

# CASE SUMMARY

APPLICATION TYPE: TTCDA

## REZONING



File Number: 8-A-18-TOR                      Related File Number:  
Application Filed: 6/26/2018                      Date of Revision:  
Applicant: DEBRA G. DAUGHERTY

### PROPERTY INFORMATION

General Location: Southeast side Lovell Rd., northeast of Cape Brittany Way  
Other Parcel Info.:  
Tax ID Number: 104 12601 OTHER: 104OI005                      Jurisdiction: County  
Size of Tract: 1.6 acres  
Accessibility: Access is via Lovell Rd., a minor arterial street with 24' of pavement width within 100' of right-of-way.

### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land  
Surrounding Land Use:  
Proposed Use: Residential development                      Density:  
Sector Plan: Northwest County                      Sector Plan Designation:  
Growth Policy Plan:  
Neighborhood Context:

### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 1714 Lovell Rd  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)/TO (Technology Overlay) and PR (Planned Residential)/TO  
Former Zoning:  
Requested Zoning: PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac  
Previous Requests:  
Extension of Zone:  
History of Zoning:

### PLAN INFORMATION (where applicable)

Current Plan Category:  
Requested Plan Category:

## WAIVERS AND VARIANCES REQUESTED

Variances Requested: N/A

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## TTEDA ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.):

Staff Recomm. (Full): APPROVE the Certificate of Appropriateness for a rezoning to PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 7 du/ac. (Applicant requested 12 du/ac.)

PR zoning at the requested density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern. It is a logical extension of the zoning and density from the north and east. However, since the proposal is a stand-alone project, not to be combined with adjacent developments, staff is recommending that the density be limited to 7 du/ac, which is more consistent with the actual developed densities in the surrounding area. With the small size of the site, less units will allow reasonable development of about 11 units, and there will be more area to include some open space, allow more flexibility as to where the access drive may be placed, and reduce the possibility for variances that may be necessary with 19 units, especially in regard to the 35 foot peripheral setback requirement of the PR zoning district. Landscape screening will be required within the peripheral areas and it would be preferable if the full 35 foot setback area is established.

Comments:

The proposed rezoning and density is an extension of zoning from the northeast. However, this site is not proposed to be combined in with that development. The intent of this proposal is to develop 19 residential units on the subject property as a stand-alone project. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for medium density residential uses on the sector plan, consistent with the proposal. The recommended zoning and development is compatible with the scale and intensity of the surrounding development. The adjacent property to the north east is zoned PR at up to the same 12 du/ac as requested on the subject property, so the proposal is an extension of that zoning and density. However, that development has been approved for only 94 units on 37 acres for a density of only 2.54 du/ac. The property to the west is zoned PR at up to 10 du/ac and has been built out to a density of about 7.3 du/ac (80 units on 11 acres). The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting. PR zoning at the recommended density is compatible with surrounding development and will have a minimal impact on adjacent properties. Based on the site area of 1.6 acres for the site, the proposed PR zoning at a density of up to 12 du/ac would allow for a maximum of 19 dwelling units to be considered for the site. That number of attached units would add approximately 214 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. The recommended PR zoning at a density of up to 7 du/ac would allow for a maximum of 11 dwelling units to be proposed for the site. That number of attached units would add approximately 131 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. Staff has concerns with the proposed direct access to Lovell Rd., because of the nearby intersecting streets in both directions along Lovell Rd. The applicant will be expected to provide access as far away as possible from those two streets, while certifying that adequate sight distance is available in both directions. It would be preferable if this development could be accessed through one of the adjacent subdivisions, without the need for another curbcut along this high traffic, two-lane portion of Lovell Rd. With the proposed density of 12 du/ac, the number of units will not allow enough area for open space and pervious areas for landscaping and vegetation. Staff will expect that some usable open space be included as part of the site plan submitted. The Northwest County Sector Plan proposes medium density residential uses for this property, consistent with the requested PR zoning at up to 12 du/ac. However, staff is recommending a more compatible density of up to 7 du/ac, which is still within the allowable MDR density range.

Action: Approved

Meeting Date: 8/6/2018

Details of Action: APPROVE the Certificate of Appropriateness for a rezoning to PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 7 du/ac. (Applicant requested 12 du/ac.)

Summary of Action:

Date of Approval: 8/6/2018

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## ***LEGISLATIVE ACTION AND DISPOSITION***

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: