



MEMORANDUM

To: Mayor and City Council

From: Gary L. Sieb, Director of Planning

Date: June 11, 2013

Reference: Zoning change request from Retail to Planned Development 264-RBN-5, to allow the development of 58 single-family lots and (3) three common area lots on 22 acres of property located on the south side of S.H. 121, approximately 2,500 feet west of Denton Tap Road,

2030: **Sense of Community, Special Place to Live**

Introduction:

This property is located to the east of Westhaven which is currently under construction. This request is for 58 single-family lots and three common area lots. The minimum lot size is 5,652 square feet and the average is 6,590 square feet with a net density of 4.2 dwelling units per acre. This development addresses many of the regulations in the newly adopted RBN (Residential Urban Neighborhood) zoning district, including architectural features, garage setbacks, open spaces, street trees, on-street (bump-out) parking, etc. The southern 8.2 acres is in the flood plain and will contain a lake with fountain and arbor/overlook as well as the continuation of the hike and bike trail from Westhaven to the city park which abuts to the east.

Analysis:

On May 16, 2013, the Planning & Zoning Commission unanimously recommended approval of this rezoning request subject to:

1. Common Lot D, Lot 1X (buffer/drainage area):
 - a. Once the infrastructure is in place, evergreen trees (such as Elderica Pine or Eastern Red Cedar) shall be planted as necessary to provide that there will be tree approximately every 40 linear feet within this buffer area.
2. Until such time that the second point of access is provided, a maximum of 30 homes shall be built. Homes 31-58 shall be equipped with an approved fire suppression system unless a second point of access is provided. A temporary access (all weather surface) shall be allowed for a period not to exceed two years, then permanent (concrete) access will be required. This second point of access shall be provided via an easement which shall be filed record.
3. Tree removal permit will be required prior to the removal of any trees.

4. Park Fees in the amount of \$1,280 per unit shall be assessed.
5. CLOMR approval prior to Final Plat approval.

Legal Review:

This item does not require legal review

Fiscal Impact:

None

Recommendation:

The Planning Department recommends Approval

Attachments:

Staff Report with attachments: Section of Buffer Area, Survey of Existing Trees to be Retained in Buffer Area, Zoning Exhibit/Detail Plan, Tree Survey, Landscape Plan, Color Rendering of Detail Plan and Entry Feature and Complete Tree Listing (72 pages).