

Agenda Item #3

REZ-2023-03 Flannigan, James Rd./Smith St., Rezone ~8 acres from R-1 (Low Density Residential) to P-D (Planned Development)

Mr. Dillard presented the case stating that this request represents a change in zoning on the subject property from Low Density Residential (R-1) zoning to Planned Development (P-D) zoning, for the development of a 144-unit apartment complex and amenities. In 2022, the applicant requested a speculative C-G zoning, to which the GLPC recommended denial. The applicant then requested tabling by the Board of Commissioners, to speak with the opposition and develop an overall site plan, which was produced and reviewed by the TRC. Staff supported the C-G request as the proposed uses were beneficial to the greater community, but ultimately, the request was withdrawn prior to a final hearing by the Board of Commissioners to pursue the residential development.

The subject property is within the Urban Service Area and a Neighborhood Activity Center Character Area according to the Comprehensive Plan Future Development Map, which permits P-D zoning. Access to the subject property is from either James Road, a County maintained major collector on the West, or Smith Street to the North, a County maintained local road, with the proposed main entrance to the complex off of Smith Street to the North, and secondary access off of James Road to the West.

Aspects of this case worthy of consideration include the following: 1. The subject property abuts R-1 zoning to the North and East, R-21 to the South and West, along with C-H and P-D districts further to the East and South respectively.; 2. James Road is a major collector road and designed to support increased traffic activity; 3. The Urban Service Area designation of the property indicates infrastructure is provided, and urban density development is supported on the lot. 4. Staff also discussed reducing the height on one to three of the units as a transition into the surrounding community, for a total of 120-136 units.

The TRC reviewed this application and had no objectionable comments. In addition to the Tree and Vegetation Protection standards of Section 4.07.07, if approved, the minimum buffer required between P-D and Residential zoning districts is at least 15' wide and includes a 6' tall opaque privacy fence, 3 shade trees per 100 linear feet, and 19 shrubs per 100 linear feet..

Commissioner Willis asked if staff was concerned that the project is out of character for the area. Mr. Dillard stated that taking the building heights into consideration was discussed. Commissioner Bailey believes the project is not out of character for the area. Other questions from commissioners were of a clarification nature.

There being no other questions from the commissioners, Chairman Hightower opened the Public Hearing portion of the case.