



## Legislation Details (With Text)

**File #:** 21-235      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 4/20/2021      **In control:** Planning & Zoning Commission

**On agenda:** 4/27/2021      **Final action:**

**Title:** PUBLIC HEARING: Consider a request for a Planned Development zoning change from Single-Family 36,000 square-foot minimum lots (SF-36) and Commercial (C) to Planned Development – Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space on an approximately 28.502-acres of land, legally described as a portion of Tract 4 (account #: 05685591), the entire Tract 7 (account #: 05685540), and a portion of Tract 7A, 8B, 8B2 and 9C (account #: 5226317), Abstract 29 out of Allen, Richard F Survey and addressed as 1108, 1100, and 1130 North Main Street, and located on the east side of North Main Street (HWY 377). Mark Weatherford, Applicant/Developer. PBS Family Limited Partnership, Owner. Richard Gibson, Owner. (Z-21-0003)

**Attachments:** 1. Maps.pdf, 2. Exhibit A - Application and Information.pdf, 3. Staff attachment - Emails.pdf

Date	Ver.	Action By	Action	Result
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**To:** Planning and Zoning Commission

**From:** Katasha Smithers, Planner

### Subject:

PUBLIC HEARING: Consider a request for a Planned Development zoning change from Single-Family 36,000 square-foot minimum lots (SF-36) and Commercial (C) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space on an approximately 28.502-acres of land, legally described as a portion of Tract 4 (account #: 05685591), the entire Tract 7 (account #: 05685540), and a portion of Tract 7A, 8B, 8B2 and 9C (account #: 5226317), Abstract 29 out of Allen, Richard F Survey and addressed as 1108, 1100, and 1130 North Main Street, and located on the east side of North Main Street (HWY 377). Mark Weatherford, Applicant/Developer. PBS Family Limited Partnership, Owner. Richard Gibson, Owner. (Z-21-0003)

### Action Requested:

Conduct a public hearing and consider an ordinance approving a Planned Development zoning change for approximately 28 acres from Single-Family 36,000 square-foot minimum lots (SF-36) and a portion of Commercial (C) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space.

### Future Land Use Plan:

The Applicant/Developer meets the 2021 Future Land Use Plan.

### Background:

Mark Weatherford (Applicant) submitted a Planned Development application to request a Planned

Development (PD) zoning change. The Development proposes 37 residential lots and approximately 4.43-acres of open space on approximately 28 acres that consists of live-screening along the perimeter of the proposed Planned Development. An amenity area that includes a playground, large pond, fishing pier and other natural amenities is also included. The Applicant proposes to connect to the existing trail on the east side of the proposed development. This will be completed by constructing the trail on the north side of the proposed development.

**The PD request proposes the following criteria:**

**Minimum Dwelling Size:**

3,000 square-feet or greater (exceeds the highest requirement of 2,400 square-feet in SF-25, SF-30, and SF-36 zoning districts; SF-20 requires 2,200 square-feet under the UDC)

**Size of Lots:**

1. Minimum lot area: 20,000 square feet
2. Minimum lot width: 100'
3. Minimum lot depth: 150'

**Setbacks:**

1. Minimum front yard: Thirty-five feet (35').
2. Minimum side yard: Ten percent (10%) of the lot width but no more than fifteen feet (15'); fifteen feet (15') from street right-of-way.
3. Minimum rear yard: Fifteen feet (15').

**Maximum Lot Coverage:**

Thirty percent (30%) for the primary structure; fifty percent (50%) total including accessory buildings, driveways, and parking areas.

**Garage Requirements:**

All residential lots shall provide a minimum of two (2) car garages that are either a j-swing or side-entry garage.

**Elevations:**

The Applicant is proposing craftsman-style homes. The facades of homes, exclusive of doors and windows, shall be constructed 80% with masonry products such as brick, stone, and stucco. Secondary materials shall be quality materials such as wood, metal, and hardiboard.

**Screening, Landscaping, and Tree Preservation::**

The Applicant's idea was to create a natural ambiance moving through the subdivision from the entrance from North Main Street. Upon entrance into the commercial frontage from North Main Street, the median will have three islands with enhanced landscaping and one proposed monument sign for the subdivision. The Applicant is proposing to utilize the natural landscape for screening the development from Main Street.

Upon entrance into the subdivision, a 6' tubular fence is proposed with evergreen screening shrubs. The Applicant intends to preserve the remaining trees within the 50-foot tree preservation and natural screening area on both the north and south side of the entry. Trees shall be preserved along the

perimeter of the property in lieu of a masonry screening wall.

The Applicant is proposing to only remove trees within the right-of-way (ROW) and preserve trees with the perimeter of the subdivision and within all open space lots. Upon entrance into the subdivision, the north and south side of the ROW has several residential lots that have deeper setbacks to preserve trees. Lots one through eight on the north side of ROW indicate a variable width tree preservation setback wants to preserve the natural landscaping the property has. All lots have a ten-foot easement preserving any existing natural landscaping. The easement totals 1.12 acres and is not included in the total open space calculation.

#### **Open Space:**

The Applicant is proposing to have 4.43-acres (or 15.5%) of open space that include natural landscaping, trails, and other amenities.

#### **Hike and Bike Trail:**

The Applicant proposes to grant an easement for a 20-foot hike and bike trail. Connectivity to the existing trail to the east of the development. The Applicant will be installing the trail on the north side. This connection significantly fills a gap in the City's trail system.

#### **Drainage & Utilities:**

The conceptual drainage and layout meets requirements.

#### **Trip Generation:**

The number of trips generated by this residential development does not trigger the TIA requirement.

#### **Adjacent zoning is as follows:**

**North:** SF-36 (Single Family- 36,000 square-foot lots or larger): Valley Ridge Addition and Oak Ridge Estates

**East:** PD-SF-MD (Lots average 20,637): Harmonson Farms

**South:** Commercial and SF-36

**West:** Commercial

#### **Citizen Input:**

On April 16, 2021, the City mailed out 29 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. A public hearing notice sign was posted on the site.

As of April 21, 2021, Staff has received one letter in support from the Property Owner to the south at 1000, 1004 and 1008 North Main Street. Staff has received another email from a resident pertaining to this development which does not indicate there support or opposition. Additionally, Staff has received two phone calls development from residents. However, Staff has not received formal opposition (written and signed).

#### **Summary:**

Section 8.02 (D)(1)(e) of the UDC states that when considering a zoning change request, the Planning and Zoning Commission and 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.

**Planning and Zoning Commission Alternatives:**

The Planning and Zoning Commission has the following options when considering a Planned Development Zoning Change application:

- Recommend approval as submitted (with variances and conditions).
- Recommend approval with modifications or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

**City Council Action:**

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this Planned Development Zoning Change application will be scheduled for City Council action on May 18, 2021.

**Supporting Documents:**

- Maps
- Exhibit A - Application and Information
- Staff Attachment - Emails