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MEMORANDUM

September 11, 2019

To: Planning Commission
From: Community Development Department
Subject: Windflower Townhomes Subdivision - Final Review SUB-05-18-5410
719 West 9400 South PUD(12)
[Community #2 - Civic Center] 0.57 Acres, 3 units

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

| PROPERTY CASE HISTORY |
|---|
| There is no case history for this property. |

DESCRIPTION OF REQUEST

The applicant, Mr. Randy Moore, is requesting final subdivision review for a three-unit townhome planned unit development (PUD) located at 719 West 9400 South and a reconsideration of setbacks that were approved during preliminary review. The subject property is a 0.57-acre remnant parcel that was left undeveloped when the subdivision to the west was developed in 1990. The property was zoned PUD(12) with the rest of the surrounding properties at that time.

The designation of PUD requires that the Planning Commission review and approve the proposed building materials, building design, exterior fencing, landscape (open space) and amenities for the project. The Planning Commission may also require specific setbacks, buffers, building heights, and site arrangements where it is determined to be appropriate.

HISTORY

During the December 20, 2018 Planning Commission meeting, the Commission voted to determine preliminary review was complete, but wanted the item to return for Final Review. They wanted to further review the landscaping and architecture of the proposed homes (see attached Planning Commission Minutes).

The applicant has provided updated architectural plans, site plan, and landscape plan for the Planning Commission to review.

NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject parcels to inform them of the Planning Commission meeting. Additionally, planning staff held a neighborhood meeting on June 5, 2018 at River Oaks Golf Course in order to discuss the application with residents. There were ten citizens that attended the meeting. There were several issues discussed during the meeting, a summary of which is attached.

SUBDIVISION ANALYSIS

The purpose of the PUD district is to:

1. *Encourage a quality living environment through greater flexibility of design than is possible solely through the typical application of zoning regulations.*
2. *Encourage a more efficient use of land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.*
3. *Encourage good neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to give imagination and variety in the physical pattern of development.*

Setbacks

*D(1d): **Lot Requirements.** No specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this chapter must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.*

The PUD zone does not designate minimum setback requirements, rather the Planning Commission has the authority to dictate setbacks based on the overall site plan. Precedent from recently approved PUDs indicate that a 10' front setback (to porch), 5' side setback, and 20' rear setback are typical. The subdivision to the west, which was approved in 1990 and shares the same zoning designation as the subject property, was approved with a minimum rear setback of 10 feet. During the Preliminary Review, the Planning Commission approved the following:

That the setbacks for the project be those proposed on the site plan: Front (from 9400 S.)– 20 feet; Side (east property line) – 28 feet; Rear (west property line) – 20 feet average; north property line – 20 feet.

Staff has been working with the applicant to revise the siting of the building that would allow for a greater setback from the west property line. The buildings are sited so that the units are pushed further south, with the garage being setback twenty feet (20') and the porch a little more than fifteen feet (15'). By doing so, the west setback is no closer than twenty-three feet (23'). Staff finds that this is a positive change and provides greater relief to the properties to the west. However, to make this work, the east property line setback would need to be reduced to twenty-two feet (22'). The front setback would need to be revised to allow the porch to protrude closer to the street as well. Staff would suggest a fifteen-foot (15') setback for the porch.

Architecture

*C(5): **Building Materials.** Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High quality exterior materials*

shall be used including brick, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance.

The proposed elevations use a variety of different styles and types of materials for the front façade of the units. Large windows, roof gables, large front porches, corbels, and other details effectively break up the façade and provide visual interest. The applicant has revised the rear elevation to introduce breaks to the rear façade. The applicant is still proposing this material be unvaried stucco. Staff would still like to see the exterior elevations of the units be upgraded to have less stucco and only use it as an accent material and not a predominant material on the sides and rear.

Landscape Plan

*C(6): **Landscaping in the Public Right-of-Way.** Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least 10 feet in width shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission.*

The proposed plan has not adequately addressed the concern raised by the Planning Commission to provide more landscape screening next to the adjacent homes to the west. This is an issue that can be addressed through a condition of approval and final review with Staff.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission determine that final review is complete for the **Windflower Subdivision**, located at 719 W. 9400 S., based on the following findings and subject to the following conditions:

Findings:

1. That townhome units are an appropriate buffer between single-family and commercial land uses.
2. That the applicant has demonstrated ability to comply with the basic standards required to develop the property.

Conditions:

1. That the applicant complies with each department's comments and redlines throughout the final review process and that all issues be resolved before the subdivision is approved.
2. That all City provisions, codes and ordinances are adhered to during the review, construction, and operations process of this project.
3. That the setbacks for the project be modified from Preliminary Review as follows: Front (from 9400 S.)– 15 feet to porch/living area, 20 feet to garage; Side (east

property line) – 22 feet; Rear (west property line) – 23 feet; north property line – 30 feet.

4. That the 40% of the site be designed to be usable open space for use of the project residents.
5. That the architectural elevations of the side and rear contain no more than 40% stucco to further articulate and break up the facades.
6. That the applicant consider ways to reduce the amount of impervious surface including increase landscaping or modest site reconfiguration.
7. That a private homeowner's association be established to ensure common area and building maintenance for the development. That a note be included on the plat to provide public notice to said HOA and maintenance requirements. That the developer provide a capital reserve study and establish and reserve fund for the HOA.
8. That the applicant work with staff, more specifically the city's urban forester, regarding what existing landscaping should remain or be removed during final review. That additional planting of a combination of deciduous and evergreen columnar trees be placed along the west property line between the existing preserved trees at a spacing of 20'. The placement of said trees shall be setback from the property line such that the mature width of the species will not encroach over the property line.
9. That the applicant install up to a five (5) foot masonry retaining wall and six (6) foot vinyl fence along the west property line of the project to create usable space and provide privacy to neighboring property owners and that a six (6) foot vinyl fence be installed along the north property line.
10. That a certificate of survey be provided to the Building Department at both the inspection for footing and foundation and at 4-way to verify that the structure will meet the height requirements of the zone (under 35 feet).

Planner:

Reviewed by:



Mike Wilcox
Zoning Administrator



Brian McCuiston
Planning Director