



Zoning Committee

REQUEST	Current Zoning: B-1(CD) (neighborhood business, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 2.9 acres located along the south side of Rea Road, east of Colony Road, and west of Stourton Lane (Council District 7 - Driggs)
PETITIONER	Smith Southeast Development, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *South District Area Plan*. However, the *General Development Policies* support the requested density of less than or equal to 12 DUA, based on the information from the staff analysis and the public hearing and because:

- The plan recommends single family uses at 3 DUA; and
- The petition proposes a density of 8.9 DUA.

However, we find this petition to Choose an item. public interest based on information from the staff analysis and the public hearing and because:

- The *General Development Policies* would support residential use over to 17 DUA for the site. However, the petition proposes single family residential attached use with a density limited to 8.9 DUA.
- The maximum building height is limited to 45 ft., with building setbacks increased to accommodate additional height, similar to single family zoning.
- The plan provides landscape area planted to Class C buffer standards adjacent to single family homes and architectural design requirements that mitigate the projects impact on surrounding single family homes.
- The site is located on a minor thoroughfare and is located less than ¼ of a mile from transit service.
- The existing zoning and land use are non-residential, the proposed residential use is more compatible with the existing residential development than commercial use.

- There is a mix of land uses in the area including single family to the south and east, townhomes to the north and northwest and non-residential uses to the west.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from single family residential at 3 dwelling units per acre to residential ≤ 12 DUA for the site.

Motion/Second: Barbee / Kelly
 Yeas: Barbee, Blumenthal, Kelly, Nwasike, Samuel, and Welton
 Nays: None
 Absent: McMillan
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan but the density proposed was supported by the *General Development Policies*.

Commissioner asked about the type of fence proposed. Staff noted that the petitioner was proposing an 8ft high vinyl fence located along the property line.

A commissioner asked about the setback abutting single family compared to other similar developments in the area. The petition provides a 20 ft landscape buffer area along the perimeter of the site. The development along Rea View Court to the north is about 10-15 feet from the property line and the townhome development on across Rea Road from the site had larger yards and a 20 ft buffer with a berm.

A commissioner asked about the topography of the site and the heights of the units as they related to single family. Staff noted that they are comfortable with the proposed height because it similar to the possible height in single family and a landscape buffer area is provided.

There was a question about the Class type of the landscape buffer area and noted that a Class C type was proposed. Staff noted that the Class type deals with the number of trees and shrubs per linear feet. There are several different classes with various planting requirements. The Class C type includes a combination of large maturing trees and shrubs.

A commissioner asked about the location of the fence within the buffer. Staff explained that in because buffers are not required by the Zoning Ordinance for UR-2 zoning, if a development proposes a fence the location of the fence is determined by the developer. If the proposal was for a traditional multi-family zoning district and a fence is required, the Ordinance specifies the fence be located within the inner $\frac{1}{2}$ of the buffer. This can create maintenance issues and questions of ownership, so when a development is going to a district where the fence location is not

Ordinance required, they will often locate it along the property line.

There was no further discussion of this petition.

PLANNER

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