



Date: May 4, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Holden Avenue PD Development Plan/Preliminary Subdivision Plan

### **Agenda Item Description**

The Holden Avenue PD Land Use Plan was approved February 16, 2021. The Development Agreement was recorded 3/22/2021 (DOC #202110162289). Per Code Section 134-458, the next phase of the PD process is approval of the Development Plan (DP), which typically is also the Preliminary Subdivision Plan (PSP).

The applicant has submitted the “Holden Avenue PD – Haven Oaks Development Plan/ Preliminary Subdivision Plan” dated “Received April 7, 2022” submitted by AVCON, along with landscape plans from Daly Design Group (ddg) dated “April 19, 2022” which includes a comprehensive sign plan for the DP/PSP.

The Planning and Zoning Board (P&Z) reviewed the submitted documents and recommended approval subject to a number of conditions, including some that required revision prior to the City Council’s public hearing. The revisions required by Planning Staff have been met.

### **DP/PSP Consistency with Development Agreement**

As now submitted, in general, the DP/PSP is consistent with the Development Agreement. It should be noted that there has been a significant change in the subdivision’s lot size composition since the Land Use Plan was approved. The table below summarizes the change.

	Number of Lots		
Lot width	Per Development Agreement	Approved Land Use Plan	As currently proposed
50 feet	Maximum 3	3 (6.9%)	20(46.5%)
60 feet	Minimum 36	36 (83.7%)	19 (44.2)
70 feet	Minimum 4	4 (9.3%)	4 (9.3%)
Total	43	43	43

The Development Agreement allows an exchange of some of the 60 feet wide lots for 50 feet wide lots if competent substantial evidence is shown that the reduction of lot size allows for preservation of historic or specimen trees that would not otherwise have been preserved or allows for an expansion of the recreation area.

Related to saving trees, the current layout when compared to that approved in February 2021 preserves four (4) specimen or historic trees west of the stormwater pond near the subdivision entrance, two (2) specimen or historic trees west of current Lot 42, and two (2) historic or specimen trees in the recreation area in the southwest corner of the property. This is based on the Arbor Plan submitted to the City dated Received April 19, 2022. There has been no change in the recreation area size.

There is a concern of continued compliance with the minimum recreation area required. Currently, the submitted plans show 0.821 acre of recreation area in two tracts, meeting the minimum required area of 0.775 acre. There is the potential that when construction drawings are finalized, recreation tracts or the number of parking spaces in the tract near the proposed lift station would be reduced. Should this occur below that required by the Development Agreement or the number of parking spaces is reduced below that shown on the Land Use Plan, the DP/PSP approval should be reconsidered. This was a condition of approval supported by P&Z.

Furthermore, there is staff recommendation that a covered pavilion/area be added to the playground area to provide a shelter from the sun or to accommodate a neighborhood event or birthday party for a child. The applicant has chosen to move forward with only including a pavilion on Tract E and a playground on Tract F. P&Z concluded the trees in the recreation area would provide adequate shelter and shade.

Also related to the recreation/open space tracts is a staff recommendation to extend Tract J to the property boundary eliminating the 5 feet wide “open space” of Tract F for safety and practical reasons. This will require adjustment to the tract sizes on the DP/PSP which can be completed with final construction drawing submittal.

### **Proposed Signage**

The application includes a proposed comprehensive sign plan as presented in the ddg plans. The request is made to allow flexibility in sign design.

Whereas the proposed subdivision sign could be placed on the perimeter wall and meet the City sign requirements, the applicant has requested approval of a more creative sign to improve the aesthetics: freestanding signs constructed in front of the perimeter wall on both sides of the entrance road. That proposed will have a positive impact on the aesthetics, and will enhance community character and individual property values.

The proposed eight (8) feet high signs will be in front of and parallel to the six (6) feet high perimeter wall. The P&Z supported the sign plan; it should be noted that there has been a minor revision to the design since the P&Z public hearing. The latest version is included in the plan package presented to Council.

**Recommended Motions from a Land Planning Perspective**

- I. Approval of the Holden Avenue PD Development Plan/Preliminary Subdivision Plan, known as Haven Oaks DP/PSP, which include the AVCON plans dated “Received April 7, 2022” and Daly Design Group Landscape Plans dated “April 19, 2022,” conditioned on the following:
  - 1) A requirement that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan; and,
  - 2) A requirement to amend the DP/PSP to extend Tract J (lift station ) to the west property line eliminating the “open space” of Tract F between Tract J and the west property line prior to final construction plan approval (without need for Council approval).
  - 3) Any other conditions the City Council would recommend related to issues identified in the City Engineer’s and Landscape Architect’s reports, which may include but not limited to,
    - a) a landscape buffer between the parking lot and Lot 21;
    - b) replacement trees for proposed tree removal; and,
    - c) fire truck access through the front gate.
- II. Approval of the Comprehensive Sign Plan included in the Daly Design Group plans dated “Received April 19, 2022” including the color illustration.