



August 24, 2020

Re: Final Plat Decision
P&Z Meeting July 20, 2020

Mr. Matt Jones,

I received your P&Z Decision Letter dated July 21, 2020 regarding the Final Plat Application submitted for Legacy Estates, SD#20-029. While the letter stated the reason for denial as “the cul-de-sac on the proposed plat exceeds 600 feet in length,” I do not believe this reason to be an accurate representation of the reason the Commissioners voted to deny this project. After review of the meeting video and consultation with my project consultants, I would like to appeal this decision based on its arbitrary nature.

In the following pages I will outline the reasons I believe the ruling was incorrect, and I will also restate the major points my team presented at the meeting itself. Where possible, I will reference times in the video of the meeting to help support my comments herewithin. I look forward to the opportunity to discuss this further.

- I. Motion to Deny – (02:08:30)
 - a. Commissioner Groll made a “motion to disapprove the plat”
 - b. Commissioner Gilmore “seconded the motion”
 - c. After these motions, there was further Commissioner comments (02:09:30)
 - d. The motion did not state any concerns about the length of the cul-de-sac
 - e. The decision letter from the city stated the cul-de-sac length as the reason
- II. Important Discussion points during the meeting
 - a. Cul-de-sac length was discussed less than 5 minutes of the total time (00:24:30 thru 02:10:00) during the meeting, according to my review of the meeting video
 - b. Neighbors voiced concerns over traffic, fire department access, and safety
 - c. Director of Planning stated that all staff departments reviewed the project and that the application meets all requirements of zoning (SF8.4/16) with only one variance request (cul-de-sac length over 600LF)
 - d. Director of Planning and City Engineer stated the reason they believed that the cul-de-sac length ordinance was in place was to allow the city departments to review any projects over 600LF so they could insure proper traffic, safety, and fire requirements of any project submitting with this variance (1:33:00-1:35:30)

- e. Director of Planning restated before the vote that “Fire Marshall had no issues” and “staff does not take any objection to the extended cul-de-sac” (02:03:00-02:04:00)
- f. A Commissioner asked the neighbors if they could support fewer lots, and the neighbor representative said yes... 12 lots was suggested and then asked direct to the developer
- g. Developer stated this was not a zoning case, but a plat discussion with only one variance

III. Public Hearing – Common Neighbor Comments (00:35:00-01:08:00)

- a. Concerns for:
 - i. Safety
 - ii. Drainage
 - iii. Traffic
 - iv. Valuation of current homes
- b. Personal preferences requested:
 - i. Large building setbacks
 - ii. Large lots
 - iii. Fewer lots
 - iv. Maintain Character of Area
 - v. Control the Home Construction: Style / Design / 1-story only
- c. Incorrect neighbor assumptions with correction statements:
 - i. Zero lot line homes – standard setbacks per zoning
 - ii. Track homes – cost of lots will dictate homes over \$400,000
 - iii. Lot sizes are small – the zoning allows 8400sf minimum... the application presented 10,400 avg lot size with only a few around 9,500sf due to the efforts to curve the road and save a specimen tree

IV. Developer Comments

- i. Understandably, something new makes the neighbors fear the unknown
- ii. Those living on Alicia Court will be the most directly affected
- iii. There is no other option but a cul-de-sac on this site
- iv. A Commissioner asked about a stub-out to a property north of the site for future development
 - 1. I suggested the neighbors would like it less
 - 2. I stated I would be happy to discuss it further if it was the desire of the Commission to do so (01:50:30)
- v. There are three cul-de-sacs within ½ mile of this site with cul-de-sacs over 600LF
 - 1. Mystic Oaks Ct - @ 1200LF
 - 2. Oak Shadows Ct - @ 830 LF
 - 3. Devon Ct - @ 720 LF
- vi. During the initial presentation, some cul-de-sacs over 600LF were identified on a map that were mistakenly in Arlington

1. the developer heard a comment about this while reviewing the meeting video
 2. an updated map shows 17 other cul-de-sacs that range from 650-2800LF in the Mansfield City Limits
 3. some of these serve 23 lots
- vii. The 5.7-acre portion of the project was a commercial nursery until Mr. Jinks passed away in 2018
 - viii. Director of Planning stated the property has been zoned SF 8.4/16 since 1995
 - ix. Mr. Nelms, the developer of Nelmswood Estates and Builder of many of the neighbors homes, will stay in his home and sell ½ acre for the project to help fund his retirement

V. Developer Presentation Overview (00:26:00-00:35:00)

- a. Presentation by Developer's Planner
 - i. Power Point Used to show maps
 - ii. Curvilinear Road to save specimen tree
 - iii. Meets Zoning with lot average over 10,000sf
 - iv. Multiple reviews with City Staff over previous months
- b. Presentation by Developer's Engineer
 - i. Explanation of drainage diagram
 - ii. Post development drainage will be better than current in his opinion
 - iii. Multiple reviews with City Staff over previous months
 - iv. Onsite visits were made and a collaborative review with staff of the actual infrastructure in the ground determined the final design
- c. Developer Follow Up to Public Hearing Comments (01:08:00-01:19:00)
 - i. Thorough review of the main benefits of the project
 - ii. Extensive effort made to address neighbor concerns
- d. Other Developer Engagement
 - i. Further questions fielded from Commission throughout the meeting
 - ii. Developer contacted numerous neighbors in February 2020 about offsite surveys needed for the property to evaluate drainage
 1. Site plan copies were left in person or at homes of numerous adjacent homes
 2. A couple neighbors voiced they did not like the plan
 3. Developer considered a meeting with the neighbors prior to the P&Z meeting after being notified by the City staff of the opposition letters... but decided it best to not call for a meeting due to COVID restrictions
 4. Developer contacted neighbors in August 2020 to schedule a follow up discussion about the project near the end of the month



July 20, 2020

**Final Plat Application
P&Z Meeting Notes**

LEGACY ESTATES

Project Site - Zoning and Lots

This site is zoned SF – 8.4/16

There are 22 new lots, 1 home remaining, and 1 open space lot

All lots meet the minimum zoning requirement

Only 4 lots are less than 9,000sf, and those are only due to the desire to save a large specimen tree and use a curvilinear designed street for character

9 lots are more than 10,000 sf, almost a ¼ acre

The average lot SF is:10,424

The developer is willing to require homes be a minimum square footage of 2000 sf

Building Construction will follow Mansfield standards for masonry %, landscaping, etc.

Neighboring Area Zoning and Lots

The immediately adjacent neighborhoods and others in close proximity fall within the boundaries of:

NORTH - Turner Warnell

EAST - FM 157 and commercial properties

WEST - Hwy 287

SOUTH - commercial properties

- The total acreage here is +/-200 acres
- +/-20 acres, or 10%, of the acreage in this area is not zoned 8.4/16
- 90% of the acreage is zoned SF 8.4/16
- The total number of developed lots is 525
- Only 30 lots in this area are zoned something other than SF 8.4/16 Zoning
- 494 lots are zoned SF 8.4/16 (94% of all lots)

Safety

Road design has been reviewed and approved by City of Mansfield Engineering

Access for fire safety has been reviewed and approved by City of Mansfield Fire Department

Traffic

City staff has reviewed the impact of the design

We acknowledge that, unfortunately, the neighbors on Alicia Court will be most affected

Drainage

As with any new construction, we understand that drainage is a serious concern

The City of Mansfield Engineering Department has reviewed this site extensively

Deotte Inc, the Developer's Engineer, has a long history and

record of success when it comes to designing successful storm sewer systems

All drainage that we accept from off of our property to the north will continue to be managed much the way it is now

The development to the east of this property was designed with drainage in mind; we are utilizing the underground storm drain pipe already in place to direct the flow from our property

Drainage on a stretch of our south property line will be reduced with the newly engineered design to direct drainage

The following section has been edited (Aug 24th) with correct cul-de-sac location references; during the July 20th meeting, references to streets in Arlington were made in error.

Examples of Streets with Variance to Cul-de-sac Length (see also updated Map Document)

3 of these are adjacent to our site:

Mystic Oaks Ct: +/- 1200 LF (northwest of Legacy Estates)

Oak Shadows Ct: +/- 830 LF (northwest of Legacy Estates)

Devon Ct: +/- 720 LF (east of Legacy Estates)

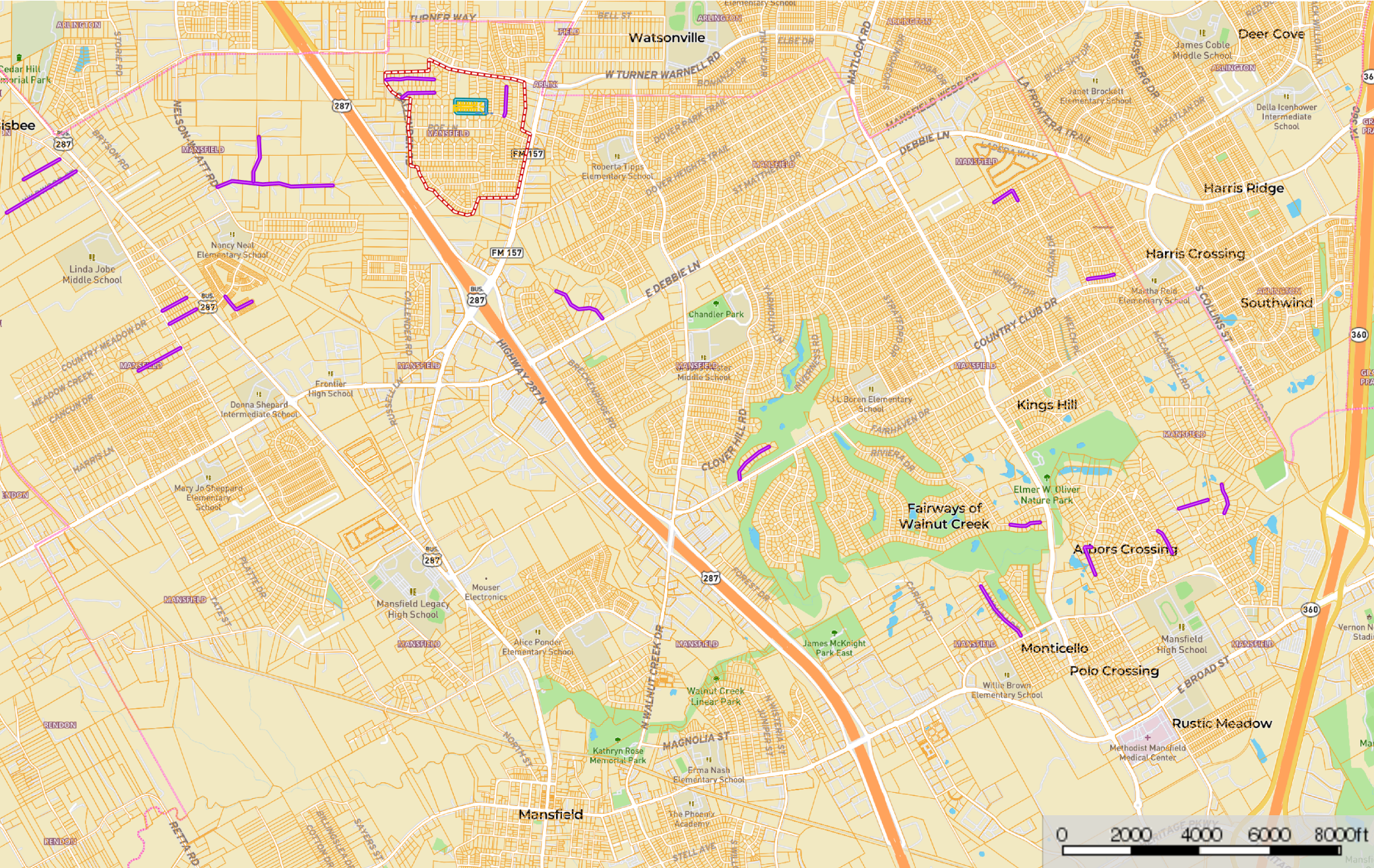
17 others have been identified, with the following being most relevant:

(Approximate lengths measured on Mapping GPS program)

Oakwood Ct	1927 LF
Wildwood Ct	990 LF
Country Meadow Ct	750 LF
Adventus Ct	650 LF
Mary Lou Ct	675 LF
Brook Arbor Ct	650 LF
Hidden Lake Ct	855 LF
Country Club Ct	1135 LF
Glen Abbey Ct	720 LF
Amanda Dr	1590 LF
Garrison Lane	1145 LF
Ravenwood	900 LF
Cains Lane	1430 LF

Mansfield Long Cul-de-Sac Map

Texas, AC +/-



- Pipeline
- Road / Trail
- Primary Road
- Stream
- Boundary
- Boundary