

Zoning Docket from October 20, 2014 P and D Committee

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2014-40	<p>Jamie McCutcheon for Carol Pierce McKinney Rocky Point Way 0533020100703 12.10 acres PD to R-S</p>	21	Denial	Approval 9/24/2014	<p>Held in Committee 10/6/2014</p> <p>Held in Committee 10/20/2014</p>	
Public Comments	<p><b>Some of the general comments made by Speakers at the Public Hearing on September 15, 2014 were:</b></p> <p><u>Speakers For:</u> Part of current Hartness Preserve PD, originally called Cliffs Preserve in 2001. Did not develop until 2013. R-S allows for 1.7 units/acre, original PD allowed this property 1.6 units/acre. Minor change made in 2006, revised to 0.5 units/acre without property owner's consent or knowledge. FDP denied in June, did not meet density. Developers want density shifted back, PD controlling entity will not oblige. Now asking to be rezoned back to R-S. Majority of owners have been there since PD established. On septic.</p> <p>Owner purchased property in 1970's, promise made at time of PD that property would go back if not developed as stated.</p> <p><u>Speakers Against</u> Only one outlet onto Highway 14. Natural sanctuary. Traffic problem in morning and afternoon. Streets on Rocky Point in bad shape. All septic, lots across street already have issues. Runoff of water expected down to bottom of development. Property values would depreciate.</p> <p>No roads from PD to west going onto Rocky Point Way.</p>					<p><b>Petition/Letter</b></p> <p><u>For:</u> None</p> <p><u>Against:</u> None</p>

<p><b>StaffSummary</b></p>	<p>The subject parcel is a 12.1 acre parcel located within the boundaries of the Hartness Preserve Planned Development (PD), with approximately 350 feet of frontage along Rocky Point Way. The subject parcel is currently zoned PD, with an allowable density of 0.5 units per acre; this application is requesting to rezone the parcel to R-S (Residential Suburban), which allows for up to 1.74 units per acre.</p> <p>The subject parcel was re-zoned in 2001 as part of Cliff's Heritage PD. At that time, the subject parcel was referred to as Tract Description "SF-3" in the statement of intent/preliminary development plan, and allowed for a density of 1.6 units per acre. As well, the entire PD was made subject to design guidelines as set forth in the Statement of Intent. Those design guidelines include, but are not limited to strict design controls and preferred architectural styles.</p> <p>A minor change to the PD was approved administratively in 2006, which revised the preliminary development plan, as well as changed the name of the project to Hartness Preserve PD. The new preliminary development plan revised the Tract Description of the subject parcel to "SF-2" as well as reduced the density of the subject parcel to 0.5 units per acre. This minor change brought consistency with the existing large lot development pattern found in nearby Rocky Creek acres, which contain average lot size in excess of three acres. According to the Revised Statement of Intent as submitted in 2006, Tract SF-2 will contain large lot single-family detached homes.</p> <p>The applicant maintains that she was not made aware of the 2006 minor changes, and would like to develop the property as originally intended by the PD as approved in 2001. The applicant has stated her desire to build 13 new homes on the 12.1 acre parcel, in addition to the existing single family residence on site.</p> <p>No major change request to concurrently revise the boundaries or density of the Hartness Preserve PD has been provided as part of this rezoning application.</p>
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<p><b>P and D Committee 10/6/14</b></p>	<p>The Planning and Development Committee held the item for two weeks until the next Committee Meeting in order to allow the two parties within the PD to meet and discuss a resolution.</p>
<p><b>P and D Committee 10/20/14</b></p>	<p>The Planning and Development Committee held the item for an additional two weeks until the next Committee Meeting in order to allow further negotiations of the two parties to allow for compromise.</p>

**Planning Report**

**DOCKET NUMBER:** CZ-2014-40

**APPLICANT:** Jamie McCutcheon for Carol Pierce McKinney

**PROPERTY LOCATION:** Rocky Point Way

**PIN/TMS#(s):** 0533020100703

**EXISTING ZONING:** PD, Hartness Planned Development

**REQUESTED ZONING:** R-S, Residential Suburban

**ACREAGE:** 12.10

**COUNCIL DISTRICT:** 21 – Burns

**ZONING HISTORY:** The parcel was zoned R-S in May 1971 as part of Area 2. The parcel was re-zoned in 2001 as part of the Cliffs Heritage PD (CZ-2001-080). The PD name was changed to Hartness Preserve PD in 2006, at which time the densities of the PD were shifted and changed.

**EXISTING LAND USE:** Single Family Residence

**AREA CHARACTERISTICS:**

Direction	Zoning	Land Use
North	PD	Single Family Residence and open space
East	PD	Single Family Residence
South	PD	Right of Way for Rocky Point Way, then Rocky Creek Acres subdivision
West	PD	Rocky Creek Acres subdivision

**WATER AVAILABILITY:** Greenville Water System

**SEWER AVAILABILITY:** Septic

**IMAGINE GREENVILLE:** Residential Land Use 2

**DENSITY:**

Zoning	PD	R-S
Allowable Units	6	21
Density	0.50/acre	1.74/acre

**ROADS:**

Rocky Point Way: Two lane County-maintained local road

**TRAFFIC:**

Location of Traffic Count	Distance to Site	2007	2011	2012
Highway 14	2,400' East	12,900	12,100 (-6%)	12,700 (-2%)

**SUMMARY:**

The subject parcel is a 12.1 acre parcel located within the boundaries of the Hartness Preserve Planned Development (PD), with approximately 350 feet of frontage along Rocky Point Way. The subject parcel is currently zoned PD, with an allowable density of 0.5 units per acre; this application is requesting to rezone the parcel to R-S (Residential Suburban), which allows for up to 1.74 units per acre.

The subject parcel was re-zoned in 2001 as part of Cliff's Heritage PD. At that time, the subject parcel was referred to as Tract Description "SF-3" in the statement of intent/preliminary development plan, and allowed for a density of 1.6 units per acre. As well, the entire PD was made subject to design guidelines as set forth in the Statement of Intent. Those design guidelines include, but are not limited to strict design controls and preferred architectural styles.

A minor change to the PD was approved administratively in 2006, which revised the preliminary development plan, as well as changed the name of the project to Hartness Preserve PD. The new preliminary development plan revised the Tract Description of the subject parcel to "SF-2" as well as reduced the density of the subject parcel to 0.5 units per acre. This minor change brought consistency with the existing large lot development pattern found in nearby Rocky Creek acres, which contain average lot size in excess of three acres. According to the Revised Statement of Intent as submitted in 2006, Tract SF-2 will contain large lot single-family detached homes.

The applicant maintains that she was not made aware of the 2006 minor changes, and would like to develop the property as originally intended by the PD as approved in 2001. The applicant has stated her desire to build 13 new homes on the 12.1 acre parcel, in addition to the existing single family residence on site.

No major change request to concurrently revise the boundaries or density of the Hartness Preserve PD has been provided as part of this rezoning application.

**CONCLUSION:**

It is staff's opinion that this rezoning request is not consistent with the PD development plan, design guidelines, and density as approved in 2006. Therefore, staff recommends denial of the request to rezone the subject parcel from PD to R-S. The Planning Commission recommended approval.





