

**PLANNING & ZONING COMMISSION
MEETING
March 22, 2016**

Present: Sarah Murphy
Mike Menchinger
Debi Renfroe
Kenneth Collins
Steve Gulas
Derryll Anderson (arrived late)

Chair Murphy called the March 22, 2016 meeting to order. The first item on the agenda was approval of minutes for the February 23, 2016 meeting.

Chair Murphy called for a motion on the minutes.

Motion: Commissioner Collins moved to approve the minutes from February 23, 2016 meeting as submitted.

Second: Commissioner Gulas.

Vote: For: Collins, Gulas, Menchinger, Abstained: Renfroe

Motion carried 3-0-1. (Commissioner Anderson did not vote on the minutes/ arrived late)

OLD BUSINESS

None

NEW BUSINESS

**The Shops @ Lafayette-139 N. Glynn St
Special Exception Request / File #16-011**

Commissioner Gulas recused himself.

Chair Murphy called on the applicant for comments. Mr. Chuck Ogletree stated he filed an application for special exception (approval for the use of a planned center in C-1 zoning as required by City Code) to rectify an oversight with the original submittal for this project. Chair Murphy called for staff report on the project. Ms. Brown reported that in February 2015, the P&Z Commission approved development plans and a buffer variance for the subject property. In February 2016, the applicant received a 1 year extension of the development plan approval. The original project approval was subject to the Main Street Overlay District guidelines for building, landscaping and architectural standards. There have been no changes to the original plans.

During City Staff review of the development plan extension request, staff identified an oversight from the original submittal review which should have required the applicant to submit a special

exception request for the use per Section 94-165(4) of the City Code of Ordinances. Upon notification, the applicant immediately filed the special exception request to rectify this issue.

Sec. 94-165. - Downtown historic mixed use district (C-1).

- (4) *Planned centers, by special exception only and only as commercial planned unit developments.*

Chair Murphy called for public comments. There were no public comments. Chair Murphy then called on the commissioners for their comments. Commissioners had no additional comments.

Recommendation

Once notified by staff of the oversight, the applicant immediately filed the special exception request to rectify this issue. The applicant has also satisfied the original conditions of approval; therefore, staff recommends *Approval* of the Special Exception Request with no further conditions.

Chair Murphy called for a motion on the Special Exception Request.

Motion: Commissioner Collins moved to approve the Special Exception Request.

Second: Commissioner Anderson.

Vote: Unanimous

Motion carried.

Commissioner Gulas returned to council chambers and rejoined the meeting.

**Maggie's Place- 740 Highway 54 East
Rezoning Request/File #16-005**

Chair Murphy called on the applicant for comments. Mr. Jeff Landrum gave a brief description of the rezoning request and the revised elevation plans for the project. Chair Murphy called for staff report on the project. Ms. Brown reported the applicant is requesting to rezone the 6.034 acre property from R-22 (Single Family Residential) to R-THC/PUD (Residential Townhouse Condominium) zoning to allow for a twenty six (26) lot detached residential development. Ingress and egress to the property will be approximate to the existing eastern most curb cut. The applicant is proposing to eliminate the western curb cut. The cluster mailbox unit, now required by the USPS, is proposed to be located near the open space area at the front of the development.

The R-THC zone is described as follows:

R-THC Residential Townhouse-condominium. This district was created to provide for high density, single-family, attached fee simple residential development. The minimum size of an R-THC development is five acres and the density of residential development shall be limited to a maximum of six dwelling units per acre.

Although the emphasis in the zoning description is placed on attached housing, the City has used this zoning classification for multiple detached developments utilizing smaller lots.

The Comprehensive Plan places this property in the *Neighborhood Mixed Use* character area. A balance of residential uses appropriate for this area can include single-family detached, townhouses, and condominiums.

The notes on the concept plat indicate a request for 0' side yard setbacks, with a minimum 10' separation between dwelling units. The City Code at Sec. 94-226 requires a 20' side yard setback (40' minimum between homes) for R-THC zoned property. The applicant proposes the PUD designation for the R-THC rezoning to allow for reduced setbacks within the development. The PUD designation is defined in the ordinance as follows:

- **Sec. 94-356. - Purpose of planned unit developments.**

(a) The purpose of planned unit developments is to encourage the best possible site plans and building arrangements under a unified plan of development rather than under lot-by-lot regulation. The developer benefits from better land utilization, economy in the provision of roads and utilities and flexibility in design. The city gains the advantages of variety in building types, compatibility of uses and optimum community development. Review of the development plan by the planning and zoning commission provides an opportunity to assure that the development will be in harmony with the character of the neighborhood in which the development is located.

(b) The planned unit development is not intended to encourage greater density of development but rather to encourage ingenuity and resourcefulness in land planning. The planned unit development is, furthermore, not intended to enhance the value of property for speculative purposes. Approval of a planned unit development is therefore conditional, and if construction is not commenced within one year, and pursued in an orderly manner toward completion, the planning commission may, upon written notice to the property owner, abolish the zoning or reduce the size of the tract to fit the scope of actual development. All planned unit developments will be approved as a conditional use based upon detailed plans submitted. No changes to the approved plan may be made without review and approval by the planning commission.

Designating this development as a PUD will allow the developer to vary the lot sizes across the entire neighborhood, while maintaining a minimum separation between dwelling units as determined by the City. The additional requirements of a PUD mainly include a minimum of 700 square feet of public open space per dwelling unit. In this case, the R-THC zoning has the same open space requirement, so the main advantage here is to allow for a cleaner zoning document. Otherwise, each lot would potentially require a separate side yard variance, if a hardship could be shown.

Chair Murphy called for public comments. There were no public comments. Chair Murphy then called on the commissioners for their comments.

Vice-Chair Menchinger asked the applicant if the houses shown in the proposed elevations would fit on the 40 foot lots with only 30 feet of buildable space, stating they appear to be too big to fit. The applicant replied the proposed elevations would fit on the lots. Commissioner Renfroe asked about the proposed square footage. The applicant stated the average is 1,950 SF – 2,800 SF. Commissioner Collins expressed he was uncomfortable with only (10) foot separation

between dwelling units, stating that once the AC units were installed on the side of the homes, there would be no room at all left between the property lines.

Commissioner Anderson stated there are other R-THC/PUD developments in the city that have similar elevations and they all have narrow lots with deep houses. Commissioner Anderson added she feels the city needs to provide more affordable housing options for new families seeking to live in Fayetteville. Vice-Chair Menchinger asked the estimated price point for the homes. The applicant stated the homes would range in price from \$130K to \$160K.

Commissioner Gulas asked the applicant if they were open to lots 25 & 26 being eliminated for additional green space as the lots were so small. The applicant stated they could look at that possibility. The applicant added that they were also considering underground detention to allow for additional green space. Commissioner Renfroe agreed that more green space was needed, along with smaller houses, to prevent the development from looking like an unattractive street full of garages with very little open space for homeowners to enjoy.

Recommendation

The concept plan submitted with this zoning application is for reference only, and has not been reviewed for compliance with all City codes. If approved for rezoning, the applicant shall be required to return to the Planning & Zoning Commission at a later date for Preliminary Plat review and approval along with color elevations for all 4 sides of the proposed homes.

Staff supports a ***Favorable*** recommendation to Mayor and City Council for the rezoning request with the following condition:

1. Developer shall submit a Neighborhood Development Plan which defines landscaping for open space/amenity areas, cluster mail box station (if required by USPS), floor plans and architectural styles for housing units which shall be approved by the Planning and Zoning Commission as part of the preliminary plat review for said property.

Chair Murphy called for a motion on the Rezoning Request.

Motion: Vice- Chair Menchinger moved to make a ***Favorable*** recommendation to Mayor & City Council with the following conditions.

1. Lots 25 & 26 shall be turned into additional green space.
2. Applicant shall install underground detention in place of the proposed detention basin, and the area above the underground detention shall remain designated green space.
3. Applicant shall submit a Neighborhood Development Plan which defines landscaping for open space/amenity areas, cluster mail box station (if required by USPS), floor plans and architectural styles for housing units which shall be approved by the Planning and Zoning Commission as part of the preliminary plat review for said property.

Second: Commissioner Renfroe.

Vote: For: Menchinger, Renfroe, Gulas, Opposed: Collins, Anderson

Motion carried 3-2.

Staff Report

Glynn Street Professionals- 730 South Glynn Street

Development Plans & Variance Requests/File #16-009& 16-010

Ms. Brown reported on the receipt of the application for Glynn Street Professionals Medical Office. Mr. Chuck Ogletree gave an overview of the project. The P&Z Commission expressed concerns about proposed placement of the dumpster and the modern architectural style shown in the conceptual elevations. Commissioners recommended moving the dumpster pad from the north side of the site to the south side, and revising the elevations to reflect more traditional architectural features compatible with the buildings of architectural influence in the area.

Rea Ventures Group, LLC- parcels 052306003, 004, 005, 006, and 009

Rezoning Request/File #16-013

Ms. Brown reported on the receipt of the application for Rea Ventures Group, LLC to rezone five (5) parcels at the corner of Glynn Street North & Lafayette Avenue from C-1 to PCD, for development of an 80 unit apartment complex with first floor commercial fronting Glynn Street. Mr. Trey Coogle gave an overview of the project. The P&Z Commission expressed concerns about the proposed elevations fronting Glynn Street, stating there needs to be a defined architectural separation between the first floor commercial and residential units, and greater separation between the proposed 8' Glynn Street sidewalk and the curb.

Chair Murphy called for a motion to adjourn.

Motion: Commissioner Collins moved to adjourn the meeting of March 22, 2016.

Second: Commissioner Renfro.

Vote: Unanimous

Motion carried.

Meeting Adjourned.

Respectfully submitted,

Julie Brown
Senior Planner