



Legislation Details (With Text)

**File #:** 20-3768      **Version:** 3      **Name:** 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 and Accessory Dwelling Uses on Appro

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

**File created:** 9/15/2020      **In control:** City Council

**On agenda:** 10/26/2020      **Final action:** 10/26/2020

**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 and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

**Sponsors:** Joe Smolinski, Matt Jones, Andrew Bogda

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
10/26/2020	3	City Council	Approved on Third And Final Reading	Pass
10/12/2020	2	City Council	Approved on Second Reading	Pass
9/28/2020	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 and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on September 8, 2020, and voted 6-0 to recommend approval with the condition that sidewalks be added along S. 2nd Ave. and Alvarado St. There was also discussion about the stone on the base of the front porch and whether it would be added to the accessory structure, which the applicant stated it would not since the original house did not have a stone base and the applicant wanted the accessory structure to be compatible with the original architecture of the house.

*Existing Use:* Single-family residence

*Existing Zoning:* SF-7.5/12, Single-Family Residential District

*Surrounding Land Use & Zoning:*  
North - Single-family residential, SF-7.5/12

South - Alvarado St.; single-family residential uses (2F) across the street  
East - S. 2nd Ave.; single-family residential uses (PD) across the street  
West - Single-family residential, SF-7.5/12

### **Comments and Considerations**

The subject property consists of 0.258 acres currently improved with a 1,500 sq. ft. single-story house with front and rear covered porches, detached carport, and shed. The applicant is requesting to rezone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for single-family residential and accessory dwelling uses on approximately 0.258 acres.

### Development Plan and Regulations

The existing 1,500 sq. ft. single-story house with porches will remain, but the carport and shed will be removed. The house, which was built in 1880 and classified as a selected medium-priority house in the City's Historic Resources Survey, is a wood frame house in the massed plan pyramidal style with a pitched gabled roof. The house includes white vinyl siding with light blue trim. A low stone wall with shrubs was recently added to the front porch. The house is approximately 25' in height.

Behind the house, a new 1,700 sq. ft. two-story detached accessory structure will be constructed. The building will include a two-car garage on the first floor and two bedrooms and a bathroom on the second floor. The garage will be accessed via an existing drive approach on Alvarado Street.

The applicant proposes the following minimum lot standards:

Minimum Lot Area: 11,250 sq. ft.

Minimum Lot Width: 75'

Minimum Lot Depth: 150'

Minimum Front Setback (principal building): 25'\*

Minimum Side Setback (principal building): 10' exterior\*, 5' interior

Minimum Side Setback (accessory building): 5'

Minimum Rear Setback (principal building): 15'

Minimum Rear Setback (accessory building): 10'

Maximum Lot Coverage: 45%

Maximum Height: The height of the accessory building shall not exceed 25' or the height of the principal building

Maximum Height of Principal Building: 35'

Maximum Area of Accessory Structure: 1,100 sq. ft. foundation; 1700 sq. ft. under roof

Minimum Residential Floor Area of Primary Building: 1,500 sq. ft.

\*Porches are allowed to encroach into the front and exterior side setbacks as shown on the Development Plan

### Accessory Dwelling Requirements

In accordance with the standard Zoning Ordinance requirements applicable to accessory dwellings, the occupancy of the accessory dwelling will be limited to domestic servants or caretakers employed on the premises, temporary guests, or family members of the owner of the premises; guests may occupy such dwelling no more than 90 consecutive days in any twelve-month period. In addition, no additional accessory structures will be allowed on the property and the accessory dwelling will not be used as an apartment, separate domicile, or vacation rental/lodging. All utilities will be on the same meter as the main residential building.

### Architectural Requirements

No significant changes are proposed for the existing house, however any exterior reconstruction or remodeling of the principal building must be compatible with its historic character. The exterior façade of the principal building is a wood frame structure with vinyl siding with cedar posts and a pitched gabled roof. The accessory structure will be designed in a similar manner to the primary structure, with cementitious siding and a hipped roof with gables on all four sides. The siding of the accessory structure will match the siding of the primary structure in terms of style and the exterior paint colors of the buildings will be compatible.

### Access and Parking

The property will be served by an existing drive approach on Alvarado Street. A minimum of 2 off-street parking spaces will be provided per the development regulations, however the proposed 2-car garage and oversized driveway will likely be able to accommodate more than 2 vehicles.

As the City has a goal of adding sidewalks in the downtown area as development occurs and this development will increase the gross floor area on the property by more than 50%, staff requested that the applicant add sidewalks along the public street frontages. The applicant is requesting to be excepted from this requirement since there are currently no other sidewalks on this block and this is only a 1-lot development to add an accessory dwelling.

### Landscaping and Screening

The three existing trees on the property will be retained and the 4" pecan tree near the driveway will be protected during construction. No additional trees will be planted. The 6' existing metal fence along the north side of the property and the 4' chain link fence along the west side of the property will also remain.

### Summary

The proposed development will allow for the preservation of the existing historic structure, while also removing accessory structures that do not match or complement the historic structure. While the proposed accessory structure is larger, taller, and closer to property lines than what the Zoning Ordinance would allow, the new building better matches and complements the existing structure while not detracting from or overshadowing it. The new building will allow for enclosed parking and additional living space that could increase the functionality and value of the property, without making additions to the principal building that could affect its structural integrity or historical character. The development also preserves the existing trees and allows the existing drive approach to be utilized without major modifications. Furthermore, the Land Use Plan and Downtown Development Strategies encourage higher densities and multi-unit housing in this part of downtown; the increase in intensity by adding an accessory dwelling aligns with those goals.

The applicant has requested to be exempt from adding sidewalks since there are no sidewalks on this block and the applicant is only adding an accessory structure to the property. While there are not currently sidewalks on this block, there are sidewalks on an adjacent block across the street. In addition, the City has a goal of adding sidewalks to downtown and sidewalks have generally been added to properties as they redevelop. Furthermore, this development increases the gross floor area on the property by more than 50%.

### **2nd Reading:**

The City Council held a public hearing and first reading on September 28, 2020 and voted 7-0 to approve. There was discussion about several items, including building materials, architectural

elements, screening, and the recommendation to construct sidewalks along 2nd Avenue and Alvarado Street. Members of City Council recommended that the following items be addressed:

- Provide a carriage-style garage door.
- Require that cementitious siding be used on the house if the siding is replaced.
- Change the existing fencing along the north and west property lines to a 6' board-on-board wood fence.
- Provide sidewalks along 2nd Avenue and Alvarado Street and work with the Engineering and Water Utilities Department regarding alignment and possible relocation of utilities.

The applicant has made changes to the plans that address these items. Due to the location of the utility pole, the final alignment of the sidewalks will be determined at the time of construction. The Water Utilities Department has agreed to relocate the existing water meter and the applicant will be required to reconnect to the relocated meter at the time of construction.

**3rd Reading:**

The City Council held a public hearing and second reading on October 12, 2020 and voted 7-0 to approve. There were no additional items that needed to be addressed. No changes have been made to the plans.

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