

Pine Tree Farm Estates Rezoning

Application #PL2020-240

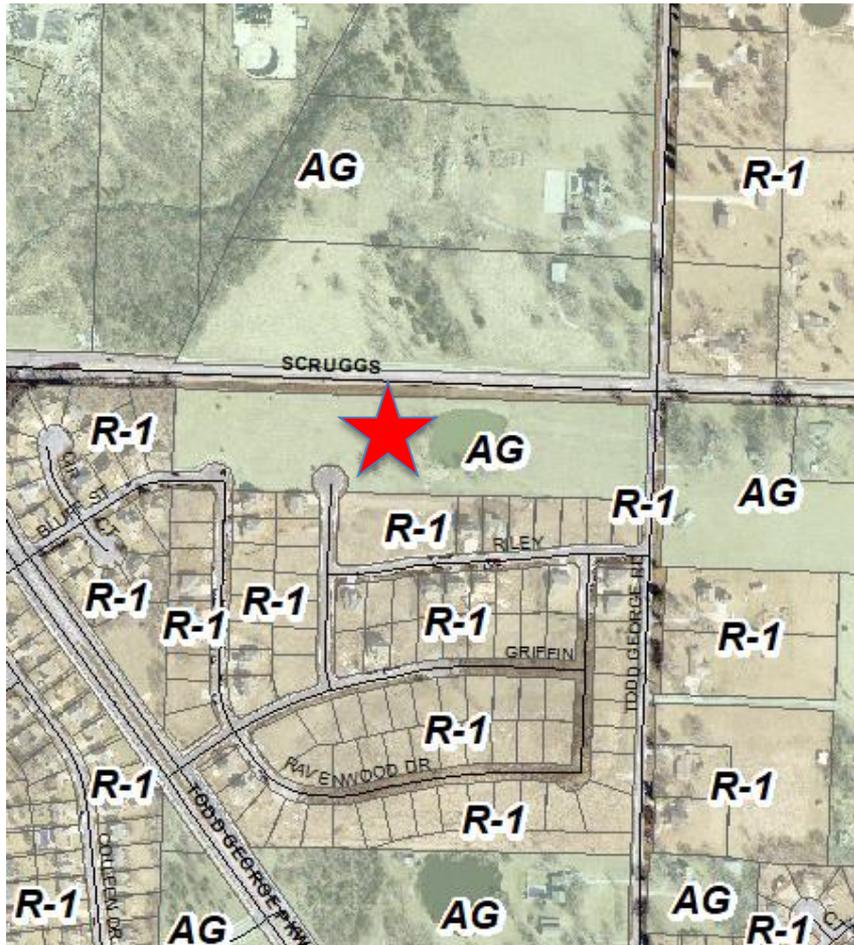
January 5, 2021



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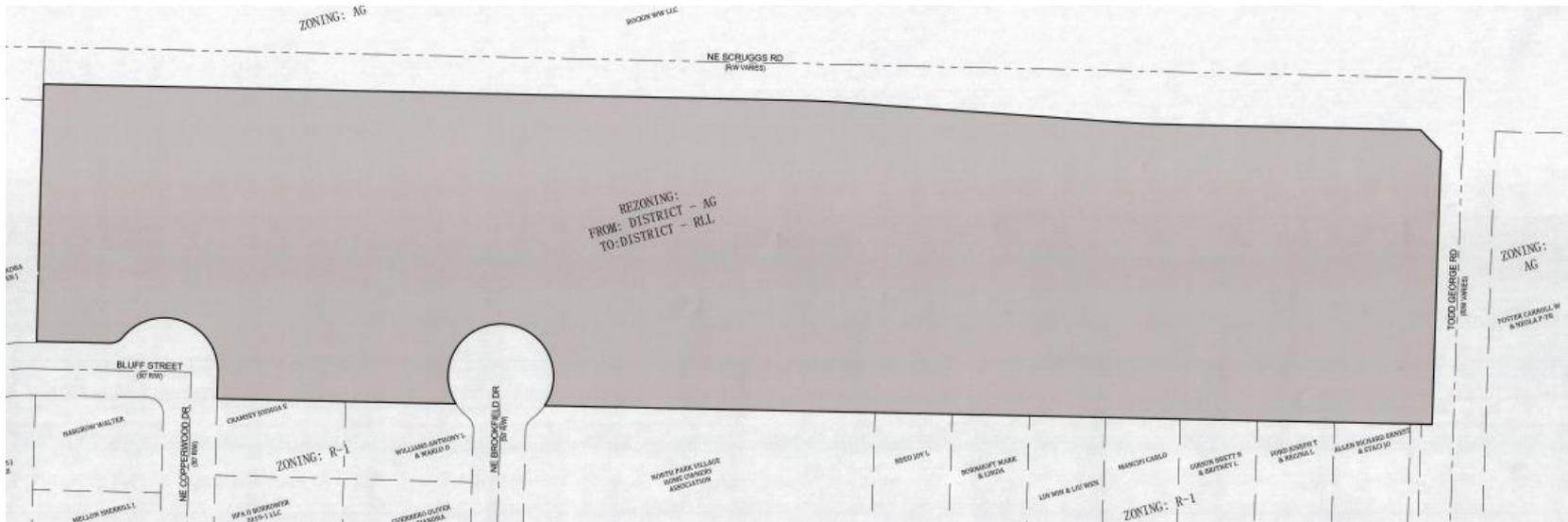


North (across NE Scruggs Rd): AG – large acreage tracts

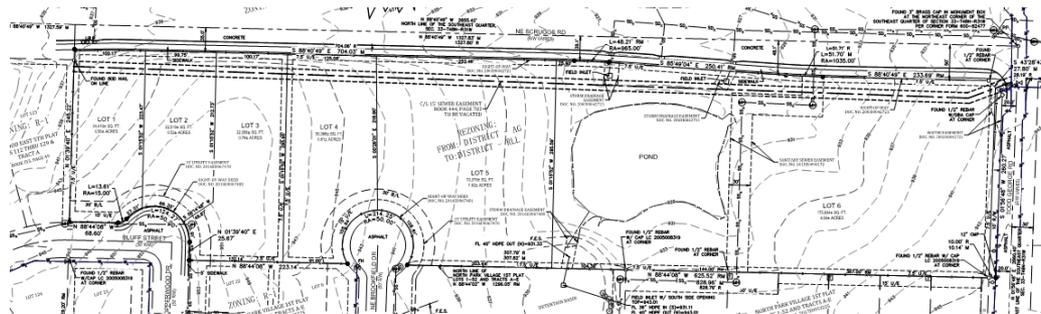
South: R-1 – single-family residential

East (across NE Todd George Rd): AG – large acreage tracts

West: R-1 – single-family residential



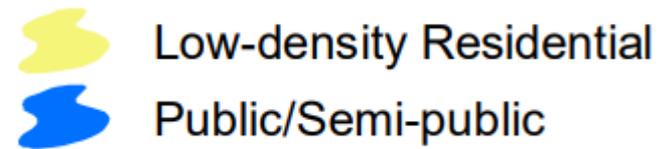
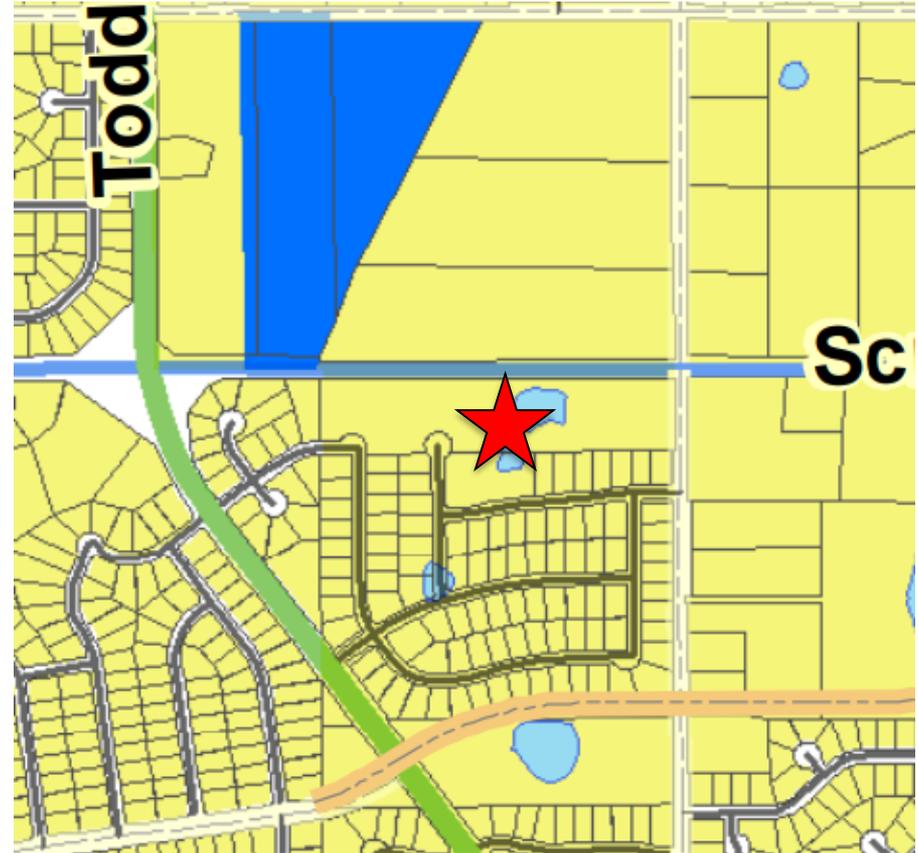
- 7.8 acre site
- Undeveloped parcel
- Current zoning: AG
- Proposed zoning: RLL
- Intent: develop a 6-lot single-family residential subdivision



LS Zoning Exhibit and Site Information

Comprehensive Plan

- Low-density residential
- Meets objectives of the Comp Plan
- Compatible with Comp Plan and existing surrounding uses



The following concerns have been raised:

- The applicant has submitted a rezoning application from AG to RLL with no accompanying preliminary development plan (PDP) application.
 - PDPs are **not** required for a rezoning to the AG, RDR, RLL or R-1 districts, unless a modification to the UDO is requested. No modification to the UDO is requested for the proposed Pine Tree Farm Estates subdivision, thus no PDP is required.
 - A preliminary plat (PP) is required for the subdivision of property into 4 or more lots, but is only required to be considered concurrently with a rezoning to the R-1 district. Concurrent consideration of a PP is not required for a rezoning to the AG, RDR or subject RLL district. However, the PP for Pine Tree Farm Estates is now on the same agenda as the rezoning for Planning Commission consideration. The Planning Commission takes final action on a PP, and thus does not accompany the associated rezoning application for City Council consideration.
- The rezoning application submittal requirements for the RLL district differ (i.e. are lesser) than that of the R-1 district.
 - The rezoning application submittal requirements for the RLL and R-1 zoning districts are identical. From a platting standpoint, the only difference is that a preliminary plat is required to be considered concurrently with R-1 zoning. AG, RDR and RLL zoning does not require concurrent consideration of a preliminary plat. Preliminary plat requirements for the AG, RDR, RLL and R-1 districts are identical.

- Control over architecture and size of homes.
 - The UDO has no prescriptive architectural style requirements or exterior material requirements for any residential development.
 - The AG, RDR, RLL and R-1 “base” zoning districts do not require submittal of architectural building elevations and material palette for review and approval as part of a rezoning or plat application.
 - The UDO requires single-family homes to be a minimum 720 sq. ft. in size. Compliance with minimum house size is reviewed at the time of building permit submittal.
 - Architectural style and material requirements on AG, RDR, RLL and R-1 subdivisions in the city (e.g. North Park Village, Winterset Valley, Woodland Shores, etc.) are self-imposed private covenants over which the City has no enforcement authority. Further, as private design covenants, they can be changed without City input or undergoing any City process.
 - Applicant has provided a narrative regarding the custom-build nature of the proposed development.
 - No accessory structure (e.g. shed, barn, garage, etc.) can be constructed on any of the proposed lots without a residence also being constructed on the same lot.
- Stormwater.
 - A stormwater study and any necessary associated engineering plans shall be required to be submitted at the time of final plat application.

Standard Conditions of Approval

1. A plat shall be approved and recorded prior to the issuance of a building permit.
2. Upon approval of the proposed rezoning from AG to RLL, the applicant shall become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by City Council on November 3, 2005.