

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** April 10, 2023  
**SUBJECT:** PLAT23-0032 Consideration of a request from Stuart Threadgold for a final plat of Lots 9 and 10, Block 1, Oakvale Addition, being 2.0 acres located at 7540 Bursey Road South.  
**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

Stuart Threadgold is requesting approval of a final plat of Lots 9 and 10, Block 1, Oakvale Addition. This 2-acre property is located at 7540 Bursey Road South.

This request is reconsidered from the March 6, 2023, City Council meeting. The plat was denied at the meeting due to pending Planning and Zoning Commission action on the related zoning application. The March 2 Commission meeting was canceled due to severe weather in the area, and the Commission was unable to issue a recommendation on the zoning case prior to the March 6 City Council meeting.

### **GENERAL DESCRIPTION:**

The property under consideration is a 2-acre site located on the south side of the street where Bursey Road South turns to a north-south direction. Adjacent properties include both multi-acreage residential lots and conventional single-family subdivisions (Fair Oaks Estates and Kingswood Estates). The property is developed with a single-family residence. It is unplatted and has 166 feet of frontage on Bursey Road South and is approximately 523 feet deep.

The exhibit to the right shows the proposed lot arrangement. The northern lot (Lot 1) has 116 feet of frontage on Bursey Road South. The southern lot (Lot 2) is proposed as a flag-shaped lot. While flag-shaped lots are permitted, the zoning ordinance and subdivision regulations require that this type of lot provide at least 50 feet of frontage on a public street, with the entire leg of the flag lot maintaining the 50-foot width. The lot has 50 feet of frontage on the street, but the leg of the lot does not meet the minimum 50-foot lot width standard. The narrow portion of the leg was originally 12 feet wide but has been revised to 20 feet following consideration by the Planning and Zoning Commission.

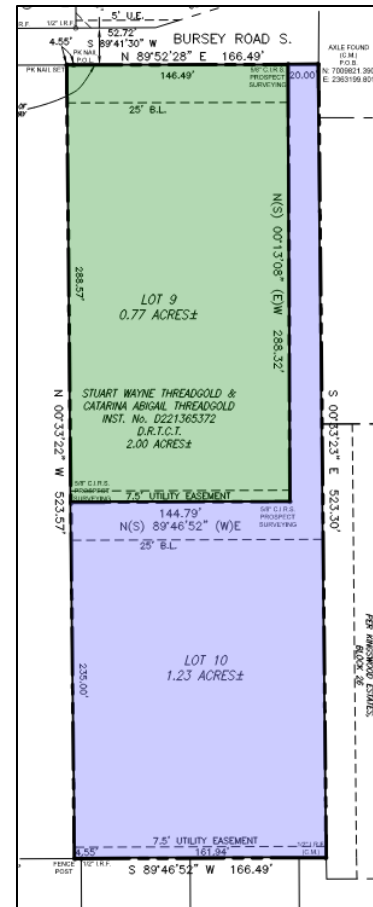
The owner is requesting a waiver of the standard to approve the lot as presented. Section 110-42 of the subdivision regulations allows for the Planning and Zoning Commission and City Council to consider and approve variances to the regulations where hardships or practical difficulties may result from strict compliance with the regulations.

The Planning and Zoning Commission recommended approval of a waiver of the 50-foot lot width standard to allow a 20-foot wide leg on the southern lot. During their discussion, the Commission stated that 20 feet would be sufficient width for a standard driveway and utilities to serve the future residence on the lot. The 20-foot width also ensures that the existing house can conform to building setbacks from the new property lines.

A zoning change is also required for the property. The property is zoned AG (Agricultural), and the applicant is requesting a zoning change to R-1 (Single-Family Residential) on the entire property. The zoning change request is a related item on the April 10, 2023, agenda (see ZC22-0046).

The proposed lots are summarized in the table below, based on the proposed R-1 zoning district.

R-1 STANDARD	LOT 9	LOT 10
Lot size: 13,000 SF	33,541 SF	53,578 SF
Lot width: 85 feet	146 ft	161 ft (buildable area) 20 ft in flag leg
Lot depth: 120 feet	288 ft	235 ft
Front building line: 25 feet	25 ft	25 ft
Street frontage: 50 feet	146 ft	20 ft



Due to the shape of the southern lot, the buildable area on the lot is restricted to the widest portion of the property. To provide adequate setbacks from the existing house on the property to the north, the front building would be measured from the common property line. This places the 25-foot front building line in the widest part of the lot. Site improvements in the narrow portion of the lot would be restricted to driveways, utilities, and landscaping.

During the review of the plat, the Development Review Committee (DRC) discussed the effect that the proposed lot arrangement would have on the property. It was noted that the existing property only has 166 feet of street frontage, which is generally not sufficient frontage for more than one standard lot zoned R-1 (Single-Family Residential). In addition, the DRC discussed concerns about the width of the flag on the southern lot.

**LAND USE PLAN:** This area is designated on the Land Use Plan as Low Density Residential. This designation promotes quality neighborhoods of conventional suburban single-family detached homes. General characteristics of these neighborhoods include a density of two to six dwelling units per acre and houses of one and two stories.

**CURRENT ZONING:** The property is currently zoned AG (Agricultural). The AG district is intended to preserve lands best suited for agricultural use from encroachment of



incompatible uses, and to preserve agricultural land suited to eventual development into other uses pending proper timing for practical economical provisions of utilities, major streets, schools, and other facilities so that reasonable development will occur. A zoning change request to R-1 (Single-Family Residential) is a related item on the April 10, 2023, agenda (see ZC22-0046).

**TRANSPORTATION PLAN:** The development has frontage on the following streets. Right-of-way dedication may be required for this plat depending on the width of the existing right-of-way.

STREET	FUNCTIONAL CLASSIFICATION	LAND USE CONTEXT	DESIGN ELEMENTS
Bursey Road South	R2U Local Road	Local Road	2-lane undivided roadway 50-foot right-of-way width

#### **SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-2 (Single-Family Residential)	Low Density Residential	Single-family residences (Fair Oaks Estates)
WEST	AG (Agricultural)	Low Density Residential	Single-family residences
SOUTH	R-2 (Single-Family Residential)	Low Density Residential	Single-family residences (Kingswood Estates)
EAST	R-1 (Single-Family Residential) R-2 (Single-Family Residential)	Low Density Residential	Single-family residences

**PLAT STATUS:** The property is unplatted.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission considered this item at the February 16, 2023, meeting and voted 5-0 to approve the plat subject to approval of the zoning change request, with the conditions outlined in the Development Review Committee comments, and with a waiver of the 50-foot lot width standard to allow a 20-foot wide leg on the southern lot.

**DRC REVIEW & RECOMMENDATION:** The Development Review Committee recommends approval of the plat subject to Development Review Committee comments with a waiver of the 50-foot width as described by the Planning and Zoning Commission.

#### **RECOMMENDATION:**

Approve PLAT23-0032 subject to Development Review Committee comments with a waiver of the 50-foot lot width standard to allow a 20-foot wide leg on the southern lot.