

District Development Plan Justification:

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. **Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?**

There are no natural resources on this property to preserve. The site was cleared, under appropriate permits, in 2008, prior to planned development of the site by a previous owner that ultimately did not take place. Current tree canopy requirements from the Land Development Code will be complied with.

2. **Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?**

The proposed development includes two vehicular connections and sidewalks throughout. Metro Public Works has also approved the preliminary plan.

3. **Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?**

Open space is not required as this is a proposed single-family subdivision.

4. **Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?**

On-site detention is proposed to handle the drainage impact of the development. The Metropolitan Sewer District has provided preliminary approval of the proposed drainage system.

5. **Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?**

The proposed subdivision layout is compatible with the established single-family residential development in the vicinity.

6. **Is the proposal in conformance with the Comprehensive Plan and Land Development Code?**

The proposal is in conformance with the Comprehensive Plan and Land Development Code. No variance or waiver requests are associated with the proposal.

Binding Element #12 – Request to Eliminate

Binding Element #12 – Case No 9211 – Approved by Planning Commission on 10/4/2007

The quality, styles and designs of the single-family homes will be no less than those presented in the elevation renderings produced at the October 4, 2007 Planning Commission Public Hearing. Building materials shall be 50% brick or stone with the other 50% siding materials and aluminum or vinyl on soffits and trim. Garages on the final house designs shall include windows and such design treatments as separations of the double garage doors as shown on the elevation renderings presented at the Public Hearing. Garages shall not protrude more than 50% from the front façade of the house. These guidelines shall be those used to determine what styles and designs of homes, other than those precisely presented at the Public hearing and acceptable to DPDS staff or, alternatively, the Planning Commission itself through one of its committees.

Justification

The building designs proposed by the applicant are compatible with, and will be complimentary to, the existing homes in the area and the previous binding element as it is written would be overburdensome on the applicant. As it is written, the previous binding element would prohibit the applicant from offering a wide variety of desirable building materials that the current market demands. Binding elements such as this one that are very specific regarding building materials were sometimes added to development proposals during this time period (2007), but the use of them has since ceased and staff and the Planning Commission now prefer to use a more general binding element related to building design. In fact, recent practice on single-family subdivision approvals is not to include building design related binding elements or conditions of approval at all.

If the Committee desires a new building design related binding element, the applicant would be agreeable to a new binding element that replaces #12 and reads as follows, "The homes constructed within Ferndale Place subdivision will closely resemble the building design examples presented at the May 31, 2018 Land Development & Transportation Committee meeting."