

MEMORANDUM

To: Planning Commission

From: Kinsey O'Shea, AICP; Senior Planner *KO*

Date: July 29, 2022

Subject: RZN 22-0002/ORD 1994-Request to rezone 3.08 acres at 1800 Whipple Drive (Tax Map Nos.197-1 50A, 51C, 5; 197-a 51B, 52B, 5; 197-1 51A, 52A, 5; 167-24 53A and 197-1 46A) from R-5 Transitional Residential to PR Planned Residential by Balzer and Associates (applicant) on behalf of JJB Properties LLC (property owner).

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The Planning Commission reviewed the above-mentioned application dated June 1, 2022 at the July 19, 2022 work session. Planning Commission discussed a number of topics pertinent to the analysis of the application including those found in the July 15, 2022 staff report Key Elements:

- Solar photovoltaic systems:
  - Need for clarity regarding ownership and maintenance
  - Need for clarity regarding the amount of solar panels provided and the impact on the energy use/consumption in the units
  - Need for clarity on the commitment in the proffer language regarding “photovoltaic solar power system installed at the time of construction”
  - Conflict with trees shading the systems in the long term
- Accessibility:
  - Need for clarification of whether any units are fully-accessible including zero-step entry, and if this is a commitment in the application
  - Concerns that some paving/surface materials may not meet accessibility requirements
- HERS/Energy Efficiency
  - Need for clarification of whether the HERS rating verbally provided at the meeting is a commitment, and if the rating is sufficient to address energy efficiency goals
- Adequacy of bicycle parking, and whether there are opportunities for more covered parking
- Encroachments into setbacks & public utility easements
- Size and adequacy of rear yard space
- Lack of restrictions on student occupancy
- Density proposed 60% above FLU
- Ownership vs. rental of units

**Key Elements (per July 15, 2022 staff report)**

- Density proposed above FLU designation
- Need & justification for change
- Consistency with intent of PR district in providing housing product to fill identified housing needs
- Appropriateness of proposed district standards compared to surrounding neighborhood
- Intensity of development; proposed layout of development
- Adequacy of area for rear yards/perimeter buffer

- Request for variance to reduce perimeter Public Utility Easement (PUE) width
- No restrictions on occupancy

Staff's expectation is that revisions to applications can address the significant issues identified in the staff report, and during the Planning Commission work sessions. On July 20, 2022, staff informed the applicant that staff could not commit to providing analysis of revisions prior to the public hearing given the tight turnaround time. The applicant submitted a revised application on Friday, July 22, 2022, and requested to remain on the public hearing agenda for August 2, 2022. ***Given that there has not been adequate time for staff, Planning Commission, or public review of the revised application, staff does not recommend that the Planning Commission take action at the August 2, 2022 Public Hearing and instead allow for additional analysis and discussion at a work session.***

**ATTACHMENTS:**

Application dated July 22, 2022