

PLANNING COMMISSION CASE REPORT**Case Number: 2016-048****PC Meeting Date: 04-11-16****Applicant Request**

Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone

Property Location:	4820 Oakland Ave
Property Owner:	Sunnyside Properties LLC
Applicant:	Sunnyside Properties LLC

Project Description

- Proposal: Develop 1-acre site with 1 single-family residential dwelling.
- Proposed Access: Entrance on West 46th Street.
- Proposed Development Form: A single-family dwelling.
- Proposed Density: Approximately 1 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 1 acre site is located at the east end of West 46th Street.
- Current Access: Entrance on West 46th Street.
- Current Development form: There is a mixture of one and two-story single family dwellings within a 300 foot radius of this site. The site sits on topography with slopes greater than 25%.
- Current Land Uses: The property to the east and south is vacant undeveloped vegetation. The properties to the north and west are single-family residential dwellings.
- Current Density: The surrounding lots differ in size and many are vacant making a current density calculation difficult. Based on 14 lots along West 46th Street the average density for the area is 5 dwelling units per acre.

Zoning History

- The site is currently zoned M-1 Manufacturing Zone.
- The property to the east and south is M-1 Manufacturing Zone. The properties to the north and west are R-1 Residential Zone.
- The nearest R-T/Z Residential Townhouse/Zero Lot Line Zone (same as the request) is located outside of the neighborhood.
- There was a St. Elmo Zoning Study in 2005 which was adopted (Ordinance #11675) and rezoned property in the area. This site is abutting but not within in the boundary for that zoning study.

Plans/Policies/Regulations

- The St. Elmo Plan (adopted by City Council in 2001) recommends to keep this land in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff.
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The R-1 Single-Family Residential District only permits single-family homes with a minimum lot size of 7,500 square feet if on sewers. If septic tanks are to be used, the minimum lot size is determined by the Hamilton County Water Quality Program. Minimum lot frontage width is 60 feet if on sewers and 75 feet if on septic tanks. Based on building setback requirements, the typical density is approximately 3 to 4 dwelling units per acre.
- The R-T/Z Residential Townhouse Zero Lot Line Zone permits single-family homes and townhouses but with no minimum frontage width requirement. In the Urban Overlay Zone, the R-T/Z Zone can have up to 12 units per acre. For individual homes, lots can be no less than 25 feet wide.

Key Findings

- The proposed zoning change is not supported by the recommendations of the adopted Land Use Plan for the area based on the proposed introduction of development into the conservation district.

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- The proposed use is consistent with surrounding residential uses.
- The proposal is not consistent with the development form of the area based on the public road frontage being less than all other frontages on the block. This stems from the hardship of being located at the end of a public road right-of-way.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests by allowing development into the conservation district.
- The slope of West 46th street would likely not allow for the expansion of public roads.
- The current zone (M-1 Manufacturing Zone) allow for more intense uses than R-1 Residential Zone.
- R-1 Residential Zone could be appropriate through a variance to subdivide the lot would be required to alleviate hardship on the required 60' frontage.

Staff Recommendation

Deny R-T/Z Residential Townhouse Zero Lot Line Zone and approve R-1 Residential Zone, subject to one single-family residential dwelling only.