



Legislation Details (With Text)

File #: 18-0408 **Version:** 2 **Name:**
Type: Zoning Ordinance **Status:** Public Hearing
File created: 11/12/2018 **In control:** City Council
On agenda: 12/3/2018 **Final action:**
Title: Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Planned Development - Estate Townhouse District (PD-ETH) to Planned Development - Estate Townhouse District (PD-ETH) with an Amended Concept Plan, an Amended Landscape and Fence Plan Illustration, Amended Development Standards and Three Associated Variances Regarding Screening and Tree Mitigation; on Approximately 5.371 Acres Legally Described as Lot 1, Block A and Lots 2 and 3, Block B, Boyd Addition, Located on the North And South Sides of McCartt Drive, Approximately 260 Feet West of State Highway 121 Business. The Request is Being Made by Noah Flabiano, Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ-2018-08-09)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Memo, 2. Location Map, 3. Aerial Map, 4. PZ Minutes, 5. PD, 6. Zone Change Application, 7. Variance Letter, 8. Variance Exhibit, 9. Ordinance, 10. Ordinance Attachment A - Legal Description, 11. Ordinance Attachment B - Concept Plan and Exhibits

Date	Ver.	Action By	Action	Result
12/3/2018	2	City Council		
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Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Planned Development - Estate Townhouse District (PD-ETH) to Planned Development - Estate Townhouse District (PD-ETH) with an Amended Concept Plan, an Amended Landscape and Fence Plan Illustration, Amended Development Standards and Three Associated Variances Regarding Screening and Tree Mitigation; on Approximately 5.371 Acres Legally Described as Lot 1, Block A and Lots 2 and 3, Block B, Boyd Addition, Located on the North And South Sides of McCartt Drive, Approximately 260 Feet West of State Highway 121 Business. The Request is Being Made by Noah Flabiano, Skorburg Company, on Behalf of Charis Partners, Ltd. the Property Owner. (Case No. PZ-2018-08-09)

ADMINISTRATIVE COMMENTS:

The Park Central Terraces planned development and its two associated variances were originally approved by City Council on September 10, 2018. After the PD was approved, the applicant discovered a private agreement that required a regional detention pond on the PD's subject property. The following three PD amendments are requested to comply with the private drainage agreement: 1) to swap the location of the visitor parking lot and open space lot across McCartt Drive; 2) to expand the open space lot to allow detention by reducing the number of developable lots by one; and 3) to allow detention in the open space buffers on the north and south ends of the development. Three variances are requested: a) to maintain the existing wood fence and vegetation in lieu of the required screening wall on the southern boundary of the

development adjacent to the multi-family zoned property, b) to allow a tubular steel fence with masonry columns in lieu of the required screening wall along the western boundary of the development adjacent to the multi-family zoned property, and c) to waive the requirement of tree mitigation in a private drainage easement. The Planning and Zoning Commission recommended unanimous approval (7-0) of the amended planned development at their November 6, 2018 meeting.

RECOMMENDATION:

That the City Council approve the ordinance and three associated variances as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, Planning Director
Noah Flabiano, Applicant