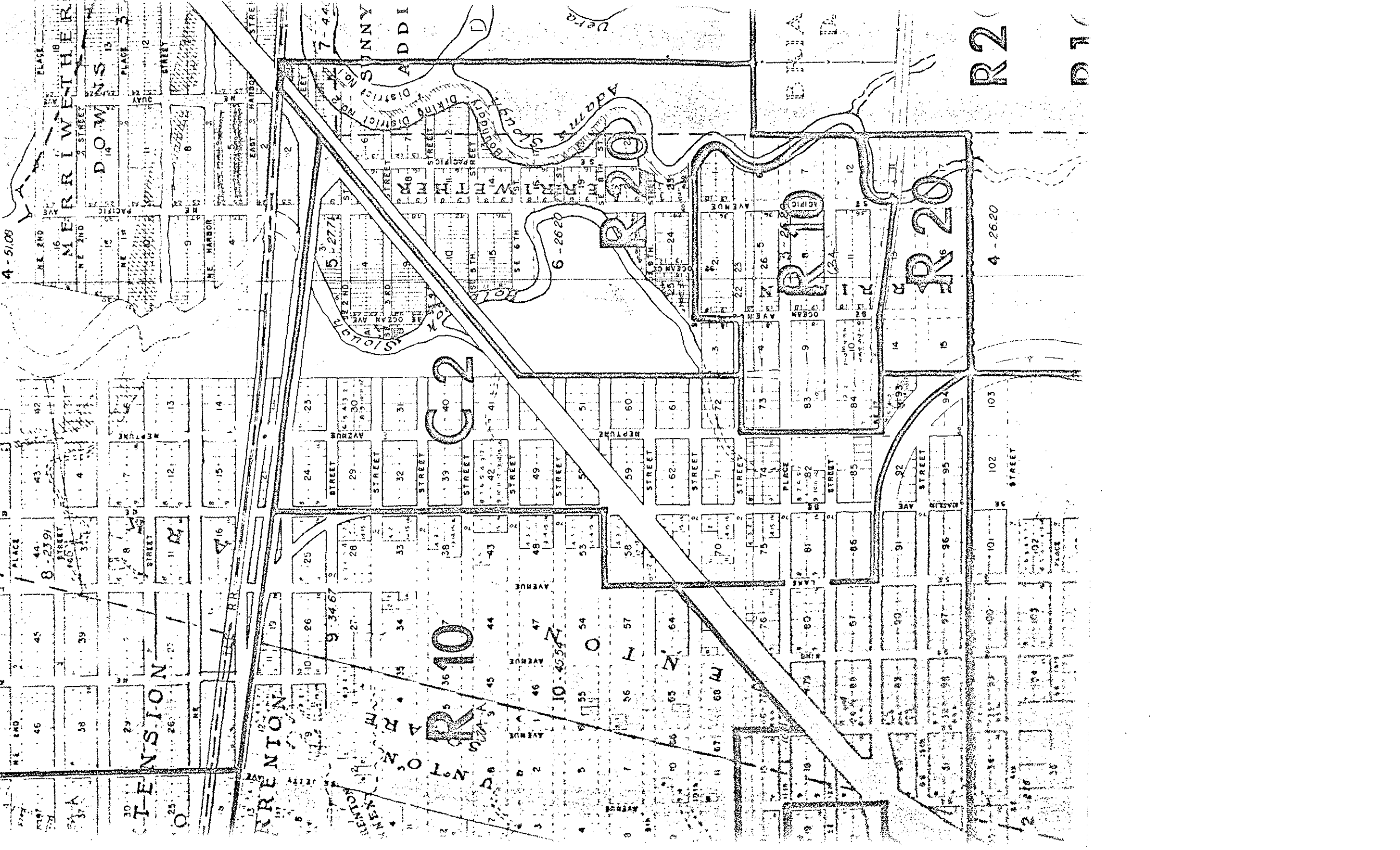
INVOLVED PROPERTY  
←

↑  
NORTH



SCALE 1" = 100'

ROSENBERGER VICINITY MAP



4-5108

MERRIWETHER  
DOWNS  
SUNNY  
ADDI

G2

R10

R11

R20

R2

D7

4-2620

4-5109

MERRIWETHER  
DOWNS

ARRINGTON

SUNNY  
ADDI

SLOAN  
HOTEL

ARRINGTON

BNA

4-5110

MERRIWETHER  
DOWNS

ARRINGTON

SUNNY  
ADDI

SLOAN  
HOTEL

ARRINGTON

ARRINGTON

SUNNY  
ADDI

SLOAN  
HOTEL

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ARRINGTON

DOWNS