

**OCTOBER 3, 2024**

**6201 HIGHWAY 405**

**ZONE CHANGE**

<b>From:</b> R-1C Single Family Residential	
<b>To:</b> R-3MF Multi-Family Residential	
<b>Proposed Use:</b> Multi-Family Residential	
<b>Acreage:</b> 1.650	
<b>Applicant:</b> Dylan Howard; Howard Homes Construction, LLC (2410.2301)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-R	<b>South:</b> R-1C
<b>East:</b> R-3MF & B-4	<b>West:</b> A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-3MF Multi-Family Residential zone. The subject property is located in a Future Urban Plan Area, where urban mid-density residential uses are appropriate in very-limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Building and lot patterns** – Building and lot patterns should conform to the criteria for “**Urban Residential Development**” (D6).

**(b) Existing, expanded or new sanitary sewers** – Urban Low-density Residential uses should occur only when sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

**(c) Logical Expansions** – Existing areas of Urban Mid-density Residential uses may be expanded onto contiguous land. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- It appears that the subject property is not designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The subject property is not located in special flood hazard area per FIRM Map 21059C0135E.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

All urban services are available to the subject property. Per RWRA, the existing sanitary sewer system, located along Wrights Landing Road (northeast of the subject property), can be extended to serve the subject property.

**Development Patterns**

The subject property is a 1.65-acre tract of land at the intersection of Highway 405 & Wrights Landing Road. The property, currently zoned R-1C Single Family Residential, was originally planned and preliminary platted for a single family residential development in 2011; however, this never came to fruition. As such, the applicant is now proposing to rezone the property to R-3MF Multi-family Residential to construct a multi-family development. The property is immediately adjoined by R-3MF Multi-family Residential zoning to the east; a “recreation area” for the neighboring residential development.

This portion of Highway 405 is classified as a Major Collector Roadway and, as such, development of the site shall maintain a 250-foot access spacing standard; as well as a 60-foot building setback and 30-foot roadway buffer, both measured from the centerline of Highway 405. As a result, direct access to Highway 405 shall be limited to a single access point in compliance with the access management manual. This portion of Wrights Landing Road is a local county road with a 25-foot building setback measured from the property line, and without spacing standards. As such, direct access to Wrights Landing Road shall be determined by the County Engineer at the time of a final development plan.

Other adjoining properties include farms that are located across Highway 405 and across Wrights Landing Road, zoned A-U Urban Agriculture and A-R Rural Agriculture. Those to the south, fronting along Chandler Avenue, are zoned R-1C Single Family Residential and are a part of the neighboring residential development. Lastly, to the east and fronting along Wrights Landing Road, is a vacant property zoned B-4 General Business.

Prior to any changes at the subject property, the applicant shall obtain approval of a final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical and HVAC Department shall be contacted before any construction activity takes place on the property.

**SPECIFIC LAND USE CRITERIA**

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed multi-family development conforms to the criteria for urban residential development and sanitary sewer systems can be extended to serve the subject property. The proposed R-3MF Multi-family Residential zoning is a logical expansion of R-3MF zoning to the east. Lastly, compliance with the access management manual ensures that the proposal will not overburden the capacity of roadways and other necessary urban services that are available within the affected area.

**Planning Staff Recommendations**

The planning staff recommends approval subject to the conditions and findings of fact that follow:

**Conditions:**

1. Obtain approval of a Final Development Plan;
2. The existing sanitary sewer system shall be extended to serve the subject property; and,
3. Direct access to Highway 405 shall be limited to a single access point in compliance with the Access Management Manual.

**Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Future Urban Plan Area, where urban mid-density residential uses are appropriate in very-limited locations;
3. The proposed use, a multi-family development, conforms to the criteria for urban residential development;
4. Existing sanitary sewer systems can be extended to the subject property;
5. The proposed R-3MF Multi-Family Residential zoning is a logical expansion of R-3MF zoning to the east; and,
6. Because the subject property is major street oriented and direct access to Highway 405 is limited to a single access point that is in compliance with the access management manual, the proposal will not overburden the capacity of roadways and other necessary urban services that are available within the affected area.