

## Legislation Details (With Text)

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<b>File #:</b>	3509	<b>Version:</b>	1	<b>Name:</b>	07-17Z1 Marsh Lane Townhomes (Zoning)
<b>Type:</b>	Public Hearing	<b>Status:</b>	Public Hearing/Individual Consideration		
<b>File created:</b>	9/25/2017	<b>In control:</b>	City Council		
<b>On agenda:</b>	10/10/2017	<b>Final action:</b>			
<b>Title:</b>	Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 8.6 Acre Tract Zoned PD-128 For The (O-2) Office District And (LI) Light Industrial District, Located On The East Side Of Marsh Lane Approximately 400 Feet North Of Running Duke Drive, To PD-128 To Allow For The (SF-TH) Single-Family Townhouse Residential District, And Amending The Official Zoning Map Accordingly. Case No. 07-17Z1 Marsh Lane Townhomes. Case Coordinator: Michael McCauley.				

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Results Sheet, 2. Case Report, 3. Location Map, 4. Applicant's Exhibits, 5. Public Comments, 6. Draft Minutes, 7. Ordinance

Date	Ver.	Action By	Action	Result
10/10/2017	1	City Council		

**CC MEETING: October 10, 2017****DATE:** September 25, 2017**TO:** Erin Rinehart, City Manager**FROM:** Michael McCauley, Senior Planner

**Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 8.6 Acre Tract Zoned PD-128 For The (O-2) Office District And (LI) Light Industrial District, Located On The East Side Of Marsh Lane Approximately 400 Feet North Of Running Duke Drive, To PD-128 To Allow For The (SF-TH) Single-Family Townhouse Residential District, And Amending The Official Zoning Map Accordingly. Case No. 07-17Z1 Marsh Lane Townhomes. Case Coordinator: Michael McCauley.**

**BACKGROUND:**

This is a request for approval of an amendment to PD-128 to rezone the property from the (O-2) Office District and (LI) Light Industrial District to the (SF-TH) Single-Family Townhouse Residential District with modified development standards.

A companion case to change the Comprehensive Plan land use designation for the tract is also on this agenda as Case No. 07-17MD1 Marsh Lane Townhomes Comp. Plan.

On September 7, 2017, a motion to approve Case No. 07-17Z1 was denied by the Planning and Zoning Commission (8-0 vote). The applicant is appealing the Commission's recommendation for denial. Because the

Commission recommended denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required to overrule the Commission's recommendation.

Further, the Commission received a signed notice of opposition from the property owner to the south (golf driving range). The opposition represents approximately 23% of the notification area. Because the signed opposition represents 20% or more of the area of land immediately adjoining and within 200 feet of the proposed rezoning, a favorable vote of three-fourths (3/4) of all members of the City Council is also required.

**STAFF RECOMMENDATION/ACTION DESIRED:**

On September 7, 2017, the Planning & Zoning Commission recommended **DENIAL** of a motion to approve the application. Public opposition has also been received.