

## Legislation Details (With Text)

**File #:** 2017-1123      **Name:**

**Type:** Public Hearing - Sworn      **Status:** Passed

**File created:** 4/7/2017      **In control:** City Council - Regular Session

**On agenda:** 5/4/2017      **Final action:** 5/4/2017

**Title:** PUBLIC HEARING - Appl. #PL2017-033 - REZONING from CP-2 to R-1 and PRELIMINARY DEVELOPMENT PLAN - approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicant

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Planning Commission Minutes, 2. Staff Letter, 3. Rezoning Exhibit, 4. Single Family Residential Compatibility, 5. Ingress, Egress Easement, 6. Location Map

Date	Ver.	Action By	Action	Result
5/4/2017	1	City Council - Regular Session	approved	Pass
4/11/2017	1	Planning Commission	recommended for approval	Pass

**PUBLIC HEARING - Appl. #PL2017-033 - REZONING from CP-2 to R-1 and PRELIMINARY DEVELOPMENT PLAN** - approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicant

Issue/Request:

The applicant proposes to rezone approximately 9 acres located at the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr. from CP-2 (Planned Community Commercial District) to R-1 (Single Family Residential). One single family home will be built on the proposed residential lot. The subject application also includes a preliminary development plan. Preliminary development plans typically do not accompany rezoning applications for R-1 zoning. However, the applicant requests a modification to the minimum required street frontage. The applicant proposes to gain access to this property from SW Raintree Pkwy by securing a 50' ingress/egress easement from the adjacent property owner, Raintree Lake Property Owners Association, Inc. (RLPOA). Modifications to the UDO can only be granted as part of a preliminary development plan application. Staff supports the requested modification.

Proposed City Council Motion: I move to direct staff present an ordinance approving **Appl. #PL2017-033 - REZONING from CP-2 to R-1 and PRELIMINARY DEVELOPMENT PLAN** - approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicant

Recommendation: Staff recommends **APPROVAL** of the rezoning and preliminary development plan, subject to the following:

1. A modification shall be granted to the minimum 50' street frontage requirement, to allow the subject

property to have no street frontage onto SW Raintree Pkwy. The subject property shall gain access to and from SW Raintree Pkwy via a permanent 50' ingress/egress easement obtained from the RLPOA. A copy of the recorded easement shall be provided to the City's Development Services Department.

Committee Recommendation: On the motion of Mr. DeMoro, seconded by Mr. Rader, the Planning Commission members voted unanimously by voice vote on April 11, 2017 to recommend **APPROVAL** of Application PL2017-033, Rezoning from CP-2 to R-1 and Preliminary Development Plan: approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicants; subject to staff's letter of April 7, 2017, specifically Recommendation Item 1.