

## ZONING

Case Coordinator: Loren Shapiro

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### GENERAL PROJECT INFORMATION

**SITE ZONING:** Planned Development (PD-52) for the (SF-7/16) Single-Family District with development standards

#### SURROUNDING ZONING

#### SURROUNDING LAND USES

NORTH	Planned Development (PD-52) for the (SF-7/16) Single-Family District	Single-Family Detached
SOUTH	Planned Development (PD-52) for the Parks	City Park
EAST	Planned Development (PD-52) for the (SF-7/16) Single-Family District	Single-Family Detached
WEST	Planned Development (PD-52) for the Parks	City Park

**REQUEST:** Request to amend PD-52 development regulations to allow for the development of two homes on Lots 17R and 18R, Block A, Josey Park Estates

**PROPOSED USE:** Single-Family Detached

**ACRES/LOTS:** 1.529 acres/6 lots

**LOCATION:** The west and south sides of St. Pierre Drive and east side of Le Mans Drive

**HISTORY:** The property was originally zoned PD-52 for the (MF-18) in 1978. Subsequent amendments changed the zoning to PD-52 for the (SF-7/16) Single-Family Detached in 1992, 1993 and 2003.

Since the 2003 rezoning, there were retaining wall failures resulting in lesser area on which to develop single-family homes, on Lots 17 and 18 as prescribed in the current PD 52 regulations (Ordinance 2780).

The lots were rezoned to unique development standards due the challenging topography along the west sides of Lots 16R-18R, and Lot 21R in 2003.

The original final plat was recorded June 7, 1993. A replat for the subject parcels was recorded on January 30, 2004.

**COMPREHENSIVE PLAN:** Single-Family Detached

**TRANSPORTATION PLAN:** Le Mans Drive and St. Pierre Drive are local residential streets.

**OWNER & REPRESENTATION:** Pierre Investments, Inc.

## **STAFF ANALYSIS**

### **PROPOSAL**

This request proposes to amend PD-52 (Ordinance 2780) to allow for the development of single-family residential homes on Lots 17R and 18R, Block A, Josey Park Estates.

The applicant is requesting several changes to the requirements of the Comprehensive Zoning Ordinance and adopted PD-52 standards for the property. The changes requested are due to failure of a retaining wall on the southern portions of Lots 17 and 18, reducing the building envelope for home development. Additionally, staff is updating the requirements in response to the development of the existing homes and to add pertinent regulations left out of the 2003 amendments.

### **CURRENT ORDINANCE REQUIREMENTS AND CONDITIONS**

The subject property is currently zoned PD-52 for the (SF-7/12) Single-Family Residential. The planned development provides specific requirements for Lots 16-21, Block A in the Josey Park Estates subdivision. Currently, only lots 17 and 18 are undeveloped.

- Previous PD-52 amendments had required the following development regulations that were not included with the most recent 2003 updates:
  - Lots developed with minimum 7,500 square feet lots, instead of the minimum 7,000 square foot dimensions, in the base zoning SF-7/12
  - Minimum home sizes of 1,800 square feet that was not included in the 2003 amendments
  - Required wrought iron or metal ornamental fencing along the backsides of lots facing the creek

### **ELEMENTS TO CONSIDER:**

The applicant met with Josey Park Estate residents prior to and during the zoning process. The residents support the applicant's proposal including changes to setbacks related to the PD regulations and zoning (see Public Comments).

The following are text amendments to the current PD-52 standards, contained in Ordinance 2780. New added language is underlined and removed text ~~crossed-out~~ in red. Explanations of changes are provided in *italics*.

That development shall be in accordance with the following additional special conditions, restrictions, and regulations:

1. The minimum setback from ~~a~~garage door openings measured for the maneuverability of vehicles to the property line for Lots 18-21, Block A shall be twenty-four (24') feet.
  - *The current language needed to be clarified specifying the measurement for maneuverability of vehicles from garages on driveways to streets.*

2. The garage door openings for Lots 16-19, Block A shall not face any public street.
  - *The subdivision was developed with side and rear-entry garages only. The Josey Park Estates HOA is requesting the regulation remain.*
3. The minimum setback along St. Pierre Drive for Lot 19, Block A shall be ten (10') feet.
  - *The home on Lot 19 is existing and is setback 10 feet from the St. Pierre Drive right-of-way.*
4. The minimum front yard setback for Lots 16, ~~17, and 18~~, Block A shall be fifteen (15') feet.
  - *A home exists on Lot 16 and is 15 feet from St. Pierre Drive.*
  - *Front setbacks for Lots 17 and 18 addressed below.*
5. The minimum front yard setback for Lots 17 and 18 shall be five (5') feet, without any roof overhang.
  - *Due to erosion and retaining wall failures along the backsides of Lots 17 and 18, reducing the front setbacks are necessary to accommodate the smaller building area available.*
  - *Garages shall be side-entry with front-loaded driveways.*
  - *Also, there is an existing 5-foot utility easement for utilities and TXU (Oncor) that must remain free and clear along St. Pierre Drive. No roof overhang may extend into any easements. However, should the home construction not include roof overhang in the front, that portion of the wall may be five (5) feet from the street right-of-way.*
6. The minimum side yard setback (internal lot or abutting an alley) for a one or two-story structure shall be six (6') feet measured from the property line.
  - *The statement is revised to specify setbacks are measured from the property line.*
7. The minimum side yard setback along the ~~proposed~~ existing access easement for Lot 18, Block A shall be eight (8') ~~twelve (12')~~ feet measured from the property line.
8. Access for Lots 18-21, Block A ~~shall~~ may be provided through ~~a minimum~~ an existing twelve (12') foot wide access easement along the east property line of Lot 18, Block A and the west property lines of Lots 19, 20 and 21 Block A. ~~(Exhibit B)~~
  - *An existing 12-foot wide access easement was dedicated on the plat allowing for driveway access to Lots 18-21 originally.*
  - *The 12-foot driveway, however, was constructed incorrectly, as one-half was built outside and east of the easement.*
  - *In order to ensure sufficient setbacks remain from the mutual access easement, staff is recommending a minimum 8-foot setback of building(s) from the property line. This*

*will ensure sufficient space should the driveway for mutual access be reconstructed correctly without impacting the future home.*

~~8. Trash and/or recyclable material collection shall not be allowed from the access easement for Lots 18, 19, 20 and 21, Block A.~~

- *Trash collection occurs along streets or public alleys only, but not from dead-end residential access easements. Therefore, the above stipulation is not necessary.*

~~10. The pedestrian access easement requirement between Lots 16 and 17, Block A shall be deleted.~~

- *The pedestrian access easement requirement was originally removed in 2003 and no longer needs to be part of the PD.*
- *A city tract between Lots 16 and 17 provides access to the creek.*

~~10. The Photinia shrub planting requirement along the wrought iron fence for Lots 16-21, Block A shall be deleted.~~ If a fence is provided along the back yard of the property for Lots 17 and 18, it shall be a metal or wrought-iron ornamental fence.

- *A metal or wrought-iron fence was originally required with previous PD-52 regulations for lots backing to the creek. This requirement should be added to keep with the originally adopted planned development and to ensure views of the creek and hike and bike trails below are maintained for residents. Some residents prefer the ornamental fencing over the typical wood or cedar fencing, which would block views.*
- *Due to the erosion and failure of the retaining wall, the photinias are no longer applicable.*

The following are text amendments to the current PD-52 standards, contained in Ordinance No. 1832. These regulations should have been included in 2003, as homes were developed to the following standards. New added language is underlined and removed text ~~crossed out~~ in red. Explanations of changes are provided in italics.

11. The minimum lot size shall be 7,500 square feet.

12. The minimum dwelling size shall be 1,800 square feet.

- *As explained earlier the lots were platted with minimum 7,500 square foot tracts and 1,800 square foot homes.*

## CONCLUSION

The applicant is proposing homes on Lots 17 and 18, Block A in Josey Park Estates. Staff believes the adjustment to the PD-52 regulations for these lots and remaining tracts (shown in Exhibit A) are reasonable and necessary. The continuity of the neighborhood remains while accommodating reductions due to physical conditions caused by erosion and retaining wall failures along the creek adjacent to Lots 17 and 18.