



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of April 9, 2013
Second Reading for the City Council Meeting of April 23, 2013

DATE: March 20, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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PUBLIC HEARING – CHANGE OF ZONING
Garron Dean (Case No. 0712-01)
Change from “RS-6” Single-Family 6 District
To “RS-6/PUD” Single-Family 6 District with a Planned Unit Development Overlay
Property Address: 4310 Walton Place

CAPTION:

Case No. 0712-01 Garron Dean: A change of zoning from the “RS-6” Single-Family 6 District to the “RS-6/PUD” Single-Family 6 District with a Planned Unit Development Overlay, resulting in a change of land use from low density residential to medium density residential. The property to be rezoned is described as Lot 8, Block 3, Alameda Estates, located on the north side of Walton Place and east of Robert Drive.

PURPOSE:

The purpose of this item is to rezone the property to allow a Planned Unit Development of five duplex structures.

RECOMMENDATION:

Planning Commission and Staff Recommendation (August 29, 2012):

Approval of the change of zoning from a “RS-6” Single-Family 6 District to a “RS-6/PUD” Single-Family 6 District with a Planned Unit Development Overlay, subject to the following 12 conditions:

1. **Development Plan:** The Owners shall develop the Property in accordance with the site plan and architectural plan (Exhibits B and C, respectively). The Property may contain up to five duplex structures on one platted lot so long as all of the remaining enumerated conditions are met.
2. **Density:** The number of dwelling units on the Property cannot exceed 10.

3. **Setbacks:** The minimum front yard setback must be in accordance with the approved plat. A minimum 10-foot rear yard and five-foot side yard setback must be provided.
4. **Open Space/Building Coverage:** Open space must be provided at a minimum of 40% of the site. Building coverage cannot exceed 60% of the site.
5. **Height:** Buildings on the Property cannot exceed one-story and 20 feet in height.
6. **Landscaping:** The street yard must be landscaped according to the residential landscaping standards of 30% landscaped area and 0.06 points per square foot of total street yard. Parking within the street yard must be screened with shrubs averaging 24 to 36 inches in mature height within a five-foot wide landscape strip and in accordance with the UDC.
7. **Screening:** A six-foot solid wood screening fence along the north, east and west property boundary lines must be constructed, maintained, and remain in place.
8. **Trash:** The Owners shall ensure that no dumpster or community trash bin is placed or located between the public right-of-way line and the facade of the structures located nearest to Walton Place.
9. **Lighting:** All outdoor lighting must be designed and installed in accordance with the UDC. Security and parking lighting must be shielded and light trespass onto the right-of-way and adjacent properties must be limited to one foot-candle. Light fixtures cannot exceed 15 feet in height.
10. **Parking:** Each dwelling unit must be provided two parking spaces. A minimum of two guest parking spaces is required to be provided on the Property.
11. **Access:** Each duplex structure must have access to a private access drive of not less than 24 feet in paved width. The private access drive is required to be striped to indicate "Fire Lane/No Parking" so as to maintain the access drive for emergency vehicles. Additionally, a fire truck turn-around is required on the Property.
12. **Time Limit:** A complete building permit application must be submitted for the development on the Property within 24 months of the approval date of this ordinance.

BACKGROUND AND FINDINGS:

The applicant plans to build five, one-story duplex structures for a total of 10 dwelling units on the 0.92-acre site. The proposed development would have 10.9 dwelling units per acre, which is considered a medium-density residential land use.

PUDs allow for increased flexibility in site layout and design. The PUD would commit the developer to a site plan that could not be changed without a public hearing. The PUD would set conditions to create increased compatibility with the adjacent neighborhood.

Staff recommends a PUD rather than a multifamily district because the increased requirements of a PUD will control the design of the project and help create better

compatibility with the surrounding neighborhood. Staff finds that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area. Staff finds that the property to be rezoned is suitable for the proposed uses and the rezoning would not have a negative impact on the surrounding neighborhood.

This rezoning is considered controversial with 35.64% of the land area within 200 feet of the rezoning being represented as opposed. This rezoning requires three-fourths of the City Council to approve it. A summary of public comments received is provided in the attachments.

ALTERNATIVES:

1. Modify the conditions of the Planned Unit Development; or
2. Deny the requested rezoning.

OTHER CONSIDERATIONS: Not Applicable

CONFORMITY TO CITY POLICY:

The proposed rezoning is not consistent with the adopted Future Land Use Map, but it meets criteria of the Comprehensive Plan and Southeast Area Development Plan, such as encouraging infill development and locating medium-density residential development with convenient access to an arterial street. Additionally, the proposed rezoning will retain the "RS-6" designation as the property's underlying zoning district should the PUD expire, which will keep the property's zoning district more consistent with the Future Land Use Map.

EMERGENCY / NON-EMERGENCY: Non-Emergency

DEPARTMENTAL CLEARANCES: Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:☐ Operating☐ Revenue☐ Capital☒ Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None**LIST OF SUPPORTING DOCUMENTS:**

Aerial Overview Map

Zoning Report with Attachments

Public Comment Summary

Ordinance with Exhibits