

CITY OF GREEN  
**Planning Department Review**  
PLANNING & ZONING COMMISSION  
*October 18, 2017*

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**Item 17-57**

**Chenoweth Crossings Planned Development**

(D. Read, Condo Association President)

Location: St. Andrews Court

Conceptual Site Plan Review

Rezoning: 4.207 Acres R-2 to PD

**PLANNING DEPARTMENT**

Applicant is presenting a conceptual site plan for Chenoweth Crossings, an existing single-family detached condominium community located on St. Andrews Court (private), which runs between Chenoweth Road and Ashwood Road. The applicant is seeking to convert this development to a Planned Development District by rezoning approximately 4.207 acres of land from R-2, Multi-Family Residential to PD.

Chenoweth Crossings was conditionally approved by the Planning & Zoning Commission at the October 15, 2003 meeting. The project, as reviewed, consisted of a total of 16 condominium units (including 12 single-family detached units and two duplexes – see attached). To date, 10 detached units have been constructed. The community is served by central sewer and water facilities.

All current property owners are included in the application for this rezoning request. They have reached a consensus and are seeking to eliminate the “true” condominium ownership structure in favor of creating an individual fee simple lot structure. This would allow each condo owner the opportunity to own a small area of land along with the residence. These individual lots would replace the common areas directly outside of each residence (i.e. roofs, siding, landscaping, and driveways) and may reduce associated fees that are currently being paid to maintain these areas. Homeowners would, therefore, be responsible for maintenance of their dwelling and the land within their lot. The original developer, who owns the common area and the remaining vacant land for the build-out of the remaining units, also believes the fee simple lots would increase marketability.

The creation of the fee simple lots is the primary factor in this request. The minimum lot area in the current R-2 district is one-half acre (21,780 SF). The rezoning to PD would allow the flexibility to create the lot sizes needed for the existing development. In this case, the PD allows a minimum 5,000 SF lot for single-family detached dwellings. The plan indicates a total of 15 lots ranging from 5,000 SF to 9,742 SF. Of these lots, four (4) would be vacant and suitable for single-family detached units. Note that the lot total also includes a lot to be created for the single-family dwelling near Chenoweth Rd. that was existing at the time the condominium community was originally reviewed (and is now a condominium as well). A parcel for the private roadway and open space parcels are also shown and make up the balance of the gross acreage of the site. Per code, creation of a PD District for fee simple lots (attached/detached) requires a minimum of five (5) acres. Conversion of this development to PD would, therefore, require a variance from the Board of Zoning Appeals. All lots would meet the 40’ minimum width requirement. Overall density would be 3.57 units per acre (15 units/4.207 acres), which would comply (8 units per acre maximum).

Required building setbacks in the PD District (including front setback to a non-arterial street and side/rear yards) are flexible and are established during the review process. Per the plan, all existing dwelling units would fit within the proposed lots and sufficient room for new units would be provided. Front setbacks to the private drive and building separation are existing conditions.

The plan indicates a total of 1.112 acres of open space area, which is existing along both sides of St. Andrews Ct. and at the far east end of the site. Total open space would be 26.4 % of the gross area of the site, which exceeds the 15% minimum. A minimum of 25% of the required open space area (0.64 acres) must be reserved for active recreational uses. To meet this standard, the plans indicate a walking route that residents currently use (along with use of the private drive itself). There is no established path or walkway and this may need further development (see attached photos).

Drainage structures are in place and there are no additional stormwater management requirements associated with this request.

The PZC is being asked to review the conceptual site plan and make a recommendation to City Council. If the plan (and rezoning to PD) is ultimately approved by City Council, the applicant will need to return for final site plan review by the PZC and City Council. This would involve the platting of the proposed lots.

### **DESIGN REVIEW BOARD**

No review required.

### **ENGINEERING**

No comments requested.

### **FIRE**

No comments requested.

### **ZONING**

No comments received.

### **STAFF RECOMMENDATION**

*Staff is supportive of the request to convert this existing development from R-2 zoning to Planned Development, which would essentially allow condominium owners to change the ownership structure through the creation of fee-simple lots. Staff, therefore, recommends a favorable recommendation to City Council for acceptance of the conceptual site plan and rezoning from R-2 to PD. A variance for the total gross acreage of the site, however, is required by the Board of Zoning Appeals. The active recreational area within the open space should also be developed further (i.e. walking trail).*

*If this Planned Development District is approved, final site plan review is required for platting of proposed lots. The developer has submitted a draft of amended Condominium Association documents that are being considered for adoption by the members. Any changes in the documents would only be made in conjunction with the approval of the final site plan (including the City's approval of the documents).*