



## MEMORANDUM

**To:** Mayor and City Council

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

**Date:** November 14, 2023

**Reference:** Consider approval of an Ordinance for PD-259R3-SF7/9, a zoning change request from PD-259R2-SF-7/9 (Planned Development-259 Revision 2 -Single Family-7 & 9) to PD-259R3-SF-7/9 (Planned Development-259 Revision 3 -Single Family-7 & 9), to provide a new concept and detail plan that would allow for a gated community and private streets, over two phases (54 residential lots in Phase 1 and nine (9) residential lots in Phase 2 and associated common area lots) and authorizing the Mayor to sign.

**2040:** Enhance the Unique 'Community Oasis' Experience

---

### Introduction:

The main request is to convert the subdivision into a private gated community. This would entail having gates at all of the entrances off of Sandy Lake Road (the main entry/exit and the secondary emergency exit by Lot 2X). The existing PD conditions for the original development will remain, and a few new conditions are being requested. The main change proposed by this request is to convert the existing approved development into a gated community with private streets that the HOA would be required to maintain. This would also include the maintenance of the bridge connecting Phase 1 to Phase 2.

### Background:

On September 21, 2023, The Planning and Zoning Commission recommended unanimous approval (6-0) for a gated community, but not the changes to Lot 2X, subject to the following PD conditions (condition #6 was added subsequent to the PZ meeting):

1. All of the previously approved PD conditions remain in place.
2. To allow for a gated community with private streets that must be maintained by the HOA, this would include maintenance of the bridge and street signs.
3. The CCR's must be updated to address the changes in the maintenance of the streets, bridge, wall maintenance and entry feature maintenance.
4. The existing plats must be vacated, and new plats must be filed that show the streets as private and part of a Common Area, to be maintained by the HOA.
5. To approve the entry feature and sign as presented.

6. *Amend existing condition T (2) to read: 2. The development of Lot 2X and **the entry gates** and entry features shall be constructed prior to the issuance of any certificate of occupancy for the first home, other than a model home.*

**Benefit to the Community:**

This will add to the property tax base as well as provide housing for the community.

**Legal Review:**

City Attorney has reviewed the Ordinance.

**Fiscal Impact:**

This will generate additional property tax revenue.

**Recommendation:**

The Community Development Department recommends approval of the ordinance and authorizing the Mayor to sign.

**Attachments:**

1. Ordinance
2. Exhibit A – Legal Description
3. Exhibit B - Site Plan
4. Exhibit C – Community Entry Plan
5. Exhibit D – Entry Gates, Walls and Signs
6. Exhibit E – Community Entry Planting