

**PLANNING COMMISSION CASE REPORT****Case Number: 2016-145****PC Meeting Date: 10-10-16****Applicant Request****Special Permit for a Planned Unit Development**

<b>Property Location:</b>	<b>5440 Mountain Creek Road</b>
<b>Property Owner:</b>	<b>Marie M. Marshall &amp; Rick Pollard</b>
<b>Applicant:</b>	<b>Southeast Land Partners</b>

**Project Description**

- Proposal: Develop 9.8-acre site with 49 residential lots.
- Proposed Access: Access on Mountain Creek Road.
- Proposed Development Form: single-family detached dwelling units on an internal street.
- Proposed Density: The gross density for the site is 5 dwelling units per acre.

**Site Analysis****Site Description**

- Location: The site is located on the south side of Mountain Creek Road approximately 100' northwest of the Mountain Creek Road and Browntown Road intersection.
- Current Access: Access on Mountain Creek Road.
- Current Development form: The area is surrounded by a variety of lots sizes larger than 7,500 square feet (10,500SF to 72,000SF) single-family detached dwellings. Highway 27 sits approximately 250' to the west.
- Current Land Uses: The site is surrounded on the west, north, and east by low-density residential uses. To the south of the site are a single large vacant lot and a cemetery.
- Current Density: Average residential density in the area is approximately 1.25 dwelling units per acre based on the 13 single-family lots surrounding the site. This does not include the 30 acre vacant lot south of the site.

**Zoning History**

- The site is currently zoned R-1 Residential Zone.
- The properties to the west and north are zoned R-1 Residential Zone and C-2 Convenience Commercial Zone. The properties to the east and south are zoned R-1 Residential Zone.
- There has been no recent zoning activity on this site.

**Plans/Policies/Regulations**

- There is no current adopted land use plan for this area.
- The Planned Unit Development (PUD) is intended to provide the opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Unit Development is intended to be used to encourage the application of new techniques and technology to community arrangements with lasting values. It is further intended to achieve economies in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable and attractive open spaces, safe circulation, and the general well-being of the inhabitants.
- A Residential PUD is limited to what is shown on the PUD Plan as approved by the City Council.
- An R-1 Planned Unit Development (PUD) permits any residential type with a maximum allowable gross density of 5 dwelling units per acre.

## PLANNING COMMISSION CASE REPORT

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### Key Findings

- The proposal is not consistent with the development form of the area based on the proposed smaller lots that are abutting larger residential lots.
- The proposal is not consistent with the development form of the area based on turning the back of lots onto an existing street, Mountain Creek Road, where there are two single-family detached houses facing the street.
- The proposal does not meet the intent or purpose of the Planned Unit Development as it fails to use a new technique or technology currently difficult to use through conventional zoning.
- The proposal does not meet the intention of the Planned Unit Development as it fails to define an environmental or topographic hardship making the requirements of the existing zone infeasible.
- The proposal does not meet the intention of the Planned Unit development by failing to introduce attractive open space for the benefit of the wider community.
- The proposal does not provide for future connectivity to large undeveloped lots to the southwest which will experience additional pressure to develop based on this proposal.
- The proposed residential density of 5 dwelling units per acre is not compatible with the surrounding densities of 1.25 dwelling units per acre.
- The proposal would set a precedent for future requests by limiting future developments connectivity, introducing a different character to the neighborhood through higher densities, and encourage subdivisions to turn away from major thoroughfares.

### Staff Recommendation

Deny