AGENDA
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MONDAY, APRIL 18, 2016
TOWN HALL - COUNCIL CHAMBERS
127 N. COLLINS RD.
7:00 P.M.

CALL MEETING TO ORDER

Planning and Zoning Commission Chairperson calls the Meeting to order, state the date and time. State Commissioners present and declare a quorum present.

1. **APPROVAL OF MINUTES FOR 3/21/2016 REGULAR MEETING**

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

2. **APPLICANT:** **COLIN HELFFRICH, P.E.**
   AT OR ABOUT: **334 JOBSON ROAD – 48.77 ACRES EAST OF JOBSON ROAD AND WEST OF WANDERING BROOK DRIVE**
   REQUEST: **TENTATIVE DEVELOPMENT PLAN – STONEY CREEK PHASE 2E**

3. **APPLICANT:** **JOHN ARNOLD - SKORBURG DEVELOPMENT**
   AT OR ABOUT: **3134 N BELT LINE RD – 33.9 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF BELTLINE RD AND TOWN EAST BLVD**
   REQUEST: **TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM RETAIL (R) TO URBAN DENSITY RESIDENTIAL (UDR) AND THE ZONING MAP FROM LOCAL RETAIL (LR) TO ATTACHED HOUSING – PLANNED RESIDENTIAL OVERLAY (AH-PRO) (CYPRESS MANORS)**

4. **APPLICANT:** **KYLE BENNETT – BENNETT 1 CONSTRUCTION**
   AT OR ABOUT: **4250 N. BELT LINE RD – 0.83 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF BELT LINE RD AND BARNES BRIDGE RD**
   REQUEST: **TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM LOW DENSITY RESIDENTIAL (LDR) TO RETAIL (R) AND THE ZONING MAP FROM SINGLE FAMILY**

RESIDENTIAL – 3 (SF3) TO GENERAL BUSINESS DISTRICT (GB)

ADJOURN

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.

THE SUNNYVALE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

THE FOREGOING NOTICE WAS POSTED IN THE FOLLOWING LOCATIONS:
SUNNYVALE ISD 417 E. TRIPP ROAD
SUNNYVALE LIBRARY AT 402 TOWER PLACE

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON APRIL 15, 2016 IN THE FOLLOWING LOCATIONS AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:

TOWN HALL AT 127 N. COLLINS ROAD

_____

LESLIE BLACK, TOWN SECRETARY

MINUTES
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MONDAY, MARCH 21, 2016
TOWN HALL - COUNCIL CHAMBERS
127 N. COLLINS RD.
7:00 P.M.

CHAIRPERSON	**KEN DEMKO**
CO-CHAIRPERSON	**ANTHONY OKAFOR**
COMMISSIONER	**JOHN PEASE**
COMMISSIONER	**SHINEY DANIEL**
COMMISSIONER	**JOSH SANDLER**
COMMISSIONER	**RAY VANEK**
COMMISSIONER	**KING MOSS**
ALTERNATE COMMISSIONER	**SARAH MITCHELL**
ALTERNATE COMMISSIONER	**DON KLINE**

CALL MEETING TO ORDER

Meeting called to order at 7:00 p.m.

1. APPROVAL OF MINUTES FOR 2/21/2016 REGULAR MEETING

Commissioner Pease made a motion, seconded by Commissioner Daniel, to approve the Regular Meeting Minutes. Chair Demko called for a vote, and with all members voting affirmative, the motion passed unanimously.

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

2. APPLICANT: **JOHN ARNOLD - SKORBURG DEVELOPMENT**
AT OR ABOUT: **NE QUADRANT OF THE INTERSECTION OF TRIPP RD AND JOBSON RD (83.06 ACRES)**
REQUEST: **TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAMGRAM FROM ESTATE RESIDENTIAL (ER) TO LOW DENSITY RESIDENTIAL (LDR) AND THE ZONING MAP FROM SINGLE FAMILY 3 (SF-3) & SINGLE FAMILY 2 (SF-2) TO SINGLE FAMILY 3 – PLANNED RESIDENTIAL OVERLAY (SF-3-PRO) (GLAZER ESTATES)**

Director Jackson presented the item.

The applicant is seeking zone change approval for a proposed planned residential overlay. The property is located within the northeast quadrant of the intersection of Tripp Road and Jobson Road. The property

is 83.06 acres in size and is zoned Single Family Residential 2 (SF-2) on the southern portion of the property abutting Tripp Road and Single Family Residential 3 (SF-3) on the northern portion of the property. The property abuts the Sunnyvale Estates development to the west, The Falls development to the east, large single family residential lots to the south, and property owned by Texas Power & Light/Oncor Electric Delivery Company on the north. A portion of the property is located within floodplain; and consists of two existing ponds. Most of the floodplain area would remain undeveloped with the current proposal. There are a number of existing structures located within the southwest corner of the property that would be removed prior to development.

The applicant does not plan to develop to the base zoning district requirements. The applicant has proposed 58 single family residential lots, which range in size from .5 acres to 1.4 acres. The development would have a mix of 1/2 acre and 1 acre lots within the northern portion of the development and 1 acre lots along the southern portion of the development. If allowed, the development would require a zone change to a Planned Residential Overlay (PRO) due to the lot size variations proposed. The proposed ½ acre lots within the development do not follow the development standards for the underlying SF-3 zoning district. The SF-3 zoning district requires a 1 acre lot size minimum. With a PRO, the developer can request a variation from the base zoning district development standards with regard to lot size, dimension and design. The types of uses allowed and performance standards applicable to planned residential developments may vary from the base district with which the planned residential overlay combines.

In order to proceed with the development proposal, the applicant has requested a zone change and comprehensive plan land use amendment.

John Arnold, 8214 Westchester Street, Dallas Texas, spoke on behalf of the proposal. Mr. Arnold presented a power point of the proposed development. He gave background on the details of the development and presented photos of similar Skorburg developments.

Commissioner Sandler asked if within existing SF3 area of the proposed plan, how many 1 acre lots are proposed.

Mr. Arnold noted that there would be 21 one acre lots and 26 half acre lots within the development.

Commissioner Okafor noted his concerns with drainage thru the development and the down flow from Homestead 3. He wanted to insure that the down flow from Homestead 3 would be included in the study for the proposed development.

Mr. Arnold stated that the area would be included in the drainage study. The Skorburg engineer noted that the study would include all surrounding areas.

Commissioner Moss noted that the applicant did not address the commission's concerns with a wider paved street section.

Mr. Arnold stated that they decided to keep the country lane paved width so as to have a more rural feel. He stated that the country lane would be more marketable and in conjunction with other Skorburg developments.

Commissioner Daniel asked how the lack of a sidewalk is more marketable.

Mr. Arnold stated the country lane would work with a larger lot subdivision because of the space between the lots and driveways. He noted that in a small lot subdivision you would have some safety concerns

with the number of driveways which would require the use of sidewalks. He stated that there would be room to walk on the street as opposed to a sidewalk.

Commissioner Daniel asked if someone wanted to walk in the neighborhood would they be required to walk in the street.

Mr. Arnold stated that the residents would have to walk in the street but there wouldn't be as much of a safety concern.

Commissioner Okafor asked how the residents on the southern end of the development would use the proposed trail within the open space area.

Mr. Arnold stated that a connection could be easily made if necessary.

Discussion was had amongst the commission and applicant regarding the lack of sidewalks and narrow streets in subdivisions.

Chairman Demko noted that there could be an issue accessing the open space trail from the northern properties.

Mr. Arnold noted that a mid block connection could be made.

Commissioner Vanek asked why you wouldn't do a trail around the lake.

Mr. Arnold stated there were some cost concerns with constructing a trail around the lake. Crossing the floodplain could be costly.

Commissioner Okafor noted the drainage concerns of abutting residents.

Mr. Arnold stated that he would be willing to over detain on the property in order to assure no future issues with drainage. He explained how a flood study and drainage study would help with the process.

Commissioner Pease asked if the applicant believed that this property would not be developed without a zone change.

Mr. Arnold stated that he believe that it would not be developed if they were required to develop the area under current zoning and 1 acre lots.

Commissioner Moss asked how many 1 acre lots were on the previously approved concept plan for the subject area.

Mr. Arnold noted that there were approximately 45 one acre lots equating to 13 fewer lots than their proposal.

Franklin Watkins, 236 N. Jobson Road, spoke in opposition to the request. He disliked the increased density and noted that this was not a Sunnyvale type development. He noted that the density was far more than that of the Falls development and Homestead development.

Christine Gunter, 318 E. Tripp, spoke in opposition to the request. She noted her concerns with increased drainage from the development. She submitted pictures of the existing drainage issues. She noted her opposition to homes being placed along Tripp.

Lean Williamson noted her concerns with the proposed trail not matching the proposed Sunnyvale Open Space master plan.

Director Jackson noted her concerns and stated that the portions of the open space trail outside of the subject property boundaries would not be required to be developed by the developer. Only the portions within the proposed subdivision area would be developed.

Lori Akins, 207 Fox Tail Lane, spoke in opposition to the request. She was opposed to the increased density.

John Arnold addressed the residents' concerns. He noted the density of the development would be .7 units per acre. He also noted that the current drainage issues would likely be fixed with the development of property.

Discussion was had amongst the commission with regard to the PRO requirements and the base zoning density requirements.

Chairman Demko noted his concern with the proposed homes that would have direct access to Jobson Road and Tripp Road. He noted that the applicant did not address this concern.

Mr. Arnold stated that he believed the request to allow for the direct access would be made at the Town Council meeting. He also noted that other residences nearby had direct access to Jobson and Tripp Road.

Discussion was had in regards to the driveway access issue.

Mr. Arnold stated that he would be willing to do a driveway plan to address any concerns with direct access.

Commissioner Pease made a motion to deny the request, seconded by Commissioner Sandler. Chairperson Demko called for a vote, and with all members voting to deny, the motion passed unanimously.

2. APPLICANT: JOHN ARNOLD - SKORBURG DEVELOPMENT AT OR
ABOUT: 3134 N BELT LINE RD – 45.632 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF BELTLINE RD AND TOWN EAST BLVD
REQUEST: TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM RETAIL (R) TO URBAN DENSITY RESIDENTIAL (UDR) AND THE ZONING MAP FROM LOCAL RETAIL (LR) TO ATTACHED HOUSING – PLANNED RESIDENTIAL OVERLAY (AH- PRO)

Director Jackson presented the item. He noted that the proposal was tabled by the applicant at the last P&Z meeting in order to address the commissions concerns.

The applicant has submitted a zoning proposal to develop a residential community at the southeast corner of Town East Road and Beltline Road. The residential development will encompass approximately 45 acres. The southern portion of the subject property is currently developed as the Town East Golf Center (3134 Belt Line Road). The northern portion of the property is undeveloped. The existing zoning for the entire property is Local Retail. The existing land use designation in the Town future comprehensive plan is Retail.

The property abuts the Samuel New Hope Park to the west, Belt Line Road to the east, Church property to the south, and Town East Blvd. on the north. The applicant has proposed a Planned Residential Overlay development for the subject property. The PRO would use the Attached Housing zoning district as its base zoning district. Forty-Five (45) acres would be developed with 155 lots proposed under the AH-PRO district. The immediate corner of the property, approximately 13.7 acres, would remain undeveloped and zoned Local Retail.

In order to proceed with the development proposal, the applicant has requested a zone change and comprehensive plan amendment.

Commissioner Daniel asked town staff to address the 5' side yard setback request. She asked if a 5' yard setback was used in any other development within the Town.

Director Jackson stated that he was unsure and would need to check other AH developments.

Chairman Demko stated that he believed that the Creekside development had side yard setbacks of five feet.

Mr. Arnold spoke on behalf of the request. He requested that the item be tabled so that he could address any concerns the Commission might have with his presentation. He also noted that the proposal would be changed.

Chairman Demko stated that he would rather table the request without a presentation for the sake of time.

Director Jackson agreed and stated that the Commission would only be required to hear what was noticed for the meeting.

Commissioner Vanek made a motion to table the request, seconded by Commissioner Pease. Chairperson Demko called for a vote, and with all members voting to table, the motion passed unanimously.

4. APPLICANT: TERESA MYERS – LAND RESOLUTIONS, INC.
AT OR ABOUT: 320 TOWN EAST BLVD. (7.4 ACRES)
REQUEST: PRELIMINARY PLAT – HAWKINS ESTATES, LOT 1 BLOCK 1

Director Jackson presented the item.

1. *The applicant is the representative for a residential property located at or about 320 Town East Blvd. The parcel of land is approximately 7.4 acres. The property is surrounded by a residential property to the east, The Homestead Phase 2D-S to the south and the future phase of The Homestead Phase 7 to the west. The applicant proposes to plat the subject lot for the development of a single residence. The property is zoned for residential development. The applicant has established the necessary easements, setbacks and buffers required for the development of the subject lot.*

Perry Hawkins, the land owner, spoke on behalf of the application.

Larry Allen, 300 Eagles Crest, Sunnyvale, Tx spoke. He noted that he was in favor of the request.

Commissioner Pease made a motion to approve the request, seconded by Commissioner Daniel. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

5. APPLICANT: HOLLEY MONTIE
AT OR ABOUT: 520 CLAY ROAD (3.04 ACRES)
REQUEST: MINOR PLAT - FLOWERS DISTRIBUTION CENTER

Director Jackson presented the item.

The subject property is located at or about 520 Clay Road directly north of the Union Pacific Railroad and Scyene Road. The applicant has submitted a minor plat application for the development of an office warehouse building. The building will be used for by the Flowers Food Company for the distribution of baked goods. The subject property is approximately 3.048 acres in size. The applicant received approval for a site plan for the subject location in January 2016. Staff recommends approval. Town staff comments, as stated within the letter sent to the applicant on 03.07.16 must be satisfactorily addressed prior to construction. Traffic signal improvements will need to be complete prior to the issuance of a Certificate of Occupancy for the proposed building

Holly Montie, 1002 Glenn Cove, Richardson, Tx spoke on behalf of the request. She noted that she was aware of the Town engineering comments that would need to be addressed.

Commissioner Moss made a motion to approve the request, seconded by Commissioner Vanek. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

6. APPLICANT: STONE CANYON EAST, L.P. (DAVID GOODHART)
AT OR ABOUT: 7.5 ACRES SOUTH OF STONE CANYON DRIVE AND BOULDER LANE
REQUEST: PRELIMINARY PLAT – STONE CANYON EAST, PHASE 5A

Director Jackson presented the request.

The subject property is located within the Stone Canyon East development. The zoning district designation is Single Family Residential 4 - Planned Residential Overlay (SF-4 PRO). The regulations associated with the development were established within Ordinance No. 413, which guides the development of this project. The subject property is located within the Stone Canyon East development. The zoning district designation is Single Family Residential 4 - Planned Residential Overlay (SF-4 PRO). The regulations associated with the development were established within Ordinance No. 413, which guides the development of this project. The number of dwelling units provided within the overall development is not to exceed 239 residential homes. The applicant has submitted a preliminary plat for approval. The plat proposes to create twelve (12) residential lots on 7.5 acres within the Stone Canyon East development.

Phase Adjustment
The original 2005 concept plan for Stone Canyon East called for the subject area to be developed as part of a larger 24 acre tract, noted as Phase 2. The applicant proposes to divide the concept plan Phase 2 tract into 3 smaller phases, currently noted as Phase 5A, Phase 5B and Phase 5C. The applicant has submitted a preliminary plat in accordance with this proposed phase change. Section VIII of the Stone Canyon PRO ordinance allows for the "reconfiguration of phases as to acreage, number of dwelling units and residential density. The ordinance allows for adjustment to be made as the subdivision continues to develop.

Concept Plan
Staff records indicate that the last revision to the Stone Canyon East concept plan was done in 2005. Since then, several small amendments have been made to the original concept. For clarity and consistency, Town staff has requested the submission of an updated concept plan, particularly if the intent is to develop the rest of the Stone Canyon East subdivision as multiple phases other than what is noted on the original concept plan. An up to date concept plan should be submitted that truly reflects the proposed phasing and current lot configuration of the subdivision. The revised concept should be submitted prior to or with the submittal for the next phase.

David Goodhart, 416 Mustang Drive, spoke on behalf of the request. He explained the reasoning behind the request.

Chairman Demko asked if there was a change in the density. He noted that he did not see any major lot size changes.

Mr. Goodhart noted that there was not a density increase.

Chairman Demko noted Director Jackson requested for a revised concept plan prior to the submittal of another plat.

Paul Cash, 347 Tripp Road, spoke to the Chairman. He agreed that Town staff needed an updated concept plan due to the changes that happened during the development.

Commissioner Pease asked if there were any trails associated with the development.

Paul Cash stated that an 8' hike and bike trail would be a part of the proposed development (Phase 5A)

Discussion was had amongst the commission and staff in regards to the timing of the construction of trails within subdivisions.

Mr. Goodhart explained the layout of the Stone Canyon trail system.

Commissioner Sandler asked if the developer had any plans to repair any of the iron fences in the area.

Mr. Goodhart stated that the HOA would address the maintenance of open space fences.

Chairman Demko asked about a drainage issue along the old railroad track

Paul Cash stated that it was the hope of the developer that the Town would eventually take over the old railroad track for a trail. He noted that nothing could be done at the time because the trail is privately owned.

Commissioner Vanek asked Mr. Goodhart to address the Towns comments to remove a 66" head wall associated with the development.

Paul Cash stated that he would get with the public works director to address the comment. He provided background to the situation.

Commissioner Okafor made a motion to approve the request, seconded by Commissioner Vanek. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

7. APPLICANT: STONE CANYON EAST, HOA (DAVID GOODHART)
AT OR ABOUT: 2.6 ACRES NEAR THE INTERSECTION OF STONE CANYON DRIVE AND CAPROCK DRIVE
REQUEST: REPLAT – STONE CANYON EAST, PHASE 4, LOT OS 192R & OS 193R

Director Jackson presented the request.

The subject property is located within the Stone Canyon East development. The zoning district designation is Single Family Residential 4 - Planned Residential Overlay (SF-4 PRO). The regulations associated with the development were established within Ordinance No. 413, which guides the development of this project. The subject replat request is for a slight revision to existing open space lots within the development. Based on staff review of the original Stone Canyon Phase 4 final plat, it appears the subject parcels will be made slightly smaller.

David Goodhart, 416 Mustang Drive, spoke on behalf of the request. He explained the reasoning behind the request.

Paul Cash explained the reasoning for the request was to provide better access for lots within a future phase.

Chairman Demko asked if the revised lots would still meet all the width and depth requirements.

Paul Cash stated that they would.

Commissioner Moss asked if the changes would impede entry into the lake.

Mr. Goodhart stated that the changes would not impede entry. He noted it would actually create better access.

Discussion was had amongst the commission and applicant in regards to access to the lake.

Commissioner Okafor made a motion to approve the request, seconded by Commissioner Daniel. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

8. APPLICANT: STONE CANYON EAST, L.P. (DAVID GOODHART)
AT OR ABOUT: 1.411 ACRES AT STONE CANYON DRIVE AND BOULDER LANE
REQUEST: SITE PLAN – STONE CANYON EAST AMENITY CENTER

Director Jackson presented the request. He noted the details of the submittal and recommended approval of the request subject to the applicant addressing all Town department comments satisfactorily.

David Goodhart spoke on behalf of the request. He explained some of the details of the request. He noted the details of the proposed building, stone detailing and pool design.

Commissioner Sandler asked what would be constructed first, the pool or the amenity center.

Mr. Goodhart stated that he believed the amenity center would be constructed prior to the pool. He noted that the amenity center building permit plans were already submitted to the Town.

Commissioner Sandler asked if the Town had any kind of construction controls with regard to the plumbing of the pool.

Director Jackson noted that the applicant would have to develop in accordance to the 2009 building code.

Commissioner Daniel asked if the center would have showers.

Mr. Goodhart stated that there would not be any showers. He noted that the amenity center in Stone Canyon West was built with showers. He noted issues with the long term maintenance and appropriate use of the showers.

Commissioner Moss asked if the retaining walls to the east and north of the subject property would be fixed.

Mr. Goodhart stated that the walls would be fixed.

Commissioner Vanek asked if parking would be adequate.

Mr. Goodhart stated that there are always a couple of days throughout the year when there is some over load for big events. But he noted he has never seen any issues with traffic or parking at the Stone Canyon West amenity center. He noted a majority of users would likely walk to the amenity center.

Discussion was had with regard to the proposed build out time line for Stone Canyon East.

Commissioner Sandler made a motion to approve the request, seconded by Commissioner Vanek. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

9. APPLICANT: JOSE CANTU
AT OR ABOUT: 3.7 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF S. COLLINS RD (SH 352) AND CLAY RD
REQUEST: SITE PLAN - US RENAL CARE SUNNYVALE

Director Jackson presented the request.

The subject property is located at or about 220 South Collins Road. The applicant requests approval of a proposed site plan for the development of a US Renal Care facility. US Renal Care provides dialysis medical services and outpatient care. The subject property, located within a General Business zoning district is 3.7 acres in size. The proposed use is allowed by right within the General Business District.

South Collins Road & Clay Road Overlay District: The proposed building lies within the South Collins and Clay Road Design Overlay District. The primary objectives of the overlay districts are to create and reflect a high level of architectural design appeal throughout the Town. The applicant proposes to construct a 7,500 sq.ft. building on the subject property. The building is subject to regulations noted in the corresponding design overlay district criteria for site design details. The building is also subject to general zoning district regulations for the proposed non residential use.

Jose Cantu spoke on behalf of the request. He gave background on the request and design of the building. He noted that he would comply with the conditions noted by staff.

Chairman Demko noted that the proposed building would face Clay Road but would have access from Collins and Clay.

Mr. Cantu stated that was correct. He noted that they did not be the building would be a high traffic area.

Mr. Cantu explained the details of the drainage, easements and conditions of the site and noted that the developer would repair an existing 66" RCP pipe that was previously discussed on another agenda item.

Commissioner Sandler asked if the small medical building would look similar to the orthopedic center already built in the area.

Mr. Cantu stated that he could not remember the building mentioned. But he believed the building would be somewhat similar but would use different materials.

Doug Mathis, Alex Roush Architects, spoke in regards to the architectural details of the building.

Commissioner Sandler noted his concerns with the appearance of the building and noted that he hoped the design would avoid the appearance of a strip mall type building.

Doug Mathis noted that the design of the building was primarily in response to the owners requests. He noted that the building would be designed in a similar fashion to a building already built in Laredo, Texas. He stated that he would not be opposed to incorporating some of the suggestions made by the Commission.

Discussion was had amongst the Commission with regard to the exterior materials.

Commissioner Sandler asked the applicant to explain some of the details of the landscaping.

Mr. Cantu explained the details of the landscaping and noted that the chosen vegetation would be native to the area.

David Goodhart, 416 Mustang Drive, spoke in favor of the request. He noted that a provision for the sale of the lot (noted in a letter sent to the Commission) was for the building stone to match the stone that was used on the Stone Canyon office building. He asked the commission to approve the building subject to matching the stone on the office building.

Chairman Demko asked if the provision noted in the sale was a deed restriction or just contractual.

David Goodhart stated that the provision was not deed restricted.

Discussion was had amongst the commission about the provision and the buildings near the subject area.

Doug Mathis stated that he would be open to meeting the requirements of the provision to use stone similar to that existing in the area.

Chairman Demko noted to Director Jackson that he did not see the need for articulation on the façade that faced Collins Road. He noted that the variations in the materials should suffice on the façade. He stated that he believe it was appropriate due to its distance away from Collins Road.

Discussion was had amongst the commission about the articulation and overlay regulation.

K. Paul Cash, 190 S. Collins, spoke in favor of the request. He stated that he felt the building was designed well.

Commissioner Pease noted his concerns with including contractual language in the motion for approval.

Director Jackson also noted his concern and stated that it's not necessarily something the Town could enforce being that it was not a zoning requirement.

Commissioner Moss made a motion to approve the request, seconded by Commissioner Daniel. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

10. APPLICANT: JOSE CANTU
AT OR ABOUT: 3.7 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF S. COLLINS RD (SH 352) AND CLAY RD
REQUEST: PRELIMINARY PLAT – US RENAL CARE SUNNYVALE

Director Jackson presented the request.

The applicant is the representative for property located at or about the intersection of South Collins Road and Clay Road (behind the Cosa Nostra restaurant). The parcel of land is approximately 3.7 acres. The property is surrounded by a residential property to the east, general business zoning to the south and South Collins Road (SH 352) to the west. The applicant proposes to plat the subject lot for the development of a US Renal Care facility. US Renal Care provides dialysis medical services and outpatient care. The property is zoned appropriately for the proposed use. The applicant has established the necessary easements, setbacks and buffers required for the development of the subject lot.

Jose Cantu spoke on behalf of the request. He stated that he was aware of the staff comments. He stated he would work with the abutting property owners to try to work out a shared maintenance agreement amongst the property owners for the shared driveway.

Commissioner Daniel made a motion to approve the request, seconded by Commissioner Sandler. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

11. APPLICANT: COLIN HELFFRICH, P.E.
AT OR ABOUT: 334 JOBSON ROAD – 48.77 ACRES EAST OF JOBSON ROAD AND WEST OF WANDERING BROOK DRIVE
REQUEST: TENTATIVE DEVELOPMENT PLAN – STONEY CREEK PHASE 2E

Director Jackson presented the request.

The applicant is requesting a tentative development plan approval for Stoney Creek Phase 2E. As shown on the Phasing Map for the Concept Plan, Phase 2E is to consist of 72 lots and 3 open space lots on

48.771 acres. The proposed plan shows a total of 72 single family residential lots ranging in size from 16,000 square feet to 32,000 square feet. Open space lots will serve as a landscape buffer along the east, north and south sides of the development. The overall design of phase 2E is consistent with the approved concept plan for the phase except for the following changes. The developer would like to gain approval for the plan and proposed changes prior to moving forward with a future request for preliminary platting.

Colin Helffrich spoke on behalf of the request. He provided background on the request and reasoning for the request. He noted the variations requested within the development.

- *Variation to the Stoney Creek Boulevard roadway alignment as seen in Ordinance No. 463 Exhibit C Concept Plan. The reason for this variation is to avoid the Water of United States (WOUS) that was determined to be located on this property. The WOUS is located within the called Lot 1X Block A.*
- *Alley requirement shall be waived for lots less than 20,000 square feet.*
- *The minimum lot width for any sized lot shall be 100 feet minimum. Width measurement shall be as set forth in the Town of Sunnyvale's Zoning Ordinance Chapter 2: Definitions.*
- *The minimum setback requirements shall be as set forth:*
    - *Front Yard Setback: 50 feet*
    - *Rear Yard Setback: 30 feet*
    - *Side Yard Setback: 20 feet (Street Side: 30 feet)*
- *Deviation from the typical planting of a Red Tipped Photinia as called out in Ordinance No. 463 Exhibit D Open Space & Trail Plan. Due to the growing environment the Town has requested we provide Chinese Photinia in lieu thereof.*
- *Ordinance No. 463 calls out for a water feature to be within the Stoney Creek Boulevard median. After discussions with the Town, it is in our opinion the water feature called out in Ord. No. 463 was within the Waters of the US (WOUS) area. Due to the Corp restrictions we are avoiding the WOUS with a slight variation to the Stoney Creek Blvd alignment. In doing this the water feature now is located along side Stoney Creek Blvd in lieu of within the median.*

Commissioner Daniel noted her concerns with not having more access to Collins and the number of homes proposed.

Mr. Helffrich noted that there wasn't much that could be done for more access to Collins. The area of Stoney Creek near Collins was already developed.

Discussion was had amongst the Commission in regards to access within the proposed phase 2E.

Mr. Helffrich noted that there would be 3 access points to Jobson from the new phase.

Commissioner Daniel noted concerns with the number of cars that could be parked in front of each lot.

Mr. Helffrich noted that each lot would be approximately 100' wide. He stated that the width would allow for about 4 to 5 cars for each lot.

Commissioner Okafor addressed a concern to Director Jackson with regard to access within an abutting development, The Falls. He noted that he would like to see a connection be provided to The Falls from Stoney Creek.

Director Jackson noted that phase 2 of The Falls was already constructed. With that, there was no way for Stoney Creek to connect to The Falls due to the fact that there wasn't a stub out connection built with phase 2.

Discussion was had amongst the Commission with regard to one entry access to subdivisions throughout Sunnyvale.

Commissioner Mitchell asked if Mitchell Drive within The Homestead would align with the new Mitchell Drive entry into Stoney Creek phase 2E

Mr. Helffrich stated that the two roads would align.

Commissioner Pease asked if the applicant had any thoughts on the above grade trail crossing for Collins road.

Mr. Helffrich stated their plans were to sit down with staff to figure out how to proceed. He noted that the concept that was shown to be built would be difficult to construct.

K. Paul Cash, 128 Jobson Road, spoke. He provided background on the intent and history of the development. He noted concerns with the wetlands and asked if the wetlands were manmade.

Mr. Helffrich stated that the wetlands were not manmade. He explained the criteria for a WOUS classification.

Commissioner Moss made a motion to approve the request, seconded by Commissioner Sandler. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

12. APPLICANT: COLIN HELFFRICH, P.E.
AT OR ABOUT: 334 JOBSON ROAD – 61.39 ACRES SOUTH WEST OF THE INTERSECTION OF STONEY CREEK BLVD AND WANDERING BROOK DRIVE
REQUEST: TENTATIVE DEVELOPMENT PLAN – STONEY CREEK PHASE 2F

Director Jackson presented the request.

The applicant is requesting a tentative development plan approval for Stoney Creek Phase 2F. The proposed plan for Phase 2F is to consist of 82 lots and 4 open space lots on 61.398 acres. The plan shows a total of 82 single family residential lots approximately 20,000 square feet in size. Open space lots will serve as a landscape buffer along the east, north and south sides of the development. The overall design of Phase 2F is consistent with the approved concept plan for the phase except for the following changes. The developer would like to gain approval for the plan and proposed changes prior to moving forward with a future request for platting.

Colin Helffrich spoke on behalf of the request. He provided background on the request and reasoning for the request. He noted the variations requested within the development.

- *Variation to the Stoney Creek Boulevard roadway alignment as seen in Ordinance No. 463 Exhibit C Concept Plan. The reason for this variation is to avoid the Water of United States (WOUS) that was determined to be located on this property. The WOUS is located within the called Lot 1X Block A.*
- *The minimum lot width for any sized lot shall be 100 feet minimum. Width measurement shall be as set forth in the Town of Sunnyvale's Zoning Ordinance Chapter 2: Definitions.*
- *Deviation from the typical planting of a Red Tipped Photinia as called out in Ordinance No. 463 Exhibit D Open Space & Trail Plan. Due to the growing environment the Town has requested we provide Chinese Photinia in lieu thereof.*
- *Ordinance No. 463 calls out for a water feature to be within the Stoney Creek Boulevard median. After discussions with the Town, it is in our opinion the water feature called out in Ord. No. 463 was the WOUS area. Due to the Corp restrictions we are avoiding the WOUS with a slight variation to the Stoney Creek Blvd alignment. In doing this the water feature now is located along side Stoney Creek Blvd in lieu of within the median.*

Collin noted that the only major difference between the two requests, 2E & 2F, were the size of the lots.

Commissioner Moss made a motion to approve the request, seconded by Commissioner Okafor. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

13. APPLICANT: COLIN HELFFRICH, P.E.
AT OR ABOUT: 400 NANCE ROAD – 154 ACRES NORTHEAST OF NANCE ROAD
REQUEST: TENTATIVE DEVELOPMENT PLAN – STONEY CREEK TRACT 4

Director Jackson presented the request.

The applicant is requesting a tentative development plan approval for the remainder of Stoney Creek Tract 4 (4B, 4C & 4D). As shown on the proposed plan, Phase 4B, 4C and 4D will consist of 107 lots and 4 open space lots on 154.042 acres.

Phase 4B – 43 proposed lots

Phase 4C – 12 proposed lots

Phase 4D – 52 proposed lots

Director Jackson noted some of the concerns with the development if approved. He noted concerns with access along Nance Road, the number of lots and lot-to-lot drainage.

Colin Helffrich spoke on behalf of the request. He provided background on the request and reasoning for the request. He noted the variations requested within the development.

- *Lot to lot drainage shall be allowed for this Tract as reviewed and approved by the Town of Sunnyvale's engineer.*

- *The proposed 8' Hike and Bike trail shall be designed and constructed with the adjacent phase of development.*
- *Open fencing shall not be required adjacent to Duck Creek Open Space unless lots back or side to Duck Creek Open Space. At which point the lots backing or siding to Duck Creek Open Space shall be required to have open fencing.*
- *A variation to the required 2.47 acres of Landscape Buffer calculation. A 20' Open Space, Landscape, Drainage and Utility Easement has been provided along the back of lots adjacent to Nance Road and a 10' Open Space, Landscape, Drainage and Utility Easement has been provided along the back of lots that are adjacent to neighboring properties, as shown on the Tentative Development Plan for Stoney Creek Tract 4. This totals 2.15 acres of Landscape Buffer. Due to the limiting locations to provide Landscape Buffers it is requested the new required Landscape Buffer calculation be 2.15 acres.*
- *The Nance Road connection shall be an "Emergency Access Only" connection. This will consist of a gate, to be reviewed and approved by the Town of Sunnyvale, with a knox lock box.*
- *Deviation from the typical planting of a Red Tipped Photinia. Due to the growing environment the Town has requested the use of Chinese Photinia in lieu thereof.*

Chairman Demko asked Director Jackson if the construction of phase 5 would create better access.

Director Jackson stated that he would need to review the concept plan. He noted that the current developer for phase 1 thru 4 of Stoney Creek did not own the phase 5 portion.

Discussion was had amongst the Commission with regard to the proposed street network within the entire Stoney Creek development and tract 4.

Commissioner Moss asked if the developer would be open to making repairs to Nance Road.

Mr. Helffrich stated that as they go through the process they might be open to improving the road. But for a temporary condition, their intent was to provide an emergency access only point on Nance Road.

Commissioner Daniel noted her concerns and opposition to an emergency access only entry on Nance Road.

Commissioner Vanek asked if the same builders for previous phases would be used in tract 4.

Mr. Helffrich stated that they were unsure of the builders due to the terrain of tract 4. He went on to explain the details involved with lot-to-lot drainage.

Commissioner Daniel noted her concerns with lot-to-lot drainage. She questioned how the system would work in a flash flood situation.

Mr. Helffrich explained how the water would drain from lot-to-lot. He provided details on how the development would be constructed.

Chairman Demko noted that the lot-to-lot drainage concept had been used in developments in Rockwall.

Mr. Helffrich stated that the key to lot to lot draining was to assure that the swale and drain inlet in the wall were designed correctly.

Commissioner Okafor asked what type of grading slope would be used.

Mr. Helffrich stated that the slope would not be steep. He stated the slope would be approximately 10%.

Commissioner Vanek asked Director Jackson how close the development would be from proposed highway 190.

Director Jackson stated that he could not give an exact distance but he noted that the highway would be on the other side of Duck Creek away from the development. He also noted that the highway would be depressed within the subject area.

Commissioner Daniel asked who was responsible for the maintenance of Nance Road.

Director Jackson stated that the responsibility was the Towns.

K. Paul Cash spoke in opposition to the use of Nance Road. He provided background to the history of development. He noted the issues with the promises that were made by the previous developer and stated that the promises were not kept. He was opposed to using tax payer money to repair Nance Road for the developers project.

Discussion was had amongst the Commission with regard to the history of the development, property ownership within Stoney Creek and Nance Road.

Ryan Joyce, 1175 Preston Road, Dallas, Texas spoke. He noted that the connection point on to Nance was only intended to be an emergency access entry. He noted the details of the gate (knox box and emergency crash bar). He noted that signage would be used to note that the entry would be for emergency only.

Discussion was had amongst the Commission with regard to access to Nance Road and the number of lots proposed.

Commissioner Daniel noted her concerns with having only one access point to the development.

Chairman Demko called for a motion. Commissioner Moss made a motion to approve the request as submitted. Commissioner Pease seconded. Chairman Demko called for a vote, the motion passed 4 in favor 3 against.

14. APPLICANT: TOWN OF SUNNYVALE
REQUEST: AN ORDINANCE AMENDING ZONING ORDINANCE NO.324 DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE INCLUDING WITHOUT LIMITATION, CHANGES TO CHAPTER 19.7

TEMPORARY USES; AND ADDING REGULATIONS FOR MOBILE FOOD VENDORS, PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND PROVIDING A SEVERABILITY CLAUSE.

Director Jackson presented the item.

Direction was provided to Town staff to propose an amendment to the zoning ordinance to include provisions for mobile food vendors. Town Staff has prepared such an amendment for review and consideration by the Planning & Zoning Commission and Town Council.

Currently the Town has no regulations for mobile food vendors. At one time there was a "Sales from temporary facilities" category under Section 19.7 Temporary Uses in the zoning ordinance which allowed for temporary food and miscellaneous retail sales. In 2013, the "Sales from temporary facilities" category was removed as part of an overall update amendment to the zoning ordinance. Staff assumes that the temporary sales use was removed in order to restrict the opportunities for miscellaneous "back of the pickup truck type sales" throughout the Town. The removal of the "Sales from temporary facilities" category restricted the miscellaneous sales but subsequently it also restricted the opportunity for mobile food vendor sales such as snow cone stands and food trucks.

Town staff has received requests for the approval of snow cone stands as well as food trucks (for special events such as Sunnyfest). At this time, these particular uses are being permitted but without appropriate regulations in place. Staff has proposed an amendment that would allow for snow cone stands and other mobile food vendors within the Town limits.

Commissioner Daniel stated her concerns with the approval time period.

Director Jackson stated that this time period would allow for easier enforcement for staff.

Chairman Demko noted that the proposed approval period is typical

Director Jackson noted that those vendors that were a part of a special event would only be subject to the special event fee and would be approved for the associated event time period.

Commissioner Sandler discussed the changes that were made to address the concerns of the Commission. (mobile food vendor, mobile food stand)

Discussion was had amongst the Commission with regard to catering trucks and their regulation.

Commissioner Sandler proposed a revision to the ordinance to remove the language " in non-residential zoning district" in order to resolve possible location issues with mobile food trucks and catering trucks.

Commissioner Sandler made a motion to approve the request with the Commissions changes, seconded by Commissioner Moss. Chairperson Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

ADJOURN

Meeting adjourned at 11:02 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

_____
Ken Demko, Chair

ATTEST:

_____
Leslie Black, Town Secretary

Town of Sunnyvale

April 18, 2016

Prepared By: Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT: **COLIN HELFFRICH, P.E.**
AT OR ABOUT: **334 JOBSON ROAD – 48.77 ACRES EAST OF JOBSON ROAD AND WEST OF WANDERING BROOK DRIVE**
REQUEST: **TENTATIVE DEVELOPMENT PLAN – STONEY CREEK PHASE 2E**

Background & Analysis:

This item was initially heard and approved by the Planning & Zoning Commission on March 21, 2016. Newspaper notification for this item was done incorrectly for the meeting, therefore the item has returned for official P&Z approval. No changes have been made to the request since the last P&Z meeting approval.

The applicant is requesting a tentative development plan approval for Stoney Creek Phase 2E. The proposed plan for Phase 2E will consist of 72 lots and 3 open space lots on 48.771 acres. The proposed plan shows a total of 72 single family residential lots ranging in size from 16,000 square feet to 32,000 square feet. Open space lots will serve as a landscape buffer along the east, north and south sides of the development. The overall design of phase 2E is consistent with the approved concept plan for the phase except for the following changes. The developer would like to gain approval for the plan and proposed changes prior to moving forward with a future request for preliminary platting.

Key requested variations from original concept plan and ordinance requirements are noted below. The applicant has also provided a memo detailing all proposed changes as well:

- *Variation to the Stoney Creek Boulevard roadway alignment as seen in Ordinance No. 463 Exhibit C Concept Plan. The reason for this variation is to avoid the Water of United States (WOUS) that was determined to be located on this property. The WOUS is located within the called Lot 1X Block A.*
- *Alley requirement shall be waived for lots less than 20,000 square feet.*
- *The minimum lot width for any sized lot shall be 100 feet minimum. Width measurement shall be as set forth in the Town of Sunnyvale's Zoning Ordinance Chapter 2: Definitions.*
- *The minimum setback requirements shall be as set forth:*
    - *Front Yard Setback: 50 feet*
    - *Rear Yard Setback: 30 feet*
    - *Side Yard Setback: 20 feet (Street Side: 30 feet)*
- *Deviation from the typical planting of a Red Tipped Photinia as called out in Ordinance No. 463 Exhibit D Open Space & Trail Plan. Due to the growing environment the Town has requested we provide Chinese Photinia in lieu thereof.*
- *Ordinance No. 463 calls out for a water feature to be within the Stoney Creek Boulevard median. After discussions with the Town, it is in our opinion the water feature called out in Ord. No. 463 was within the Waters of the US (WOUS) area. Due to the Corp restrictions we are avoiding the WOUS with a slight variation to the Stoney Creek Blvd alignment. In doing this the water feature now is located along side Stoney Creek Blvd in lieu of within the median.*

Town staff has evaluated the proposed development against the Zoning Ordinance, Subdivision Ordinance, and Engineering Design Standards as well as the more specific requirements for a PRO contained within Ordinance No. 463.

Density and Lot Count Requirements

The property is zoned SF-3 PRO, Single Family Residential 3 Planned Residential Overlay. Ordinance No. 463 provides further regulations for how Tract 2 of Stoney Creek is to develop. The total number of dwelling units provided within Tract 2 shall not exceed 472. To date, Tract 2 has a total of 318 lots. The overall maximum density per gross usable acre shall not exceed 1.43 dwelling units per acre. The proposed plan notes the following:

TRACT 2 ZONING REQUIREMENTS					
ZONING REQUIREMENTS			CURRENT DEVELOPMENT		
MAXIMUM NUMBER OF UNITS:	472		CURRENT TOTAL NUMBER OF UNITS:	472	
MAXIMUM ACRES:	-		TOTAL ACRES:	330.388	
MAXIMUM DENSITY:	1.43	UNITS/ACRE	DENSITY:	1.43	UNITS/ACRE
ZONING LOT SIZE REQUIREMENTS			CURRENT RESIDENTIAL LOT SIZE		
15,000-17,999	182	UNITS	15,000-17,999	148	UNITS
18,000-23,999	213	UNITS	18,000-23,999	274	UNITS
≥24,000	77	UNITS	≥24,000	50	UNITS
PHASE 2A			PHASE 2E		
15,000-17,999	43	UNITS	15,000-17,999	46	UNITS
18,000-23,999	32	UNITS	18,000-23,999	24	UNITS
≥24,000	9	UNITS	≥24,000	2	UNITS
PHASE 2B			PHASE 2F		
15,000-17,999	2	UNITS	15,000-17,999	0	UNITS
18,000-23,999	63	UNITS	18,000-23,999	63	UNITS
≥24,000	9	UNITS	≥24,000	19	UNITS
PHASE 2C			PHASE 2G		
15,000-17,999	45	UNITS	15,000-17,999	0	UNITS
18,000-23,999	33	UNITS	18,000-23,999	43	UNITS
≥24,000	1	UNITS	≥24,000	4	UNITS
PHASE 2D					
15,000-17,999	12	UNITS			
18,000-23,999	16	UNITS			
≥24,000	6	UNITS			

Setbacks and Lot Size

As per the zoning requirements and the PRO standards, lots within Tract 2 of the Stoney Creek development are required to be a mix of sizes, which include:

Number of Units	Lot Size
182	Greater than or = to 15,000 – 17,999 square feet
213	Greater than or = to 18,000 – 23,999 square feet
77	Greater than or equal to 24,000 square feet

As shown above, the tentative development plan for Phase 2E proposes the following lot sizes.

Number of Units	Lot Size
46	15,000 – 17,999 square feet
24	18,000 – 23,999 square feet
2	Greater than or equal to 24,000 square feet

Lot width, lot depth, and setbacks are determined based upon the size of the lot provided. Under base zoning district requirements, setbacks and lot width requirements for lots within these size ranges are as follows:

Lot Size	Width	Front Setback	Side Setback	Rear Setback
14,000 to 19,999	100	50	20	30
20,000 to 34,999	120	60	20	40

The proposed plan calls for the following typical lot setbacks. The proposed setbacks are consistent with previous phases of Stoney Creek and the Stoney Creek PRO regulations.

Lot Size	Width	Front Setback	Side Setback	Rear Setback
14,000 to 19,999	100	50	20 (30 if corner lot)	30
20,000 to 34,999	100	50	20 (30 if corner lot)	30

Landscaped Buffer Areas and Open Space

If the tentative development plan is approved, a landscape plan/tree survey will be required with the submittal of the preliminary plat for the phase. The current plan shows a perimeter buffer along the east, north and south side of the phase. The plan would appear to be consistent with the approved open space/landscape plan for Stoney Creek. Final details of the proposed landscaping will be reviewed at the preliminary plat submittal stage.

Perimeter buffering is required for Tract 2 of the Stoney Creek development. The minimum buffer area is twenty-five (25) feet in width. The proposed development meets the twenty-five foot minimum requirement. Tract 2 also requires that 45.64 acres of open space be provided. Once complete, approximately 50 acres of open space will have been provided for within Tract 2 based on the open space plan.

Access and Infrastructure

Direct access will be provided to Phase 2E from Jobson Road and Stoney Creek Blvd. A two lane extension of Stoney Creek Blvd will be constructed as part of this phase. The extension will connect Stoney Creek Blvd to Jobson Road. The original concept plan called for a large median at the Jobson Road connection of Stoney Creek Blvd. The Stoney Creek ordinance notes that a water feature shall be developed within "*the median of the proposed Stoney Creek Blvd extensions, as depicted on the Concept Plan*." Although this is noted in the ordinance, staff was unable to find any language or landscape drawings portraying the intentions for the water feature or the specific location of the water feature.

As noted above, the original alignment for the proposed Stoney Creek Blvd connection to Jobson Road was designed to allow for a large median. Upon review, the applicant found that the proposed alignment would go through a restricted area designated by the Army Corp. of Engineers as the Waters of the U.S. In order to avoid the restricted area, the applicant will remove the large median and realign the roadway extension to the south.

A subdivision entry monument similar to those constructed at Stoney Creek Blvd and Collins Road is proposed at the Stoney Creek Blvd and Jobson Road connection. Existing roadways from Phase 2B will be extended and continued as part of phase 2E (Ash Brook Lane, Sandy Creek Drive & Marble Creek Court)

Trail Development

Ordinance No. 463 stipulates, "*An Americans with Disabilities Act compliant above-grade crossing shall be constructed over Collins Road within a portion of Nance Road (if abandoned by the Town Council) or in such other suitable location as selected by the Town Council in order to connect the pedestrian and bicycle trails and to provide safe access to the Nature Center, continuation of the trail to Tract 4, and the public school. The design of the above-grade crossing shall be in accordance with Exhibit G-1."* The proposed trail crossing will tie Tract 2 to Tract 4. The crossing would tie into the existing trail at the Tract 2 amenity center.

The developer plans to work with Town staff to determine how to move forward with this requirement. A decision on how to proceed will need to be made prior to the construction of the last phase of Tract 2 (Phase 2E & Phase 2F)

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on March 30th , 2016. Letters were also sent to property owners' within 400' on April 7th, 2016. The total number of letters sent was thirty-three (33). As of the release of the staff memo, two (2) responses in favor had been received.

Fiscal Impact

At the final plat stage, ordinance No. 463 requires that the developer contribute $1,100 per lot for traffic mitigation fees. This would equate to $79,200. These fees are to be set aside for two (2) designated roadway projects: Collins Rd (from Town East to Tripp Rd) and Tripp Rd/Collins Rd intersection improvements. To date, $418,800 (not including +$79,200 for phase 2E) have been contributed to the fund.

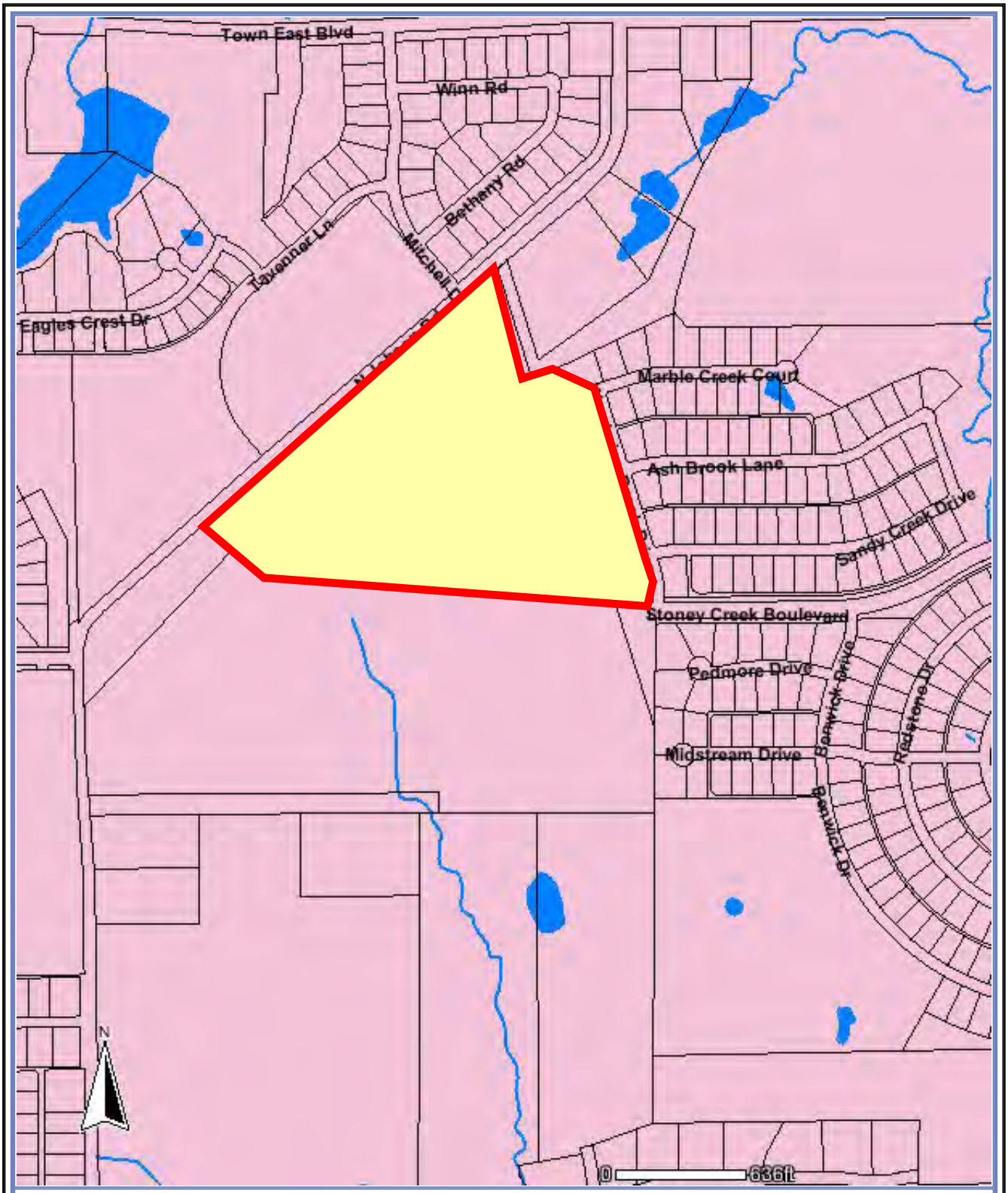
Staff Recommendation

Town staff has the following comments/recommendations for consideration:

1. Staff recommends approval. All department comments must be satisfactorily addressed prior to any development.
2. HOA documents will be required for the proposed development at the final plat approval.
3. The applicant will be subject to the payment of traffic mitigation fees in accordance with Ordinance No. 463 at $1,100 per lot to be paid at final plat approval.

Attachments

- Location Map
- Variation Memo
- Tentative Development Plan: Stoney Creek Phase 2E
- Tentative Development Plan: Stoney Creek Phase 2E – Open Space
- Approved Concept Plan Stoney Creek – Forestar Developers
- Ordinance No. 463 – Exhibit G-1 – above grade crossing
- 400' notice response letters



Dallas Central Appraisal District
www.dallascad.org

DISCLAIMER
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

DOWDEY, ANDERSON
& ASSOCIATES, INC.
CIVIL ENGINEERS

5225 Village Creek Drive
Suite 200
Plano, Texas 75093
972-931-0694
972-931-9538 Fax

MEMO FOR RECORD
STONEY CREEK PHASE 2E (DAA JOB NO. 12014-2E)
March 14, 2016

TO: Town of Sunnyvale

CC: Forestar Development

FROM: Dowdey, Anderson & Associates, Inc.

RE: Stoney Creek Phase 2E
Sunnyvale, Texas

Below is a list of proposed variations and deviations from the Town of Sunnyvale's Ordinance No. 463 and the Town of Sunnyvale's Zoning/Subdivision Ordinance.

- Variation to the Stoney Creek Boulevard roadway alignment as seen in Ordinance No. 463 Exhibit C Concept Plan. The reason for this variation is to avoid the Water of United States (WOUS) that was determined to be located on this property. The WOUS is located within the called Lot 1X Block A.
- Alley requirement shall be waived for lots less than 20,000 square feet.
- The minimum lot width for any sized lot shall be 100 feet minimum. Width measurement shall be as set forth in the Town of Sunnyvale's Zoning Ordinance Chapter 2: Definitions.
- The minimum setback requirements shall be as set forth:
  - Front Yard Setback: 50 feet
  - Rear Yard Setback: 30 feet
  - Side Yard Setback: 20 feet (Street Side: 30 feet)
- Deviation from the typical planting of a Red Tipped Photinia as called out in Ordinance No. 463 Exhibit D Open Space & Trail Plan. Due to the growing environment the Town has requested we provide Chinese Photinia in lieu thereof.
- Ordinance No. 463 calls out for a water feature to be within the Stoney Creek Boulevard median. After discussions with the Town, it is in our opinion the water feature called out in Ord. No. 463 was the WOUS area. Due to the Corp restrictions we are avoiding the WOUS with a slight variation to the Stoney Creek Blvd alignment. In doing this the water feature now is located along side Stoney Creek Blvd in lieu of within the median.
- No variations are requested of the Open Space and Landscape Buffers. To keep the consistency of previously approved plats, the Open Space and Landscape Buffer terms and calculations will be as shown on the Tract 2 Open Space Exhibit. It shall be noted this exhibit was previously approved at the time of Stoney Creek Phase 2G Preliminary Plat approval.

VICINITY MAP

LOCATION MAP
NOT TO SCALE

ROADWAY CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	89°32'18"	47.50'	47.12'	74.23'	S04°09'21"W 66.90'
C2	80°19'43"	47.50'	40.09'	66.59'	S08°45'39"W 61.27'
C3	21°17'40"	300.00'	56.40'	111.50'	S20°45'23"E 110.86'
C4	102°28'45"	47.50'	59.16'	84.96'	S61°20'55"E 74.08'
C5	26°21'02"	300.00'	70.23'	137.97'	N54°14'11"E 136.76'
C6	43°59'39"	1183.50'	478.09'	908.74'	N63°02'29"E 886.58'
C7	12°23'53"	300.00'	32.59'	64.92'	N78°50'22"E 64.79'
C8	7°38'22"	796.00'	53.14'	106.13'	S35°13'23"E 106.05'
C9	8°56'00"	250.00'	19.53'	38.98'	N85°08'37"E 38.94'
C10	43°52'09"	806.50'	324.78'	617.50'	N67°40'32"E 602.53'
C11	41°45'17"	250.00'	95.35'	182.19'	N66°37'07"E 178.18'
C12	83°28'47"	47.50'	42.38'	69.21'	N45°45'21"E 63.25'

LOT CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C13	89°32'18"	20.00'	19.84'	31.25'	N4°09'21"E 28.17'
C14	89°32'18"	25.00'	24.80'	39.07'	N4°09'21"E 35.21'
C15	80°19'43"	25.00'	21.10'	35.05'	S8°45'39"W 32.25'
C16	176°37'48"	55.00'	1869.58'	169.55'	S59°01'25"E 109.95'
C17	164°34'54"	55.00'	406.30'	157.99'	S46°54'23"W 109.01'
C18	270°00'00"	55.00'	55.00'	259.18'	S27°39'16"W 77.78'

LOT LINE TABLE

LINE	BEARING	LENGTH
T4	N85°50'39"W	14.09'
T5	N4°09'21"E	14.20'
T6	S6°02'22"W	14.65'
T7	S83°48'34"E	13.57'
T8	S8°45'39"W	15.28'
T9	S59°16'34"E	13.08'
T10	S10°00'45"W	15.00'
T11	S7°26'36"E	13.63'

LOT LINE TABLE

LINE	BEARING	LENGTH
T12	N27°41'07"E	14.15'
T13	S62°21'09"E	14.14'
T14	N32°48'22"E	12.81'
T15	S58°13'00"E	15.12'
T16	N47°04'30"E	14.61'
T17	S41°30'32"E	14.01'
T18	N53°11'50"E	13.07'

GRAPHIC SCALE

100 50 0 100 300

(IN FEET)
1 inch = 100 ft.

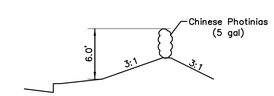
ROADWAY LINE TABLE

LINE	BEARING	DISTANCE
T1	S10°06'33"E	41.64'
T2	N72°38'26"E	90.13'
T3	N17°20'44"W	27.50'

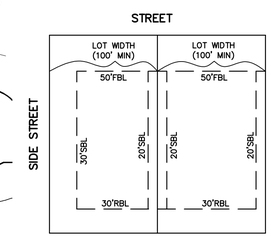
NOTES:
1. ALLEY REQUIREMENT SHALL BE WAIVED FOR LOTS LESS THAN 20,000 SQUARE FEET.
2. THE MINIMUM LOT WIDTH FOR ANY SIZED LOT SHALL BE 100 FEET. LOT WIDTH MEASUREMENT SHALL BE AS SET FORTH IN THE TOWN OF SUNNYVALE'S ZONING ORDINANCE CHAPTER 2: DEFINITIONS.
3. MINIMUM SETBACK REQUIREMENTS FOR ALL LOTS SHALL BE AS SET FORTH:
   FRONT YARD SETBACK: 50 FEET
   REAR YARD SETBACK: 30 FEET
   SIDE YARD SETBACK: 20 FEET
   STREET SIDE: 30 FEET
4. LANDSCAPE BUFFERS SHALL BE DEVELOPED IN ACCORDANCE WITH THE TOWN OF SUNNYVALE'S ZONING ORDINANCE NO. 463: EXHIBIT D.

TRACT 2 ZONING REQUIREMENTS

ZONING REQUIREMENTS			CURRENT DEVELOPMENT		
MAXIMUM NUMBER OF UNITS:	472		CURRENT TOTAL NUMBER OF UNITS:	472	
MAXIMUM ACRES:	-		TOTAL ACRES:	330.388	
MAXIMUM DENSITY:	1.43	UNITS/ACRE	DENSITY:	1.43	UNITS/ACRE
ZONING LOT SIZE REQUIREMENTS			**CURRENT RESIDENTIAL LOT SIZE**		
15,000-17,999	182	UNITS	15,000-17,999	148	UNITS
18,000-23,999	213	UNITS	18,000-23,999	274	UNITS
>24,000	77	UNITS	>24,000	50	UNITS
PHASE 2A			**PHASE 2E**		
15,000-17,999	43	UNITS	15,000-17,999	46	UNITS
18,000-23,999	32	UNITS	18,000-23,999	24	UNITS
>24,000	9	UNITS	>24,000	2	UNITS
PHASE 2B			**PHASE 2F**		
15,000-17,999	2	UNITS	15,000-17,999	0	UNITS
18,000-23,999	63	UNITS	18,000-23,999	63	UNITS
>24,000	9	UNITS	>24,000	19	UNITS
PHASE 2C			**PHASE 2G**		
15,000-17,999	45	UNITS	15,000-17,999	0	UNITS
18,000-23,999	33	UNITS	18,000-23,999	43	UNITS
>24,000	1	UNITS	>24,000	4	UNITS
PHASE 2D					
15,000-17,999	12	UNITS			
18,000-23,999	16	UNITS			
>24,000	6	UNITS			



TYPICAL
LANDSCAPE
BUFFER DETAIL
(PER ORD. NO. 463
EXHIBIT D)



TYPICAL LOT
SETBACK DETAIL

TENTATIVE DEVELOPMENT PLAN
STONEY CREEK PHASE 2E

LOTS 1–31, BLOCK A, LOTS 1–10, BLOCK B
LOTS 1–22, BLOCK C, LOTS 1–9, BLOCK D
ZONED PRO "SF–3"
72 SINGLE–FAMILY RESIDENCE &
3 OPEN SPACE LOTS
48.771 ACRES

NATHAN ATTERBURY SURVEY, ABSTRACT NO. 38
AND WILLIAM REED SURVEY, ABSTRACT NO. 1194
TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

DECEMBER 2015 SCALE: 1" = 100"

OWNER
STONEY CREEK PROPERTIES, L.L.C.
14755 PRESTON ROAD ~ SUITE 130
DALLAS, TEXAS 75254
CONTACT: DARREL AMEN ~ 972–702–8699

ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399

LEGEND

BTP = BY THIS PLAT
BSE = BY SEPARATE INSTRUMENT
SWE = SIDEWALK EASEMENT
DE = DRAINAGE EASEMENT
SSE = SANITARY SEWER EASEMENT
UE = UTILITY EASEMENT
TUE = TRANSFORMER & UTILITY EASEMENT
HOA = HOME OWNERS ASSOCIATION
BL = BUILDING LINE
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORD, DALLAS COUNTY, TEXAS
RC = RED CAP
IRF = IRON ROD FOUND
<CM> = CONTROLLING MONUMENT

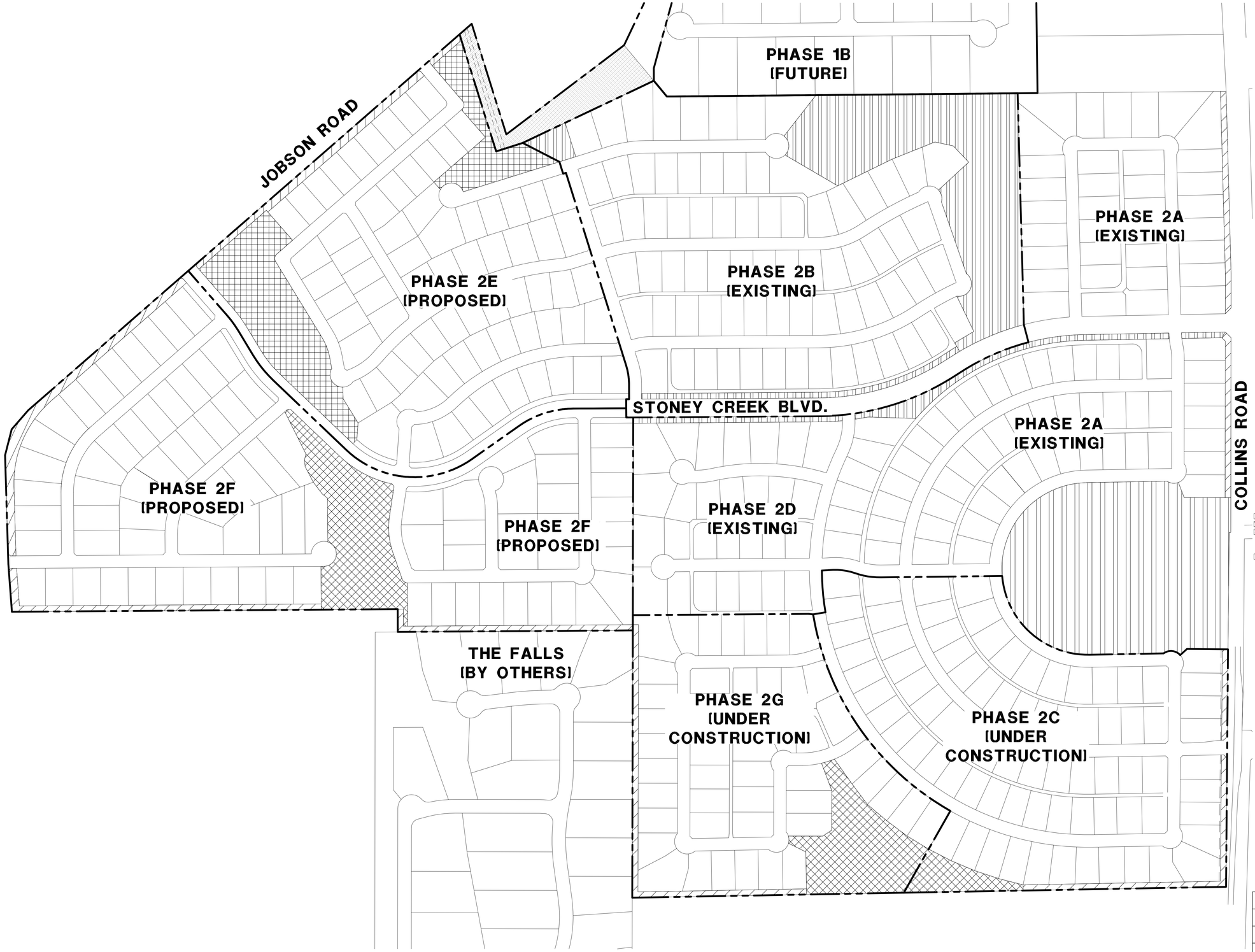
◊ DENOTES STREET NAME CHANGE

⊙ = 1/2" IRON ROD FOUND W/ YELLOW PLASTIC CAP STAMPED "DAA" (UNLESS OTHERWISE NOTED)
● = 1/2" IRON ROD SET W/ YELLOW PLASTIC CAP STAMPED "DAA" (UNLESS OTHERWISE NOTED)

REVISED:

12014–2E

Y:\12014\12014-2EFP.dwg, TDP, 3/13/2016 3:35:26 PM, cheffrich, Dowdey, Anderson & Associates, Inc., CH



GRAPHIC SCALE

200 100 0 200 600

(IN FEET)
1 inch = 200 ft.

TRACT 2

OPEN SPACE REQUIREMENT	=	45.64 ACRES
OPEN SPACE PROVIDED	=	50.99 ACRES
LANDSCAPE BUFFER REQUIREMENT	=	6.35 ACRES
LANDSCAPE BUFFER PROVIDED	=	7.09 ACRES

1. PREVIOUSLY PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN OPEN SPACE CALCULATIONS ONLY.

1. AREAS TO BE PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN OPEN SPACE CALCULATIONS ONLY.

1. AREAS PREVIOUSLY PLATTED AND TO BE PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN LANDSCAPE BUFFER CALCULATIONS ONLY.

1. AREA PREVIOUSLY PLATTED AS A NON-BUILDABLE LOT SATISFYING STONEY CREEKS OBLIGATIONS FOR OPEN SPACE AND LANDSCAPE BUFFERS ALONG THE COMMON PROPERTY LINES. THIS AREA IS BEING SOLD TO THE CROWNOVER FAMILY.
2. AREA COUNTED IN OPEN SPACE CALCULATIONS AS ORIGINALLY CALLED OUT BY P.D. 463 EXHIBIT D.

NO.	DATE	BY	REVISION

TRACT 2 OPEN SPACE
STONEY CREEK

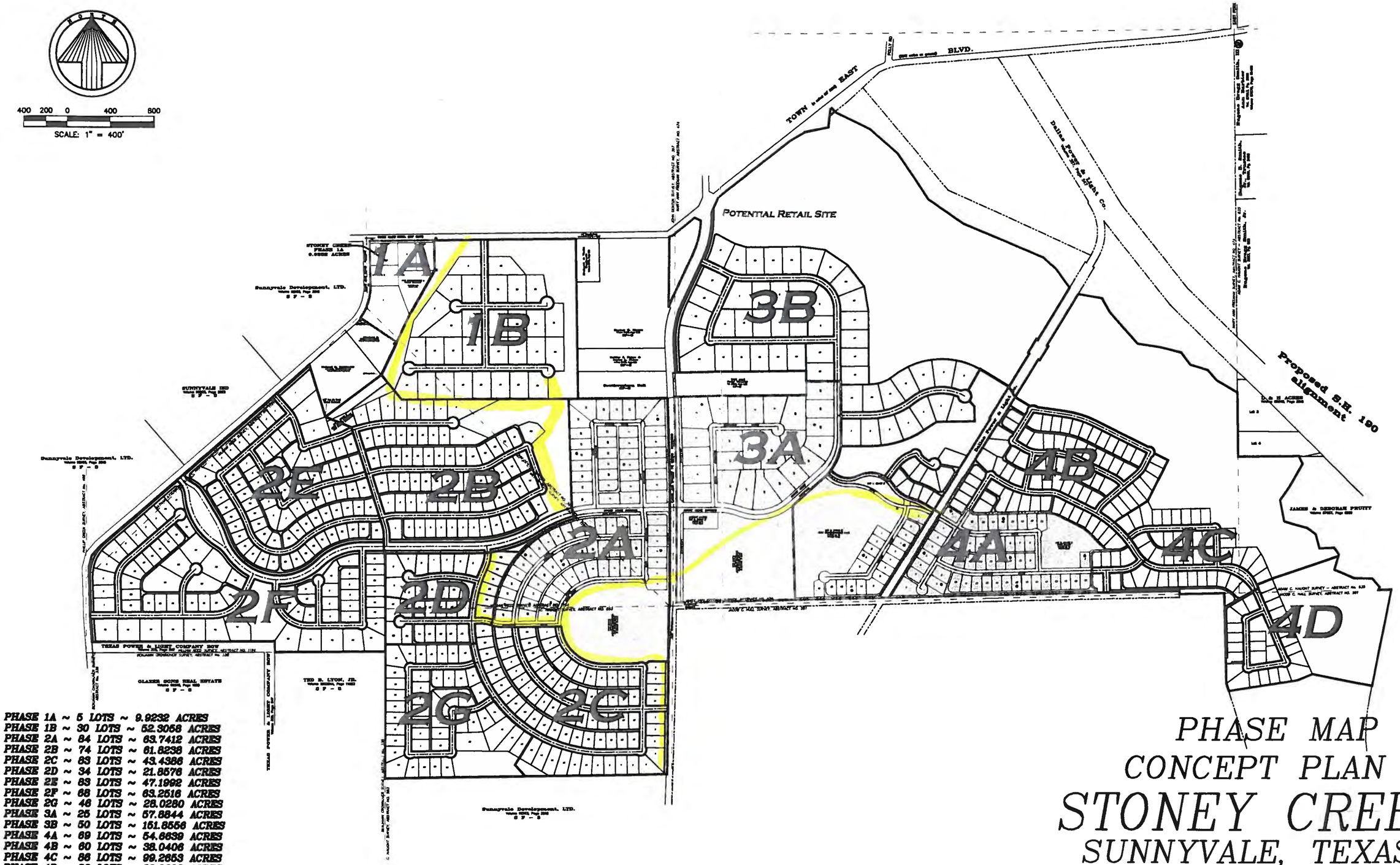
TOWN OF SUNNYVALE

DALLAS COUNTY, TEXAS

DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
SURVEY FIRM REGISTRATION NUMBER: 10077800

DESIGN	DRAWN	CHECKED	DATE	SCALE	JOB	SHEET
–	–	–	03/14/16	1"=200'	12014	1 / 1

Y:\12014\12014-02-OPEN SPACE.dwg, TRACT 2, 3/13/2016 3:38:03 PM, cheiffrich, Dowdey, Anderson & Associates, Inc., CH



PHASE MAP
CONCEPT PLAN
STONEY CREEK
SUNNYVALE, TEXAS

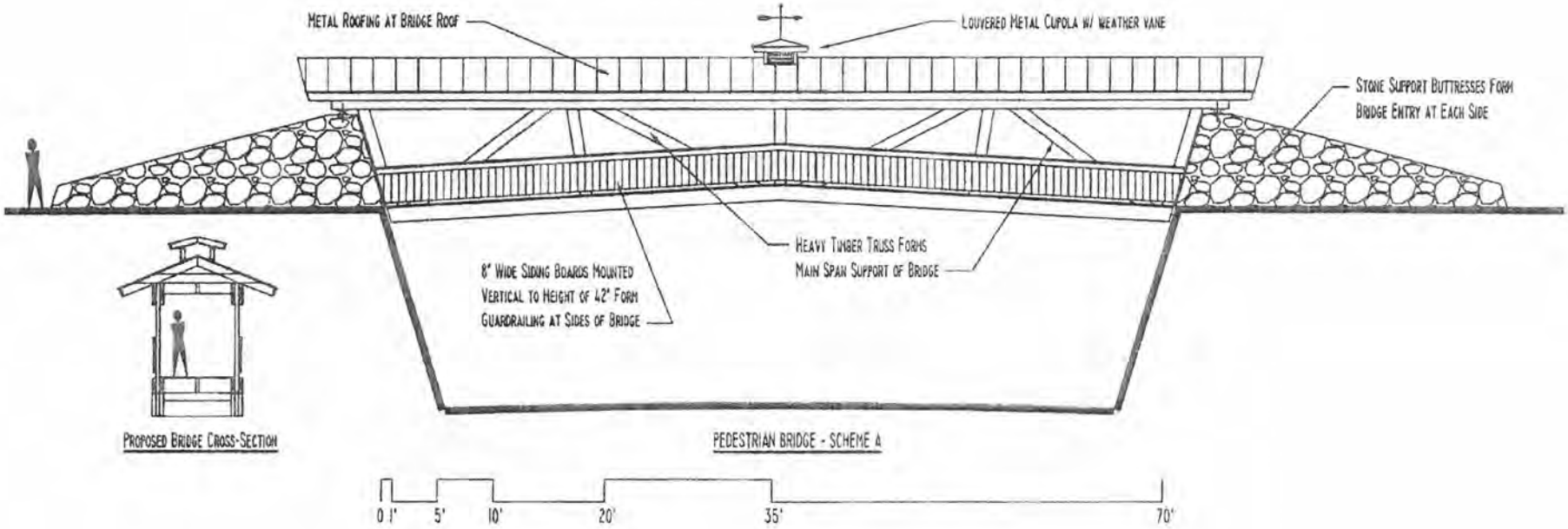
~ OWNER ~
FORESTAR REAL ESTATE GROUP
14785 Preston Road ~ Suite 850 ~ Dallas, Texas 75254

TIPTON ENGINEERING, INC.
ENGINEERING • SURVEYING • PLANNING
5330 Broadway Blvd. • Suite C • Garland, Texas 75043 • (972) 226-2987

#4926

ORDINANCE NO. 463

EXHIBIT G-1



Notice of Application for
Tentative Development Plan
Town of Sunnyvale
Planning & Zoning Commission

The Town of Sunnyvale has received a request from Colin Helffrich, P.E. for a tentative development plan approval of Stoney Creek Phase 2E. The request will allow for the review of an additional proposed phase of Stoney Creek subdivision. The location of the property is shown on the attached exhibit. This item was originally heard by the Planning and Zoning Commission on March 21, 2016. Due to a newspaper notice issue, the item will be heard again on the dates noted below.

The Planning and Zoning Commission will review this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The tentative development plan application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

☒ I am in favor of the tentative development plan

☐ I am opposed to the tentative development plan

Explanation: _____

Signature: [signature]

Printed Name: Christopher Jackson

Address: 600 N. Pearl, Ste 650, Dallas TX 75201

Date: 4/11/16

Notice of Application for
Tentative Development Plan
Town of Sunnyvale
Planning & Zoning Commission

The Town of Sunnyvale has received a request from Colin Helffrich, P.E. for a tentative development plan approval of Stoney Creek Phase 2E. The request will allow for the review of an additional proposed phase of Stoney Creek subdivision. The location of the property is shown on the attached exhibit. This item was originally heard by the Planning and Zoning Commission on March 21, 2016. Due to a newspaper notice issue, the item will be heard again on the dates noted below.

The Planning and Zoning Commission will review this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The tentative development plan application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

☒ I am in favor of the tentative development plan

☐ I am opposed to the tentative development plan

Explanation: _____

Signature: Martha Creighton

Printed Name: Martha Creighton - Beazer Homes

Address: 1750 Valley View Ln. Dallas, TX 75234

Date: 4/12/16

Town of Sunnyvale

April 18, 2016

Prepared By: Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT:	**JOHN ARNOLD - SKORBURG DEVELOPMENT**
AT OR ABOUT:	**SE QUADRANT OF THE INTERSECTION OF BELT LINE RD AND TOWN EAST BLVD**
REQUEST:	**TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM RETAIL (R) TO URBAN DENSITY RESIDENTIAL (UDR) AND THE ZONING MAP FROM LOCAL RETAIL (LR) TO ATTACHED HOUSING – PLANNED RESIDENTIAL OVERLAY (AH-PRO)**

Background:

The applicant previously tabled this request in order to address the Planning & Zoning Commissions concerns with previous submittals. A previous request, initially scheduled to be heard on February 22 2016, proposed 130 lots on approximately 44 acres equating to a density of 3.08 dwelling units per acre. At the February meeting, the commission noted concerns with the proposed lot sizes, density and parking within the subdivision. The commission also discussed the absence of alleys. The applicant has returned with an updated proposal of 110 lots on approximately 33.9 acres which would equate to a density of 3.24 dwelling units per acre.

The southern portion of the subject property is currently developed as the Town East Golf Center (3134 Belt Line Road). The northern portion of the property is undeveloped. The existing zoning for the entire property is Local Retail. The existing land use designation in the Towns future land use/comprehensive plan is Retail.

The property abuts the Samuel New Hope Park to the west, Belt Line Road to the east, Church property to the south, and Town East Blvd. on the north. The applicant has proposed a Planned Residential Overlay development for the subject property. The PRO would use the Attached Housing zoning district as its base zoning district. Thirty-three acres would be developed with 110 lots proposed under the AH-PRO residential development. The immediate corner of Town East Blvd. and Belt Line Road, approximately 13.7 acres, would remain undeveloped and zoned Local Retail.

In order to proceed with the development proposal, the applicant has requested a zone change and comprehensive plan land use amendment.

Comprehensive Plan Info

The Comprehensive Plan is the document that provides direction for the development of individual properties, according to the Town's vision. Individual development requests should fit into the overall development plan that has been prescribed in the comprehensive plan. Changes may be made to the comprehensive plan if it is believed that the change is more appropriate than what was initially proposed for the area. The comprehensive plan is a flexible document that should grow with the development of the Town.

The Land Use Diagram shows a Retail land use designation for the subject site. The 2000 Comprehensive Plan stipulates that the Retail category "is intended to include various types of retail and personal service uses, as well as low intensity office and professional uses, typically in a neighborhood oriented or shopping center setting. These uses may also be appropriate along major thoroughfares (e.g., Belt Line Road) and freeway frontages (e.g., U.S. Highway 80), as shown on the Future Land Use Plan."

The applicant proposes a change of the Retail land use category to the Urban Density Residential (UDR) land use category. The 2000 Comprehensive Plan stipulates that the UDR category is intended to provide for the development of "detached single family homes, duplexes, town homes and multi-family dwellings (2-story limit). Developments may be approved at incentive or bonus densities if larger lots also are included, open space is preserved, trees are preserved, special amenities are provided, and/or senior or assisted housing are provided.

As noted, development proposals are meant to fit into the proposed development plan for the area. The proposed plan does not. The development could be appropriate for the subject area but one must consider the established development intent noted in the Comprehensive Plan. At a recent joint meeting amongst the Town Council and Planning & Zoning Commission held on January 9, 2016, it was established that the future land use intentions for this property would remain retail. Noting this, staff cannot support the current application even if the development could be considered appropriate for the area.

Attached Housing – Base Density Standards

"The Attached Housing (AH) District is intended as an area for higher density urban development. The purpose of this district is the provision of mixed use developments and affordable housing. Full urban public services will be required in this district. The Attached Housing District corresponds to and implements the Urban Residential (UR) land use category on the Land Use Diagram of the Comprehensive Plan. This district may be combined with a Planned Residential (PRO) Overlay District."

The base density development standards for an AH zoning district are as follows. The maximum density for a base density development under an AH zoning district is 2.5 dwelling units. Existing AH district developments, Creekside and Glenwick, have an approximate density of 2.17 and 2.4, respectively. The minimum lot size for the AH zoning district is 7,000 sq. ft.

Chart 9.1
Development Standards
AH ZONING DISTRICT

DEVELOPMENT STANDARDS	AH DISTRICT
Minimum Lot Depth	greater than width
Maximum Height	2 ½ stories
Maximum Lot Coverage	40% of lot
Minimum Dwelling Unit Size	1,200 sq ft

The current proposal shows lot sizes ranging from 6,679 to 18,552 sq. ft. Based on these dimensions the proposed lots would be subject to the following setbacks if developed under base density regulations.

Chart 3.2 of zoning ordinance

	Lot Width	Front Setback	Side Yard Setback	Rear Yard Setback
14,000-19,999 square feet	100 feet	50 feet	20 feet	30 feet
12,000-13,999 square feet	100 feet	40 feet	15 feet	30 feet
10,000-11,999 square feet	100 feet	30 feet	15 feet	20 feet
7,000-9,999 square feet	70 feet	25 feet	10 feet	20 feet

The applicant has proposed the use of the following setbacks no matter the size of the lot.

	Lot Width	Front Setback	Side Yard Setback	Rear Yard Setback
7,500 square feet or greater	60 feet	25 feet	5 feet (15' at street intersection	10 feet

Attached Housing Planned Residential Overlay Standards

If established as a PRO, the following development standards should considered. For an AH-PRO (with single family detached dwellings), there are two density categories, which include incentive density and bonus density categories. For each category, there are items that need to be provided in order to qualify for a specific category. The requirements have been provided below:

Chart 9.2
Planned Residential Development Standards
AH ZONING DISTRICT

HOUSING TYPE	INCENTIVE DENSITY			BONUS DENSITY			
All	D.U./ acre	Open Space %	Buffer	D.U./ acre	Open Space %	Other Requirements	Buffer
	4.0	15%	Screen	6.0	15 %	Amenities per Section 10.9	Berm
Single Family Detached	**$ 7,000 sq ft minimum lot size and $ 7,000 sq ft minimum lot size area per unit**			**$ 4,500 sq ft minimum lot size and $ 4,500 sq ft minimum lot size area per unit; $ amenities to be provided.**			
Single Family Attached (Patio home, Townhouse)	$ For each 10% add=l open space, the minimum lot size is reduced 1,000 sq ft from 7,000 sq ft to: 5,000 sq ft minimum lot size; $ maximum one (1) unit per lot			$ For each 10% add=l open space or amenity area, the minimum lot size is reduced 1,000 sq ft from 4,500 sq ft to: 3,500 sq ft minimum lot size; $ maximum one (1) unit per lot; $ amenities to be provided.			

Based upon the information that has been provided, it would appear that the proposal would align with the incentive density category. The concept plan and development standards have proposed approximately

21% open space with 7,500 square foot typical lot sizes for the development. The proposed PRO ordinance stipulates a maximum density of 3.24 dwelling units will be allowed.

Maximum Permitted Density

For the incentive category, the maximum permitted density for the development is 4.0 dwelling units per acre with a minimum 7000 sq. ft. lot size. Density is calculated by the number of dwelling units provided divided by gross usable acre of land. The gross useable acres for the PRO would be approximately 33.9 acres. With this, the density would equal 3.24 for the proposed development of 110 lots on the 33.9 acre site.

Maximum Number of Dwelling Units

The maximum number of dwelling units that are permitted within the PRO cannot exceed the number of maximum residential units that would be authorized in the base district. This is accomplished by multiplying the maximum residential density in the base district by the number of gross useable acres of the project, which has been previously noted.

The maximum density requirement in the base zoning district is 2.5 units per acre for AH, which results in an overall maximum number of dwelling units at 84.75 for 33.9 acres. The applicant has provided for a maximum of 110 single-family lots per the concept plan. **The applicant would need to request a variation from the project requirements in order to develop 25 more lots than the maximum allowed.**

Open Space Requirements

An application for a PRO district must include an open space plan. A PRO should not be approved if the development does not provide the minimum percentage of land area for the project devoted to open space. In meeting the requirements for open space, the developer may dedicate land to the public or convey open space to be held in common by a Homeowner's Association. The Town may require the dedication of open space; and additional open space and amenities may be provided and considered by the Town for determining whether or not a PRO should be created.

The proposal notes approximately 21% of open space. The open space is distributed throughout the development in the form of common areas, landscape buffers and a detention pond. On the east side of the development, an area for a trail connection has been shown for possible future development of Samuel New Hope Park.

Proposed Variations

The table below shows the proposed lot standards that would be up for consideration for the proposed zone change.

Detached Single Family Lot A

Typical Lot Size	7,400 SqFt.
Minimum Lot Width	60' (variance from required 70') For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line.

Proposed lot standards continued…

Minimum Lot Depth	Greater than Width
Minimum Front Yard Setback	25'
Minimum Side Yard Setback (interior)	5'
Minimum Rear Yard Setback	10'
Maximum Building Height	2 ½ stories
Maximum Lot Coverage	70%
Minimum Dwelling Unit Size	1,200 sq ft
Garage Orientation	Front Entry or Traditional "swing" or "J" drive garages shall be required. However, garage doors shall be permitted to face the street to the extent that the same or greater number of garage doors for the dwelling are in the "swing" or "J" configuration.

The applicant has requested the following variations to the Attached Housing (AH) base district. Please also see the attached development regulations as well as any additional variations not noted above and below.

	Required	**Proposed**
Density	Max Base Density = 2.5 D.U. per acre Max Incentive Density – Max 4.0 D.U. per acre	Max 3.44 D.U. per acre
Lot Width	Varies with lot size; Typical AH 7,000 Sq. Ft. Lot = 70' min lot width	Min 60' lot width for all lots
Setbacks	Varies with lot size; Typical AH 7,000 Sq. Ft. Lot = 25' front, 10' side, 20' rear	25' front, 5' side, 10' rear
Garage Orientation	Per Ch. 20 of the zoning ordinance, garage shall be side or rear facing.	Front entry and/or "j-swing" garages.
Maximum Number of Dwelling Units	The maximum density requirement in the base zoning district is 2.5 units per acre for AH, which results in an overall maximum number of dwelling units at 84.75 for 33.9 acres.	The applicant has provided for a maximum of 110 single-family lots per the concept plan

Future Development Details

Landscaped Buffer Areas and Right-of-Way

At a minimum, landscaped buffers shall be covered with living grass or ground cover and shall be provided with an automatic irrigation system. If the buffers are intended to be maintained by a homeowner's association, the buffer will need to be placed within a landscape easement dedicated to the Town of Sunnyvale and Homeowner's Association.

The applicant has provided for a fifty-five (55) foot curb and gutter right-of-way. All public improvements will be required to meet Town engineering design standards. Access will be provided to the development by two entries, one on Town East Blvd. and one on Belt Line Road.

Tree Preservation / Replacement Plan

There are a number of trees located on the northwest corner of the site. At this point, the applicant has not prepared a tree preservation and replacement plan. Such a plan would be required as part of the preliminary plat approval. The plan would need to meet the requirements of the zoning ordinance.

Street Lighting

Decorative lighting is required at all residential subdivision entries. Additional lighting is to be placed throughout the development. The location of street lighting fixtures would need to be determined. Light poles are to be fourteen (14) feet in height. Traffic information and street names shall be placed on the poles. The applicant will need to work with Oncor Electric to install the standard Sunnyvale light pole. A sketch or photo of the lighting equipment would need to be submitted to the Town for review and approval.

Fire Hydrants

Fire Hydrants would need to be located in accordance with the regulations as provided for within the Zoning Ordinance and Subdivision Ordinance. The distance of a fire hydrant from the edge of pavement for a public street shall not exceed five (5) feet unless otherwise permitted by the Town Engineer. Fire hydrants must be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of five hundred (500) feet. This will be further reviewed at the preliminary plat level.

Standard Architectural Details (unless revised within a PRO ordinance)

Given that fencing will be adjacent to open space, open fencing with openings that do not cover more than fifty (50) percent of the fence area shall be used for residential lots that abut open space.

The zoning ordinance requires that garages may not face the front of the lot. No front building elevation or plan for a single-family detached dwelling shall be repeated with a block face or within 1,000 feet along a street(s). All residential units shall consist of ninety (90) percent brick or stone, with exception given to doors and windows. All fireplace chimneys are to be 100 percent masonry. No more than fifty (50) percent of any elevation may be glass. The zoning district designations that are in place for the development would both require a minimum dwelling size of 2,200 square feet.

The applicant has proposed “J swing” and front entry designed elevations which would allow for a one-car garage to face the front of the lot if a third garage is a part of the proposed home floor plan. Additional proposed language stipulates that “building elevations also shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity on the same side of the street and two (2) intervening homes on the opposite side of the street.” More details are provided in the attached proposed development standards.

Sidewalks/Trails and Open Space

The proposed development will include common areas for open space. Whenever private open space is proposed for a development, including landscaped areas, a homeowner’s association must be provided for ownership and maintenance of open space which is not to be dedicated for public use. The proposed development language for the PRO notes the establishment of a homeowner association.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on March 2, 2016. Letters were also sent to property owners' within 400' on March 10, 2016. The total number of letters sent was twenty-three (23). As of the release of the staff memo, one response had been received in favor and one response against.

Staff Recommendation

Comments may not represent an all-inclusive list. More detailed plans and drawings would be provided at the Preliminary Plat level to ensure that every regulation required by Town ordinance has been adequately addressed. Town staff provides the following comments/recommendations for consideration:

1. Staff recommends denial. The proposed zone change conflicts with the current comprehensive plan for the area. A comprehensive plan amendment as well as a zone change will be required to establish the proposed Attached Housing Planned Residential Overlay district.

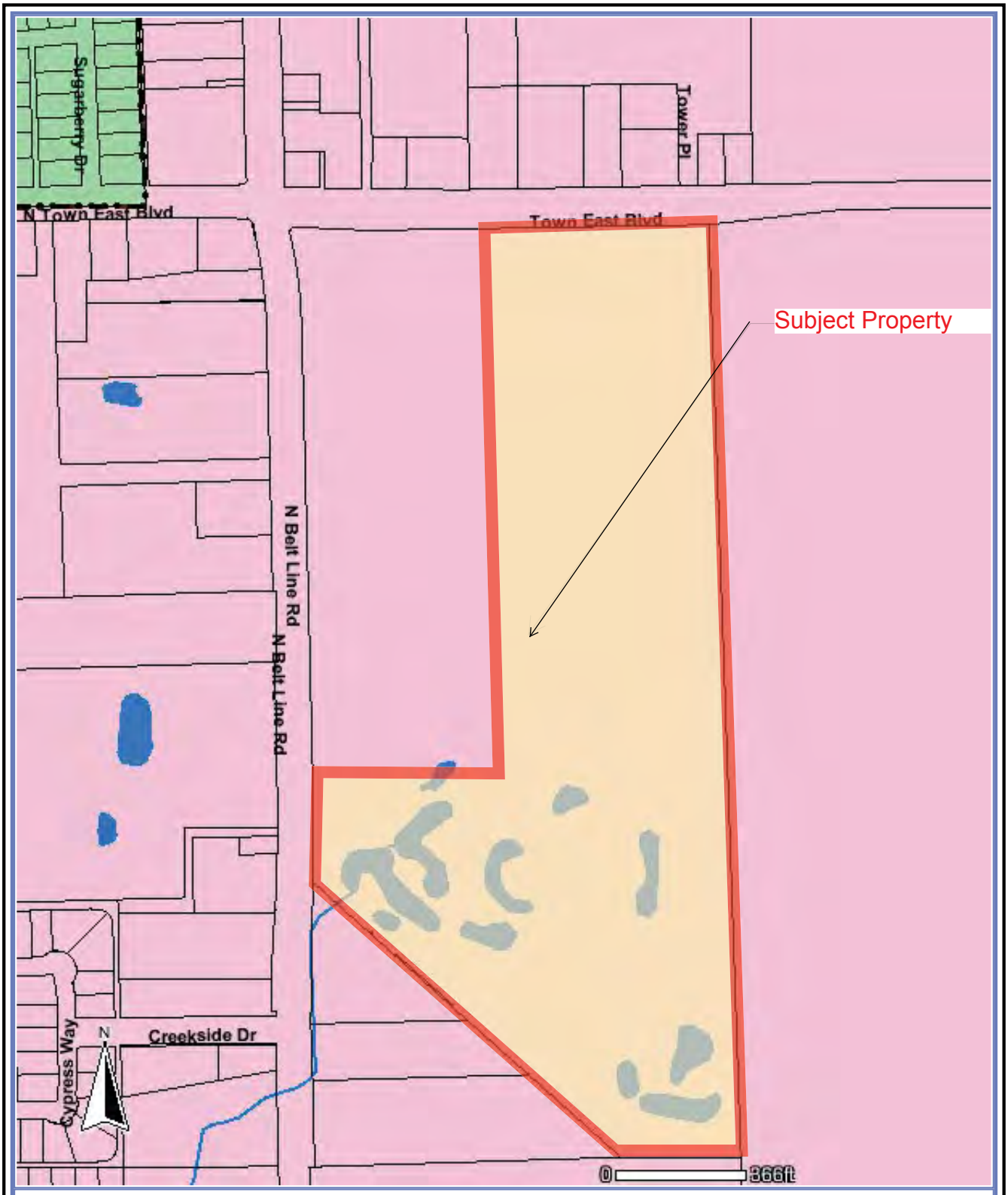
   Development proposals are meant to fit into the proposed development plan for the area. The proposed plan does not. The development could be appropriate for the subject area but one must consider the established development intent noted in the Comprehensive Plan. At a recent joint meeting amongst the Town Council and Planning & Zoning Commission held on January 9, 2016, it was established that the future land use intentions for this property would remain retail. Noting this, staff cannot support the current application even if the development could be considered appropriate for the area.

2. If approved, the developer will need to address any future comments and/or concerns that may be presented by the Public Works Director and Town Engineer.

3. Additional comments have been provided throughout the staff memo, which must be taken into consideration as well prior to any development submittal.

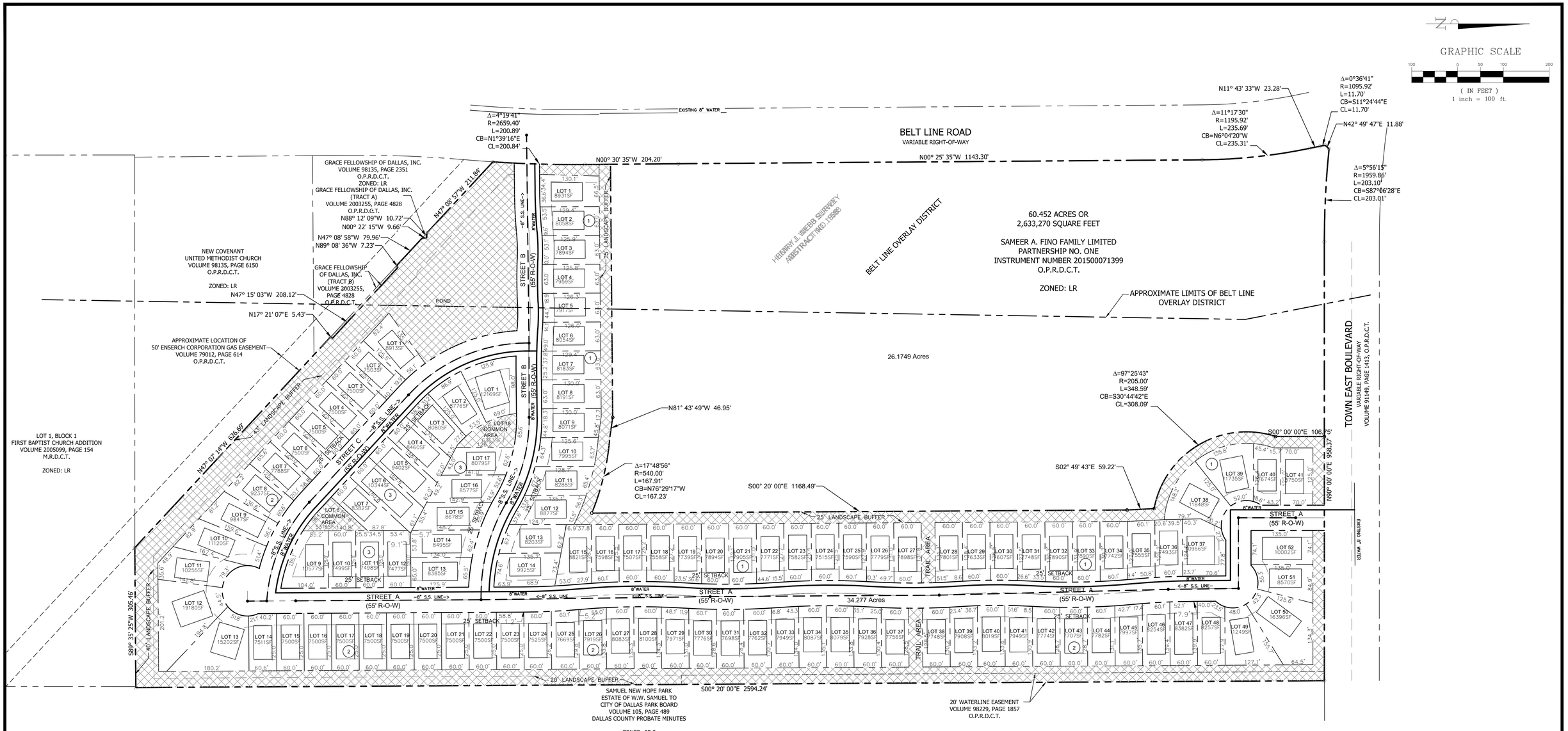
Attachments

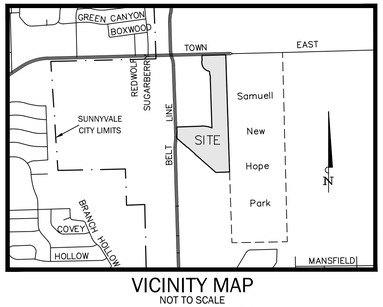
- Location Map
- Concept Plan for Cypress Manors PRO
- Landscape Plan for Cypress Manors PRO
- Proposed Ordinance - Planned Residential Overlay development standards (AH-PRO)
- Staff review comment letter – 4.4.16
- Applicant response to staff comment letter – 4.11.16



Dallas Central Appraisal District
www.dallascad.org

DISCLAIMER
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





VICINITY MAP
NOT TO SCALE
SUNNYVALE, TEXAS

Item	*Lot 2R, Block 2*
General Site Data - One Phase	
Zoning (Existing from zoning map)	LR
Zoning (Proposed)	AH-PRO
Site Area	1,493,091sf / 34.277 Ac
Common Area	325,106sf / 7.46Ac
Existing Land use	Open Field
Proposed land Use	Subdivision
Common Area lots	4 Lots
Number Of Residential Lots	110 Lots
Standard Lot Size	Approx. 60' x 125'
Buffering	
Town East Boulevard	25'/15' Landscape Buffer
Belt Line Road	25' Landscape Buffer
Eastern Boundary bordering Park	20' Landscape Buffer
Southern Boundary bordering Church	40'/43' Landscape Buffer
Lot Setbacks	
Front Yard	25' Setback
Side Yard	5' Setback
Rear Yard	10' Setback
Side Yard at Street Intersection	15' Setback

LEGEND

DENOTES COMMON AREA

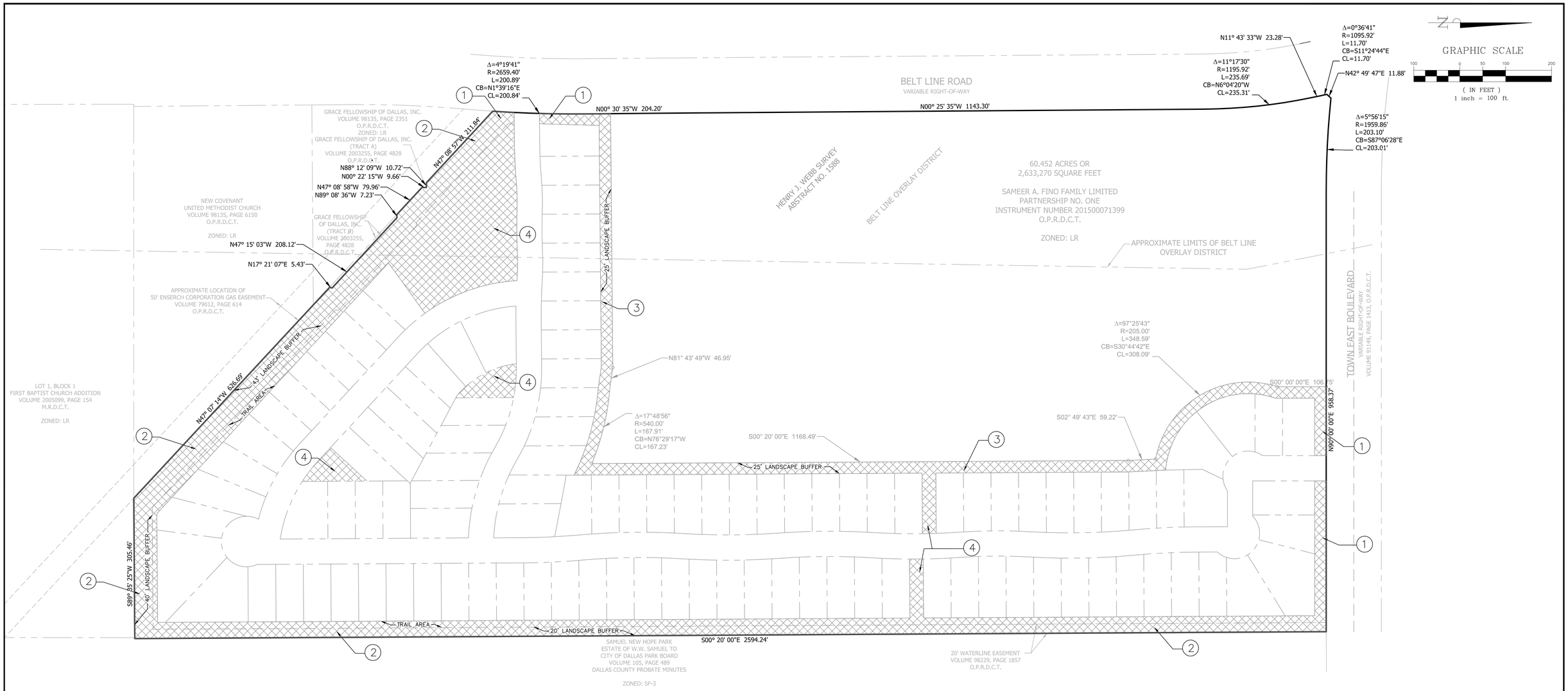
PLAN PREPARED BY:
BANNISTER ENGINEERING, LLC (F-10599)
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
PHONE (817) 842-2094
FAX (817) 842-2095
CONTACT: CODY BROOKS, P.E.

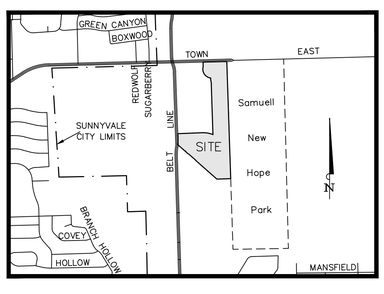
DEVELOPER:
SKORBURG COMPANY
8214 WESTCHESTER DRIVE,
SUITE 710
DALLAS, TEXAS 75225
(214) 522-4945
CONTACT: RICH DARRAGH

PRO CONCEPT PLAN
FOR
CYPRESS MANORS
LOT 2R, BLOCK 2

BEING A TRACT OF LAND LOCATED IN THE
H.J. WEBB SURVEY, ABSTRACT NUMBER 1588
TOWN OF SUNNYVALE
DALLAS COUNTY, TEXAS

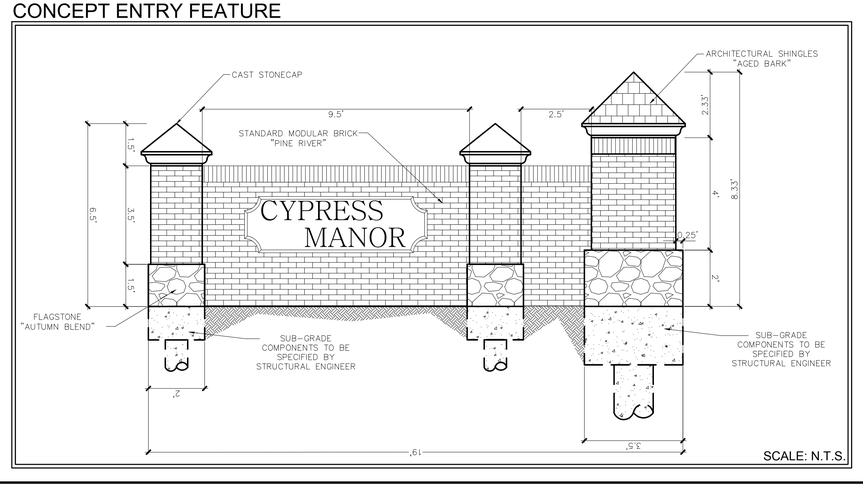
1 LOT | MARCH 23, 2016 | SHEET 1 OF 1





VICINITY MAP
NOT TO SCALE
SUNNYVALE, TEXAS

CONCEPT ENTRY FEATURE



LEGEND

	DENOTES COMMON AREA
1	COLLECTOR STREET: 1 TREE / 40 LF OF FRONTAGE, BERM AND ENTRY FEATURE
2	1 LARGE TREE/ 50' O.C. PER ORDINANCE
3	6' MIN. LIVING EVERGREEN SCREEN
4	GENERAL TREE AND SHRUB PLANTINGS

PLAN PREPARED BY:
BANNISTER ENGINEERING, LLC (F-10599)
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
PHONE (817) 842-2094
FAX (817) 842-2095
CONTACT: DREW DUBOCQ

DEVELOPER:
SKORBURG COMPANY
8214 WESTCHESTER DRIVE,
SUITE 710
DALLAS, TEXAS 75225
(214) 522-4945
CONTACT: RICH DARRAGH

CONCEPT LANDSCAPE PLAN
FOR
CYPRESS MANOR
LOT 2R, BLOCK 2

BEING A TRACT OF LAND LOCATED IN THE
H.J. WEBB SURVEY, ABSTRACT NUMBER 1588
TOWN OF SUNNYVALE
DALLAS COUNTY, TEXAS

April 12, 2016

Planned Residential Overlay
"Cypress Manors"
Sunnyvale, Texas

PLANNED RESIDENTIAL OVERLAY DISTRICT- SINGLE FAMILY RESIDENTIAL – PRO sub district to combine with AH (ATTACHED HOUSING) base zoning.

General Description: This Planned Residential Overlay District (PRO) is intended to accommodate a medium density single family residential use. Development standards for this district are outlined within this text.

Statement of Purpose: The purpose of this PRO is to establish a Concept Plan and specific conditions for the development of the property known as "Cypress Manors". The intent of this PRO is to achieve a quality residential community while providing a variety of dwelling unit sizes and additional open space amenities. The approximate acreage of open space is 7.43 Acres (21.91%).

Amendment of Base Zoning Districts:

1. The base zoning district for the 33.9 acres is changed from LR to AH base zoning district.
2. A PRO sub district hereby is created to combine with the AH base zoning district.

Land Use: Land uses within the "Cypress Manors" development shall be limited to detached single family dwellings, open spaces, and other amenities specified herein.

Dwelling Unit Size: One hundred ten (110) single family dwelling units within this tract shall have a minimum air conditioned living space size of 1200 square feet as required by the Town's Zoning Ordinance.

Number of Dwelling Units and Density: The number of dwelling units within "Cypress Manors" shall not exceed one hundred ten (110) and the Gross Usable Acres, as defined in the Town's Zoning Ordinance, shall be deemed to be 33.9 acres. The gross residential density shall not exceed 3.24 Units per Acre (Incentive density in chart 9.2 is 4.0 density units per acre, with 15% open space). Development shall be in accord with the concept plan as attached. However, in the event of conflict between the concept plan and the written conditions, the written conditions shall control. The concept plan shall also serve as the land use plan.

Development Regulations:

Minimum Standards for Lot Size:

Detached Single Family Lot A

Typical Lot Size	7,400 SqFt.
Minimum Lot Width	60' (variance from required 70') For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line.

Minimum Lot Depth	Greater than Width
Minimum Front Yard Setback	25’
Minimum Side Yard Setback (interior)	5’
Minimum Rear Yard Setback	10’
Maximum Building Height	2 ½ stories
Maximum Lot Coverage	70%
Minimum Dwelling Unit Size	1,200 sq ft
Garage Orientation	Front Entry or Traditional “swing” or “J” drive garages shall be required. However, garage doors shall be permitted to face the street to the extent that the same or greater number of garage doors for the dwelling are in the “swing” or “J” configuration.

Lot Trees: Prior to issuance of a certificate of occupancy, the developer or builder shall plant a sufficient number of trees on the lot to assure that the following number of trees of a minimum size of three inch (3”) caliper and ten (10) feet in height exist on the site. For lot sizes 7,500 – 9,999 square feet, a total of one (1) tree shall be planted per lot.

Street and Intersection Design: The development shall be designed and constructed using curvilinear streets. Curvilinear streets are defined as those curved streets having a centerline radius of not greater than 1,500 feet nor less than 350 feet. The percentage of curvilinear streets shall be determined by dividing the total centerline lengths of curvilinear streets by the total centerline lengths of all streets in the addition. The street right of way will be a 55’ curb and gutter with 31’ pavement, this is the standard for a “Local 31’ Street – Residential” as noted in the Town’s “Paving Details.” Alleys will not be a part of this development.

Buffering, Landscaping and Screening:

A. Option 1 for screening shall be used along Belt Line and Town East.
    a. A twenty-five foot (25’) wide landscape buffer area with berms shall effectively screen and shield the tract from Belt Line and Town East. The proposed slope of the berm is at a minimum of 3 to 1 and the proposed height will be at a minimum of 6 feet. There shall be one (1) tree per forty feet (40’) of adjacent frontage.
B. Option 2 shall be used along the southern and southwestern portion of the tract.
    a. A forty-three foot (43’) and forty foot (40’) landscaped buffer in combination with a one hundred percent (100%) planted screen as required by the Town’s Design Criteria Manual or use of natural vegetation.
        i. Required to plant trees of no less than 3 inch (3”) caliper, spaced at a maximum of thirty feet (30’) on center for small to medium trees, fifty feet (50’) on center for large trees.
C. Option 2 shall be used along the commercial boundary of the tract.
    a. A twenty-five foot (25’) wide landscape buffer in combination with a one hundred percent (100%) planted screen as required by the Town’s Design Criteria Manual or

use of natural vegetation.

i. Required to plant trees of no less than 3 inch (3”) caliper, spaced at a maximum of thirty feet (30’) on center for small to medium trees, fifty feet (50’) on center for large trees.

D. Option 2 shall be used along Samuell New Hope Park.

a. A twenty foot (20’) wide landscape buffer in combination with a one hundred percent (100%) planted screen as required by the Town’s Design Criteria Manual or use of natural vegetation.

i. Required to plant trees of no less than 3 inch (3”) caliper, spaced at a maximum of thirty feet (30’) on center for small to medium trees, fifty feet (50’) on center for large trees.

Landscape Plan: See attached landscape plan (Exhibit B attached hereto).

A. A tree survey/landscape plan shall be submitted with any plat in accordance with the landscape plan.

Maintenance of Open Space, Amenities, Landscape Buffer and Trails: Open space shall be provided as indicated on the concept plan and maintained by the “Cypress Manors” Homeowner's Association.

Anti-Monotony Features: Exterior façade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity on the same side of the street and two (2) intervening homes on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity. Any masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes with wood burning fireplaces. Minimum of 8:12 front elevation roof pitch, except 4:12 roof pitches on porches. Dimensional shingles shall be used.

Homeowner' Association: A Homeowners Association duly incorporated in the State of Texas shall be incorporated and each lot/homeowner shall be a mandatory member. This association shall be established so as to ensure the proper maintenance of all common areas, either public or private, as desired, to be maintained by the association. The bylaws of this association shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The Bylaws shall be submitted to the Director of Planning for review and approval prior to construction.

04/11/2016

List of Variations

	AH	Cypress Manors: AH-PRO
Minimum Lot Depth	Greater than width	125'
Maximum Height	2 1/2 stories	2 1/2 stories
Maximum Lot Coverage	40%	70%
Minimum Dwelling Unit Size	1,200 sqft	1,200 sqft
Minimum Lot Size	7,000 sqft	7,400 sqft
Density	2.5 units per acre Incentive density: 4.0 upa	3.24 units per acre
Open Space	15%	21.91%
Front Yard Setback	25 ft	25 ft
Side Yard Setback	10 ft	5 ft
Rear Yard Setback	20 ft	10 ft
Alleys	Required for lots less than 20,000 sqft	Not proposed

Town of Sunnyvale

127 N. COLLINS ROAD
SUNNYVALE, TEXAS 75182
TELEPHONE (972) 203-4188
FAX (972) 226-1950
www.townofsunnyvale.org

April 4, 2016

John Arnold
Skorburg Company
8214 Westchester Dr. Ste. 710
Dallas, Texas 75225

Subject: Cypress Manors Planned Residential Overlay Submittal – Review Comment Letter

Dear Mr. Arnold,

Town staff has reviewed the plans you submitted for a proposed zone change for the Cypress Manors Planned Residential Overlay development located at the southeast corner of Town East and Belt Line Road (3134 N. Belt Line Rd). Based upon staff review of the documents provided, the following comments and concerns must be addressed by April 11th, 2016 by 11am. Additional comments may arise upon further review.

Planning Comments – rashad.jackson@townofsunnyvale.org

1. For the adoption of this particular Planned Residential Overlay development, the process will require an amendment to the current zoning district and the future land use plan (comprehensive plan) for the subject area. The current and proposed update to the land use plan calls for the subject area to remain a retail district. As it stands, staff cannot support this zone change unless Planning & Zoning and Town Council see fit to change the zoning and future land use plan for the subject area.

2. Town zoning ordinance (Section 19.19D) requires lots less than 20,000 square feet to have an alley. **Please note this variation along with any other variations within the proposed PRO ordinance language.**

3. Section 20.6.B of the zoning ordinance requires all residential developments be designed and constructed using at least 60 percent curvilinear streets. Curvilinear streets are defined as those curved streets having a centerline radius of not greater than 1,500 feet nor less than 350 feet. Please verify that this requirement is met.

4. Submit a list of all requested variations from the base AH zoning district as well as any other required development standards noted in the zoning ordinance (Section 20).

5. On the concept plan and landscape plan, are both buffers along Town East Blvd intended to be 25 feet? Please revise

6. In the proposed PRO ordinance language,
    - Under Anti Monotony Features, is the intent to allow for an 80% stucco home? Our base standards stipulate a 40% max allowed for stucco.

7. In the PRO ordinance language, the following lots do not meet the 60' minimum lot width as proposed. **The proposed ordinance language or actual concept plan should be revised to address these lots.**
    - Lots 1 & 7 (Block 2) along Street C
    - Lot 1 (Block 1) along Street B

    In situations where a lot is on a cul-de-sac the following can be stated. "*For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line"*

8. The following lots do not meet the required minimum lot size as stated in the proposed ordinance. Please revise.
    - Lot 14 (Block 2) along Street A
    - Lot 1 (Block 1) along Street B

Engineering Comments – justin.brown@freese.com :

9. Why is the landscape buffer west of Street A 25' wide and the landscape buffer east of Street A 15' wide where it intersects Town East Boulevard?

If you have questions or concerns, please contact me at (972) 203-4188 or via e-mail at rashad.jackson@townofsunnyvale.org. Our town engineer may be reached at townengineer@townofsunnyvale.org. Please resubmit the following:

- Four (4) hardcopies of all plans,
- A cd of all plans.

Sincerely,

Rashad Jackson, AICP
Director of Development Services
Town of Sunnyvale

Cc: Justin Brown, Town Engineer
Tim Rawlings, Building Inspector
Johnny Meeks, Public Works Director
Sean Fox, Town Manager
Rich Darragh, Skorburg Development
Development File

SKORBURG
COMPANY

April 11, 2016

Town of Sunnyvale
Attn: Rashad Jackson

Skorburg Company
8214 Westchester, Suite 710
Dallas, TX 75225

Subject: "Cypress Manors" Golf Course PRO Submittal – Comment Letter

Dear Mr. Jackson

We have reviewed the staff comments on our submitted plans for a proposed Planned Residential development located south east of the intersection of Town East and Belt Line. The comments are addressed within this letter.

Planning Comments

Comment #2: ADDRESED: See updated PRO language.

Comment #3: ADDRESSED: See updated Concept Plan.

Comment #4: ADDRESSED: See "List of Variations"

Comment #5: ADDRESSED: See updated Concept Plan.

Comment #6: Under Anti Monotony Features, is the intent to allow for an 80% stucco home? Will there be a maximum percentage applied to stucco?

a. ADDRESSED: It is not the intent to allow for an 80% stucco home. Although stucco is categorized as masonry, from our experience with our building company and our relationships with other builders, if used at all, stucco is only used as an accent. Most of the builders and consumers, due to the high cost of stucco, will use stone and brick instead of stucco.

Comment #7: ADDRESSED: See updated PRO language.

Comment #8: ADDRESSED: See updated Concept Plan and PRO language

Comment #9: ADDRESSED: See updated Concept Plan.

We look forward to continuing to work with the Town of Sunnyvale on this project.

Cordially Yours,

John Arnold
Development Partner

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from John Arnold for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Retail (R) to Urban Density Residential (UDR) and the Zoning Map from Local Retail (LR) to Attached Housing – Planned Residential Overlay (AH-PRO) for property located at or about the south east corner of Town East Blvd and Belt Line Road (generally 3134 Belt Line Road). The request is proposed for the development of Cypress Manors, a residential development. This item was heard at the March 21, 2016 Planning & Zoning Commission meeting. The item was tabled by the commission to be heard at this upcoming meeting. The proposed concept plan for the development is attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☑ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: Would not meet present zoning ordinance
Town's water, police & ~~fair~~ fire protection inadequate
would seriously overcrowd present school facilities

Signature: Doris H. Padgett

Printed Name: (Wife) Doris H. Padgett

Address: 117 Town East Blvd

Date: 4-11-16

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from John Arnold for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Retail (R) to Urban Density Residential (UDR) and the Zoning Map from Local Retail (LR) to Attached Housing – Planned Residential Overlay (AH-PRO) for property located at or about the south east corner of Town East Blvd and Belt Line Road (generally 3134 Belt Line Road). The request is proposed for the development of Cypress Manors, a residential development. This item was heard at the March 21, 2016 Planning & Zoning Commission meeting. The item was tabled by the commission to be heard at this upcoming meeting. The proposed concept plan for the development is attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☑ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☐ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: This allows for 300' depth off Beltline which is all that is needed. It will induce commercial development along Beltline.

Signature: [signature]

Printed Name: JIM S. Goodrich 972-529-2828

Address: 3521 Beltline ; 121 Town East

Date: 4-11-16

Town of Sunnyvale

April 18, 2016

Prepared By: Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT:	**KYLE BENNETT – BENNETT 1 CONSTRUCTION**
AT OR ABOUT:	**4250 N. BELT LINE RD – 0.83 ACRES NEAR SE QUADRANT OF THE INTERSECTION OF BELT LINE RD AND BARNES BRIDGE RD**
REQUEST:	**TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM LOW DENSITY RESIDENTIAL (LDR) TO RETAIL (R) AND THE ZONING MAP FROM SINGLE FAMILY RESIDENTIAL – 3 (SF3) TO GENERAL BUSINESS DISTRICT (GB)**

Background

The applicant has made application to amend the land use diagram as well as the zoning map to accommodate a commercial use on the existing residential property located at 4250 N. Belt Line Rd. The property consists of 0.83 acres and is currently LDR, Low Density Residential on the future land use plan and Single Family Residential 3 on the zoning map. This particular parcel directly abuts an existing residential area (Dal–View Estates) to the east and to the south. A major arterial, Belt Line Road, abuts the property to the west. A country lane road, Barnes Bridge abuts the property to the north. The applicant has made this request in order to construct a professional office facility on the property.

In order to construct a proposed office facility on the property, the land use designation would need to be amended to that of Retail and the zoning map amended to reflect the General Business zoning district designation. A general business zoning direct abuts the property to the north. The applicant would like to expand upon the abutting general business zoning district. In order to give the Planning and Zoning Commission a better idea of the proposal, the applicant has prepared a general site layout, building elevations and a fly thru aerial of the site. Given that the request is to amend the land use diagram and the zoning map; Town staff notes that this is not a review of a site plan proposal. Should the amendments be granted, a more formal site development plan as well as platting of the property would be required. A more detailed review to ensure the requirements of the zoning ordinance are met would be completed at that time. The applicant has been made aware of the future procedures and requirements to develop the site.

As noted, the applicant proposes to develop a professional office. The proposed use is permitted by right within the proposed General Business zoning district. The site plan shows a single building comprised of 4 suites. Parking would be provided on the west and east sides of the property. Landscape buffer would be placed on all sides of the development. Two (2) driveway entrances would be provided, one having access to N. Belt Line Rd and one having access to Barnes Bridge Rd.

Proposed elevations show a masonry veneered one story building. It is staffs' understanding that the applicant plans to construct a building using similar materials and designs to that of Town Hall.

Comprehensive Plan

The 2000 Comprehensive Plan provides the vision and direction for all of the land use designations. As mentioned the current land use designation for the subject property is Low Density Residential. The Low

Density Residential land use designation "LDR" states that "this residential category permits residential subdivisions with a maximum base density of 1.0 dwelling units per acre. Typical housing types in this land use category include single family detached homes on large and medium sized lots. Projects from 20 to 175 acres may achieve incentive densities as well, although the specific requirements for smaller projects vary. A minimum lot width of 170 feet is required unless a subdivision is developed at the incentive or bonus density".

In order to develop the property as proposed, the land use designation "R" – Retail would be necessary. The general policy intent noted within this plan states the following: *"Office, retail, and service establishments with little or no outside storage or displays are permitted in this category. Design review is required for all development. Urban services are required."* A more detailed description for this particular land use designation can be found on page 57 of the Comprehensive Plan, which states that "this land use category is intended to include various types of retail and personal service uses, as well as low intensity office and professional uses, typically in a neighborhood-oriented or shopping center setting. These uses may also be appropriate along major thoroughfares (e.g. Belt Line Road) and freeway frontages (e.g. U.S. Highway 80), as shown on the Future Land Use Plan. Office uses would include professional offices for architects and engineers, lawyers, physicians, financial advisors, insurance and real estate agents, banking/financial institutions, telemarketing call centers, and other similar establishments. Most retail, service and office uses within this category should conduct all business activities indoors or within an enclosed area (i.e. not outside the building), and outside storage of goods and/or equipment should be minimal.

Development proposals are meant to fit into the proposed comprehensive plan for the area. The proposed plan does not. Depending on how the property is designed, the development could be appropriate for the subject area but one must consider the established development intent noted in the Comprehensive Plan. Staff believes the proposed location could be adequate for an office use but one must consider all uses that could be allowed with the proposed amendment. Noting this, staff cannot support the current request even if the development could be considered appropriate for the subject property due to its conflict with the existing comprehensive plan and its proximity to an existing residential district. The subject area could be a topic of discussion for the Planning & Zoning Commission with regard to the future land use intent for the subject property and properties abutting Belt Line Road.

The following should be considered when reviewing a proposed change to the comprehensive plan.

1. *Is the amendment consistent with the specific goals and policies contained within the Comprehensive Plan?*
2. *Is there any information available to demonstrate why the existing comprehensive plan designation should not continue or may not longer be relevant?*
3. *Is the proposed amendment an overall improvement to the Comprehensive Plan and the surrounding area? Or, is the amendment solely for the good or benefit of a particular land owner?*
4. *Does the amendment adversely impact all or a portion of the surrounding planning area by: (1) altering acceptable land use patterns to the detriment of the comprehensive plan; (2) requiring public expenditures for larger and/or more expensive infrastructure systems; (3) adversely impacting adjacent uses due to increased traffic, population growth, etc.; (4) affecting the livability, health, and safety of the surrounding area for present and/or future residents or uses; and (5) adversely affecting the natural environment of the area?*

Zoning Ordinance

The Single Family Residential 3 zoning district *"is intended for low density residential uses on large and medium size lots, and the provisions of flexible development opportunities through planned residential development. This district is appropriate where low-density urban development is desired and where*

public services exist or could reasonably be extended to the development." This district does not provide for any commercial or retail uses as permitted or conditional.

The General Business District is *"intended to provide retail, service and office uses that serve the entire community as well as regional needs."* The general business zoning district allows for low intensity neighborhood uses but also allows for any use within the Local Retail District as well. Our current ordinance stipulates, "any use allowed by right in the Local Retail (LR) District is allowed by right in the General Business District. Although this may not be an issue, one should consider this with regard to possible uses in the long term. The Local Retail District may allow for higher intensity uses that could cause an issue in the long term without adequate buffer from the abutting residential area.

Public Notice

Notice was published within the Town's Official Newspaper on March 30th, 2015. Letters were also provided to property owners and surrounding properties meeting the distance requirements as provided within the Ordinance. Twenty-four (24) letters were sent. As of the writing of this staff memo, five (5) returned hearing response letters had been received not in favor.

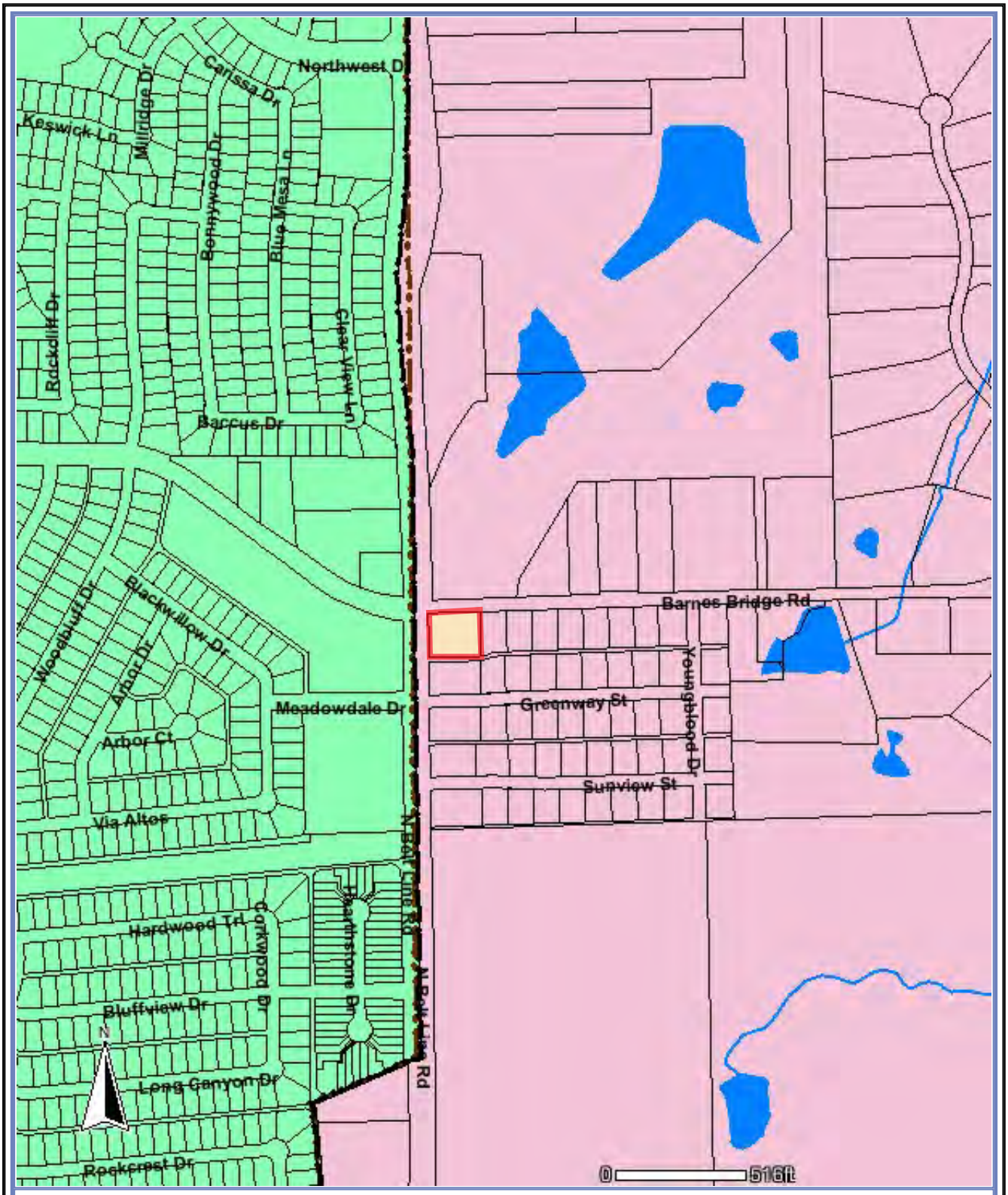
Staff Recommendation

Town staff provides the following comments/recommendations for consideration:

1. Town staff recommends denial. Staff believes the proposed location would be suitable for an office use but one must consider all uses that could be allowed with the proposed amendment. Noting this, staff cannot support the current request due to its conflict with the existing comprehensive plan for the area.
2. If approved, the applicant will be required to address all future development comments noted in the attached staff review letter. Additional development comments may arise upon further review.

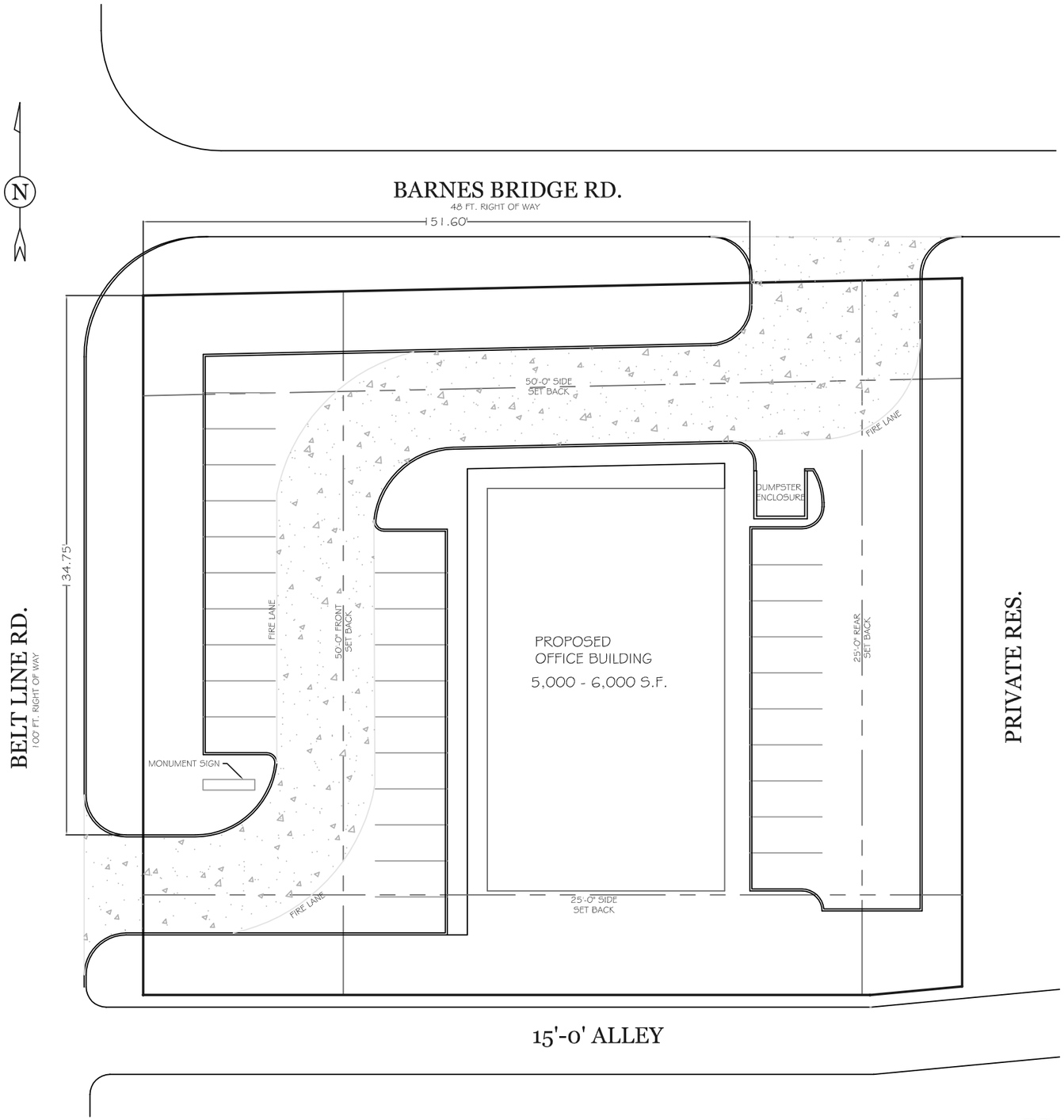
Attachments

- Location Map
- Applicant letter
- Zone change request exhibits
- 2015 Land Use Diagram
- 2015 Zoning Map
- Staff comment letter – 4.4.16
- Notice Response Letters (5)



Dallas Central Appraisal District
www.dallascad.org

DISCLAIMER
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



N.T.S.

PROPOSED ZONING CHANGE
FROM SF-3 TO GENERAL BUSINESS

SCALE: 1:30

Bennett 1
Construction, Consulting, & Design
115 Sunview Dr.
Sunnyvale, TX 75182
voice 972.679.7702
email kyle@bennett1.com

CHARALES PLAZA
4250 N. BELT LINE RD.
SUNNYVALE, TX 75182

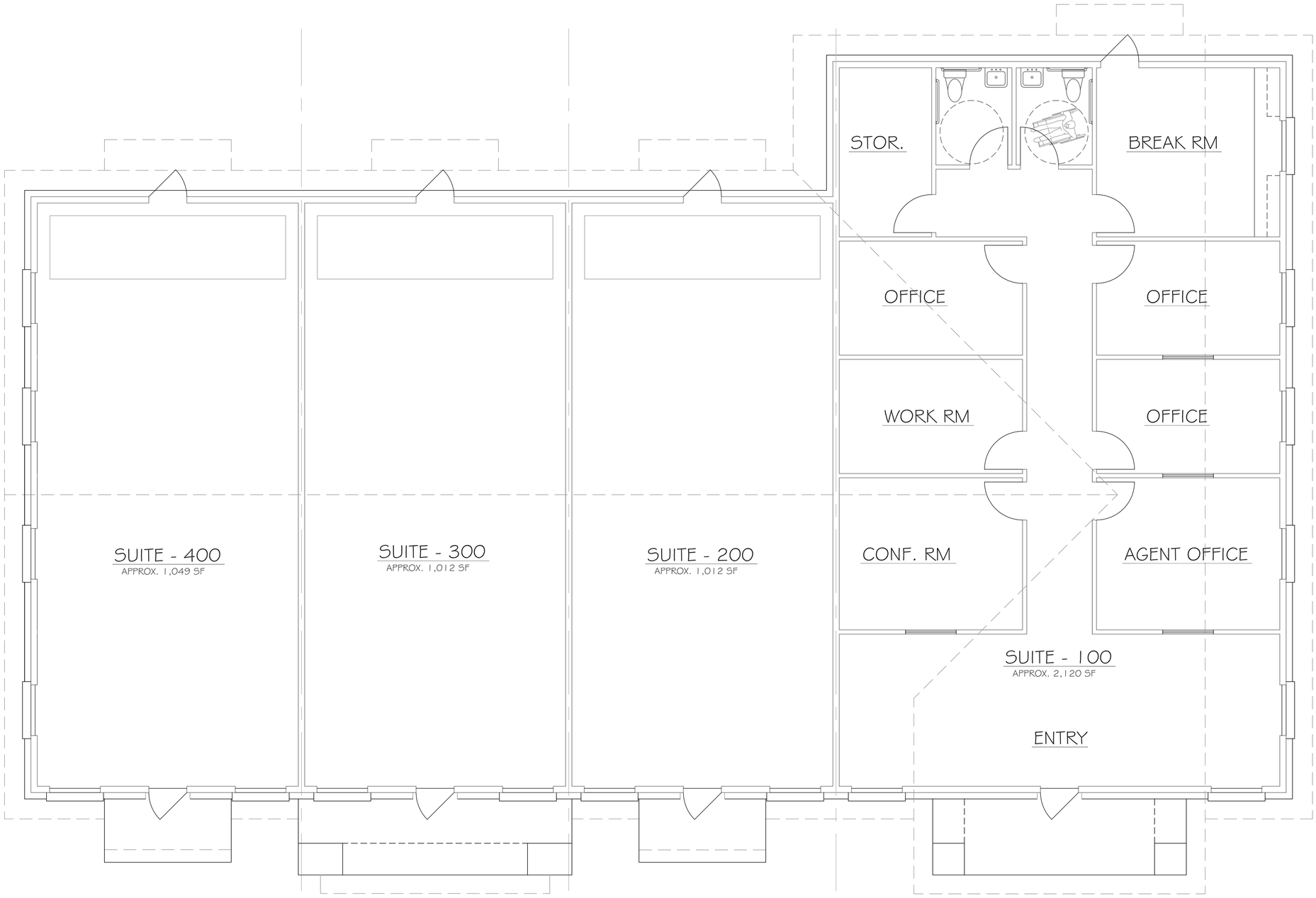
DATE DRAWN
08.17.2015

DATE REVISED
1

JOB NO.
13034

SHEET
1 OF 1

C1.0



CONCEPTUAL FLOOR PLAN
SCALE: 1/4" = 1' - 0"

Bennett 1
Construction, Consulting, & Design
115 Sunview Dr.
Sunnyvale, TX 75182
voice 972.679.7702
email kyle@bennett1.com

CHARALES PLAZA
4250 N. BELT LINE RD.
SUNNYVALE, TX 75182

DATE DRAWN
03.24.2016

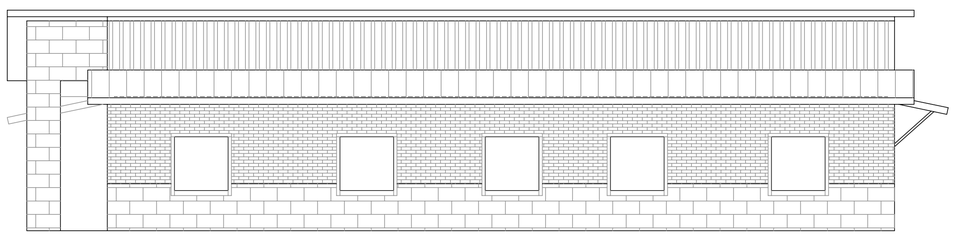
DATE REVISED
1

JOB NO.
13034

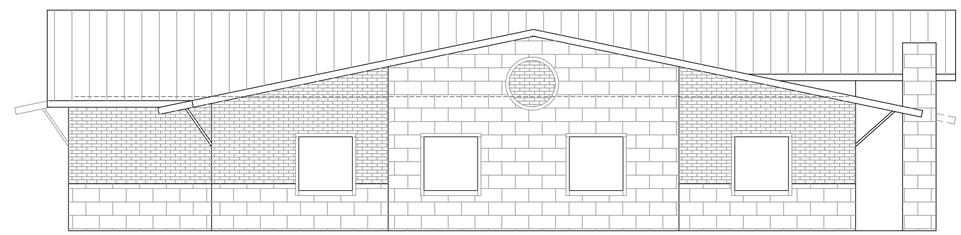
SHEET
1 OF 2

A1.0

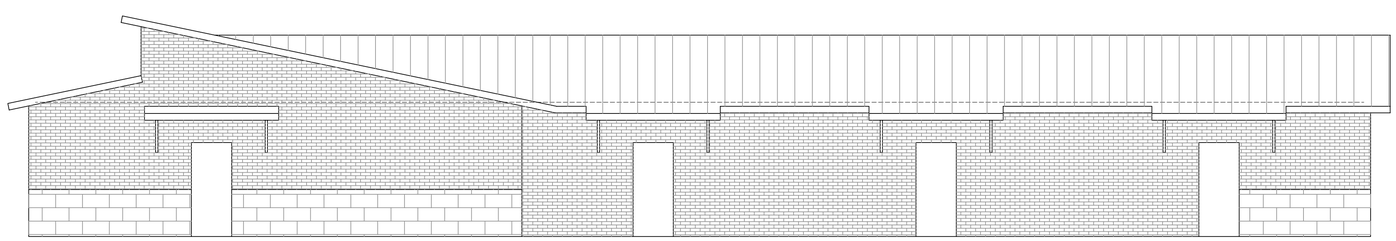
CONCEPTUAL FRONT ELEVATION
SCALE: 1/4" = 1' - 0"



CONCEPTUAL RIGHT SIDE ELEVATION
SCALE: 3/16" = 1' - 0"



CONCEPTUAL LEFT SIDE ELEVATION
SCALE: 3/16" = 1' - 0"



CONCEPTUAL REAR ELEVATION
SCALE: 3/16" = 1' - 0"

Bennett 1
Construction, Consulting, & Design
115 Sunview Dr.
Sunnyvale, TX 75182
voice 972.679.7702
email kyle@bennett1.com

CHARALES PLAZA
4250 N. BELT LINE RD.
SUNNYVALE, TX 75182

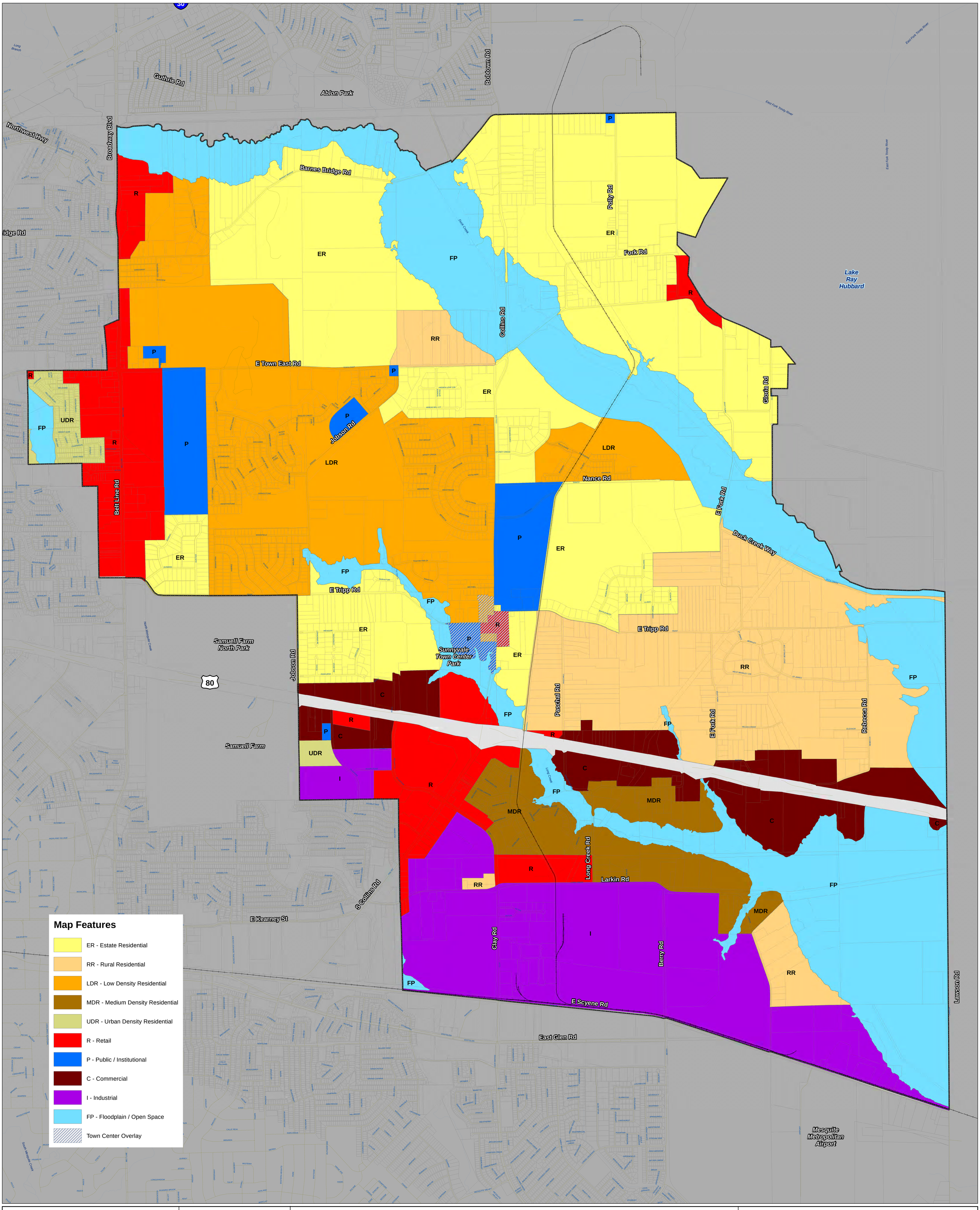
DATE DRAWN
03.24.2016

DATE REVISED
1

JOB NO.
13034

SHEET
1 OF 2

A2.0



TOWN OF SUNNYVALE

N

0 400 800 1,600 Feet

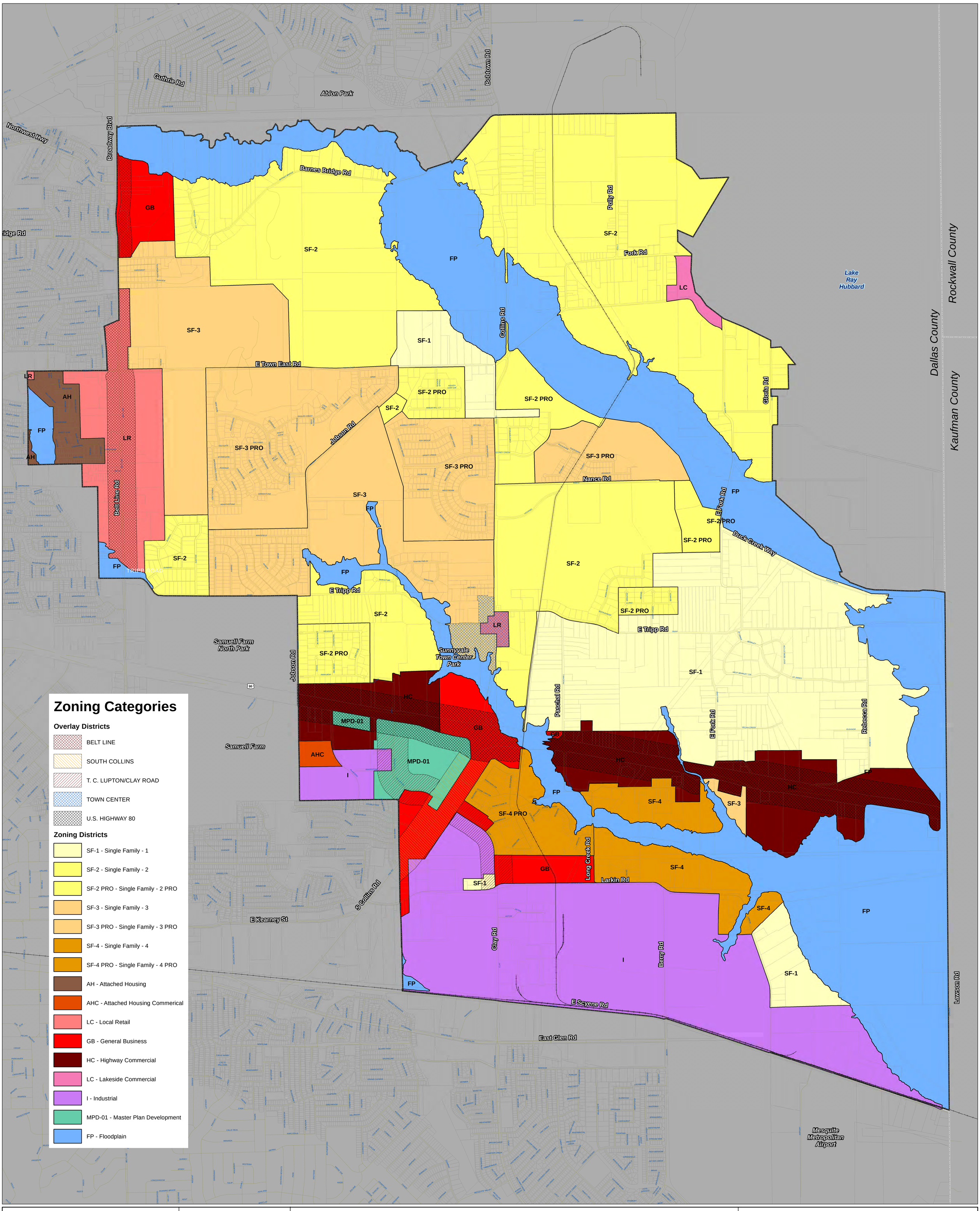
Land Use Diagram

Effective January 12, 2015

Town of Sunnyvale, Texas

FREESE AND NICHOLS
Celebrating 120 YEARS of Service

2711 North Haskell Avenue
Suite #3300
Dallas, Texas 75204
(214) 217-2377



2015 Official Zoning Map

Effective January 12, 2015

Town of Sunnyvale, Texas

N

0 400 800 1,600 Feet

FREESE AND NICHOLS
Celebrating 120 YEARS of Service
2711 North Haskell Avenue
Suite #3300
Dallas, Texas 75204
(214) 217-2377

Town of Sunnyvale

127 N. COLLINS ROAD
SUNNYVALE, TEXAS 75182
TELEPHONE (972) 203-4188
FAX (972) 226-1950
www.townofsunnyvale.org

April 4, 2016

Kyle Bennett
115 Sunview Drive
Sunnyvale, Tx 75182

Subject: Zone Change Request – Charales Plaza - Review Comment Letter

Dear Mr. Bennett,

Town staff has reviewed the plans you submitted for a proposed zone change located at the southeast corner of Barnes Bridge Road and N. Belt Line Road (4250 N. Belt Line Rd). Based upon staff review of the documents provided, the following comments and concerns must be addressed by April 11th, 2016 by 11am. Additional comments may arise upon further review.

Planning Comments – rashad.jackson@townofsunnyvale.org

1. The approval of this particular request will require an amendment to the current zoning district and the future land use plan (comprehensive plan) for the subject location. The current and proposed update to the land use plan calls for the subject area to be a residential district. The proposed development could be considered appropriate, but staff cannot support the zone change unless Planning & Zoning and Town Council see fit to change the zoning and future land use plan for the subject lot from residential to retail.

2. If approved, a complete site plan application and minor plat application will be required prior to any development.

Future Development

3. Please review Section 20.5 of the zoning ordinance for all buffering, landscape and screening requirements.

4. Please review Section 20.7 of the zoning ordinance for all lighting requirements.

5. Per development requirements, a 5' sidewalk will be required along the west and north perimeter of the development.

6. Required parking will depend on the proposed uses. If professional offices only, required parking will be one (1) space per 300 square feet.

7. The 50' setback along Barnes Bridge is not shown fifty feet from the property line.

Engineering Comments – justin.brown@freese.com :

8. For future development, additional right-of-way will likely need to be dedicated along Barnes Bridge Road; the site plan shows 48' ROW and 60' is required for collector roads.

If you have questions or concerns, please contact me at (972) 203-4188 or via e-mail at rashad.jackson@townofsunnyvale.org. Our town engineer may be reached at justin.brown@freese.com. If revisions are necessary, please resubmit the following:

- Four (4) hardcopies of all plans,
- A cd of all plans.

Sincerely,

Rashad Jackson, AICP
Director of Development Services
Town of Sunnyvale

Cc: Sean Fox, Town Manager
Justin Brown, Town Engineer
Tim Rawlings, Building Inspector
Johnny Meeks, Public Works Director
Development File

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from Kyle Bennett for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Low Density Residential (LDR) to Retail (R) and the Zoning Map from Single Family Residential – 3 (SF3) to General Business for property located at or about 4250 N. Belt Line Road. The request is for the development of a professional office use. Proposed development exhibits are attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☒ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: Once Again, as this has already been presented before, we do not want the entrance to our "residential" neighborhood to be re-zoned commercial. Traffic, noise, lowering our home property values are just a few reasons. There are plenty of zoned commercial properties he could use. He saved money by buying this property zoned residential + he should have done his homework before he purchased if thats what he intended. Our neighborhood (+ we have signatures stating this) does not want the property in question changed to commercial + we plan to continue fighting such. Many properties zoned commercial in Sunnyvale - he should put his business in one of them + quit trying to re-zone this property.

Signature: Cathy Kelley

Printed Name: Cathy Kelley Charles R Kelley

Address: 101 Greenway, Sunnyvale

Date:

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from Kyle Bennett for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Low Density Residential (LDR) to Retail (R) and the Zoning Map from Single Family Residential – 3 (SF3) to General Business for property located at or about 4250 N. Belt Line Road. The request is for the development of a professional office use. Proposed development exhibits are attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☒ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: This is a residential neighborhood. We dont need a business, which means more traffic + noise.. So I am strictly opposed.

Signature: Melvin Hataway

Printed Name: MELVIN HATAWAY

Address: 108 BARNES BRIDGE RD.

Date: 4-11-16

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from Kyle Bennett for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Low Density Residential (LDR) to Retail (R) and the Zoning Map from Single Family Residential – 3 (SF3) to General Business for property located at or about 4250 N. Belt Line Road. The request is for the development of a professional office use. Proposed development exhibits are attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☒ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: I don't want commercial property this close to my neighborhood.

Signature:

Printed Name: Michelle Rains / Michael C. Rains

Address: 108 Greenway / 117 Greenway

Date: 4/9/16 / 4/11/16

Two No Votes

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from Kyle Bennett for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Low Density Residential (LDR) to Retail (R) and the Zoning Map from Single Family Residential – 3 (SF3) to General Business for property located at or about 4250 N. Belt Line Road. The request is for the development of a professional office use. Proposed development exhibits are attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☒ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation: Because it will decrease the value of our homes. There is no benefit of a business to our Neighborhood.

We do NOT want a business in our back yards. + Neither would Mr. Bennett

Signature:

Printed Name: VICKI BOONE

Address: 103 Sunview

Date: 4-11-16

Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from Kyle Bennett for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Low Density Residential (LDR) to Retail (R) and the Zoning Map from Single Family Residential – 3 (SF3) to General Business for property located at or about 4250 N. Belt Line Road. The request is for the development of a professional office use. Proposed development exhibits are attached.

The Planning and Zoning Commission will hear this application on Monday, April 18, 2016 and the Town Council will consider the application on either Monday, April 25, 2016 or Monday, May 9, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

Information regarding the proposed amendments can be obtained by contacting Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

If you wish to submit a written response, please fill out and return this notice as soon as possible.

☐ I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments

☒ I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation:

Signature: Jerry D. Williams

Printed Name: JERRY & BEVERLY WILLIAMS

Address: 107 GREENWAY ST

Date: 4-12-2016