



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: April 30, 2024

TITLE: Staff Report: Master Design Plan Modification
PDD-2
48 Great Neck Road
PL-24-6

EXECUTIVE SUMMARY

An application has been made pursuant to Sections 19.1.2 and 19.2.2 of the Zoning Regulations to review modifications to the original Master Design Plan (MDP) approved by the Planning and Zoning Commission on May 24, 2022 as application PL-22-6. The modifications constitute a substantial and material change to the original MDP by locating the previously approved dwelling units closer to a property line and street line. In accordance with Section 19.2.2 of the Zoning Regulations regarding additions or alterations to an approved MDP, “... *locating any building closer to an adjacent property or street line than that which was approved...*” constitutes a substantial or material change to the MDP and a new MDP must be approved subject to the same review and public hearing procedure as the original.

The modified MDP submitted into the record as Exhibit 2 for the current application, PL-24-6 identifies existing foundations and buildings already constructed as well as building envelopes for proposed buildings not yet constructed. The building envelopes on the plan are the areas designated for each newly constructed building to be located within. The building envelopes will allow the developer some flexibility to construct each proposed dwelling within a specific boundary. The location, shape and size of each building envelope will dictate the area in which each dwelling unit may be placed.

The applicant has also provided for the record a property survey plan (Exhibit 3) that identifies the locations of buildings already constructed as well as the proposed building envelopes as shown on the proposed MDP. The previously approved building locations are identified on this plan indicates the amount of deviation in building placement from the original approved MDP.

BACKGROUND

Pertinent Regulations

Waterford Zoning Regulations

Section 19 – Planned Design District (PDD)

Section 19.1.2 – In relevant part “...*Any substantial or material change to an approved Master Design Plan, as defined herein, shall be subject to the same review and public hearing procedures as the original zone change....*”

Section 19.2.2 - Additions and Alterations

DISCUSSION

The Planning and Zoning Commission originally approved a Master Design Plan (MDP) for this PDD-2 Zone District on May 24, 2022 (PL-22-6). The MDP identified specific locations for buildings to be constructed. The original MDP was approved with forty dwelling units within thirty buildings. The building mix included twenty single-family detached structures and ten two-family duplex buildings. Fifteen single family detached structures have either been constructed or the foundations placed. The locations of the constructed buildings and foundations are not consistent with the approved proposed building locations as shown on the previously approved MDP (PL-22-6). The Commission determined at its March 26, 2024 meeting (Exhibit 6) that by relocating buildings closer to a property line and street line than previously approved constituted a substantial and material change in accordance with Section 19.2.2 of the Zoning Regulations.

In accordance with Section 19.1.2, the applicant has submitted a new Master Design Plan (Exhibit 2) that identifies the locations of the constructed buildings and foundations. It also indicates building envelopes within which the remaining buildings are to be constructed. The new Master Design Plan maintains the same total number of dwelling units at forty as originally approved, with a modification to the original building mix from twenty single-family detached dwelling units and ten two-family duplexes to thirty-two single-family detached units and four two-family duplexes.

The introduction of building envelopes for the remaining buildings yet to be constructed allows the applicant flexibility in the placement of the buildings to account for site conditions and building design options while establishing a minimum distance to property lines and minimum separation distance between buildings.

All other conditions from the original Master Design Plan are incorporated into this new Master Design Plan such as the location of the stormwater drainage elements and the approved conservation easement.

If the Commission approves application #PL-24-6, the New Master Design Plan supersedes the original approved MDP and establishes the limits of construction for the proposed buildings.

All Development and Architectural Standards of Section 30.2 (PDD-2) remain unchanged.

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

FINDINGS

1. Application PL-24-6 is submitted in accordance with Sections 19.1.2 and 19.2.2 of the Zoning Regulations as a result of substantial and material changes in the field as determined by the Planning and Zoning Commission on March 26, 2024.
2. The Master Design Plan submitted through application PL-24-6 is consistent with the purpose of PDD-2 in that it provides for flexibility in building placement and design while providing protection to the adjoining neighborhoods.
3. The Master Design Plan is consistent with the stated goals of the Natural Resources Policy of the 2012 Plan of Conservation and Development amended to June 11, 2015 (“The Plan”) by providing for further flexibility of design and placement of buildings and maintaining the existing open space and conservation easement areas through the “smart growth” design.
4. The Master Design Plan is consistent with the Residential Development policy of The Plan in that it maintains the multifamily use originally approved by providing a housing option that will meet the needs of residents of the Waterford. The MDP also will maintain the minimum 10% of the housing units as affordable meeting current affordability guidelines and requirements.

Proposed Motion

That the Commission approve Application PL-24-6 for a new Master Design Plan for the existing PDD-2 Zone District located at 48 Great Neck Road by adopting the findings 1 thru 4 of the Staff Report with an effective date of May 17, 2024.