



MEMORANDUM

To: Mayor and City Council

From: Mindi Hurley, Director of Community Development

Date: October 10, 2023

Reference: PUBLIC HEARING: Consider approval of 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). ~~with a change in the amenities provided (a pool and pickle ball courts in lieu of gardens for Lot 2X, Block C).~~

2040: Enhance the Unique 'Community Oasis' Experience

Introduction:

This item is presented for City Council consideration of a zoning change 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). 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 subdivision would be accessible to the residents, their guests as well as emergency services. This would not be a manned entrance, but a keypad entrance. There is also a turnaround proposed for those instances where someone either can't get in or turned onto the street by mistake.

Part of this zoning request was to change the amenities provided on Lot 2X from a farmhouse with garden areas to a lot with an amenity center, pool, pickleball courts, bocce court, grilling station, and cabana. This amenity portion of the request was withdrawn at the Planning and Zoning Commission and the applicant would need to make a new request if they wanted to do something different on this lot.

Background:

This property has gone through several zoning requests since it was purchased in 1999. The last change in July of 2022, saw the number of residential lots for Phase 2 reduced from 20 to nine (9), for a total of 63 residential lots. The residential component and layout of the project is not changing,

and the project is currently under construction. 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. Currently, the project is under construction with the utilities for Phase 1 and 2 complete. The streets for the subdivision have already been constructed to meet city standards. If the private gated community is approved, the streets will need to be platted as a common area lot and will have an access and utility easement on them for the city to maintain its utilities. The roadway paving for Phase 1 is also complete. The developer is working on installing the sidewalks and finishing up the Phase 2 roadway paving. The bridge is up and paving of the roadway on the bridge is part of the Phase 2 roadway paving. Some of the remaining items include installing street signs, streetlights, and gabions as well as submitting the LOMR to FEMA and performing site cleanup.

Benefit to the Community:

This will add a unique neighborhood to the community.

Legal Review:

N/A

Fiscal Impact:

This will eliminate the City's maintenance costs and responsibility for the streets.

Recommendation:

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:

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.

Attachments:

1. PZ Staff Report
2. Blackberry Farm Exhibit Package
 - a. Revised Site Plan
 - b. Community Entry Site Plan
 - c. Entry Sign and Gate Details & Building Perspectives
 - d. Community Entry Planting Plan
 - e. Side Entry Gates & Stone Wall Elevations