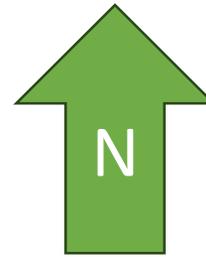


## Item H-5

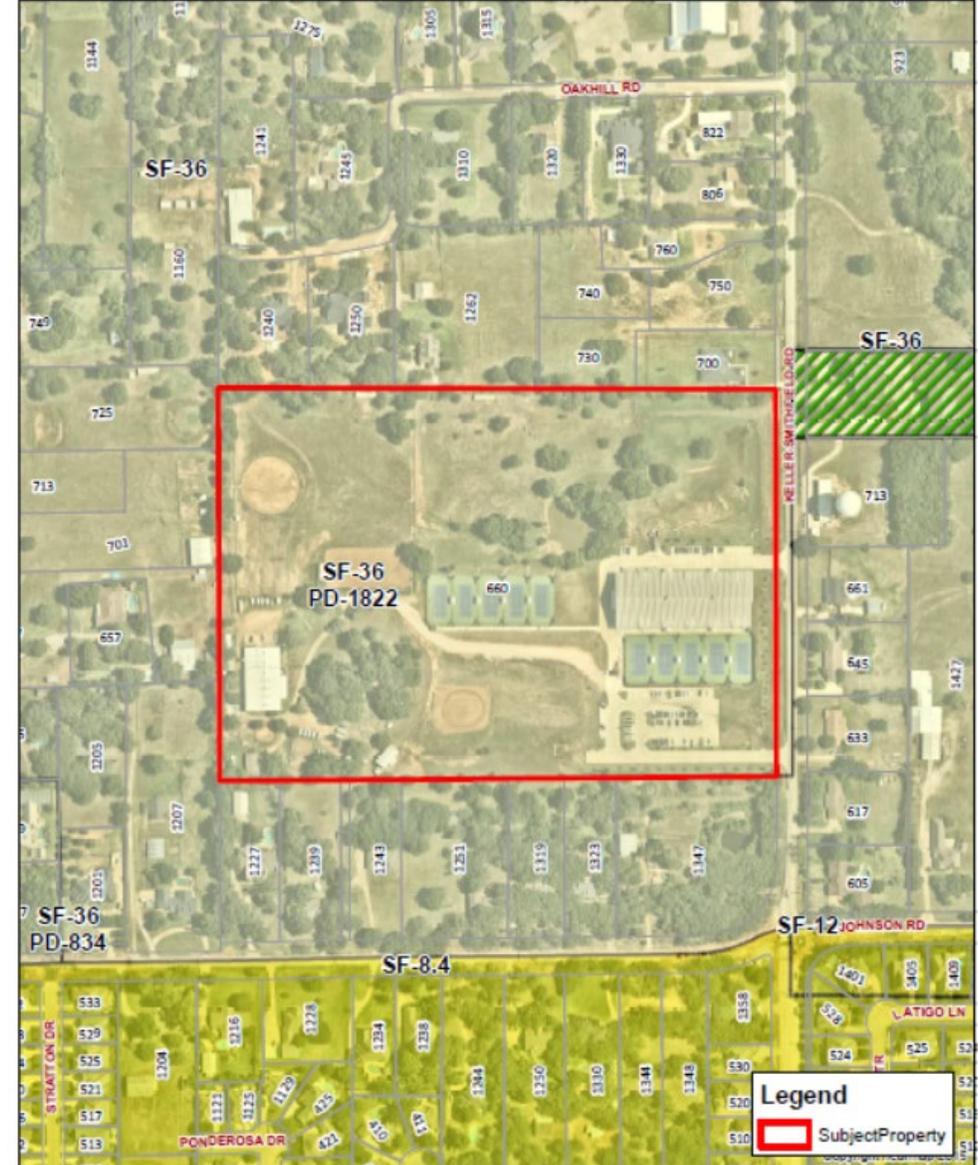
**PUBLIC HEARING:** Consider an ordinance approving a Planned Development (PD) amendment and rezoning a portion (11.94 acres) to Single Family Residential-36,000 square-foot lots, for The Birch Racquet and Lawn Club, on the property legally described as Block A, Lot 1 AG of The Birch Addition, being 26.99 acres, approximately 340 feet northwest from the intersection of Keller Smithfield Road and Johnson Road, zoned Planned Development 1822-Single Family Residential-36,000 square-foot minimum lots (PD 1822-SF-36), and addressed as 660 Keller Smithfield Road. Taylor Dent, The Birch Racquet and Lawn Club, Applicant/Owner. (Z-23-0002)

# Item H-5 Aerial Map



**Zoned:  
PD-SF-36**

# Item H-5 Zoning Map



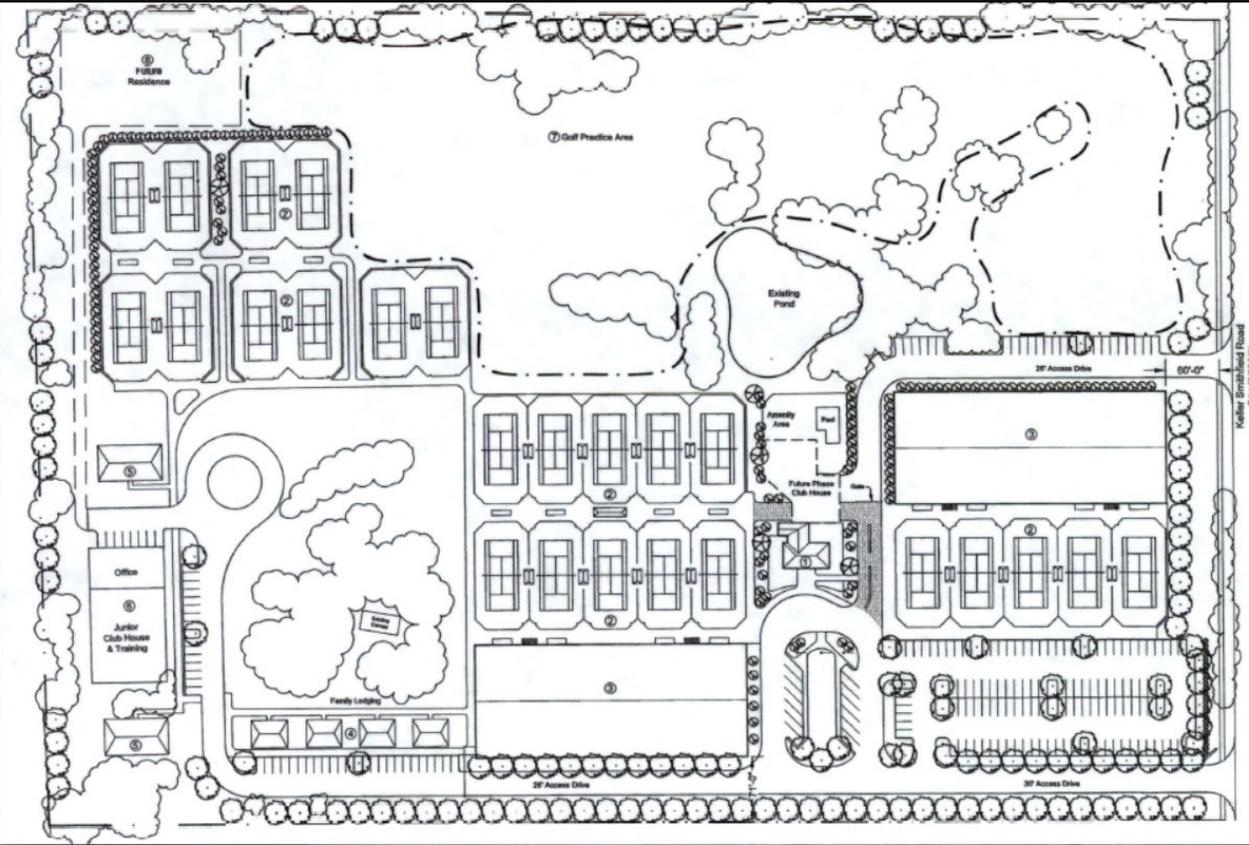
## Item H-5

### Background:

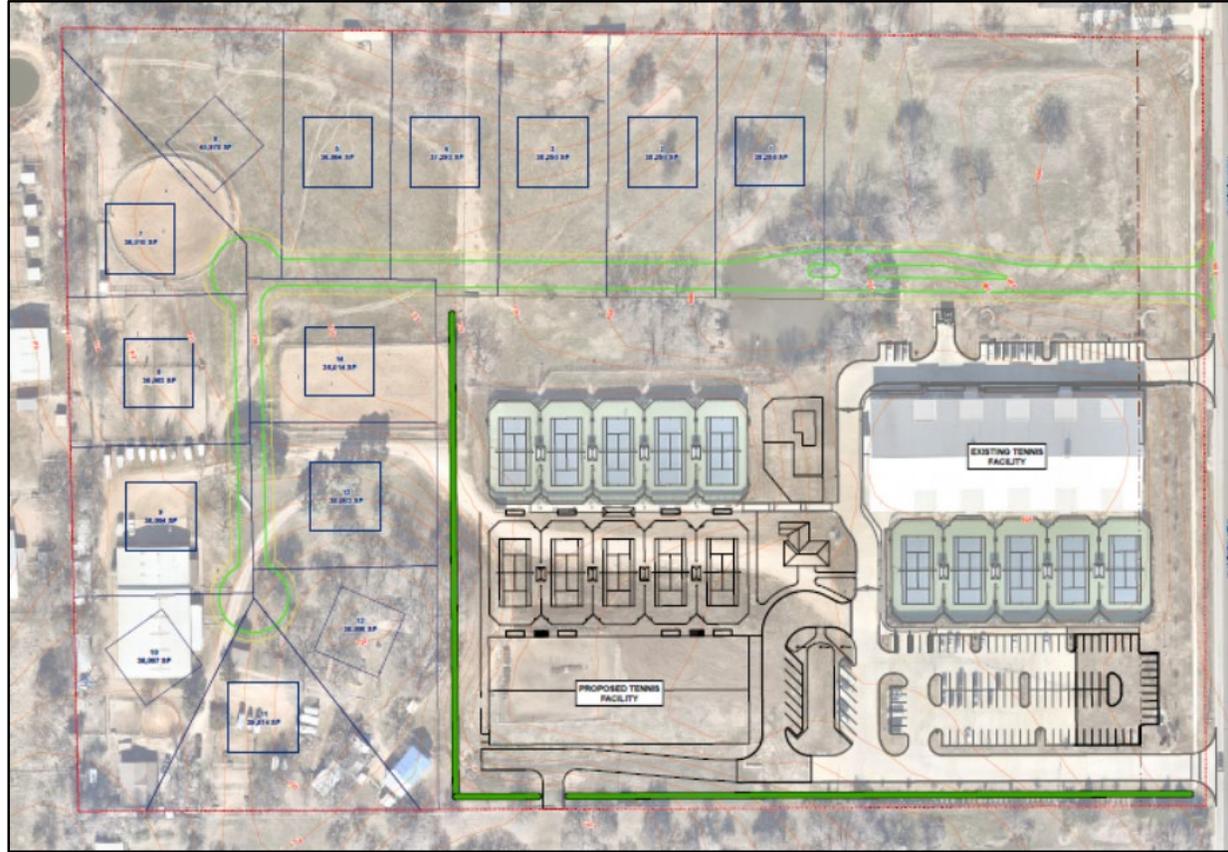
- City Council approved a Planned Development (PD) for The Birch on Nov. 1, 2016, and an amendment to the PD on May 16, 2017.
- The Applicant now proposes to reduce the size of the PD from 26.99 acres to 15.05 acres for the Birch tennis facility.
- The remaining 11.94 acres will no longer be included in the PD and are intended to be developed as a 14-lot single-family residential subdivision under SF-36 zoning guidelines.

# Item H-5

## Original Birch PD Concept Plan

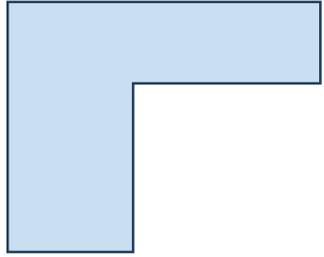


## Proposed Birch PD Concept Plan



## Item H-5

Development Standard	2017 Approved PD	Proposed PD
Outdoor Tennis Courts	35	15
Clubhouses	Primary and Junior	Primary only
Enclosed buildings	Max of 12, up to 130,000 SF	Up to 2 indoor tennis facilities (40,000 SF each) plus the clubhouse
Dormitories	Up to 2 buildings	None
Family Lodging	Up to 4 buildings	None
Golf practice area	1 area on north side of development	None
Private residence with guest quarters	1 proposed	None
Accessory Buildings	Up to 30, not to exceed 7,950 SF	Up to 27, not to exceed 5,000 SF
Existing Barn	To be converted for other use	Removed from PD, will be addressed with 14-lot residential development



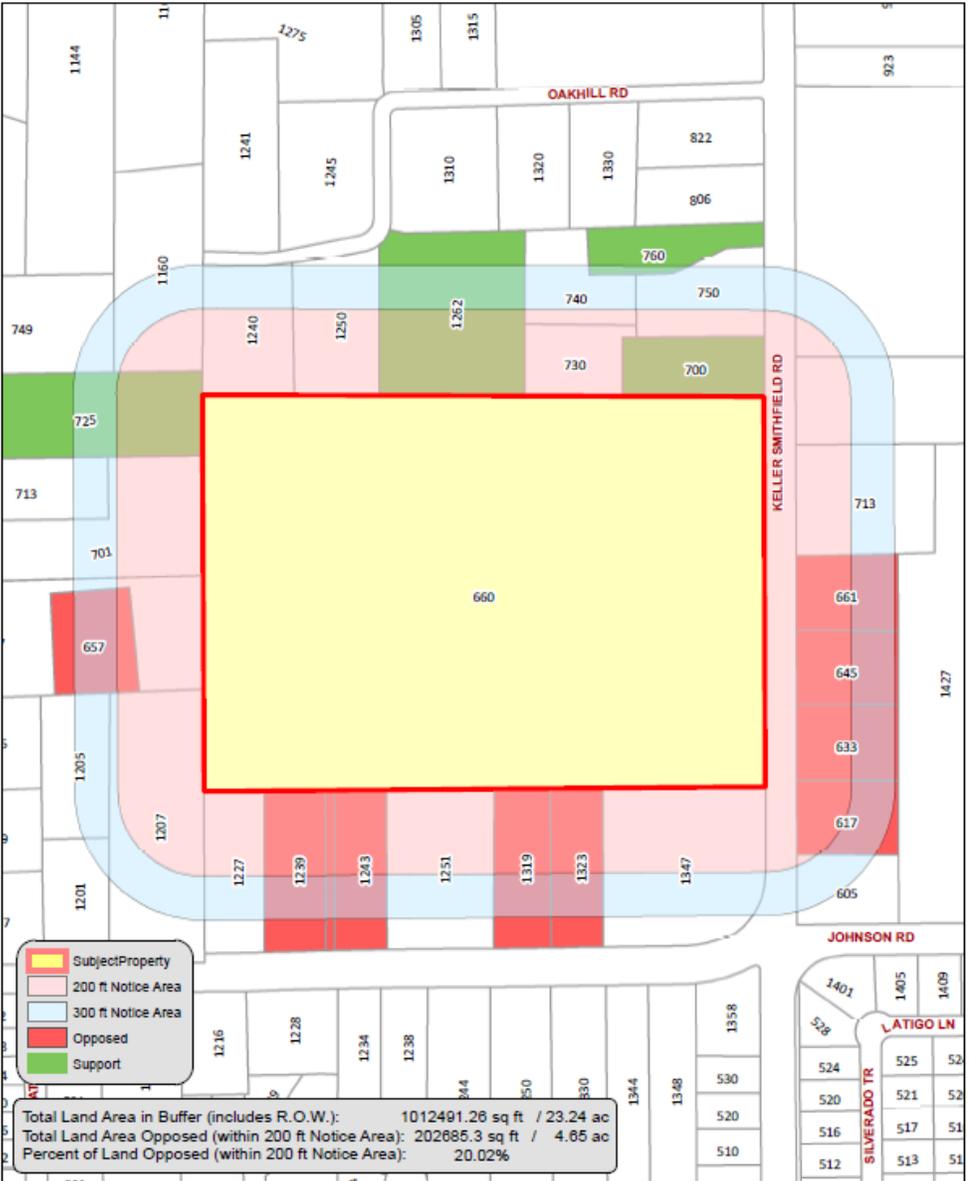
SF-36 Zoning  
(Proposed to be removed from PD)



Proposed to remain PD-1822



# Item H-5



On July 13, 2023, the City mailed 24 Letters of Notification for this Public Hearing to all property owners within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

Staff has received four support letters and signed opposition letters from nine properties within the 200' buffer around the subject property, totaling 20.02% of the property within that buffer and thus triggering a supermajority vote.

## Item H-5

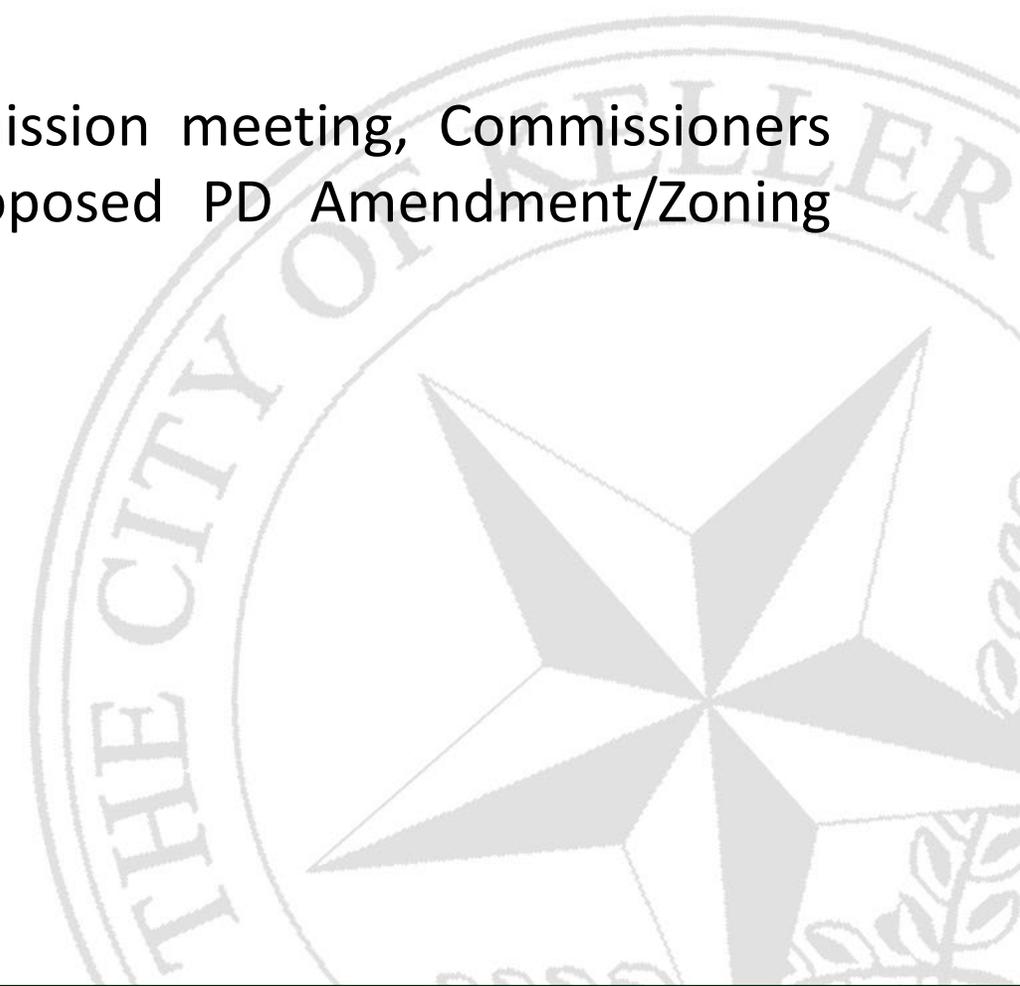
Section 8.02 (D.1.e) of the UDC states that when considering a zoning change request (including a Planned Development Amendment) the City Council shall consider the following factors:

- 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.
- 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.

## Item H-5

### **Planning and Zoning Commission Recommendation:**

At the July 25, 2023 Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the proposed PD Amendment/Zoning Change request as presented.



## Item H-5

The City Council has the following options when considering a Planned Development Amendment/Zoning Change application:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



**Questions?**  
**Sarah Hensley**  
**817-743-4130**

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