



Legislation Details (With Text)

File #: 19-1316 **Version:** 1 **Name:**
Type: Action Item **Status:** Failed
File created: 6/4/2019 **In control:** Town Council Meeting
On agenda: 6/17/2019 **Final action:**
Title: Consideration of rezoning of 100-112 Maple Avenue E from C-2 general commercial zone and C-1A special commercial zone to Maple Avenue Commercial (MAC) zone for Sunrise Assisted Living AND
Consideration of a request for a related modification of requirements.

Sponsors:

Indexes:

Code sections:

Attachments: 1. NEW - Sunrise - Questions and Clarifications in response to June 3 2019 Town Council Hearing - 06.11.19, 2. NEW - Sunrise - Signed Proffers 06.10.19, 3. TC STAFF REPORT - 06-03-2019 - Sunrise Assisted Living Rezoning, 4. Sunrise - Updated Concept Plans - 05.22.19, 5. Sunrise - Revised Statement of Justification - 05.22.19, 6. Sunrise - Application and Rezoning Affidavit, 7. Sunrise - Statement of Purpose and Intent 09.26.18, 8. Sunrise - MAC Incentives Checklist, 9. Sunrise - Updated Parking Summary 5.16.19, 10. Sunrise - Traffic Impact Analysis 09.21.18, 11. Sunrise - Parking Assessment rev 03.22.19, 12. Sunrise - Parking Assessment and TIA Reviews, 13. Sunrise - Public Engagement Summary 04.16.19, 14. Sunrise - Revised Fiscal Impact Analysis 05.29.19, 15. Sunrise - BAR Recommendation 02.21.19, 16. Sunrise - Planning Commission Recommendation 05.24.19, 17. Sunrise - BZA Order_Assisted Living CUP_05.24.19, 18. REFERENCE - Sunrise - Signed Proffers 05.22.19, 19. REFERENCE - Conceptual Plans_Renderings_04.08.19, 20. REFERENCE - Conceptual Plans_Renderings_01.15.19, 21. REFERENCE - Conceptual Plans_Renderings_09.05.18, 22. protest letter for Sunrise, 23. Protest petitions for Sunrise

Date	Ver.	Action By	Action	Result
6/17/2019	1	Town Council Meeting		
6/17/2019	1	Town Council Meeting	Failed	Fail

Subject:

Consideration of rezoning of 100-112 Maple Avenue E from C-2 general commercial zone and C-1A special commercial zone to Maple Avenue Commercial (MAC) zone for Sunrise Assisted Living AND
Consideration of a request for a related modification of requirements.

The subject site is approximately 0.74 acres and located at the intersection of Maple Avenue E and Center Street N. The site currently is occupied by two vacant office buildings and associated surface parking. The applicant proposes redeveloping the site under Maple Avenue Commercial (MAC) zoning regulations.

The Planning Commission held public hearings on April 24, 2019 and May 8, 2019. The Planning Commission closed the public hearing on May 8 and voted 4-3 in favor of recommending that the Board of Zoning Appeals approve the conditional use permit for assisted living. The Planning Commission considered the rezoning and modification of requirement at its May 22, 2019 meeting at

which the Planning Commission voted 5-2 in favor of recommending that Council approve both the rezoning and modification.

The Board of Zoning Appeals approved the conditional use permit for assisted living by unanimous vote (5-0) on May 15, 2019 with conditions that permit approval is contingent upon Town Council's approval of the rezoning and that the permit shall become null and void 24 months after issuance if construction or related operations has not commenced.

After receiving feedback at the Planning Commission meeting on May 8, 2019 and Board of Zoning Appeals meeting on May 15, 2019, the applicant has submitted updated proffers and exhibits showing a reduction in commercial retail space and assisted living units, removal of the mezzanine level, and revised parking analysis. Staff has revised the fiscal impact analysis based on comments from Planning Commission members on May 8, 2019, which is included in the attachments.

At its June 3, 2019 public hearing, Town Council closed the public hearing but left the record open for written comments until June 10, 2019.

Departmental Recommendation : Staff finds that the application meets zoning ordinance requirements with the request for modification of requirements and is consistent with the Comprehensive Plan 2015 Update.

Finance Recommendation : N/A

Purchasing Recommendation : N/A

Town Attorney Recommendation : Following the public hearing, Town Council may consider the public input, recommendations of the BAR and Planning Commission, and review the application to ensure that the applicant has addressed impacts directly related to the proposed rezoning and for conformity with the Town's Comprehensive Plan and Zoning Ordinance.

Town Manager's Recommendation : Following the public hearing, Town Council may consider the public input, recommendations of the BAR and Planning Commission, and review the application to ensure that the applicant has addressed impacts directly related to the proposed rezoning and for conformity with the Town's Comprehensive Plan and Zoning Ordinance.

Cost and Financing:

Account Number:

Decision Needed by This date: August 2, 2019

PROPOSED/SUGGESTED MOTION

"I move to approve the requested rezoning of the subject property located at 100-112 Maple Avenue E from the C-2 general commercial zone and C-1A special commercial zone to the Maple Avenue Commercial (MAC) zoning district."

And

"I further move to approve the requested modification of requirements for a 15-foot wide loading space in conjunction with the rezoning application."

Or

Other action deemed necessary by Town Council.