



Legislation Details (With Text)

File #: 2018-5901
Type: Ordinance
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In control: City Council
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Title: Consider an ordinance zoning 25.73 acres located south of the intersection of Sam Bass Road and W. Old Settlers Boulevard to the Planned Unit Development (PUD) No. 116 zoning district. (First Reading)*

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A

Date	Ver.	Action By	Action	Result
10/25/2018	2	City Council	approve	Pass
10/25/2018	2	City Council	dispense with the second reading and adopt	Pass

Consider an ordinance zoning 25.73 acres located south of the intersection of Sam Bass Road and W. Old Settlers Boulevard to the Planned Unit Development (PUD) No. 116 zoning district. (First Reading)*

This property, approximately 25.73 acres, is currently within the ETJ (extraterritorial jurisdiction) of the City and is contiguous to the City limits on its northern, eastern and southern boundaries.

The applicant is The Brohn Group, LLC and they are represented by Coats Rose. The owner has submitted a request for annexation into the City, which is a separate item for Council consideration.

The proposed PUD (Planned Unit Development) zoning district provides for a maximum of 120 single family detached units on a common lot, with each dwelling unit having a private external entrance, private parking, and a private yard area. All units are to be sold as condominiums and maintenance of the shared areas and private drive aisles will be the responsibility of the property owners association. The size and density of the development is consistent with other common lot single family projects that have been recently approved.

Once the property is annexed, the property will be subject to the City's development regulations, including zoning, subdivision and building inspections. Zoning allows the City to regulate items including: land use, the number of units, the exterior appearance and building materials, parking and drive aisles, fencing, landscaping, and tree protection/mitigation. A traffic impact analysis can be required. The subdivision code includes the City's flood and drainage controls, which require that the projected development of the site's entire drainage basin be considered. The City's adopted building code, the International Building Code, applies and it is enforced by the City.

The property is located within the City's adopted water and wastewater service areas and the City is obligated to provide service. If the City were to not annex the property and the development

proceeded under Williamson County's development regulations, there would be no zoning, since the County does not have that authority. The County's flood and drainage controls require consideration of only the federally determined flood boundaries. In contrast, the City's code requires that the flood study consider fully developed conditions for the surrounding area. In addition, State law requires the County to accept a condominium ownership regime in lieu of subdividing land. Williamson County has acted to insure its street and drainage standards are met for a condominium development, but they have no further authority. In addition, the County does not have the authority to adopt or enforce a building code.

The site is served by Sam Bass Road, a designated arterial roadway. A determination on whether a traffic study is required will be made prior to the submittal of a site plan for the project. Sam Bass Road is currently two lanes and if turn lanes are required for the development, the road would have to be widened. Access will be provided at two locations on Sam Bass Road, one at an existing driveway at the western edge of the property and one to the east of the existing drive. There is an access easement over the existing driveway, which serves Chateau on the Creek, a wedding and event venue located on the southwestern side of the site. This driveway will be improved as a private drive aisle to serve the homes, in addition to the off-site venue.

Exterior finish requirements for the homes include a minimum of 75% masonry, with masonry defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco. Cement-based siding with a shake pattern or a board and batten pattern may be used on the front facades of 25% of the total number of homes, only on non-load bearing elements. In addition, two story homes with a rear side facing Sam Bass Road must have a window enhancement and a design feature on the second-floor elevation. Upgraded garage doors are required on all units, except for side entry garages. The private drive aisles that provide access to the houses will be designed to provide for parallel parking on one side while allowing sufficient width for a fire lane. Each unit will provide four (4) parking spaces outside of the private drive aisle, two in the garage and two on the driveway behind the garage.

The site will have masonry fencing along Sam Bass Road and wood fencing on the remaining sides. In response to concerns raised by the Creekbend neighbors, the applicant will construct an 8-foot high fence along the boundary with Creekbend. Drought tolerant grasses and native or adapted species plantings are required. Each single-family dwelling unit will have a minimum of three (3) two-inch (2") caliper large species trees, whether through the preservation of existing trees or the planting of two-inch (2") caliper container-grown trees.

The Planning and Zoning Commission held a public hearing and voted 6-1 to recommend approval of the original zoning at their meeting on August 15, 2018. There were thirteen speakers at the public hearing, all of whom had concerns about the proposal. Nine were from the Creekbend subdivision on the eastern boundary, one was from the Bent Tree subdivision to the north, one was from the Crosscreek Trail subdivision in Williamson County to the west, one was the owner of a wedding venue located in Williamson County to the south, and one was Williamson County Commissioner Terry Cook. The Creekbend owners had concerns about the property changing from an agricultural use to a residential use, the change in the view from their homes, the need for a fence or other buffer between their neighborhood and the new one, the amount of traffic on Sam Bass Road, the potential for increased runoff and the potential for increased crime and noise. The Bent Tree owner was concerned about the proposed driveway location for the development, drainage and lights shining into her home. The Crosscreek Trail resident was concerned about traffic on Sam Bass Road and views from his home being changed. The wedding venue owner was concerned about sharing the

access easement with the homes, drainage onto his property and traffic in and out of the area. Terry Cook, Williamson County Commissioner, said that the private drive aisles proposed will need maintenance and she expressed doubt that the homeowners would understand that the cost of this maintenance would be theirs alone. She also said that Sam Bass Road is currently dangerous and that the County had no improvements planned.

<u>Requirement</u>	<u>City</u>	<u>County</u>
Land use control	X	-
Number of units (density)	X	-
Building materials & appearance	X	-
Parking spaces	X	-
Drive aisle construction standards	X	X
Fencing	X	-
Landscaping & Tree Protection	X	-
Flood study using fully-developed conditions	X	-
Building inspections	X	-