
ORDINANCE NO. O-1112-43

ITEM NO. 10a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Cies Properties, Inc.
REQUESTED ACTION	Rezoning of Tract 1 – From RM-6, Medium Density Apartment District to R-1, Single Family Dwelling District Rezoning of Tract 2 - From RM-6, Medium Density Apartment District to Planned Unit Development (PUD)
EXISTING ZONING	RM-6, Medium Density Apartment District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: RM-6, Medium Density Apartment District South: R-1, Single Family Dwelling District West: R-1, Single Family Dwelling District
LOCATION	Generally located on the south side of Rock Creek Road approximately 1,000 feet west of 36 th Avenue NW
SIZE	Tract 1 – 4.97 Acres Tract 2 – 10.51 Acres
PURPOSE	Single-Family Residence
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential & Vacant East: Multi-family (Under construction) South: Residential West: Residential & Vacant
LAND USE PLAN DESIGNATION	Low Density Residential

SYNOPSIS: The applicant has requested rezoning from RM-6, Medium Density Apartment District to R-1, Single Family Dwelling District and PUD, Planned Unit Development for two tracts within the Brookhaven 41 Addition, see attached map for area designations. The hatched areas are the only areas applying for rezoning. The developer owns a total of 46.50 acres within the revised preliminary plat, Brookhaven 41 Addition. The revised preliminary plat that has been submitted consists of C-1, Local Commercial District, 7 acres; R-1, Single Family Dwelling District, 28.99 acres; and the PUD consists of 10.51 acres.

ANALYSIS:

“Tract 1” noted on the attached map consists of 4.97 acres and is proposed for 15 single-family lots consistent with the lots in the existing area(s) of Brookhaven. There will be “Limits of No Access” established on the lots adjacent to the collector street Brookhaven Boulevard with the exception of Lot 15, Block 4 which fronts Brookhaven Boulevard. The lots backing up to West Rock Creek Road will have fencing requirements and an additional “Limits of No Access” will be established for Rock Creek Road.

“Tract 2” noted on the attached map consists of 10.51 acres. This is the area designated for the Planned Unit Development. There are 40 single-family lots which are designed as a townhouse type setting. The lots will have zero building setbacks for the front and side yard setbacks. Rear utilities easements and public alley easements will be provided for utility connections and access to rear garages. The lot widths will vary from 36 to 45 feet and depths of 100 feet.

OPEN SPACE: All common areas or amenities for the PUD will consist of landscaping areas at the entry of the proposal, cutback parking within the interior common area. The amenities proposed will be gazebos and/or pavilion structures, park benches, sidewalks, fountains and landscaping. Any lighting within the common areas will be required to meet the lighting requirements in the zoning ordinance. The common areas and amenities will be maintained by a Property Owners Association.

PARKING: Each single family home within the R-1 zoning and PUD will have, at a minimum, the required 2 parking spaces with a two car garage. The PUD common open space area located within the one-way 20 foot wide street contains 21 parking spaces for overflow parking and visitors. The parking for the townhouse residents is located outside the public right-of-way, accessed via alleys and will be maintained by the Property Owners Association.

PHASES: The Planned Unit Development will be developed in one phase. The single-family lots will be developed on an as needed basis.

IMPACTS: The infrastructure of the sanitary sewer and water have been designed and are sufficient in size to accommodate both the single-family development as well as the proposed PUD. The PUD is not a gated development and will utilize public streets and alleys for residents and services.

OTHER AGENCY COMMENTS:

PARKS BOARD: The developer previously dedicated a 6.7 acre park for the Brookhaven development as a whole. Fee-in-lieu of park land will be utilized for this remaining area of the preliminary plat. Those fees will be utilized on the existing park land to the south of this area.

PUBLIC WORKS AND UTILITIES: A large detention pond is currently under construction to convey the storm water from the Planned Unit Development into the detention pond. The single-family properties north of the PUD will convey its storm water into an existing underground storm sewer that runs east under 36th Avenue NW and into Brookhaven Creek. Existing utilities will be extended to serve each proposed residential lot. Sidewalks will be installed as required by city standards creating a connection between existing and future development as well as the park area to the south.

STAFF RECOMMENDATION: With the reduction in the RM-6 zoning the proposed development will be compatible with what has been built in the area. A reduction in density will create a more open appeal to the development for both the single family area as well as the PUD. Staff is able to support this request for R-1, Single-Family zoning and the request for PUD zoning and recommends approval.