

## **M E M O R A N D U M**

**TO:** Tom Harmer, Town Manager

**FROM:** Allen Parsons, AICP,  
Director – Planning, Zoning and Building Department

**REPORT DATE:** December 15, 2022

**MEETING DATE:** January 9, 2023

**SUBJECT:** Proposed Ordinance 2022-10 and Site Development Plan Order 2022-02, 3000 Harbourside Drive – Harbourside Tennis Club Pickleball Courts

### **Recommended Action**

Adopt Ordinance 2022-10 and Approve Site Development Plan Order 2022-02.

### **Background**

At their December 5, 2022 Regular Meeting, the Town Commission held first reading and public hearing on Ordinance 2022-10 (Planned Unit Development/Outline Development Plan) and Site Development Plan Order 2022-02 (Final Site Development Plan), to allow for the development of four pickleball courts and an additional parking area at the Harbourside Tennis Club, located at 3000 Harbourside Drive. The Town Commission forwarded Ordinance 2022-10 (7-0 vote) to the January 9, 2023 Regular Meeting for second reading and public hearing; and continued Site Development Plan Order 2022-02 (7-0 vote) for public hearing at the January 9, 2023 Regular Meeting.

The Town Commission heard presentations from staff and the applicant, in addition to hearing input from the public at the first public hearing. The Town Commission discussed various aspects of the Planned Unit Development/Outline Development Plan/Final Site Development Plan applications prior to moving the items forward to a second public hearing on Ordinance 2022-02 and a continued public hearing on Site Development Plan Order 2022-02.

The Commission discussed applicant requested conditions related to replacement of trees, specific location of replacement trees, and neighboring properties' concerns related to the preservation of the buffer. At the applicant's request, the following revised conditions were presented to the Town Commission:

Condition #11: Prior to issuance of a building permit for the Project, the Applicant shall submit a revised Landscaping Plan that shows replacement trees and relocated trees as required to comply with Town Code Section 98.06(D), as determined by the Planning & Zoning Department. The replacement trees and relocated trees shall be located to the full extent practicable in the buffer area adjacent to the Harbourside Tennis Club.

Condition #13: In an effort to preserve the buffer around the Harbourside Tennis Club, any future post-development reduction to the buffer, as to either its boundaries or its tree coverage (other than removal of any trees so diseased or damaged by natural causes as to no longer remain viable), to the North and West of the Tennis Club, shall be considered a major amendment to the Site Development Plan.

The Town Commission voted 7-0 to incorporate Conditions #11 and #13 into Ordinance 2022-10 and Site Development Plan 2022-02.

### **P&Z Board Recommendation**

#### **Planned Unit Development/Outline Development Plan (Ordinance 2022-10)**

The P&Z Board voted 7-0 to recommend approval of the PUD and ODP, with 12 conditions, including two new conditions, 11 and 12, added by the P&Z Board.

Note: Condition #13 was proposed after the P&Z Board meeting and accepted by the Town Commission meeting at their December 5, 2022 Regular Meeting.

#### **Final Site Development Plan (Site Development Plan Order 2022-02)**

The P&Z Board voted 7-0 to recommend approval of the Final Site Plan, with the same 12 conditions, including the two P&Z Board recommended new conditions (11 and 12), that are found in Ordinance 2022-10.

### **Staff Recommendation**

Adopt Ordinance 2022-10 and Approve Site Development Plan Order 2022-02.

### **Attachments**

- A. Ordinance 2022-10 (pursuant to Town Commission recommendation) (Available in Town Clerk's Office); and
- B. Site Development Plan Order 2022-02 (pursuant to Town Commission recommendation) (Available in Town Clerk's Office).

**End of Agenda Item**