

Summary:

This Petition is for a rezoning of property at 13270 Maple Drive. The property is located on the east side of Maple Drive, approximately 290 feet south of Kahlia Way Court. The property is currently zoned R-1 Single Family Residential – 1 acre minimum lot size. The Petitioner has applied to first change the zoning to R-2 Single Family Residential – 20,000 square foot minimum lot size to be consistent with surrounding density and then to PD-R Planned Development – Residential. All surrounding properties are part of the Tapawingo Development and zoned PD-MXD Planned Development – Mixed Use.

History & Staff analysis:

This property was originally developed circa 1910 as a vacation property. Starting in the 1970s, the Servants of the Paraclete occupied the property. In 2010, the property was sold to the current owners, the Moore Family. In 2012, a petition was submitted to the City to operate a cultural center/library on the property. That petition was denied. From approximately 2016-2020, Lindbergh School District used the property for administrative activities.

This Petition is to change the zoning of the property from R-2 Single Family Residential – 20,000 square foot minimum lot size to PD-R Planned Development - Residential. The Petitioner has also submitted a Preliminary Development Plan, which is required for all planned developments (see P-23-21).

The Tapawingo Development surrounds this property, which is currently zoned PD-MXD Planned Development – Mixed Use. The PD-MXD District allows uses designated as permitted or conditional in any of the residential districts or the C-1 Commercial District. The PD-R District was selected for this proposed development because it allows uses designated as permitted or conditional in any of the residential districts. Although the density of the proposed development would be the same as Tapawingo, no commercial development is proposed so the less intense zoning district is more appropriate.

The City's Land Use Plan indicates public/semi public use of this property. However, there is no indication of future public/semi public use of the property. A Land Use Plan is a tool

used in the planning profession, to help guide development. It is not a regulatory document, like a zoning map. The public/semi public designation was assigned to the property as a current use designation.

Staff recommendation:

Approval of these Petitions would result in a development with a density that is consistent with the surrounding development. Based on this information, as well as information provided by the Petitioner, staff recommends approval of this change of zoning.

Update:

At the November 3, 2021 meeting, the Planning & Zoning Commission voted to recommend approval of this Petition.

A petition in opposition to the development has been received from the owners of thirty (30) percent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the district proposed to be changed, and therefore such amendment to the zoning shall not become effective except by the favorable vote of two-thirds ($\frac{2}{3}$) of all the members of the Board of Aldermen.