



CITY COUNCIL COMMUNICATION

April 8, 2014

SUBJECT: Hold Public Hearing for Planned Development Case No. 14-01-PD and Consider First and Final Reading of Ordinance No. 2026

SUBMITTED BY: Mike Collins, Director of Planning and Economic Development

REFERENCE NO: 14-01-PD

ACTION REQUESTED:

Receive public input regarding a request to change the zoning of 4.991 acres of the J.E. Whitener Estates Addition, Block 1, Tracts 1A and C, from Planned Development (PD) zoning district into Planned Development (PD) zoning district to allow single family residential, and consider approval of Ordinance No. 2026.

ALTERNATIVES:

- Approve the request with modifications
- Table the request
- Deny the request

SUMMARY OF SUBJECT:

Applicant: Mr. Mike Nawar, representing Silver Bay Group

Location/Zoning: 4.991 acres located at the northeast corner of the intersection of S. Main Street and S. Pipeline Road. The property is currently zoned Planned Development (PD).

Project Description: A Planned Development was approved by the City Council on January 28, 2014 that would enable Silver Bay Group to develop a twenty-five (25) lot single-family detached subdivision. The PD established enhanced, unique design standards for the project including a masonry wall to be constructed within the far southern portion of the Atmos easement, immediately adjacent to the right-of-way of S. Pipeline Road. Atmos Energy controls this easement, with an existing major gas pipeline currently located in the northern portion of the easement. Subsequent to the approval of the PD, Atmos has shared

plans for a new gas pipeline to be installed within the southern portion of the easement. The location of the screening wall as approved in the original PD would create a conflict, with Atmos determining that it would not be in the best interest of the pipeline to have a masonry wall along the right-of-way of S. Pipeline. To this end, staff has worked with the developer of the project to modify the Planned Development zoning in the following ways:

- The masonry wall now will move to the north side of the Atmos easement where, by agreement with Atmos, the wall location will not interfere with the construction or maintenance of the gas pipeline.
- The lots adjacent to the pipeline (Lots 1, 18 Block A, Lots 1, 8 Block B) have been reconfigured to exclude the gas easement, and lots to the north (Lots 6, 14 Block A and Lots 4, 5 Block B) have been reduced in width by approximately five (5) feet in order to provide the maximum building footprint on the southern lots. The result of this will be that the southern lots will be less in square footage than the previous PD, but would have the same amount of 'buildable space' due to the restriction of the Atmos easement.
- The property encumbered by the Atmos easement will be dedicated as open space lots to be owned and maintained by a homeowners association.
- The masonry wall on both the south side facing S. Pipeline Road and along S. Main Street will be maintained by the homeowner's association.

No other modifications to the design standards of the development as previously approved are proposed.

Staff recommends approval of the Planned Development Ordinance.

The Planning and Zoning Commission heard the case at their April 1, 2014 public hearing and recommended approval of the Planned Development zoning district with a vote of 5-1-0.

SUPPORTING DOCUMENTS:

- Ordinance No. 2026
- Draft Minutes – P & Z
- Application
- Exhibit(s)
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **KS** _____

City Secretary's Office