



## Legislation Details (With Text)

**File #:** 2018-4028    **Version:** 5    **Name:** BB Farms  
**Type:** Agenda Item    **Status:** Passed  
**File created:** 7/9/2018    **In control:** City Council  
**On agenda:** 12/11/2018    **Final action:** 12/11/2018

**Title:** CONTINUED PUBLIC HEARING:  
Consider approval of PD-259R-SF-7&9, Blackberry Farm, being a zoning change request from PD-259-SF-7&9 (Planned Development 259-Single Family-7 & 9) to PD-259R-SF-7&9 (Planned Development Revised 259-Single Family-7 & 9), to revise the Detail Site Plan and Conditions, to permit the development of 74 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 feet northeast of Starleaf Road (extended), at the request of Denton Creek Land Company Ltd. and Blackberry Farm Ltd., being represented by L. Lynn Kadleck, Kadleck & Associates.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Letter from the applicant.pdf, 2. Staff Report PD-259R SF-7 & 9.pdf, 3. Exhibit A - PD Conditions.pdf, 4. Site Plan.pdf, 5. Landscape Plan.pdf, 6. Retaining and Screening Wall Exhibit.pdf, 7. Erosion Control Hazard Setback Exhibit.pdf, 8. Bridge Exhibit.pdf, 9. Entry Feature and Common Area Lot 2X.pdf

Date	Ver.	Action By	Action	Result
12/11/2018	5	City Council	Close the Public Hearing and Approve	Pass
11/13/2018	4	City Council	Postponed	Pass
10/9/2018	3	City Council	Postponed	Pass
9/11/2018	2	City Council	Postponed	Pass
8/14/2018	2	City Council	Postponed	Pass
7/19/2018	1	Planning & Zoning Commission	Approved	Pass

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### Staff Recommendation:

City Council tabled consideration of this request, with the public hearing left open, on August 14<sup>th</sup>, September 11<sup>th</sup>, October 9<sup>th</sup> and November 13<sup>th</sup> to December 11<sup>th</sup>.

On July 19, 2018, the Planning and Zoning Commission unanimously recommended Approval PD-

259R-SF-7/9, Blackberry Farm subject to PD Conditions as included in the packet, and the following outstanding conditions:

1. The attachment of the Entry Feature/Common Area Lot 2X Exhibits, with
  - a. The farm house at the subdivision entrance will not be used or occupied as a residence or retail business, except occasional sales of seasonal botanical gardening materials.
  - b. The development of Lot 2X and the entry features be constructed prior to the issuance of a building permit for the first home, other than a model home. **(see discussion above)**
2. Clarification of the purpose and intent of the allowance for hardscapes in the front yard **(resolved)**.
3. Prior to the Filing of the Final Plat for Phase 1:
  - a. the US Army Corps of Engineers approving Stream Bank Erosion protection
  - b. review of the Erosion Control Setback Exhibit prior to filing the Final Plat of Phase One **(resolved)**
  - c. There will be additional comments at the time of Detail Engineering Review

Discussion items at the Planning and Zoning Commission public hearing included:

- Provision of a sidewalk to school.
  - the city will be working with the developer to ensure that the sidewalk from this development, along Sandy Lake (off-site) will be in place with the first phase of development.
- Insure that the creek area be maintained in the natural state and there be an endowment (reserve) account for HOA dues for maintenance of the flood area.
  - The developer is in the process of setting up an Conservation Easement
- Retaining walls design and location and their maintenance by the property owner
  - As specified in the PD and on the Plat
- Drainage area between this development and the homes on Hollywood - that it remain an open flume/channel.
  - As specified in the PD and on the Plat

**Goal Icon:**

**Special Place to Live**