



MEMORANDUM

To: Mayor and City Council

From: Mindi Hurley, Director of Community Development

Date: August 9, 2022

Reference: Consider approval of an Ordinance for PD-259R2-SF-7&9, Blackberry Farm, a zoning change request from PD-259R-SF-7&9 (Planned Development-259 Revised - Single-Family – 7 & 9), to PD-259R2-SF-7&9 (Planned Development-259 Revision 2- Single-Family – 7 & 9), to reduce the number of developable lots; revise the Concept Plan, Site Plan and Development Regulations, to permit the development of 63 single-family lots and nine (9) common area lots on 54.8 acres of land located on the north side of Sandy Lake Road, approximately 750 northwest of Starleaf Road (extended), and authorizing the Mayor to sign.

2040: Enhance the “Community Oasis” Experience

Executive Summary:

This ordinance is for the Blackberry Farm Planned Development, which was amended from 74 residential lots and nine common area lots, originally approved by City Council in 2018, to now having 63 residential lots and nine common area lots. Two phases have been approved for this development. Phase 1 includes 54 residential lots, while Phase 2 now has nine (9) residential lots. Primary residence sizes for the entire development were amended to reflect a minimum of 2,800 square feet of livable area. Development regulations for proposed Lot 5R, Block D, were approved to allow for up to six accessory structures and regulations related to any livestock proposed. This subdivision must comply with the American Bald Eagle and Golden Eagle Act of 1940 and regulations promulgated thereunder due to the discovery of American Bald Eagles on the site.

Analysis:

On June 16, 2022, the Planning and Zoning Commission unanimously recommended approval of PD-259R2-SF-7&9. On July 12, 2022, City Council approved the request, subject to the following conditions:

1. To require a minimum 2,800-sf house, for both phases of development.
2. To allow early start building permits for up to 10 homes may be issued after infrastructure acceptance by the City, in advance of landscape acceptance by the City. No Certificates of Occupancy will be allowed prior to landscaping being accepted.
3. This subdivision must comply with the American Bald Eagle and Golden Eagle Act of 1940 and regulations promulgated thereunder.
4. Lots with permitted swimming pools may have a pool cabana with a restroom.

The following PD conditions pertain directly to Lot 5R, Block D:

1. Up to six (6) accessory structures with a combined sized not to exceed the square footage of the main residence.
2. The accessory structures include:
 - a. One (1) detached accessory dwelling unit with a secondary kitchen and bathroom, not to exceed 1,700-sf of living area, 500-sf garage and 300-sf of patio area.
 - b. One (1) shop/barn not to exceed 2,600-sf.
 - c. One (1) barn not to exceed 2,000-sf.

- d. One (1) aviary not to exceed 600-sf.
- e. One (1) decorative windmill.
- f. One (1) pool cabana not to exceed 800-sf.
3. Maximum accessory building height 25-ft to the peak.
4. Each accessory structure may be allowed to have a restroom and/or sink.
5. Any horse, cattle, sheep or goat or any other livestock may be allowed within 100-ft of any residence or occupied building on Lot 5R, Block D.
6. Any enclosure, pen, corral or other restrictive area for livestock may be located within 10 ft of any property used for residential purposes on Lot 5R, Block D.
7. Must meet all other livestock requirements.
8. If the Accessory Dwelling Unit were to be subdivided from the main lot, it must meet all residential requirements of the ordinance.

Legal Review:

The City Attorney reviewed the ordinance.

Fiscal Impact:

None

Recommendation:

The Planning Department recommends approval.

Attachments:

1. Ordinance
2. Exhibit A – Legal Description
3. Exhibit B – Detail Site Plan
4. Exhibit C – Lot 5R Study Exhibit