

**TO:** Mayor Craft & Members of the City Council

**FROM:** Andy Bauer, Zoning Administrator

**SUBJECT:** ZA20-000039 – The Waterways Marina Conditional Use Permit (CUP)

**DATE:** September 8, 2020

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## SUMMARY OF REQUEST

The applicant seeks conditional use Permit (CUP) approval to construct a 44-slip private marina and boat ramp. The site is located in the 800 block of Waterway West Boulevard and is a vacant wooded lot.

The marina and boat ramp are an amenity for the approved 60-lot, “Waterways” Cottage Subdivision. The City Council is only taking action on The Waterways Marina CUP application. The Waterways Cottage Subdivision has been approved by the Planning Commission.

## BACKGROUND

- **August 27, 2020 Planning Commission Meeting** – The Waterways Marina was recommended for approval by the Planning Commission. The Planning Commission, with a separate action, approved The Waterways Cottage Subdivision. Both approvals were unanimous, 7-0.

The Waterways Cottage Subdivision is proposed to be a 60-lot cottage subdivision featuring eight (8) two-story, single family house plans, ranging in size from 1,800sf to 4,000sf. The development is preserving 2.6 acres of wetlands, which are buffered in accordance with the Wetland Protection Regulations. The project proposes a gated entrance from Waterway West Boulevard that accesses a wide boulevard and a network of private streets. Thirty percent (30%) of the development is preserved as open space, and amenities include a pool, sidewalks and multi-use pathways, a boat storage area and marina.

The conditional BT-4 zoning of the property allows the 20 acre site to be developed with 30 dwelling units per acre, equaling a maximum 600 units. The approved cottage development drastically reduces the allowable development density and intensity.

## PROPOSAL

The Waterways Cottage Subdivision includes as an amenity for future house owners a private 44-slip marina. In accordance with the Zoning Ordinance, a facility for the docking of 10 or more boats is considered a marina, and marinas are only allowed by a CUP. The Zoning

Ordinance allows marina requirements to be waived or modified through the required Conditional Use Permit (CUP) public hearing process.

## **RECOMMENDATION**

City staff recommends the City Council approve The Waterways Marina CUP with the following conditions:

1. Prior to the issuance of construction approvals for the marina, all marina criteria as referenced on the applicant's response to city staff's review comments dated August 6, 2020 (educational components, waste management, cleaning of vessels, and operational regulations) shall be included in The Waterways Subdivision covenants and restrictions and approved by the City.
2. Prior to the issuance of construction approvals for the marina, all required state and Federal approvals shall be obtained.

## **ATTACHMENTS**

Staff Report, Proposed Plans