



Legislation Details (With Text)

**File #:** 19-3255      **Version:** 3      **Name:** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Single-Family Residential Uses on Approximately 0.62 Acres Being a Portion

**Type:** Ordinance      **Status:** Passed

**File created:** 8/29/2019      **In control:** City Council

**On agenda:** 10/14/2019      **Final action:** 10/14/2019

**Title:** Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Single-Family Residential Uses on Approximately 0.62 Acres Being a Portion of Blocks 36 and 36A of the Original Town of Mansfield, Generally Located at 506-508 Kimball Street; Ben Hartman (ZC#19-011)

**Sponsors:** Joe Smolinski, Lisa Sudbury

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Maps and Supporting Information, 3. Exhibit A, 4. Exhibit B

Date	Ver.	Action By	Action	Result
10/14/2019	3	City Council	Approved on Third And Final Reading	Pass
9/23/2019	2	City Council	Approved on Second Reading	Pass
9/9/2019	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Single-Family Residential Uses on Approximately 0.62 Acres Being a Portion of Blocks 36 and 36A of the Original Town of Mansfield, Generally Located at 506-508 Kimball Street; Ben Hartman (ZC#19-011)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on August 19, 2019, and voted 3-3 (Bounds, Papp, and Weydeck voting no; Knight absent) to recommend approval with the condition that no residential living quarters be allowed in the accessory structures, resulting in a denial. Some of the commissioners had questions and concerns regarding the size, height, and planned uses of the accessory structures. The applicant stated that there were other two-story accessory structures in downtown and the two-story option would provide an option for someone who wanted to have a full "Craftsman experience" with a detached garage as well as an upstairs studio, game room, media room, etc. The applicant also stated that the accessory structures could be used as garages or other uses and that the boxes shown on the plans merely represented maximum building pad sizes, and that if the accessory structures were used as garages, the houses would be narrower to accommodate driveways to the accessory structures. There were questions and concerns about the distances to structures on adjacent properties and while the distances were only 2.1' and 4', the applicant stated that they are still providing 5' on their side and that the adjacent properties are ripe for redevelopment. One of the commissioners had questions about tree preservation and the applicant stated they would try to save trees wherever practical. There were also questions about masonry requirements in downtown, and staff responded that downtown is exempt since the plat for the Original Town of Mansfield predated the current architectural requirements. The applicant previously had a condition that no commercial

or residential rental uses would be allowed in the accessory structure, but this was modified to “no commercial uses or residential living quarters” to prevent the owner of the property from using it as a living quarters regardless of whether it was rented or not.

### **First Reading**

The subject property consists of 0.62 acres located on the north side of Kimball Street. The property is currently vacant, but was previously occupied by two single-family homes. The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for single-family residential uses.

### Development Plan

The applicant plans to develop three single-family homes on the property, each of which will be allowed to have a two-story accessory building. The applicant plans to follow all the standards for SF-7.5/12 zoned property, except for the following deviations:

Minimum Lot Depth: 115' (exceeds typical 110' requirement)

Minimum Lot Width: 59'

Minimum Lot Area: 7,000 sq. ft.

Minimum Front Yard: 20'

Minimum Side Yard: 5'

Minimum Living Area: 1,800 sq. ft. (exceeds typical 1,200 sq. ft. requirement)

No minimum masonry construction requirements

Front porches exceeding 90 sq. ft. may encroach front yard setback by up to 10'

The following standards have been established for the accessory buildings:

Maximum Height: 2 stories plus attic, or 28'

Maximum Square Footage of Foundation: 600 sq. ft.

Rear Yard Setback: 10' minimum

Side Yard Setback: 5' minimum

Allowable Uses: personal uses only, including but not limited to garage, workshop, studio, game room, media room. No commercial uses or residential living quarters allowed.

The landscaping will comply with Section 7300 of the Zoning Ordinance and the applicant has noted eight existing trees on the property. The residential parking requirements (which require two off-street parking spaces) will comply with Section 7200 of the Zoning Ordinance. The applicant notes that the three existing driveway approaches will be encouraged to be utilized, but if the custom home designs cannot make use of the existing drives, new concrete drive and approaches shall be installed and shall conform to all City standards.

5,385 sq. ft. of land in the rear of the property will be incorporated into the tract to the north when the property is replatted. The applicant also owns the property to the north.

The applicant notes that all three homes will be custom designed by individual architects and has therefore not included renderings. The footprints shown on the plan represent a conceptual location that adheres to the development setbacks.

### Summary

The proposed development will provide for the development of three new homes in downtown Mansfield with development standards that mostly comply with or are roughly similar to the development standards for the surrounding zoning. While the accessory building standards exceed the City's typical standards for accessory buildings, it provides an opportunity for a segment of the market that desires larger accessory buildings in an area that is designed to support higher building densities and where larger accessory buildings are already more prevalent. In addition, the city's draft downtown design guidelines will allow for larger accessory buildings. In addition, the reduced front yard setback and allowance for porch encroachments are consistent

with existing development in the area, as well as the draft design guidelines for downtown.

**Second Reading**

The City Council held a public hearing and first reading on September 9, 2019 and voted 7-0 to approve. Several councilmembers requested that each lot be required to have a garage to accommodate off-street parking. The applicant has added a note to the plan stating that "a garage shall provide a minimum of 2 off-street parking spaces on each lot."

**Third Reading**

The City Council held a public hearing and second reading on September 23, 2019 and voted 6-0-1 (with Short abstaining) to approve. In order to provide more clarity regarding the garage requirement, the applicant has relocated the note about garages to the lower-left hand corner of the plan (where there is more room) and modified it to read: "A garage shall be required on each lot. Each garage shall provide a minimum of two enclosed off-street parking spaces on each lot. The garage shall be accessed by a concrete driveway that extends from the street to the garage."

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