ATTACHMENT A

STAFF ANALYSIS

STAFF PERSON: Andy Reitelbach, Senior Planner II
PLANNING COMMISSION: April 25, 2023
PROJECT: SUB2022-00178 Montgomery Ridge Phase 4
TAX MAP PARCEL: 04600-00-00-02400

Determination of cluster development and bonus factor impacts under the Airport Impact Area (AIA) Overlay District.

Proposal

The Applicant proposes to use both the cluster development and the bonus factor provisions of the ordinance to develop the subject parcel (zoned R-1 Residential) with a total of 14 single-family detached residential units on approximately 14.01 acres. This parcel is also located within the Airport Impact Area (AIA) Overlay District.

Analysis of the Request

Under County Code § 18-30.2.6, which is within the sub-section of the Ordinance about the AIA Overlay District, "no cluster development or bonus level provisions or regulations will be permitted unless the commission shall determine that such development will reduce or be equivalent to hazard and/or noise impacts anticipated under standard level-conventional development of the underlying zoning district." No more specific findings are required in support of a decision, and no other criteria for such a review are provided in the Ordinance. Because minimal information is provided in the Ordinance, staff analyzed this request by reviewing the Places29 Master Plan and looking at the zoning and development patterns of the subject parcel and the surrounding area. Staff offers the following analysis of this determination request:

(1) Land Use Designation in the Places29 Master Plan

The Places29 Master Plan designates the subject parcel for Neighborhood Density Residential (NDR), which recommends residential at 3 – 6 units per acre and supporting uses such as religious institutions, schools and other small- scale non-residential uses. If the applicant were to request a rezoning on this property, a maximum of 84 units could be possible on the property based on the recommended NDR designation, at six units per acre. Even with the cluster development and bonus factor provisions, the applicant proposes to develop the property at approximately one unit per acre. With this density, lower than what is recommended in the Places29 Master Plan, it is not expected that there would be an increase to the hazard and/or noise impacts from this development.

(2) Zoning and Surrounding Area

The subject property is zoned R-1 Residential, the same as the surrounding properties to the west, south, and east (the property to the north is zoned PUD Planned Unit Development). These properties include the existing Montgomery Ridge subdivision directly to the west, which has a similar development pattern. Because the density of this project would remain at approximately one unit per acre, it is consistent with the other developments and properties in the area that have the same zoning. Thus, staff expects that this development will reduce or be equivalent to hazard and/or noise impacts anticipated under standard level-conventional development of the underlying zoning district.

In addition, as a cluster development, at least 25% of the development area will need to remain open space, so a significant portion of the site will remain forested and not be developed with residences. Because of this large area of open space, it is expected that any hazard or noise impacts would be reduced, or at least equivalent, to any potential impacts if the entirety of the site was developed under conventional development.

Considering the R-1 zoning and the surrounding area, staff expects that this proposed development

will reduce or be equivalent to hazard and/or noise impacts anticipated under standard level-conventional development of the underlying zoning district.

Recommendation

Staff recommends that the Commission approve the applicant's request for the determination that this development will reduce or be equivalent to hazard and/or noise impacts anticipated under standard level-conventional development of the underlying zoning district.