



PLAN COMMISSION STAFF REPORT

ITEM NO: 2 **APPLICATION NO.** 0183-2017

MEETING DATE: January 16, 2018

SUBJECT: Amendment to an adopted planned development ordinance

PETITIONER(S): Church Church Hittle & Antrim
William Weghorst - Owner

SUMMARY: Permit a lot without frontage on a public street

LOCATION: 15009 Gray Road

WAIVERS REQUESTED: Lot without frontage on a street

RECOMMENDATION: Forward to the Common Council with a favorable recommendation

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Planning Terms

Planned Development – A large-scaled unified development consisting of a parcel or parcels of land, controlled by a single owner to be developed as a single entity. The area of land in which a variety of residential, commercial, and/or industrial uses are planned and developed as a whole according to the adopted preliminary development plans and approved detailed plans, with more flexible standards, such as lot sizes, uses and setbacks, than those restrictions that would normally apply to a specific zoning district.

Preliminary Development Plan - The initial development plans as proposed for a Planned Development following approval by the Plan Commission and adoption by the Common Council of said drawings and Planned Development (PD) ordinance including any waivers from the underlying zoning district regulations and commitments by the developer for said real property.

Text Amendment - A modification that clarifies or preserves the written provisions of an adopted ordinance or creates a new provision. It may correct an error or inconsistency or meet the challenge of changing conditions.

Procedure

The application was filed November 29, 2017 for a public hearing at the January 16, 2018 Plan Commission meeting. The Plan Commission votes on a recommendation to the Common Council for adoption, denial, or no recommendation. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

Correspondence

None.

Summary

The request is to amend the text of the original Broccoli Bill planned development. The original planned development ordinance was approved in April 2016 and set out standards to allow both the existing business use on the property as well as a proposed residential use. The original planned development ordinance went so far as to set out bulk standards for a residential lot, but there was an existing Unified Development Ordinance (UDO) regulation that was not waived. UDO 9.A.2 states that every building constructed should be done on a lot that has frontage and access on a street.

The existing Broccoli Bill location has frontage on Gray Road, but to create a lot for a residential structure there is not room to provide frontage along Gray Road for the residential lot. The owner of the lot has negotiated with the property owner to the south to allow them to have access to the residential lot from Holston Hills Drive. The Broccoli Bill lot is separated from Holston Hills Drive by a common area that is maintained by the homeowners association. The driveway has to cross that common area within the Holston Hills subdivision, and

therefore does not have frontage on the street. The common area will be used to provide a driveway and sanitary sewer access to the property.

Item	Description	Analysis
<i>Surrounding Land Uses</i>	North –Residential property and Guerin High School East – Holston Hills subdivision South – Holston Hills subdivision West – Bridgewater Marketplace	Broccoli Bills just recently completed a construction project that allowed them to expand their existing commercial operation.
<i>Comprehensive Master Plan and Future Land Use</i>	The Comprehensive Master Plan indicates this area as Mixed Density Single Family Residential	This can include a variety of single family housing varieties, but will generally have a density between two and five units per acres and should reflect nearby developments.
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
<i>Environmental and Utility Considerations</i>	<i>Not Applicable</i>	The property owner has made arrangements with the property owner to the south to allow them to cross a common area in the subdivision to receive access to the sanitary sewer and also to place a driveway.
<i>TAC Comments</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

Fiscal Analysis

Not Applicable

Attachment

- Exhibit 1 Aerial Photograph
- Exhibit 2 Zoning Map
- Exhibit 3 Broccoli Bill Planned Development Ordinance amendment

Recommendation

Staff recommends that this petitioner be forwarded with a favorable recommendation to the City Council for adoption of the text amendment to the Broccoli Bill Planned Development Ordinance as per the submitted application 000183-2017.

Motions

1. Motion to forward this petition with a favorable recommendation to the City Council for adoption of the text amendment to the Broccoli Bill Planned Development ordinance as per submitted application 000183-2017.
2. Motion to forward this petition with an unfavorable recommendation to the City Council for adoption of the text amendment to the Broccoli Bill Planned Development ordinance as per submitted application 000183-2017. (support with reasons)
3. Motion to continue application 000183-2017 until the February 20, 2018 meeting.