



## Legislation Details (With Text)

**File #:** 16-453      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Agenda Ready

**File created:** 5/9/2017      **In control:** Town Council Meeting

**On agenda:** 7/10/2017      **Final action:**

**Title:** Review of proposed re-subdivision application by Mashie Drive, LLC., re-subdividing four existing lots into seven new lots in the RS-16 Zone./ Review of an alternative layout for a 6 lot subdivision on a cul-de-sac off Mashie Drive.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2017-05-05 PC Memo - Mashie Sub, 2. P\_Subdivision Plan\_Final\_04202017, 3. P\_Mashie Drive Subdivision Plat, 4. Frontage Landscape Rendering, 5. PC Chair Memo\_Final Plat Mashie Drive Sub Memo, 6. TCSTAFF\_REPORT\_6-10-2017PM, 7. 6 Lot\_Cul-de-sac\_20170608, 8. Staff Presentation 7-10-17\_Mashie Dr. Subdivision

Date	Ver.	Action By	Action	Result
7/10/2017	1	Town Council Meeting	approved	Pass

**Subject:**

Review of proposed re-subdivision application by Mashie Drive, LLC., re-subdividing four existing lots into seven new lots in the RS-16 Zone./ Review of an alternative layout for a 6 lot subdivision on a cul-de-sac off Mashie Drive.

**EXPLANATION AND SUMMARY :**

The Planning Commission has considered and recommended approval (6 to 0 vote) of a 4-lot re-subdivision of existing lots 77, 78, 79, and 80 located at 101, 103, and 201 Mashie Drive as well as 701 Maple Drive into 7 new lots in the RS-16 zone.

This is a RS-16, by-right, low-density, single-family residential application. It is consistent with the land-use map in the 2015 Comprehensive Plan update and current Zoning Map. The 7-lot proposal maintains the current RS-16 (Single Family Detached Residential) zone. The proposed development meets all requirements of the RS-16 (Single Family Detached Residential) district.

**Update- The applicant has proposed an alternative 6 lot layout on a cul-de-sac off of Mashie Drive in response to citizen and Planning Commission concerns. The developer would like to get Council feedback and if deemed a preferable layout they will request a deferral of action to August 21, 2017, to complete engineering for a 6 lot subdivision, and forward it back to staff and the Planning Commission.**

**Departmental Recommendation :** Staff recommends that Town Council provide input as to the desirability of the alternative 6 lot subdivision on a cul-de-sac off Mashie Drive and request for waiver of the sidewalk requirement on Follin Lane. Staff further recommends Council forward the amended plan back to the Planning Commission for review and recommendation on the proposed final 6 lot subdivision plan and waiver and defer review of the request for subdivision to August 21, 2017.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : Under state and Town Code provisions for review of an application for subdivision, the approving body reviews the proposed subdivision for conformity with the locality's zoning ordinance (Town Code, Chapters 17 and 18). Town Council, after receiving comments and recommendations from the Planning Commission, may approve, modify, or disapprove the proposed subdivision. If modified or disapproved, the legal standard is whether the approving governmental body based its modifications or disapproval on applicable ordinances or was "arbitrary or capricious." See, Va. Code Section 15.2-2259. Such disapproval must be based on specific non-conformities with the Town's subdivision and zoning ordinances (Chapters 17 and 18), noted on the record, and, as noted above, must not be arbitrary or capricious. With the consent of the Applicant, the Town Council may defer review of the proposed subdivision to a date certain.

**Town Manager's Recommendation** : With the consent of the applicant Council can defer this to August 21, 2017 and the Planning Commission make recommendations as appropriate on the 6 lot subdivision at their August 9, 2017 meeting.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

#### **PROPOSED/SUGGESTED MOTION**

"With the consent of the Applicant, I move to recommend that Town Council refer the proposed alternative 6 lot subdivision and request for waiver of the sidewalk requirement on Follin Lane, as the preferred alternative subdivision layout, to the Planning Commission's meeting of August 9, 2017, for a recommendation. Also with the consent of the Applicant, I further move to defer approval of the 7 lot subdivision, previously reviewed by the Planning Commission, to August 21, 2017. "

Or

Other action deemed necessary by Council.