

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-A-24-SU **Related File Number:** 5-SC-24-C
Application Filed: 3/25/2024 **Date of Revision:**
Applicant: LEAH METCALF

PROPERTY INFORMATION

General Location: Terminus of Monterey Rd
Other Parcel Info.:
Tax ID Number: 68 P C 014.18 **Jurisdiction:** City
Size of Tract: 8.048 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Duplexes **Density:**
Planning Sector: Northwest City **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context:

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

Street: 0 MONTEREY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Monterey Oaks Subdivision
No. of Lots Proposed: 6 No. of Lots Approved: 0
Variances Requested:
S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Samiul Haque

Staff Recomm. (Abbr.): Deny the special use for 5 duplexes in the RN-1 (Single-Family Residential Neighborhood) district because the development does not meet the location criteria of the One Year Plan.

Staff Recomm. (Full):

Comments:

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The proposed use is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing on vacant lots and redevelopment parcels.

B. The duplexes are in compliance with the Northwest City Sector Plan's LDR (Medium Density Residential) land use classification.

C. The One Year Plan states that duplexes may be permitted in low density areas where their development will not significantly affect service demands or aesthetics of the area and these should meet one or more of the eight location criteria, as specific in p.29 of the plan. The proposed development does not seem to meet any of the specified criteria. For example, while the property has frontage along a minor collector street, Wilkerson Road, the proposed access is off of a local street, Monterey Road. It also is not in an transitional area between residential and nonresidential uses, is not in an area having a gross density over 5 du/ac, and is not part of a planned residential development despite its previous planned district.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The RN-1 zoning district is intended to accommodate low density residential neighborhoods, exhibiting a predominant development pattern of single-family homes on relatively large lots and with generous setbacks. Two-family dwellings may also be allowed by special use approval.

B. The site plan and building elevations as provided conform to the dimensional standards (Article 4.3) and the Principal Use Standards (Article 9.3.J) for duplexes in the RN-1 district. The applicant submitted updated floor plan for lots 4-5 but has not changed the building footprints on the site plan. However, this minor revision can be handled during the permitting phase should the special use request is approved.

C. The property has an HP (Hillside Protection) overlay; however, almost the entirety of the HP area was disturbed previously (2010 aerial). Per the applicability rules (Article 8.9.B), this proposal is now exempt from the HP regulations as long as the disturbance does not exceed the previously disturbed area.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed two-story structures would be compatible in size and scale with the neighboring single-family houses, including the two-story houses in the abutting Edith's Place subdivision.

B. The immediate vicinity is primarily characterized by single family houses. However, The Moss Creek Villas duplex development is 0.3-mile southwest of the subject site. This development was constructed under the former RP-1 district standards (2-B-94-UR) and it meets the location criteria of the One Year Plan, as the development is accessed off of Pleasant Ridge Road, a minor arterial street.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. Duplexes are compatible with the surrounding residential uses and the proposal is not anticipated to injure the value of any nearby properties.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. 11 dwelling units on this property that were previously approved for 18 houses is not expected to significantly impact traffic on surrounding streets.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject property that would pose a potential hazard or undesirable environment for the proposed use.

Action: Denied

Meeting Date: 11/14/2024

Details of Action:

Summary of Action:

Deny the special use for 5 duplexes in the RN-1 (Single-Family Residential Neighborhood) district because the development does not meet the location criteria of the One Year Plan.

Date of Approval:

Date of Denial: 11/14/2024

Postponements: 5/9/24, 6/13/24,
7/11/24, 8/8/24,
9/12/24, 10/3/24

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: