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**Title:** Discussion on Proposed Rezoning and Redevelopment of 128 Nutley St NW

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**Indexes:**

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**Attachments:** 1. 01 - 128 Nutley St NW - Work Session Letter, 2. 02 - Layout 1 - 128 Nutley Street NW - ILLUSTRATIVE, 3. 03 - Layout 2 - 128 Nutley Street NW, 4. 04 - Section 18-705 Nonconformance Caused by Government Action or Dedication, 5. 05 - Selections from Town Comprehensive Plan

Date	Ver.	Action By	Action	Result
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**Subject:**

DISCUSSION ON PROPOSED REZONING AND REDEVELOPMENT OF 128 NUTLEY ST NW

**BACKGROUND SUMMARY:**

The single-unit two-story house located at 128 Nutley St NW is currently zoned RS-12.5 and was built in 1900, with an addition built in 1976. The 0.68-acre property is a corner lot with frontage along Nutley St NW and Windover Ave NW. The property has adjoining property lines with The Village Green Shopping Center to the southeast and townhouses to the southwest. Across from Nutley St NW and Windover Ave NW are single-unit houses.

Mr. Connor Sekas, Vice President of Sekas Homes, has submitted a proposal that would involve rezoning the subject property from RS-12.5 to RMU, and then develop 10 townhouses. Sekas Homes has provided a narrative of their concept (Attachment 1) along with two layout options (Attachments 2 and 3) for discussion. They have requested a work session with the Planning Commission and are seeking input before submitting an application.

Staff has not performed a full evaluation of the proposed designs to determine whether all regulations are being met or what modifications would be required. At a minimum, Layout 1 (Attachment 2) would require a modification for the rear yard setback from the required 35 feet to the proposed 9 feet as shown. Layout 2 (Attachment 3) does not appear to require any modifications to the setbacks. Parking for townhouse developments requires 2 spaces per dwelling unit plus 1 visitor space per 5 dwelling units. Assuming 2 car garages in each unit, both layouts appear to meet the parking requirement.

One staff clarification from the Attachment 1 narrative involves whether site plan modifications would be required for the front yard or side yard setbacks. The narrative assumes that modifications would be required for both. Staff does not believe that such modifications would be required because the

reduced setbacks would only occur once land has been dedicated for right-of-way from the front and side portions of the property. Section 18-705 of the Town code (Attachment 4) states that the dedication of land to the government for public use will not create nonconformance. More simply stated, setbacks are measured from the original property line, not the new property line created by the dedication. The Town is acting consistent with State law in this regard.

The Comprehensive Plan's Future Land Use Map identifies this property and nearby single-unit residential properties as Low-Density Residential. The adjacent shopping center is shown as Mixed-Use, and the townhouses are shown as Moderate-Density Residential.

The Comprehensive Plan also has objectives and implementation strategies encouraging more diverse housing types, including townhouses and multifamily housing, "where established single-family residential neighborhoods will not be destabilized..." (p. 39).

In addition to the rezoning, the applicant also proposes to request an amendment to the Future Land Use Map to reflect the proposed change from Low-Density Residential to Moderate-Density Residential, which would match the proposed development.

**ATTACHMENTS:**

01 - 128 Nutley St NW - Work Session Letter

02 - Layout 1 - 128 Nutley Street NW - Illustrative

03 - Layout 2 - 128 Nutley Street NW

04 - Section 18-705 Nonconformance Caused by Government Action or Dedication

05 - Selections from Town Comprehensive Plan