



## **CITY COUNCIL COMMUNICATION**

August 31, 2010

**SUBJECT:** HOLD PUBLIC HEARING FOR A PLANNED DEVELOPMENT ZONING CASE NO. 10-01-PD, AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 1887

**SUBMITTED BY:** Chris Barker, Director of Planning and Development

**REFERENCE NO:** 10-01-PD

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### **ACTION REQUESTED:**

Receive public input regarding a request for Planned Development zoning district to change the zoning of R.D. Price Survey, A-1206, Tracts 1, 1K, and 1K1, 2300 N. Main Street from CUD 607 (Community Unit Development 607) based on R-3 zoning into PD (Planned Development) based on R-1L zoning and consider approval of Ordinance No. 1887, concurring with the Planning and Zoning Commission's 6-0 recommendation on August 24, 2010.

### **ALTERNATIVES:**

1. Open the Public Hearing and continue it to the next meeting.
2. Open, conduct, and close the Public Hearing.
3. Approve the request – *simple majority*
4. Approve the request with modifications – *simple majority*
5. Deny the request – *simple majority*

### **SUMMARY OF SUBJECT:**

Tipton Engineering is the applicant on behalf of property owner, developer and builder, Bloomfield Homes, for the rezoning of approximately 6.6 acres from the Community Unit Development (CUD 607) zoning district to a Planned Development zoning district for the use of developing single-family detached residential homes.

### **Historical Property Zoning Background:**

The CUD 607 zoning district (approved in December of 1979) is based on R-3 residential

zoning district development standards and originally contained a much larger area, 31.66 acres, which included the McCormick Farm Addition to the south and east. The original CUD had described a residential density of sixteen (16) units per acre, allowing uses including apartments, duplexes and single family development. With the rezoning of McCormick Farm Addition to PD 720 (approved in November of 1982) to allow townhome structures, the original CUD 607 was, in all practical terms, invalidated since the mix of residential densities could not be realized over the entirety of the original zoning.

It is the intent of the current property owner, developer and builder, Bloomfield Homes, to construct twenty-seven single family detached residential homes on the 6.6 acre tract. The property, originally the homestead of the McCormick family farm, has unique trees and topographic features in which the developer intends to preserve through the development process. In this regard, a Planned Development zoning district is requested in order to provide for a variety of lot sizes and to provide exceptions from the typical R-1L district standards. Some of the standards requested exceed the current minimum regulations while others (maximum building coverage) are less stringent than the R-1L zoning.

**Requested Modifications:**

Standards	R-1L	Requested PD
Maximum Density	4 units per acre	4.09 units per acre
Minimum Lot Size	5,500 sqft	6,300 sqft
Minimum lot width	50 ft	50 ft
Minimum living floor area	1,700 sqft	2,000 sqft
Minimum front yard (setback)	20 ft	25 ft
Minimum rear yard (setback)	15 ft	15 ft
Minimum side yard (setback)	Interior 5 ft Corner 15 ft	Interior 5 ft Corner 15 ft
Maximum building coverage	50%	60%

**Site Conditions and Tree Preservation:**

The site, located on a rise in elevation from North Main Street eastward, is designed to take advantage of the natural topography and many of the existing long-lived trees. A variety of lot sizes and shapes and the internal road layout are designed to accommodate several large oak and elm trees as well as providing enough turning space for City of Eules emergency vehicles. The result of this design will be that internal sidewalks in the subdivision will not be installed. External sidewalks along Mid-Cities Boulevard and North Main Street will be maintained to connect the subdivision to the City of Eules trail system.

The proposed Planned Development ordinance will also include a tree preservation map and protection plan. The map indicates which specific trees will be protected and preserved through the development process. The tree protection language specifies grading, construction and development processes which will assist in the preservation of the trees through to the completion of the subdivision.

The Development Review Committee and staff have worked extensively with the developer and engineer to accommodate the unique features of this site. The site will be graded and many of the existing smaller trees will be removed in order to properly develop the site. The provisions in the proposed ordinance and plan are intended to establish a standard of development which will create an aesthetic neighborhood environment in one of the more visible parcels of land within the City.

The development proposes a wrought-iron fence with masonry columns to be installed along the North Main Street frontage setback approximately twenty-five feet in order to preserve many of the existing trees. At the corner of North Main and Mid-Cities Boulevard a full masonry wall will be installed and continue along the Mid-Cities Boulevard street frontage. At the north-east property corner, a ten foot visibility easement along the street frontage is included to allow adequate space for exiting traffic on Merlin Drive to see oncoming vehicles on Mid-Cities Boulevard. The east and southern boundaries of the property will be fenced with typical wood privacy fencing used for rear yards.

If approved, the property will be required to be preliminary and final platted through the Planning and Zoning Commission.

The Development Review Committee has certified the Planned Development zoning change application. Staff recommends approval of the zoning change.

At their August 24, 2010 public hearing the Planning and Zoning Commission voted 6-0 to recommend approval of the Planned Development zoning district change.

**SUPPORTING DOCUMENTS:**

- Ordinance No. 1887
- Draft Minutes – P & Z
- Application
- Comments of Approval
- Comments of Protest
- Map 1, Map 2, and Map 3

**APPROVED BY:**

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City Manager's Office

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City Secretary's Office