



PLANNING BOARD RECOMMENDATION

PROJECT #: P23-26-RZO

MEETING DATE: April 13, 2022

PETITION REQUEST: 1208 Stanwood Ln Rezoning - Standard Rezoning (R-15 to R-10)

APPLICANT/PETITIONER: Michael Murphy [Applicant/Owner]

PLANNING BOARD ACTION SUMMARY:

Staff gave a 16-minute presentation on the request - reviewing the guidance from the Comprehensive Plan as well as the criteria for considering a rezoning and an analysis of Spot Zoning. The Planning Board asked questions related to application and the potential implications of eventual development of the subject property. Questions revolved around the provision of sidewalks, the number of by-right units that could be constructed under current zoning vs the proposed rezoning, and the impact of the floodplain on development of the property. In total Planning Board considered this item for 48 minutes.

PUBLIC COMMENT:

The Applicant did not provide public comment in regard to his petition.

The following members of the public spoke:

Joyce Maviglia, 412 N. Lakeside Drive – She stated she was concerned about the grading with no permit and the effect from the 100-Year Floodplain this development will have on existing properties. She explained her concerns to the Planning Board concerning the drainage from a recent storm and how all of this has affected her and her property. She stated that she had spent countless hours trying to find out how her development was permitted and built. Her home is “like living in a swamp”. She worries every time it rains. She is requesting that the Board reject this rezoning.

Michael Redden, Drake Street – He stated his biggest concern was the traffic. Traffic from the produce stand is “awful”. He also had concerns about the floodplain. He stated this is not a feasible location for increased development allowed by the rezoning.

Jennifer Ray, 1033 Saddlebrook Drive – She stated her concern is with the traffic and that State Street does not have enough room for increased traffic. She asked why a person who purchased this property would want to rezone it knowing what it was zoned for originally – stating that he just bought this two years ago.

Ken Fitch, 1046 Patton Street (Zoom) - He stated the main issue is traffic – stating that there are already a number of accidents in this area and that it is dangerous. He also explained that impacts to Drake Street are an issue. He also had concerns about the 100-Year Floodplain.

DELIBERATION:

Some discussion occurred regarding potential traffic impacts with a general consensus that an additional 3 units would not have a significant effect. The date of the current FEMA floodplain maps were also discussed. The final point of discussion was in regard to the logic behind rezoning one parcel R-10 with it being surrounded by a large R-15 zoning district.

MOTION:

Peter Hanley moved that the Planning Board recommend approval providing the following:

COMPREHENSIVE PLAN CONSISTENCY STATEMENT:

The Medium Intensity Neighborhood designation calls for Attached and Detached Single-Family Residential uses as Primary Land Uses and Development Guidelines recommend densities at a rate of 2 - 8 units per acre. The R-10 Medium Density Residential Zoning District permits single-family and two-family uses at a maximum of 5.5 units per acre.

REASONABLENESS STATEMENT:

[Rationale for Approval]

1. The proposed residential zoning district is compatible with the character of the surrounding neighborhood and the adjacent land uses.
2. The petition provides for a modest increase in density without introducing new uses that would be detrimental to or out of character with the surrounding neighborhood.
3. The proposed increase in density would provide a public benefit by allowing for additional housing stock.
4. The proposed increase in density helps to offset limitations to development which are constrained by the presence of a 100-Year Floodplain on the subject parcel.

BOARD ACTION

- **Motion/Second:** Hanley / Brown
- **Yeas:** Hanley, Brown, Martin, Cromar, Robinson
- **Nays:** Robertson
- **Absent:** Jamison, Peacock
- **Recused:** N/A