



MEMORANDUM

Date: September 21, 2023

To: Luke Winchester, Chairman
and Planning Commission

From: Jennifer Hamblen, Planning Director
Jon Baughman, Deputy Planner

Re: Whispering Meadows
Annexation, Plan of Services,
Preliminary Master Development Plan, PUD

Map – 076 Parcel(s) – 021.02

Request: Submitted by CSDG, on behalf of their client the property owner George Wright, the applicant requests Annexation, Plan of Services, Rezone and Preliminary Master Development Plan approval for a 23-lot single family residential subdivision potentially located in District 3.

Description: The subject property is located west of the Kelsey Glen subdivision and is not currently in the City limits – annexation is requested also. The proposal includes a 23-lot residential subdivision and associated improvements via an extension of Ritter Drive out of Kelsey Glen. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Whispering Meadows	Medium Density Residential	N/A	R-1	RS-30 PUD

Future Land Use Plan: The City's Future Land Use Map identifies this area as Medium Density Residential. The request for RS-30 as a base zoning is supported by the plan, a Land Use Amendment is not requested.

Zoning: Current zoning is R-1. Requested zoning is RS-30 with a PUD overlay. Requested density is 1.34 units per acre (max density for RS-30 is 1.5 UPA)

Findings: In reviewing the requested zoning actions, staff finds that the request agrees with all of the following findings, as contained in the zoning ordinance. The proposed rezone:

1. *is agreement with the general plan for the area, and*
2. *does not contravene the legal purposes for which zoning exists, and*
3. *will have no adverse effect upon joining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*

4. *is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*
5. *is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*
6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation.*

Annexation: The subject property is located wholly within the City's Urban Growth Boundary and is contiguous with existing City limits.

Plan of Service: A plan of services is included.

Preliminary Master Development Plan

Bulk Regulations: The development area is 17.14 acres, on which 23 lots are proposed. The property is currently undeveloped and includes Lick Creek and its associated stream buffer as well as a cemetery in the northeast corner of the site. The density proposed is 1.34 units/acre and the anticipated population is 46 people. Max density in RS-30 is 1.5 UPA. The minimum lot size proposed is 10,000sf and the average is 15,000sf. Several bulk waivers are requested including reduced setbacks and increased lot coverage. These waivers are explained below.

Access: This subdivision is via an extension of Ritter Drive. The plans include the construction of a section of the western connector, along the east portion of the PUD. Road stubs for future development are provided via the western connector portion. Per the City's PW team, Ritter Drive is classified as an Access Lane, the maximum number of homes to be served by Access Lanes is 25 lots. The applicant has asked for a waiver to this regulation. The sidewalk network is complete with 5' wide sidewalks along both sides of the internal streets and 6' wide along the western connector section. Staff requests parking for the cemetery.

Amenities: Improved open space constitutes approximately 1.71 acres of the development site or 10% of PUD area. Amenities proposed include a playground area, earthen surface trail and a landscaped sitting area. Unimproved open space includes 7.14 acres or 34% of the PUD area. The walking trail primarily follows the route of the stream buffer.

5-104.4 Residential Design Guidelines/Elevations: The elevations show a product with 50/50 primary and secondary materials. Two car garages are separated via a column. A note provided indicates the driveways will be 22' from the back of the sidewalk. The interior area of the garages shall be compliant with regulations, provide evidence of this.

Waivers & Variances: The following are requested:

1. Each façade of the homes permitted up to 50% fiber cement siding. **Staff will support 11 homes to be 100% brick and/or stone, allowing 12 homes to be faced with 50% secondary material (hardie) as requested.**
2. Setbacks modified as follows: front 25' (35'), rear 20' (20'), side 10' (20'), corner 15' (15') **STAFF SUPPORTS**
3. Minimum lot width: 65' (100') **STAFF SUPPORTS**
4. Maximum lot coverage: 40% (18%) **STAFF SUPPORTS 35%**

5. Variance to exceed the number of homes permitted on an Access Lane (25 max).
PW DOES NOT SUPPORT without the completion of the Western Connector.

Other: The site includes a cemetery, the applicant has provided a detail of the fence proposed for this area and it is acceptable, decorative aluminum picket variety. Staff requests parking for the cemetery, to be located outside of the right of way. Corner lots are identified as critical façade lots, except lot 23. A landscape plan will be submitted and reviewed at FMDP/PP submittal. A covered mail kiosk with parking is provided.

Summary: The waivers/variances are subject to Commission approval. Staff's recommendations on these is in red above.

Recommendation: Planning staff recommends forwarding the Annexation, Rezone and Preliminary Master Development Plan to the Board of Commissioners with a positive recommendation, subject to the following conditions:

Planning and Zoning:

1. Identify the current future land use designation in the site data table.
2. Provide the interior dimensions of the garages, they shall be compliant with 5-104.
3. Provide parking at the cemetery, outside of the ROW.
4. Residential Design Guidelines shall be adhered to, with the exception of any waivers granted.
5. Add landscaping along both sides of the Western Connector, along with fencing.
6. Label lot 23 a critical façade.

Public Works:

1. Lots 5-10 can be in the floodplain if the finished floor elevation is 4' above the BFE. Adjust building envelope so that the building envelope to be out of the Special Flood Hazard Areas (SFHA) (100-year floodplain).
2. No stormwater detention shall be in the Special Flood Hazard Area (SFHA) deemed by FEMA.
3. Show appropriate stream buffer for Lick Creek.
4. If any fill is in the designated 100-year floodplain (SFHA), a CLOMR-F/LOMR-F along with cut/fill calculations (hydrology and hydraulic) shall be submitted to FEMA before land disturbance can begin on any home on lots 5-10.
5. No homes shall be served sewer via individual grinder pumps or onsite step or septic systems.
6. The alignment of the Western Connector shown is preliminary in nature and is subject to change. The final alignment is to be determined at the FMDP submittal and the construction plan submittal.
7. For the portions of the western connector that aren't being constructed on your property, designate additional easements outside of the right-of-way, so that when the road is extended in the future, the grades/slopes can be tied down outside of the ROW. Designate a 20-foot Construction Public Access and Slope Easement on each side of the ROW.

8. All bridges shall be designed for the 100-year, 24-hour storm event. The design flow shall consider runoff from the total tributary area and will require stream channel routing, as appropriate.
9. All construction related traffic shall access the site via John Wright Road and not through the Kelsey Glen subdivision.
10. The maximum number of residential dwellings that an access lane street can serve is 25. The site layout presented exceeds this amount. The developer shall request a variance from the Planning Commission if the number of proposed lots is not decreased.

WWUD:

1. Water lines shown are not WWUD's design.