



Legislation Text

File #: 20-514, **Version:** 1

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

PUBLIC HEARING: Consider an ordinance approving a Planned Development Amendment Zoning Change from Planned Development - Single Family Residential - 15,000 square foot minimum (PD-SF-15) to Planned Development - Single Family Residential - 15,000 square foot minimum (PD-SF-15) to amend the previously approved Planned Development to subdivide 7240 Shady Grove Road from one lot, to two lots, on an approximately 2.28 -acre property, located on the west side of Keller Smithfield Road, approximately 150 feet southeast of the intersection of Cherry Bark Drive and Keller Smithfield, being Block C, Lot 1, Silverleaf Hollow, zoned Planned Development - Single-Family 15,000 square-foot lots (PD-SF-15), located at 7240 Shady Grove Road. Khaled Obaid, owner/applicant. (Z-20-0005)

Background:

- The subject property was included in the Silverleaf Phase I Concept Plan and rezoning, approved by Ordinance No. 1314 on March 7, 2006, to help align the extension of Keller-Smithfield Road and to provide the right-of-way for Shady Grove Road.
- On October 17, 2017, City Council denied the proposed Silverleaf PD Amendment subdividing one (1) lot into four (4) lots by a vote of 5-2.
- On March 6, 2018, City Council unanimously denied the proposed Silverleaf PD Amendment subdividing one (1) lot into three (3) lots and rezoning the subject property from PD-SF-15 to PD-SF-30.
- The applicant (new owner) is proposing to subdivide the subject property from one lot into two lots and keep the existing zoning.
- The applicant is proposing to demolish the existing house. One lot would have access on Shady Grove, while the other lot would have access on Keller Smithfield Road.

Current Zoning:

PD-SF-15 (Single Family Residential-15,000 square-foot minimum) and one (1) lot. The front setback for Lot 1, Block C, of the Silverleaf Hollow Addition is 60' off of Shady Grove Road.

Proposed Zoning:

PD-SF-15 (Single Family Residential-15,000 square-foot minimum) and two (2) lots. The front setback for Lot 1R1, Block C, is proposed to stay 60' off of Shady Grove Road. The applicant has also proposed a 60' front setback for Lot 1R2 off of Keller Smithfield Road, which is required under SF-15 zoning regulations.

Trip Generation:

Per Section 5.03 of the UDC, "The adequacy of the road network for developments of more than five

hundred (500) trips per day for residential traffic and more than two thousand (2,000) trips per day for commercial traffic, or for developments involving collector or arterial streets not appearing on the City's approved Thoroughfare Plan, shall be demonstrated by preparation of a Traffic Impact Analysis."

For the development, the trip generation estimate is an additional nineteen (19) trips per day. A Traffic Impact Analysis (TIA) is not required based on the trip generation information provided.

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.

Citizen Input:

On October 15, 2020, the City mailed out 25 letters of Notifications for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site.

As of November 10, 2020, Staff has not received a response from the public regarding this zoning application.

Planning and Zoning Commission Action:

The Planning and Zoning Commission recommended approval by a vote of 7-0 with the condition to increase the side-yard setback on Lot 1R2 from 20' to 60' at the October 27, 2020, Planning and Zoning Commission meeting. The applicant has agreed to the 60' side-yard setback and provided a revised concept plan.

Alternatives:

The City Council has the following options when considering a zoning application:

- Approve as submitted.

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