



## MEMORANDUM

**To:** Mayor and City Council

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

**Date:** April 24, 2018

**Reference:** Consider approval of an Ordinance for PD-293-LI, Sherrill Acres, a rezoning request from LI to PD-293-LI to allow the subdivision of the property into two lots, allowing the retention of the existing office on Lot 2B1 and the approval of Concept Plan for Lot 2B2 for the future office building, containing 1.44 acres of property located at 1703 East Belt Line Road, and authorizing the Mayor to sign.

**2030: Business Prosperity**

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### Executive Summary:

This lot has recently been purchased and the current owners desire to sell the southern portion of the lot for a separate office development. When an existing lot is divided into two it alters the development regulations, including increasing the landscaping requirements, adjusting the building lines and presents other development challenges. To allow this to occur and still be compliant with the various provisions of the *Zoning and Subdivision Ordinances*, a Planned Development District was required.

### Introduction:

This property is a part of a three-lot subdivision which contains three medical offices and one general office. When the lotting pattern was approved in the early 2000's it was envisioned that this lot would be developed with two office buildings sharing access, parking, dumpsters, etc. Since that time, the medical office was constructed on the northern portion of the lot, and the southern portion remains vacant. To allow a second office building to be constructed on a separate lot, several setback and landscape variances and a flag lot configuration was required to comply with *Zoning and Subdivision Ordinances*. When this was approved approximately 15 years ago, a 15' wide hike and bike trail easement was dedicated along the west property line of this tract. To address the deficit in landscaping, the applicant has offered to build the hike and bike trail along the extent of their property.

### Analysis:

On March 27, 2018, the City Council approved this Planned Development District request, subject to the conditions being incorporated into the PD as recommended by the Planning and Zoning Commission.

On February 15, 2018, the Planning and Zoning Commission recommended approval of PD-293-LI, Sherrill Acres the following conditions will be incorporated as PD Conditions:

1. Approval of a Detail Site Plan shall be required prior to the development Lot 2B2.

2. The hike and bike trail shall be constructed by the property owner/developer from the southern property line to Belt Line Road prior to the certificate of occupancy for the development on Lot 2B2 or within five years, whichever occurs first.
3. The occupants of the building on Lot 2B2 shall be permitted to advertise on the existing monument sign located on Lot 2B1.
4. The occupants of Lot 2B1 shall retain the right to use the existing dumpster located on Lot 2B2.
5. Variances to the Landscape Ordinance.

**Legal Review:**

The City Attorney reviewed this ordinance.

**Fiscal Impact:**

None

**Recommendation:**

The Planning Department recommends approval.

**Attachments:**

1. Ordinance
2. Exhibit "A"- Legal Description
3. Exhibit "B" - Site Plan
4. Exhibit "C" - Tree Survey
5. Exhibit "D" - Landscape Plan