



## Memorandum

**Date:** July 11, 2015  
**To:** Mayor and City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Christine Zielonka, Director Development and Sustainability  
John D. Wesley, AICP, Planning Director  
**Subject:** Development Agreement associated with Zoning Case Z16-027,  
Spectrum Retirement Community

Zoning case Z16-027 rezones a 9.5-acre tract of land on Brown Road from LC and RS-43 to RM-2-PAD with a Special Use Permit to allow development of a continuum of care facility for senior citizens.

This property is part of a larger area that has previously been planned and zoned for commercial development at the northwest corner of the Brown and Ellsworth Roads intersection. The only portion of the commercial development to be implemented is a CVS Pharmacy at the corner.

Staff worked with the developer to determine the best zoning option for the proposed use which the City and the property owner agree will provide planning and economic benefits to both parties. This resulted in the property owner requesting RM-2 zoning on the property. There were fears, however, on the part of the neighboring single-residence properties that this land could be used for traditional apartment development should the proposed use not be implemented. To address these concerns the property owner and the City agreed to enter into a development agreement to limit the uses on the property.

The attached Development Agreement (DA), which runs with the land, limits the uses that can occur on the property to congregate independent living, assisted living, and nursing and convalescent homes for senior citizens. There are no other obligations in the DA.

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