



Legislation Details (With Text)

File #: 2015-2399
Type: Ordinance
Status: Passed
File created: 4/2/2015
In control: City Council
On agenda: 5/14/2015
Final action: 5/14/2015
Title: Consider public testimony regarding and an ordinance approving Amendment No. 7 to the Planned Unit Development (PUD) No. 4 zoning district for 2.36 acres located southeast of the intersection of Forest Creek Drive and Red Bud Lane. (First Reading)*

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit C, 3. Exhibit D, 4. Exhibit D-1, 5. Exhibit M - Parcel P-8

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--|--------|
| 5/14/2015 | 1 | City Council | approve | Pass |
| 5/14/2015 | 1 | City Council | dispense with the second reading and adopt | Pass |

Consider public testimony regarding and an ordinance approving Amendment No. 7 to the Planned Unit Development (PUD) No. 4 zoning district for 2.36 acres located southeast of the intersection of Forest Creek Drive and Red Bud Lane. (First Reading)*

The 2.36 acre property is a portion of Parcel G, designated for office and local commercial uses, in Planned Unit Development (PUD) No. 4 - Forest Creek. It is located between two day care facilities, one on the corner of Red Bud Lane and Forest Creek Drive and the second to the east. The land use regulations in PUD No. 4 restrict the uses on the 2.36 acres to the following: day care, place of worship, single family residential or attached residential. In addition, a building setback requirement of 100 feet from the southern property line and the location of a significant number of trees on the northern side of the property are a limitation on the area available for development.

The purpose of this PUD amendment is to provide for additional office and local commercial uses for the 2.36 acres while remaining compatible with the character of Forest Creek and its surrounding neighbors. The amendment proposes to allow uses similar to those allowed by the deed restrictions established by the Forest Creek Home Owners Association for Parcel G. In addition to the uses currently allowed, the property could be the location of a medical office with no emergency services, senior housing or assisted living, a park, limited retail sales and services and eating establishments, an amenity center, a bed & breakfast, a small animal grooming facility, a veterinary clinic for small animals, and a stealth wireless transmission facility. In addition, the building setbacks and buffering requirements would be amended to match the local commercial and office requirements of the current zoning code for adjacency to single family. This will reduce the building setback and increase the buffering standards, requiring a masonry wall along the southern boundary of the property adjacent to the Jackrabbit Run neighborhood.

The property owner met with Keith Chandler, a representative of the Forest Creek HOA, to determine the uses to be allowed. Mr. Chandler spoke in favor of the amendment at the Planning and Zoning

Commission meeting on April 1, 2015. The Commission voted 8-1 to recommend approval of the rezoning at that meeting.

Staff recommends approval.