

ZONING COMMITTEE STAFF REPORT

FILE NAME: 180 Milton/909 Selby & 912 Selby Rezoning

FILE #: 22-093-711

APPLICANT: Selby Commons Limited Partnership

HEARING DATE: October 6, 2022

TYPE OF APPLICATION: Rezoning

LOCATION: 909 Selby Ave./180 Milton St. & 912 Selby Ave., NE & SE corners Selby & Milton

PIN & LEGAL DESCRIPTION: 02.28.23.21.0255 and 02.28.23.21.0256; Brown's First Addition, Lots 8 - 11, Block 2 and Lots 6 - 7, Block 3

PLANNING DISTRICT: 8

EXISTING ZONING: B3 & VP

ZONING CODE REFERENCE: § 61.801(b)

STAFF REPORT DATE: September 28, 2022

BY: Tony Johnson

DATE RECEIVED: September 9, 2022

60-DAY DEADLINE FOR ACTION: November 8, 2022

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- A. **PURPOSE:** Rezone from B3 general business & VP vehicular parking to T2 traditional neighborhood.
- B. **PARCEL SIZE:**
909 Selby: 173.9' frontage on Selby x 111.16' frontage on Milton = 19,931 sq. feet
912 Selby: 99.3' frontage on Selby x 111.16' frontage on Milton = 11,038 sq. feet
- C. **EXISTING LAND USE:** Mixed Use (909 Selby) and Surface Parking (912 Selby)
- D. **SURROUNDING LAND USE:**
909 Selby: 1-family residential to the north and east, surface parking and residential to the south, and mixed use to the west
912 Selby: mixed use to the north and west, and 1-family residential to the south and east
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The building at 909 Selby was originally constructed in 1902. Surface parking was developed on the parcel at 912 Selby after the building there was demolished in 1971. In 1922 when the first zoning code was enacted both of the subject properties were zoned commercial. In 1975 when the modern zoning code was adopted, 909 Selby was zoned B3 general business and 912 Selby was zoned RM2 multi-family residential. Sometime between 1975 and 1997, 912 Selby was zoned VP vehicular parking. The 909 Selby parcel is currently zoned B3 and 912 Selby is currently zoned VP.
- G. **DISTRICT COUNCIL RECOMMENDATION:** No recommendation from District 8 at the time of this staff report.
- H. **FINDINGS:**
1. The application is for rezoning to facilitate the conversion of vacant ground floor commercial units into 8 two-bedroom residential units that will be affordable to households at 60% AMI or below at 909 Selby, and also to rezone the accessory parking lot for the 909 Selby building located at 912 Selby to T2 to facilitate potential future development on that parcel.
 2. The proposed zoning is consistent with the way this area has developed, with a mix of commercial and residential uses of varying densities along Selby Avenue. From 1922 to 1975 Selby Avenue was zoned "C" commercial, which permitted all residential and commercial uses. In 1975 when the modern zoning code was established, parcels on Selby Avenue were rezoned to a mix of zoning districts that generally corresponded to

the underlying land uses of the parcels. The proposed T2 zoning district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. T2 zoning is consistent with the historic pattern of development on Selby Avenue and the mix of RM2, B2 and B3 zoning districts along the corridor. T2 is also consistent with the density and the uses that are permitted in both the business and multifamily residential zoning districts along Selby Avenue.

3. The proposed zoning is consistent with the Comprehensive Plan. The land-use chapter of the 2040 Comprehensive plan designates the parcels as “mixed-use”, and the parcels are also located within the Selby-Milton neighborhood node. The proposed T2 zoning is consistent with the underlying neighborhood node and mixed-use land-use designations, and it will allow commercial uses to potentially be reestablished at this neighborhood node in the future. The proposed development of new affordable housing units is consistent with policy H-31, which calls for supporting the development of new affordable housing units throughout the city and policy H-46, which calls for supporting the development of new housing, particularly in areas identified as Mixed Use, Urban Neighborhoods, and/or in areas with the highest existing or planned transit service, to meet market demand for living in walkable, transit-accessible, urban neighborhoods.
4. The proposed zoning is compatible with the surrounding commercial and residential land uses, all of which are permitted in the proposed T2 zoning district.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the proposed rezoning from B3 general business & VP vehicular parking to T2 traditional neighborhood at 909 Selby Avenue and 912 Selby Avenue.