

# Agenda Item

File ID: 2022-2264

Substitute: 2/16/23

Public Hearing: YES  NO

Department: Planning & Sustainability

## SUBJECT:

COMMISSION DISTRICT(S): 2 & 6

**Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to allow the construction of single-family attached townhomes, at 1602 Scott Boulevard.**

PETITION NO: Z-22-1246095 (2022-2264)

PROPOSED USE: single-family, attached dwelling units (townhomes)

LOCATION: 1602 Scott Boulevard and 2488 Blackmon Drive

PARCEL NO.: 18-049-01-013, 18-049-01-012

INFO. CONTACT: Brandon White, Current Planning Manager

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## PURPOSE:

Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to allow the construction of single-family, attached townhomes, at 1602 Scott Boulevard.

## RECOMMENDATION:

**COMMUNITY COUNCIL: (Dec. 6, 2022) Approval with conditions. (Oct. 11, 2022) Denial.**

**PLANNING COMMISSION: (Jan. 5, 2023) Full Cycle Deferral. (Sept. 6, 2022) Full Cycle Deferral..**

**PLANNING STAFF: Approval with conditions**

**STAFF ANALYSIS: See previously submitted case materials.**

**PLANNING COMMISSION VOTE: (January 5, 2023) Full Cycle Deferral to the March 2023 zoning agenda 9-0-0.** April Atkins moved, Jon West seconded for a Full Cycle Deferral to draft conditions for this proposal. **(November 1, 2022) Full Cycle Deferral 8-0-0.** April Atkins moved, LaSonya Osler seconded for a full cycle deferral to the January 2023 zoning agenda, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: (Dec. 6, 2022) Approval with conditions 8-0-1.** 1) Underground water system shall meet or exceed County standards; and 2) HOA has agreement regarding maintenance of pocket park. **(Oct. 11, 2022) Denial 6-3-0.** The Council had concerns with the proposed buffer along the edge of the parcel. They were also concerned with destabilizing Blackmon Drive and wanted to know if units in the development could be removed. Additionally, there was significant discussion about the proposed location of pocket park.

**SUBSTITUTE**  
**Z-22-1246095 (2022-2264)**  
**Recommended Conditions**  
**2-15-23**

1. The subject property shall be developed for a maximum of 15 single-family, attached; fee-simple, townhome lots. Locations of proposed lots, open space, transitional buffers, etc. shall be generally consistent with the locations shown on the site plan dated, 1/25/2023, and entitled Scott Townhomes.
2. Maximum allowable density shall not exceed 20.4 dwelling units per acre. In exchange for bonus density, the developer proffers to provide open space and a pocket park as shown on the site plan. The developer shall coordinate with the County Public Works Department to obtain unused, excess right-of-way for the pocket park.
3. Developer shall provide an undisturbed, vegetated, transitional buffer along the north and west property lines. Whereas the Developer is seeking to reduce the minimum required width of the transitional buffer, it shall not be any less than twenty (20) feet along the northern property line nor less than fifteen (15) feet along the western property line, if approved by the Board of Zoning Appeals.
4. The approval of this rezoning application by the Board of Commissioners shall have no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals or other entity whose decision should be based on the merits of the application under review by such entity.
5. Landscaping shall be drought resistant and of species in keeping with the "Productive Urban Landscape" ideals. The proposed pocket park plaza shall be constructed with pervious pavers.
6. Underground stormwater detention must be designed to accommodate a cistern for landscape irrigation.
7. All townhome units shall be EV ready with a minimum of one 240 V AC plug will be installed in each garage to accommodate electric vehicle charging.
8. All housing units built in the development shall be "solar ready" and have electric service panels with sufficient capacity to accommodate electric vehicle charging within the garages. The electrical panel shall be sized to accommodate a 40-amp double pole breaker on the opposite end of the panel labeled "reserved for solar."
9. All HVAC systems shall be equipped with "Smart" thermostats with an internet-ready connection, or other comparable technology which may be available in all units.



