



## Legislation Details (With Text)

**File #:** 2018-5994  
**Type:** Ordinance **Status:** Approved  
**File created:** 10/2/2018 **In control:** City Council  
**On agenda:** 10/25/2018 **Final action:** 10/25/2018  
**Title:** Consider public testimony regarding, and an ordinance approving Amendment No. 1 to the Planned Unit Development (PUD) No. 93 zoning district for 11.31 acres located at the northeast corner of S. Kenney Fort Blvd. and Forest Creek Dr. (First Reading)\*

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A, 3. Aerial, 4. Zoning

Date	Ver.	Action By	Action	Result
10/25/2018	1	City Council	approve	Pass
10/25/2018	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance approving Amendment No. 1 to the Planned Unit Development (PUD) No. 93 zoning district for 11.31 acres located at the northeast corner of S. Kenney Fort Blvd. and Forest Creek Dr. (First Reading)\*

PUD (Planned Unit Development) No. 93, approved in August of 2012, provides for a maximum of 120 low-density multi-family units on about 12 acres of the 13-acre site and local commercial uses on the remaining 1.13 acres. No development has occurred on the property. The amendment, requested by Ed Horne of WHJ, LLC, is to remove the local commercial land use on the 1.13-acre tract, leaving the PUD with only the low density multi-family land use. In addition, the total project site has been reduced from 13.07 acres to 11.31 acres, with the dedication of 1.76 acres to the City as parkland.

The location of the existing median breaks along Forest Creek Drive and Kenney Fort Boulevard do not provide direct access to the 1.13-acre local commercial tract, making a commercial use at the corner not viable. With the amendment, the entire site may be developed for low density multi-family uses, with no changes to the number of units permitted or to the development standards.

The Planning and Zoning Commission held a public hearing and voted 7-0 to recommend approval of the amendment at their meeting on September 19, 2018. There were two speakers at the hearing. One person expressed a desire for the site to retain the commercial uses. The other speaker said that he had tried to contact the property owner about purchasing the property for a development which would provide commercial uses and community amenities, but had received no response.