

CITY PLANNING DEPARTMENT



Memorandum – FINAL

To: City Plan Commission
From: Kenneth R. Kirkland MPA, MRP, AICP; Asst. City Planning Director
Date: April 3, 2024
RE: Potter Homestead Plat: Pavilion Avenue – Assessors Plat 7/4, Lots 3363, 3366, 3644, & 3814
Application for Dimensional Variance

Owner / Applicant: AA&E Properties, LLC
Location: Lots 3363, 3366, 3644, & 3814 Pavilion Avenue
Zoning: B1 – Single- & Two-Family Residential, (6,000 & 8,000 sq. ft.)
FLUM Designation: Single/Two Family Residential – Less than 10.89 Units/Acre.

Subject Property:

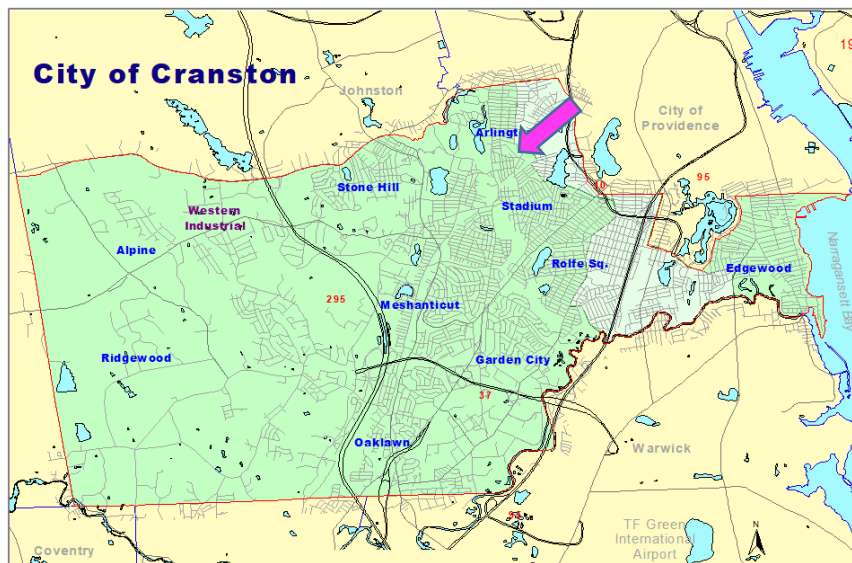
The subject property is located in the Potter Homestead Plat off Pavilion Avenue, identified as Plat 7/4, Lots 3363, 3366, 3644, & 3814, with a combined land area of 0.60± acres, (26,474± sq. ft.,) with frontage on Pavilion Avenue.

Request:

Parcel A: To allow the construction of a two-family dwelling on a 13,237 sq. ft. lot with 20' feet of frontage where 60' of frontage is required in an B1 zone, (17.92.010 – Variances and 17.20.030 – Schedule of Intensity Regulations.

Parcel B: To allow the construction of a two-family dwelling on a 13,237 sq. ft. lot with 40' feet of frontage where 60' of frontage is required in an B1 zone, (17.92.010 – Variances and 17.20.030 – Schedule of Intensity Regulations.

LOCATION MAP



AERIAL PHOTO



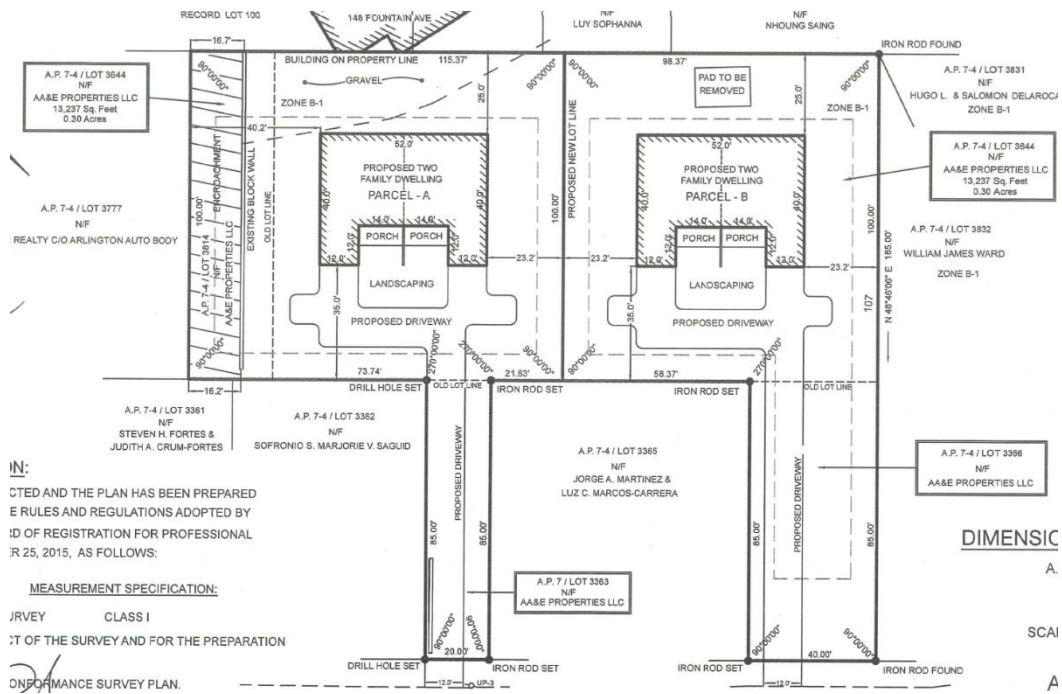
STREET VIEW



STREET VIEW



SITE PLAN



Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:
 - 17.20.120 – Schedule of Intensity Regulations
 - 17.92.010 – Variances (Dimensional)

- Staff has reviewed this Application in consideration of the compatibility with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are residential in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
 - The proposed use (two-family residential) is consistent with the Comprehensive Plan.
 - Staff finds the Proposal compatible with the general character of the surrounding area.

- The Future Land Use Map (FLUM) designates the subject property as “*Single/Two Family Residential – Less than 10.89 Units/Acre.*”
 - Per the Comprehensive Plan, the B-1 zoning district is an appropriate zoning classification for two-family residential development.
 - The proposed use (two-family residential) is consistent with the Comprehensive Plan.
 - The proposed density (6.58 units/acre) falls far below the Future Land Use Map density designation of Less than 10.89 units/acre.
 - Staff finds that the Application is directly consistent with the Future Land Use Map designation.

- The Comprehensive Plan outlines goals, policies, and action items pertaining to residential development which Staff find support the approval of this Application, specifically:
 - Land Use Goal 9: Protect and stabilize existing residential neighborhoods.
 - Land Use Policy 9.3: Preserve the existing density of established neighborhoods.
 - Housing Goal 2: Permit a variety of residential development types to achieve multiple community objectives.
 - Housing Goal 4: Promote housing opportunity for a wide range of household types and income levels.
 - Housing Policy 4.1: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
 - Housing Policy 4.3: Promote regulations that facilitate the development of affordable housing.
 - Housing Policy 4.6: Promote the development of new housing that is affordable to average first-time buyers living in the City.
 - Housing Goal 5: Conserve housing resources, especially affordable housing units, to preserve the base housing stock, as the costs of locating and constructing new housing units are significant.
 - Housing Policy 5.2: Review zoning for existing residential neighborhoods to ensure the zoning matches, as closely as possible, the dimensions and unit types of what has already been built.

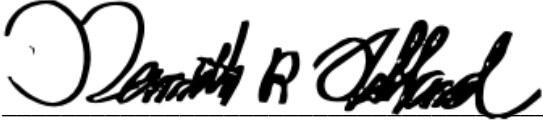
- The City Plan Commission granted Preliminary Plan approval related to this Application, and the recorded Decision, (Book 6753, Page 80) dated February 8, 2024 is included in the submittal documents. A number of conditions relating to the site were imposed, which Staff recommends the City Plan Commission include in their Recommendation to the Zoning Board of Review.

Recommendation:

In accordance with RIGL § 45-24-41(b) and Section 17.92.010(A) of the Zoning Ordinance, Staff finds this Application generally consistent with the goals and purposes of the Comprehensive Plan and is compatible with the general character of the surrounding neighborhood. Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and forward a

POSITIVE RECOMMENDATION WITH CONDITIONS on the Application to the Zoning Board of Review.

Respectfully Submitted,

A handwritten signature in black ink, reading "Kenneth R. Kirkland". The signature is written in a cursive style with a large initial "K".

Kenneth R. Kirkland, MPA, MRP, AICP
Assistant City Planning Director

Cc: City Planning Director
File