



Legislation Details (With Text)

File #: 20-3513 **Version:** 3 **Name:** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning From SF-8.4/16, Single-Family Residential District to PD, Planned Development District for Professional and Medical Office Uses, Botique Retail Shops and Artist Stud

Type: Ordinance **Status:** Passed

File created: 3/26/2020 **In control:** City Council

On agenda: 5/11/2020 **Final action:** 5/11/2020

Title: Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning From SF-8.4/16, Single-Family Residential District to PD, Planned Development District for Professional and Medical Office Uses, Botique Retail Shops and Artist Studio Uses on Approximately 0.376 Acres Known as a Portion of Block 10, Original Town of Mansfield, Located at 310 East Broad Street; Ernst Realty Investment (ZC#20-003)

Sponsors: Joe Smolinski, Matt Jones, Andrew Bogda

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Maps and Supporting Information, 3. Exhibit A, 4. Applicant Presentation to City Council 4-13-20, 5. Staff Presentation to City Council 4-13-20, 6. Exhibit B (updated), 7. 4-27-20-Staff Presentation to City Council, 8. 4-27-20- Applicant Presentation to City Council

Date	Ver.	Action By	Action	Result
5/11/2020	3	City Council	Approved on Third And Final Reading	Pass
4/27/2020	2	City Council	Approved on Second Reading	Pass
4/13/2020	1	City Council	Approved on First Reading	Pass

Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning From SF-8.4/16, Single-Family Residential District to PD, Planned Development District for Professional and Medical Office Uses, Botique Retail Shops and Artist Studio Uses on Approximately 0.376 Acres Known as a Portion of Block 10, Original Town of Mansfield, Located at 310 East Broad Street; Ernst Realty Investment (ZC#20-003)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on March 16, 2020, and voted 6-0 to recommend approval. One of the Commissioners questioned how many tenants would be located in the new building and if the parking could accommodate it, to which the applicant responded that there would be no more than three in order to not exhaust the available on-site parking. Another commissioner expressed concern about vehicles backing up into the landscape beds adjacent to the existing building, to which the applicant responded that the spaces will be made wider to allow for easier vehicle maneuverability. Another commissioner questioned why the paint colors on the buildings were different. Staff notes that the paint colors should be complementary but not matching so that the existing historic structure maintains its distinction.

iGENERAL INFORMATION

Existing Use: Single-family residence

Existing Zoning: SF-8.4/16, Single-Family Residential District

Surrounding Land Use & Zoning:

North - E. Broad St.; professional office and church uses (PD) across the street

South - Single-family residential, SF-7.5/12

East - Professional office, OP

West - Single-family residential, SF-7.5/12

Thoroughfare Plan Specification:

E. Broad St. - major arterial (four-lane divided)

COMMENTS AND CONSIDERATIONS

The subject property consists of 0.379 acres currently improved with a 1,200 sq. ft. single-story residential house, garage, and shed. The applicant is requesting to re-zone the property from SF-8.4/16 Single-Family Residential District to PD Planned Development District for professional & medical office uses, boutique retail shops, and artist studio uses.

Development Plan and Regulations

The existing 1,200 sq. ft. single-story house will remain, but the garage and shed in the rear of the property will be removed. The house, known as the Andrew “Cap” and Emma Doughty Bratton House is listed on the National Register of Historic Places, but has not yet been designated as a local historic landmark. The house includes yellow siding, green trim, a prominent bay window, a covered front porch, a pitched roof, and is 28’ in height.

Behind the house, a new 2,400 sq. ft. single-story building will be constructed. To match the house, the new building will include yellow siding as the primary building material, with covered porches, bay windows, and a pitched roof design. In addition, the new building will be accentuated by red brick along the base, shake siding in the gables, white trim, and 3-D architectural shingles. The new building will also include abundant windows on the front elevation. While larger in size than the house, at 20’-6”, the new building will be shorter in height than the house and will also be mostly concealed by the house or landscaping in order to not detract from or overshadow the historic house. During the staff review process, the applicant agreed to trim 10’ off the western side of the new structure to assist in this regard, while still maintaining the bay window feature and providing a vista at the end of the driveway.

It is noted in the development regulations that no expansion shall be made to the exiting building, any exterior construction and remodeling of the existing building must be compatible with the historic character of the building, and that the maximum height of the proposed building shall not exceed the height of the existing building.

It is also noted that the development deviates from the Zoning Ordinance as it relates to residential proximity. A reduced building setback from the adjacent residential zoning shall be allowed as shown in the Development Plan. Lighting shall be shielded or pointed away from adjacent residential properties as prescribed in Section 7400 of the Zoning Ordinance

Access and Parking

The existing driveway will also be expanded and re-worked to provide for a 12-space parking lot to

serve the development. Most of the parking spaces are in a single-row along the western side of the property, with two of the spaces located on the opposite side behind the home, one of which will be an ADA-accessible space. The parking ratio for general office uses (1 space per 300 sq. ft.) was applied and the development meets the requirements when calculated using this ratio. Due to space constraints, only a 22' two-way drive aisle will be provided for the parking lot, two feet below the typical 24' standard. In order to allow vehicles to safely maneuver out of spaces into the reduced-width drive aisle, several of the parking spaces are 1' wider than the typical 9' wide space. In order to further enhance the appearance of the historic structure, the existing pavement directly in front of the structure will be removed. A new sidewalk will connect the main entrance of the existing home to the sidewalk along E. Broad St. A new concrete walk and ramp will also connect the two structures to each other and provide an accessible route to the parking lot.

Landscaping and Screening

Landscaping and screening will be provided as shown in the Development Plan. This includes the preservation of the existing landscape beds in front of the existing home, the preservation of nine trees and one shrub, and the planting of ten new shrubs and one crape myrtle tree, most of which accentuate the new building or provide shade in the parking lot. The existing wood fence along the rear property line will remain, while a new 3.5' tall picket fence will be installed along the east property line adjacent to the parking lot. The picket fence provides for screening and separation of land uses in a manner that is consistent with the historic residential character of the neighborhood and will not extend into the front yard forward of the existing building. The development regulations note that all equipment will be ground-mounted, located in the side yard or rear yard, and will be screened from the street or adjacent property by dense shrubs or low fencing that fully conceal the equipment. In addition, all trash containers will be screened in accordance with Section 7301.B of the Zoning Ordinance. In addition, no outside storage of materials or merchandise will be allowed on the property.

Signage

A new directory sign will be installed in front of the property along E. Broad St. The directory sign will be 6' tall, 10' wide, and will include a 2' tall brick base to match the building. The sign area will be limited to 32 sq. ft. The directory sign will be setback 5' from the front property line, which deviates from the typical 10' setback, but is consistent with the location of many other signs along this section of E. Broad St. and prevents the encroachment of the sign into the existing landscape beds in front of the building. Name plate signs will also be allowed on the buildings as prescribed in Section 7100 of the Zoning Ordinance.

Summary

The proposed development will allow for the preservation of the existing historic structure, while also removing nonconforming accessory structures that do not match or complement the historic structure, and allowing for a new building that better matches and complements the existing structure while not detracting from or overshadowing it. In addition, the proposed changed in use from single-family residential to office, studio, and boutique retail uses allows for a more productive use of the property that is consistent with the transition from residential to business uses that we are seeing along this part of E. Broad St. while also being sensitive to the historic residential character of the surrounding area. The development also preserves the existing trees and landscape beds, provides for additional landscaping, and provides for parking and screening in a manner that is limited to only what is truly necessary to support the development and which is also sensitive to surrounding properties and the historic character of the area.

Second Reading

The City Council held a public hearing and first reading on April 13, 2020 and voted 7-0 to approve. There was discussion about several items, including the existing accessory buildings to be removed, permitted uses, signage, building colors, and trash container screening. Council Members requested that the following items be addressed:

- Ensure the paint colors on the buildings are compatible with each other.
- In the applicant presentation, place an X over the existing garage(s) to be removed.
- On the plan, provide detail indicating the location and screening of the trash containers.
- Increase the front setback for the sign to 10' (or as close to 10' if possible) if there is room.
- Consider adding some additional commercial uses that would be compatible with the property and the surrounding area.

The applicant revised the presentation to show that all existing garages would be removed, updated the development regulations to require that the paint colors on the buildings be compatible with each other, specified that trash service will be by trash carts and screened by a fence enclosure as seen in the development plan, and revised the permitted uses to add personal service uses and a greater variety of studio uses.

The trash carts will be stored on the southeast corner of the house behind the staircase and an existing pine tree and screened by a fence enclosure with self-latching gate; the location allows easy access for tenants in both buildings and provides screening that ensures the trash will not be seen from public view.

The applicant did not increase the setback for the sign as doing so would encroach the existing retaining wall and landscape bed and possibly interfere with drainage and otherwise not be desirable

Third Reading

The City Council held a public hearing and second reading on April 27, 2020 and voted 7 - 0 to approve. There was no further discussion nor items that need to be addressed. No changes have been made to the plans..

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