

# SUPPLEMENTAL

CC AGENDA: 04-07-09  
ITEM: 2.2(e)



## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** See Below

**DATE:** March 25, 2009

Approved

Date

3/25/09

**COUNCIL DISTRICT: 5**

**SUBJECT: PDC06-063, REZONING REAL PROPERTY LOCATED ON THE  
NORTHEAST CORNER OF JULIET PARK DRIVE AND ROSEMAR AVENUE**

### SUPPLEMENTAL MEMORANDUM

#### REASON FOR THE SUPPLEMENTAL

The City Council approved the subject rezoning to conditions at the meeting of March 10<sup>th</sup>. At the meeting, staff offered to return at the time of the Second Reading of the Ordinance with specific wording to be included in the Planned Development Rezoning that addressed proposed developer contributions for minor improvements on Rosemar Drive and hillside development standards.

#### BACKGROUND

The City Council approved the subject rezoning to conditions at the meeting of March 10<sup>th</sup>. At the meeting, staff offered to return at the time of the Second Reading of the Ordinance with specific wording to be included in the Planned Development Rezoning that addressed proposed developer contributions for minor improvements on Rosemar Drive and hillside development standards. The staff proposed wording is below:

Prior to issuance of a Public Works clearance, the developer shall deposit with the City \$30,000 to be used for minor street improvements, constructed by the City, to the satisfaction of the Director of Public Works. If any elements of the minor street improvements are constructed by the developer, they will be credited for actual costs in a Subdivision Agreement. Such improvements may include, but are not limited to, adding shoulder striping and a center line stripe on Rosemar Drive to on both sides of Rosemar Avenue between Fleming

HONORABLE MAYOR AND CITY COUNCIL

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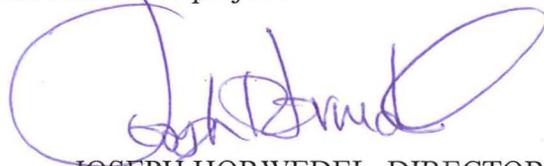
**Subject: PDC06-063, Rezoning Juliet Park Drive & Rosemar Avenue**

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Avenue and Juliet Drive, constructing additional paved areas, located in the public right-of-way, for those interested property owners. The new paved areas would not be allowed where it required removal of trees or, any part of retaining walls; fences; or irrigation systems. The Director of Public Works may establish appropriate limitations on such work to protect the City and developer from damage claims or expanded scope of work. Funding may also be used to conduct outreach to the property owners fronting on Rosemar subject to the striping or paving work.

Development of any proposed lot with a single level house shall only occur on the existing pad areas. Lots proposed on area with grades in excess of 5% shall be developed as natural lots. Houses on such lots shall be processed individually through a Planned Development Permit Amendment. Such lots are allowed a single two car wide driveway, and a two car garage. The house plans shall be designed to follow the existing slope of the land. Retaining walls shall not exceed 5 feet when located behind the building and three feet when located on the street side of the building or on the side of the building. Pony walls of up to 4 feet are allowed on the exterior of the building.

These revised conditions have been agreed to by the developer and have been included in the development standards contained in the Land Use Plan of the project.



JOSEPH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement

If you have further questions, please contact Joseph Horwedel, Director of Planning, Building and Code Enforcement at 535-7900.