



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** April 14, 2020

**Reference:** Consider approval of a zoning change to PD-213R5-H (Planned Development-213 Revision 5-Historic), to revise the Detail Site Plan and approve a wooden fence in lieu of a masonry screening wall between the live/work property and residential property at the southeast corner of S. Coppell Road and Heath Lane.

**2030:** Sustainable City Government

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### Executive Summary:

The applicant is requesting to allow the existing board on board fence to remain in lieu of the required masonry screening wall.

### Introduction:

Prior to 2015 the property was vacant. The original application for this site was for five buildings on this property, and it was withdrawn. A new application was submitted with a reduction in the number of buildings from five to four, and after concerns stated by both staff and the Planning Commission the applicant then reduced his unit count from four to three. The original case was denied at Planning Commission and the case was withdrawn prior to City Council. It was resubmitted for the September Planning Commission hearing and continued to the October meeting. The zoning was later approved in November of 2015, with the requirement that a minimum six-foot tall masonry screening fence be provided. The project has taken several years to build out, with the final item to be addressed being the screening wall component.

### Analysis:

In reviewing the history of this project you will note that staff had many concerns about the original proposal and worked close to a year with the applicant to have the concerns addressed. The project has taken several years to build out, with the final item to be addressed being the screening wall component. The applicant is requesting to allow the existing board on board fence to remain in lieu of the required masonry screening wall. Staff has received a letter from the adjacent property owner indicating that they are in favor of leaving the existing 8-foot cedar board on board fence in lieu of a masonry screening wall. At the February 20, 2020, meeting several of the nearby residents spoke in opposition of the request. They were not in favor of the request or the aesthetics of the existing fence. On February 20, 2020, the Planning and Zoning Commission recommended denial of PD-213R5-H, Screening Wall Variance. They were concerned about the aesthetics of the fence and the long-term maintenance of it.

The case was then appealed to City Council. A denial from Planning and Zoning Commission requires a super majority vote (6 out of 7) from City Council to overturn. If the City Council does approve the request, then staff would request the following conditions:

1. The existing fence along the common property line be replaced or cleaned and re-stained and repaired at this time.
2. Provisions be placed in the Property Owner Agreement to fund the future cleaning and maintenance of this fence in perpetuity. This would include the staining of the fence every two years and general maintenance or replacement of the fence when necessary.
3. That the fence be extended to the 15-ft building line and end with a stone column as presented.

**Legal Review:**

This did not require city attorney review

**Fiscal Impact:**

None

**Recommendation:**

The Planning and Zoning Commission recommended DENIAL of the request, and would require a super-majority vote (6 out of 7) from City Council to approve.

**Attachments:**

1. PZ Staff Report
2. Detail Site Plan (Sheet AO)
3. Screening Fence Detail (Sheet AF)
4. Approved Landscape Plan (Sheet L1)
5. Letter of Support
6. Appeal Letter