DATE: December 22, 2020

TO: Steve Ehlmann, County Executive
    Joann Leykam, Director of Administration

CC: Rory O'Sullivan, Acting County Counselor
    Donna Vogt, County Council

FROM: Michael Hurlbert, Director of Community Development

RE: Item for January 11, 2021 County Council Meeting

The Community Development Department is submitting the following item for the January 11, 2021 County Council Agenda.

BILL FOR INTRODUCTION:

1) Planning and Zoning Commission recommends Approval

REZONING REQUEST - 1101 DINGLEDINE ROAD

Application No: RZ20-13
Property Owner: Marlene C. Loeffler Trust
Developer: Rowles Company
Current Zoning: R1B, Single-Family Residential District
                 (20,000 square foot minimum lot size), with
                 Floodway Fringe Overlay District
Requested Zoning: Requesting to rezone 12.20 acres to R3B, Multi-
                 Family Residential District, and 28.60 acres to R1E,
                 Single-Family Residential District (7,000 square foot
                 minimum lot size)
2030 Master Plan: Recommends Low-Density Residential Uses
                 (0.25 to 1-acre minimum lot sizes)
Parcel Size: 40.80 acres
Location: On the west side of Dingedine Road, approximately
          125 feet south of Pine Bluff Drive; near the Cities of
          St. Peters and Weldon Spring
County Council District: 7
Account No.: 534750A000
APPLICATION RZ20-13

REZONING REQUEST - 1101 DINGLEDINE ROAD

Application No: RZ20-13
Property Owner: Marlene C. Loeffler Trust
Developer: Rowles Company
Current Zoning: R1B, Single-Family Residential District (20,000 square foot minimum lot size), with Floodway Fringe Overlay District
Requested Zoning: Requesting to rezone 12.20 acres to R3B, Multi-Family Residential District, and 28.60 acres to R1E, Single-Family Residential District (7,000 square foot minimum lot size)
2030 Master Plan: Recommends Low-Density Residential Uses (0.25 to 1-acre minimum lot sizes)
Parcel Size: 40.80 acres
Location: On the west side of Dingledine Road, approximately 125 feet south of Pine Bluff Drive; near the Cities of St. Peters and Weldon Spring
County Council District: 7
Account No.: 534750A000

CONTENTS:

➤ Synopsis
➤ Staff Recommendation
➤ Staff Recommendation
➤ Photo(s) of Site
➤ Aerial Photo
➤ Surrounding Zoning Map
➤ Future Land Use Map
➤ Letters received
  ➤ Concerns - Paul and Sandra Grote
  ➤ Opposition - Daru and Harry Morrell
  ➤ Concerns - Brian Davis
  ➤ Opposition - Susan and Keith Elliott
  ➤ Opposition - Jennifer Kelley
  ➤ Opposition - John Hutchings
  ➤ Opposition - Emerald Woods
  ➤ Opposition - Mark and Amy Atchley
  ➤ Opposition - Charles and Donna
  ➤ Opposition - John and Rose
  ➤ Opposition - Bob Lewis
  ➤ Opposition - James and Virginia
  ➤ Opposition - Westhampton Place
  ➤ Opposition - Jerry Pullam
  ➤ Opposition - Lori Love
  ➤ Concerns - Monica and Stan
  ➤ Concerns - Spencer Ashie-Winns
  ➤ Opposition - Carey Krieger
  ➤ Opposition - Mike and Mary Johns
  ➤ Video in Support - Jeff Reeves
  ➤ Opposition - Carol Goodwin
  ➤ Opposition - Paul and Sandra Grote
  ➤ Opposition - David and Patricia Cowell
  ➤ Opposition - Kent Stephens
  ➤ Opposition - Debbie Roehl
  ➤ Opposition - Debbie and John Ferraira
  ➤ Opposition - Linda Brewer

➤ Planning and Zoning Commission minutes from the December 16, 2020 meeting
This communication summarizes the following bill to be introduced at the December 7, 2020 County Council meeting:

**REZONING REQUEST - 1101 DINGLEDINE ROAD**

Application No: RZ20-13
Property Owner: Marlene C. Loeffler Trust
Applicant: Rowles Company
Current Zoning: R1B, Single-Family Residential District (20,000 square foot minimum lot size), with Floodway Fringe Overlay District
Requested Zoning: Rezone 12.2 acres to R3B, Multi-Family Residential District, and 28.6 acres to R1E, Single-Family Residential District (7,000 square foot minimum lot size)
2030 Master Plan: Recommends Low-Density Residential Uses (1-4 dwellings per acre)
Parcel Size: 40.8 acres
Location: On the west side of Dingedine Road, between Pine Bluff Dr and Stafford Place Ct; near St. Peters and Weldon Spring
County Council District: 7
Account No.: 534750A000

Approval of this bill would rezone a 40.8-acre parcel of land from R1B, Single Family Residential District to both R3B, Multi-Family Residential District, and R1E, Single-Family Residential District. The applicant has also submitted a preliminary plat (PRE20-28) for the subject property, which was approved at the December 16, 2020 Planning and Zoning Commission meeting subject to this rezoning application.

The subject 40.8-acre tract has been zoned “R1B”, Single-Family Residential District (minimum lot size 20,000 sq. ft.) since at least 1973 but used for agricultural cultivation and a farmhouse. Adjoining tracts zoned R1E and R3B were developed with single-family subdivisions in 1983 (Stafford Place), 1977 (Emerald Woods and Shenandoah Park), and 2000 (Pine Bluff Villas).

The overall development plan is to construct 119 single-family detached homes on 40.8 acres. Although 12 acres would be rezoned R3B, Multifamily Residential District (minimum lot size of 4,000 sq. ft.) zoning, per the preliminary plat, no attached housing would be constructed; instead, single-family homes on 7,000+ square foot lots would constructed in the proposed R3B District but with some lots being narrower than what would be allowed in the R1E, Single Family Residential District. The remainder of the tract would be zoned R1E, Single-Family Residential District (minimum lot size 7,000 sq. ft.) and developed with single-family dwellings.

The 2030 Master Plan recommends “Low Density Residential” land uses for the entire area with 1 to 4 dwellings per acre. The subject preliminary plat shows that the applicant proposes to develop 119 single-family homes on this 40.8 acre tract, yielding an overall density of 2.92 dwellings per acre with the inclusion of streets and common ground. Such a development would conform to the Master Plan’s recommended density range. Although the 2030 Master Plan does indicate that applicable zoning


districts for Low Density Residential land uses include R1A through R1D Districts (Page 8.14), and that lot sizes can “vary from approximately 43,000 square feet to 10,000 square feet” (Page 8.14), R1D zoning would be inconsistent with the prevailing R1E and R3B zoning pattern.

The Planning and Zoning Commission held a public hearing on this rezoning application on **December 16, 2020** and received the following public input:

- **Speakers:** 2 Support 7 Opposed 0 Concerns
- **Letters on file:** 1 Support 22 Opposed 4 Concerns

Concerns expressed through public input included development density and smaller lot sizes, property values, loss of greenspace, additional traffic on Dingleside Road, and public school capacity.

Having conducted the public hearing, the Planning & Zoning Commission voted as follows:

- 6 Approval 1 Denial 1 Abstentions

**Recommendation:**

The Planning and Zoning Commission recommends that the County Council approve this rezoning request. The Planning and Zoning Division concurs with this recommendation.

Sincerely,

Robert Myers, AICP
Director of Planning & Zoning

cc: Steve Ehlmann, County Executive
    Joann Leykam, Director of Administration
    Rory O’Sullivan, Acting County Counselor
STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Application No: RZ20-13
Prepared by: Karen Hutchins, MCP
Date: December 8, 2020

BACKGROUND

Property Owner: Marlene C. Loeffler Trust
Applicant: Drew Weber, Hamilton Weber, LLC
Requested Action: A zoning map amendment to:

1. Rezone 12.2 acres from R1B, Single Family Residential District, to R3B Multi-Family Residential District, and Floodway Fringe Overlay District; and
2. Rezone 28.6 acres from R1B, Single Family Residential District, to R1E, Single Family Residential Zoning District (7,000 sq. ft. minimum lot size).

Property Location: 1101 Dingedline Road; on the west side of Dingedline Road between Pine Bluff Dr and Stafford Place Ct; near St. Peters and Weldon Spring

Current Zoning: R1B, Single Family Residential (20,000 sq. ft. minimum lot size) District with Floodway Fringe Overlay District

Parcel Size: 40.84 acres

Current Land Uses: agricultural (cultivation) and a single-family residence

Adjacent Land Use and Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R3B/FF/FFW, Multi-Family Residential with Floodway Fringe and Floodway Overlay District</td>
<td>Single-Family Residential (Pine Bluff Villas Subdivision)</td>
</tr>
<tr>
<td>South</td>
<td>R1E, Single Family Residential District</td>
<td>Single-Family Residential (Stafford Place Subdivision)</td>
</tr>
<tr>
<td>East</td>
<td>R1E, Single Family Residential District</td>
<td>Single-Family Residential (Emerald Woods Subdivision)</td>
</tr>
<tr>
<td>West</td>
<td>R1E, Single Family Residential District</td>
<td>Single-Family Residential (Shenandoah Park Subdivision)</td>
</tr>
</tbody>
</table>

2030 Master Plan: recommends Low Density Residential land uses (1-4 dwellings per acre)
REZONING ANALYSIS

The Planning and Zoning Commission at its November 18, 2020 reviewed a rezoning application for this same property. Following the public hearing, the Commission voted to recommend denial to the County Council. Based on public feedback, the applicant is returning to the Planning and Zoning Commission with a revised rezoning application which substantially increases the area of single-family zoning and decreases the area of multi-family zoning.

A related preliminary plat for this property, to be reviewed concurrently by the Planning and Zoning Commission, proposes a single-family residential development for the entire tract. Although 12.2 acres of Multi-Family District zoning is proposed, single-family lots would be developed in that proposed district with some lots narrower than what would be allowed in the R1E District. All proposed platted lots would be no smaller than 7,000 square feet in area which is the minimum lot size permitted in R1E Districts.

This 40-acre tract is an island of undeveloped land within a large area of single-family residential subdivisions meaning that the existing land use and zoning contexts bear heightened consideration. The prevailing zoning (to the east, south, and west) is R1E, Single Family Residential District. To the north is zoned R3B, Multifamily Residential District. The area proposed to be rezoned to R3B borders the existing R3B District to the north where the Pine Bluff Villas was developed. Emerald Woods Subdivision, on the opposite side of Dingedine Road, is similarly zoned R1E, Single Family Residential District, but has larger lot sizes than the minimum required in that District. Stafford Place Subdivision, bordering the subject tract to the south, has larger lots than Pine Bluff Villas but would border the proposed R1E, Single Family Residential District zoning. Consequently, lots in Stafford Place would adjoin lots of compatible sizes. A natural watercourse bordering the property along its western border must under County standards be left undisturbed with a vegetative buffer left border the stream bank. Therefore, the Shenandoah Park Subdivision to the west will border undisturbed common ground.

The 2030 Master Plan recommends “Low Density Residential” land uses for the entire area with 1 to 4 dwellings per acre. The subject preliminary plat shows that the applicant proposes to develop approximately 119 single-family homes on this 40.8 acre tract, yielding an overall density of 2.92 dwellings per acre with the inclusion of streets and common ground. Such a development would conform to the Master Plan’s recommended density range. Although the 2030 Master Plan does indicate that “lot sizes in these [Low Density Residential] areas can vary from approximately 0.25 acre to 1 acre" (Page 9.2) and that applicable zoning districts for Low Density Residential land uses are R1A through R1D (Page 8.14), the Master Plan R1D zoning would be inconsistent with prevailing zoning patterns. Additionally, the Master Plan does not dictate zoning districts.

RECOMMENDATION:

County staff recommends that the Planning and Zoning Commission recommend approval of this zoning map amendment.