

MEMORANDUM

TO: Town Council

FROM: Planning Commission

DATE: January 4, 2022

SUBJECT: CUP21-0006 Conditional Use Permit Request for Townhomes on the Ground Floor in the GC General Commercial Zoning District on 8.444 acres at 203 Country Club Drive SW (Tax Parcel No. 287-A 41A) by Steve Semones of Balzer and Associates, Inc. (applicant) for Diversified Investors XIII, LLC (property owner).

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Planning Commission Recommendation:

APPROVAL for the conditional use permit request CUP21-0006 with the following exceptions/modifications and conditions:

Exceptions/Modifications:

- Use and Design Standard §4231(b)(1) to allow more than 2 contiguous townhouse series adjacent to each other for buildings 1, 2, 3, and 4 and buildings 16, 17, and 18.
- Use and Design Standard §4231(b)(3) to reduce the minimum separation between contiguous series of townhouses from 20' to 13'.
- Use and Design Standard §4231(b)(5) to allow the orientation of buildings 5, 6, 10, and 11 as shown in the application elevations and drawings.
- Use and Design Standard §4231(b)(6) to allow more than 1 yard of townhouse units to be adjacent to a driveway or parking area for buildings 9 and 12 and units 604, 701, 703, 801, 803, 1001, 1005, 1101, 1105, 1301, 1303, 1401, 1403, 1806, and 1901.

Conditions:

1. The property shall be developed in substantial conformance with the application dated November 1, 2021, revised December 6, 2021, and last revised December 28, 2021.
2. The maximum number of bedrooms shall not exceed 280. Unit types A1, A2, and C2 are limited to a maximum of 2 bedrooms per unit. Unit types A3, A4, B1, B2, and C1 are limited to a maximum of 3 bedrooms per unit. Any areas shown as attics, office/flex space, or similar shall not be used as bedrooms.
3. The maximum occupancy shall be limited to a family plus two unrelated individuals or up to three unrelated individuals per unit.

4. Bicycle racks in individual unit garages shall be a type specifically approved by the Town, shall be affixed to either the wall or the ceiling, and shall be installed prior to issuance of a Certificate of Occupancy.
5. The existing trail easement must be vacated and a new trail easement must be dedicated in the location shown on the Trail Relocation Exhibit (Sheet CUP4) prior to site plan approval.
6. The Homeowners Association (HOA) documents must include a provision requiring the HOA to provide notice to owners regarding the Town's homestay regulations with any change in ownership for an individual unit.
7. The owner shall abide by the terms in the Sanitary Sewer Service Acknowledgement Agreement dated December 28, 2021.

For: Colley; Davis; Ford; Herbein; Kassoff; Rinehart
Against: Jones
Abstain:
Absent:

In so recommending approval of this conditional use permit application and associated exceptions to development standards, the Planning Commission finds the request to be in conformity with the Comprehensive Plan, the Zoning Ordinance, and to have minimum adverse impact on the surrounding neighborhood or community.