

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
August 24, 2023**

**SUMMARY**

A request by A Civil Group (agent), on behalf of Southside Development, LLC (owners), for approval of a PD Plan for Lots 14B and 14C of Woodrail Subdivision, Plat No. 3, to be known as, "Lot 14B & 14C Woodrail Terrace Plat 1, PD Plan." The 0.55-acre subject site is located near the south end of Woodrail Terrace, a loop street, with each lot having frontage on the east and west sides of the street and sharing a common rear lot line.

**DISCUSSION**

The applicant is seeking approval of a development plan and statement of intent (SOI) for a 0.55-acre property, located near the southern end of Woodrail Terrace. The subject site is described as Lots 14B and 14C of Woodrail Subdivision, Plat No. 3. The two existing lots share a rear lot line and each lot has frontage on Woodrail Terrace, with Lot 14A being the adjacent property to the south, between the two subject lots along the loop street. The applicants wish to subdivide the existing lots into a 4-lot arrangement, consisting of Lots 101 through 104, to facilitate the construction of 2 pairs of single-family attached dwellings.

**Background**

The original Woodrail Country Homes planned district was approved in 1975 as an R-3 PUD (multi-family), with 16 lots containing four single-family attached units each. The development plan limited density on the 18.55-acre parcel to 3.45 units per acre. Later that same year an amended plan was approved removing a lot (Lot 3) and reducing the overall development from 64 units to 60. A 1980 revision then reduced the number of lots located interior to the Woodrail Terrace Loop (Lots 12-16) to two single-family detached units each. This modification resulted in an overall reduction from 60 units to 50 units within the overall Woodrail Country Homes development as well as reduced the overall density to 2.7 units per acre.

Since 1980 the interior lots have been the subject of a number of modifications as they built out. Lot 16, at the southeast corner of Woodrail Avenue and Woodrail Terrace, was resubdivided and developed with 4 attached units (+2). Lot 13 was replatted into two lots and developed with two attached dwellings (+0). Lot 12 was developed with a single-family home (-1). And, Lot 15 was subdivided to accommodate three attached units (+1). The development as it stand today now contains a total of 52 units and has a density of 2.8 du/acre.

The subject parcel, originally known as Lot 14, has also seen a number of modifications throughout its existence. The initial development plan contained four attached units, consistent with the other lots throughout the development. Lot 14 was then reduced to two detached units with the 1980 plan revision. In 2000, a separate PD plan was created for Lot 14 depicting 3 detached single-family units. This plan included detailed schematics and grading for two custom residences along with a speculative home near the northeast corner of the lot, on what is now Lot 14C. A year later, in 2001, Lot 14 was subdivided into its current three lot configuration (Lot 14A, 14B, and 14C) to accommodate sale of each lot to a separate owner. By that time, only the home on Lot 14A (southern lot) was constructed. This subdivision permitted separate ownership of the three development parcels while remaining true to the underlying PD plan.

## **Proposed PD Plan**

At this time the applicants are seeking approval of a new PD plan and statement of intent on the two remaining undeveloped lots; 14B and 14C. Major amendments to planned districts typically allow the applicant to seek changes in the zoning regulations applied to a development site; however, any departure from the existing development plan or statement of intent is taken into consideration in staff's evaluation of the proposal. In instances where a revision is proposed for a portion of a larger common scheme of development, the localized impacts are considered while also relying on the original intention of the broader planned district. PD plans also act as a revised preliminary plat, and a replat of the parcel will be required before issuance of any building permits. Given the age of the existing PD plan and scope of the changes proposed, the revision is considered a "major" amendment. As such, the PD plan must be brought up to current PD standards as now defined in the UDC.

The proposed plan would subdivide the two existing lots into four lots (Lots 101, 102, 103, and 104), in preparation for the construction of two pairs of attached single-family units. The proposed development would constitute a local density of roughly 7.30 units per acre on the 0.55-acre subject parcel. However; the two additional units would only result in an overall development density of 2.9 units per acre throughout the entire Woodrail Country Homes development. This is viewed as a nominal increase in the overall density of the existing development pattern and remains a significant decrease in the approved 3.45 units per acre of the original underlying R-3 PUD.

## **Statement of Intent**

The localized impacts of the proposed development plan modifications become more evident when considering the proposed statement of intent and its dimensional standards. The original 1975 development plan was intended to be developed in a single phase, with 4 attached units on each lot. However; development of the neighborhood, especially those lots internal to the Woodrail Terrace loop, took a more piecemeal approach leading to the extensive plan amendments discussed previously and the disjointed development pattern seen on those lots today. Lots 14A, 14B, and 14C are representative of the resulting conflicts created from the departure from the original neighborhood design.

The replat of Lot 14 occurred during construction of the home located at 3411 Woodrail Terrace, which is now located on Lot 14A. The footprint of the home is depicted on the approved 2001 plat, with a reduced setback along the boundary shared with Lots 14A and 14B. Today, that setback would typically be considered the rear yard, requiring a 25-foot setback in most residential zoning applications. On the east end of the home this setback is dimensioned at 7.2 feet on the plat, and the western setback is noted at 4.5 feet. Even when considering this setback to be a side yard, it would require a 10-foot setback in the comparable R-MF zoning district. No mention is made of this reduced setback in the case file from the 2001 replat, but it is clear that the lots created by the replat were intended to accommodate separate ownership of each lot and home, while honoring the development plan from the previous year. As such, the reduced setbacks were a product of the approved PD plan.

The proposed PD plan does not depict building footprints for any potential home sites. Instead, it prescribes a building envelope based loosely on the 2000 development plan, with standard 25-foot front yards, but with 20-foot rear yards (typically 25 ft in R-MF) and 5-foot side yards. These deviations from the existing dimensional standards for open zoning districts must be considered as design exceptions when considering the PD plan as it is proposed. This factor also seems to be the most significant deviation in character from the contextual built environment, whereas most other lots in the

development utilize deeper setbacks to offer significant greenspace on each lot.

The approved PD plan from 2000 does not designate side yard setbacks, but does note a varying setback on the northern property boundary of between 6 feet at the northeast corner, and 8.1 feet near the northwest corner. Lot 15C to the north, splits a 16-foot utility easement with Lot 14B, with 8 feet on each lot. The structure on Lot 15C then honors a 10-foot setback on that same property line. In effect, the existing conditions will result in a total separation of at least 18 feet between the existing structure on Lot 15C and any potential structure on Lot 14B. Lot 13, located to the northeast of the subject parcel, was developed with just two units permitting much deeper setbacks. The southern setback on what is now Lot 13A, varies from roughly 47 to 54 feet. Therefore, the reduced setbacks along the northern boundary of Lots 14B and 14C are not anticipated to create any adverse impacts on the neighboring property.

A 10-foot separation is noted on the existing development plan between the proposed homes on Lots 14A and 14B, at their closest point near the southwest corner of Lot 14B. The approved PD plan places the home on Lot 14C near the northern end of the lot, leaving roughly 30 feet of open space between the homes on 14C and 14A. Approval of a reduced 5-foot setback on this shared property line would permit a home to be built, potentially, within 12.2 feet of the existing home on Lot 14A. The 5-foot setback on the southern boundary of Lot 14B could potentially place a structure at just 9.5 feet from the home on Lot 14A. Staff is concerned about the functionality of these potentially narrowed setbacks between the homes, but standard R-1 side yard setbacks (6 ft) yield a total of just 12 feet of separation.

## **CONCLUSION**

The proposed attached single-family units are consistent with both the original uses and intent of the planned district, as well as much of the built context. The only detached single-family homes on the street are those found on Lots 12 and 14A. The proposed PD plan does; however, represent a significant increase in the localized density, which is roughly 250% of the rest of the development. The increased density also impacts the ratio of impervious area to open space on the two subject lots. The four units proposed on the subject site represent an increase in just one unit though, when compared to the original 4-plex plan for Lot 14, and an increase of just 0.2 units per acre of combined density in the overall development. The SOI would require a minimum of 40% open space on each lot, which is significantly less than that found throughout the rest of the development. Although, the required yard areas on the proposed plan amount to nearly 44% of the lot area. Therefore, it is likely that the development will yield a slightly higher percentage of open space.

## **RECOMMENDATION**

Approval of the proposed, "Lot 14 B & 14C Woodrail Terrace, Plat 1 PD Plan," and the associated statement of intent.

Alternatively, the Planning Commission could approve the proposed development plan conditionally, pursuant to a revised setback on the southern boundary of Lots 14B and 14C.

## **SUPPORTING DOCUMENTS (ATTACHED)**

- Locator Maps
- Statement of Intent
- PD Plan
- Public Correspondence

**SITE CHARACTERISTICS**

|                               |  |
|-------------------------------|--|
| <b>Area (acres)</b>           | 0.55 acres   |
| <b>Topography</b>             | Slopes generally to the south, with high point near middle of the parcel |
| <b>Vegetation/Landscaping</b> | Generally turf with some landscaping (ornamental grass)                  |
| <b>Watershed/Drainage</b>     | Perche Creek   |
| <b>Existing structures</b>    | Retaining Wall   |

**HISTORY**

|  |   |
|--|---|
| <b>Annexation date</b>                       | 1969  |
| <b>Zoning District</b>                       | PD (Planned Development)  |
| <b>Land Use Plan designation</b>             | Neighborhood District   |
| <b>Previous Subdivision/Legal Lot Status</b> | Legal lot, PD acts as preliminary plat, arrangement will require replat |

**UTILITIES & SERVICES**

Site is served by all City utilities and services.

**ACCESS**

| <b>Woodrail Terrace</b>   |                         |
|---------------------------|-------------------------|
| <b>Location</b>           | East and West frontages |
| <b>Major Roadway Plan</b> | Local Residential       |
| <b>CIP projects</b>       | None                    |
| <b>Sidewalk</b>           | Required                |

**PARKS & RECREATION**

|                                |                           |
|--------------------------------|---------------------------|
| <b>Neighborhood Parks</b>      | Forum Nature Area         |
| <b>Trails Plan</b>             | Forum Boulevard Connector |
| <b>Bicycle/Pedestrian Plan</b> | N/A                       |

**PUBLIC NOTIFICATION**

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of this pending request on August 4, 2023. Property-owner letters were distributed to twenty-six neighboring property owners, and an advertisement was placed in the Tribune on August 8, 2023.

Report prepared by Rusty Palmer

Approved by Patrick Zenner