



AGENDA ITEM ANALYSIS

Project/Issue Name: 23-13 An Ordinance of the City Council Amending Bill No. 21-54 by Approving Amendment of the Zoning Code and Official Map by Changing the Classification of Approximately Ninety-Two Point Eight Five Acres of Property Located at 3456 South Farm Road 101 from Stone Creek Falls Planned Development District (PDD) to Amended Stone Creek Falls Planned Development District (PDD).

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: March 21, 2023

Issue Statement

Stone Creek Development LLC, owner of the subject property, has applied to amend the prior adoption of the Zoning Classification of Stone Creek Falls PDD, concerning approximately **(92.85) acres** of property located at 3456 South Farm Road 101.

Discussion and/or Analysis

The Stone Creek Falls Planned Development District is comprised of approximately **(92.85) acres** of land located at 3456 South Farm Road 101. The property is currently undergoing development as Stone Creek Falls, a 16-lot subdivision, which consists of:

- 5 Commercial Lots, Lots 1-5:
 - Total Area: 15.55 Acres
 - Permitted Uses: Commercial Uses, as permitted in the Local Commercial (C-1), General Commercial (C-2), and General Commercial (C-3) Zoning Districts
 - Maximum Lot Coverage: 90%
 - Setbacks:
 - Front: 15 Feet
 - Rear: 15 Feet
 - Side Setback: 6 Feet



- Side Street Setback: 15 Feet
- 11 Multi-Family Residential Lots, Lots 6-16:
 - Total Area: 58.20 Acres
 - Permitted Uses: Multi-Family Residential
 - Maximum Building Height: 3-Stories
 - Density: 24 Units/Acre (approx. 1,396 Units)
 - Setbacks:
 - Front: 15 Feet
 - Rear: 15 Feet
 - Side Setback: 15 Feet
 - Side Street Setback: 15 Feet
 - US Hwy 60 Frontage: 25 Feet

The Applicant is requesting a change to the currently adopted planned development district, which was passed by City Council on August 3rd, 2021.

Applicant's Proposal

The Applicant seeks to continue the construction of the Stone Creek Falls subdivision with one requested change: the alteration of the maximum building height listed for the multi-family permitted use from 3 to 4 stories. This is not a request to increase dwelling units for the project; the density will remain the same at 24 units per acre. Rather, the change to building height allows the applicant to construct buildings with smaller footprints and leaves a greater amount of green space present in the final development.

Consistency with the Planned Development District (PDD) Ordinance

The purpose of the Planned Development District Regulations [405-IV A *Planned Development District*] is to allow for mixed-use, unconventional, or innovative arrangements of land and public facilities, which would be difficult to develop under the conventional land use and development regulations of the City.

The initial passage of the Stone Creek Falls PDD met this standard. Altering the height allowance for multi-family structures does not substantially alter the character of the previously adopted development plan. If adopted, the amended development plan would meet the standards of the Planned Development District ordinance.



Consistency with Land Use Regulations

The request to amend the Stone Creek Falls PDD Development Plan's height restriction for multi-family buildings is in line with *Chapter 405 Zoning Regulations*. At the time of passage of the Stone Creek Falls Planned Development District (August 3, 2021) Republic's municipal code limited the building height of multi-family structures to three stories. In October of 2021, City Council amended *Article 405-V "Height and Area Requirements, Exceptions, and Modifications"* by, among other changes, removing height restrictions on multi-family structures.

The Applicant's request for amendment is consistent with the City's Land Use Regulations.

Effects Municipal Utilities and Infrastructure

As there is no change to the density of the development, no additional capacity is required of the City's water and sewer systems.

For the same reasons, no additional trips are being generated by the development and, therefore, no added strain is being placed on the surrounding transportation system.

Stormwater retention and detention requirements are likewise unchanged by the proposed amendment.

Continued Site Development

Phase One of Stone Creek Falls subdivision is currently under construction. At-Risk New Commercial Building Permits have been issued for construction of multi-family buildings on Lot 8 and Lot 10. Full permits will be issued at the time of final platting for the phase.

Development of phase two must include site design providing for sufficient emergency vehicle access as well as fire protection facilities (e.g. fire hydrants). **Additional elements of code compliance, evaluated at the time of infrastructure design, impacting the development of the subject property, include, but are not limited to, the City's Zoning Regulations, adopted Fire Code, and adopted Building Code.** The next steps in the process of development of the subject parcel, upon a favorable outcome, will be the continued development of the ongoing continuation of the first phase and the initiated development of the second phase with respect to construction of utility services and roads.

Recommended Action

Staff considers the **proposed Amendment** to be generally consistent with the **goals and objectives of the City's Adopted Plans and Ordinances** and **able to be adequately served by municipal facilities.**

Staff recommends the approval of this application.