

MAYOR AND COUNCIL PLANNING COMMISSION & DEVELOPMENT

RECOMMENDED CONDITIONS ~~10111304~~2024

RZM2024-00019

Approval of a CMU (Community Mixed-Use District), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. A maximum of Sixty Seven (67) ~~68~~ rear-entry townhome units ~~not to exceed ten units per acre (10 UPA).~~
 - B. Retail, service-commercial, office and accessory uses. The following uses shall be prohibited:
 - Adult Bookstores or Entertainment
 - Automotive Uses such as:
 - i. Parts Stores
 - ii. Used Car Sales
 - iii. Tire Sales
 - iv. Auto Repair/Body Shop
 - v. Car Wash
 - ~~v.~~vi. Car/Truck Rental
 - Contractor's Offices
 - Emission Inspection Stations
 - Equipment Rental
 - Extended Stay Hotels or Motels
 - Pawn Shop
 - Recovered Materials Processing Facilities
 - Smoke Shops/Novelty Stores
 - Tattoo Parlors
 - Taxidermists
 - Yard Trimmings Composting Facilities

- C. The development shall be in general accordance with submitted site plan [presented at the City Council Meeting on November 13~~1~~, 2024](#)~~received by the Department of Planning and Development, dated September 9, 2024~~, with changes necessary to meet zoning and development regulations. Any changes shall be subject to review and approval by the Director of Planning and Development. The proportions of materials of the exterior facades shall be in general accordance with those detailed in the elevations received on August 9, 2024.
- D. Final site plans, landscape plans and building elevations shall be subject to review and approval of the Director of Planning and Development prior to the issuance of development or building permits.
- E. Townhome Units shall meet the following standards:
 - a. Four (4) bedroom dwelling units shall be prohibited

2. To satisfy the following site development considerations:

- A. Provide a fifteen-foot-wide (15 ft.) building setback adjacent to Lyle Circle and Park Access Drive.
- B. Provide a forty-foot-wide (40 ft.) building setback adjacent to Collins Hill Road.
- C. Natural vegetation shall remain on the property until the issuance of a development permit.
- D. New billboards or oversized signs shall be prohibited.
- E. Outdoor storage shall be prohibited.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. Compactor/dumpsters shall be screened by a one hundred percent (100%) opaque brick or stacked stone wall with an opaque metal gate enclosure. Compactor/dumpster enclosure shall be a minimum of ten feet (10 ft) in width and thirty feet (30 ft) in length. Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
- H. No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung or strung on the site. Yard signs or bandit signs, sign-walkers or sign-

twirlers shall be prohibited.

- I. Peddlers and/or parking lot sales shall be prohibited.
- J. The owner shall repaint or repair any graffiti or vandalism within seventy two (72) hours of notice from the City.
- K. The required parking ratio for the commercial section of development shall be 5 spaces per 1,000 SF of gross floor area.
- L. The required parking ratio for the townhouse section of development shall be 3 spaces per unit.

M. Provide City Standard Pedestrian lighting along Park Access Drive and Lyle Circle.

N. Provide landscaping (evergreen hedge) along Park Access Drive and Collins Hill Road to buffer drive through, parking and access drives for the development.

O. Dedicate at no cost to the City, right of way fillet at the corner of Park Access Drive and Collins Hill Road in accordance with City Engineer.

P. The residential portion of the development shall be gated.

Q. Provide a sidewalk connection from Collins Hill Road to the retail establishment.

~~M.R.~~ Building setbacks off internal streets or driveways shall be in general accordance with the submitted site plans and architectural renderings, and otherwise subject to review and approval of the Director of Planning and Development.

3. The following variances are requested:

- A. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Residential Uses – Maximum Percentage of Gross Land Area. Allows for an increase in the Maximum Gross Land Area designated for Residential uses from seventy-five percent (75%) to ninety-two and one-half percent (92.5%).
- B. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Civic/Institutional Uses – Minimum Percentage of Gross Land Area.

- Allows for the elimination in the Minimum Gross Land Area designated for Civic/Institutional uses from fifteen percent (15%) to zero.
- C. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix, Table 1., Commercial/Retail, Light Industrial, and Office Uses – Minimum Percentage of Gross Land Area. Allows for the reduction in the Minimum Gross Land Area designated for Commercial/Retail, Light Industrial, and Office uses from fifteen percent (15%) to seven and one-half percent (7.5%).
 - D. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.5 – RM-8 Townhouse Residential District, Subsection B. Lot Development Standards. Allows for the reduction of the External Minimum Front Setback for the residential dwelling units along Lyle Circle and Park Access Drive from twenty-five (25) feet to fifteen (15) feet.
 - E. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.5 – RM-8 Townhouse Residential District, Subsection B. Lot Development Standards. Allows for an increase in total Impervious Surface Coverage for the residential portion of the development from 40% to 45%.
 - F. A variance from the Zoning Ordinance, Article 1 – Districts, Section 102.9 – CMU Community Mixed-Use District, Subsection B. Land Use Mix. Allows for the reduction in the Internal Minimum Rear Setback from twenty-five (25) feet to twenty (20) feet.
 - G. A variance from the Subdivision Regulations, Article X Required Improvements, Design and Construction, Section 2. Required Improvements, 2.16 Street Intersections and Junctions for a twenty percent (20%) reduction in the sight distance requirements along classified roadways of Collins Hill Road (Major Arterial) and Park Access Drive (Residential), lowering the requirement from two-hundred feet (200 ft.) to one-hundred-sixty feet (160 ft.).

