

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 10, 2017

SUMMARY

A request by Allstate Consultants, LLC (agent) on behalf of Arrowhead 3, LLC (owner) for approval of a 4-lot final plat on R-1 (One-family Dwelling District) zoned land, to be known as *Arrowhead Lake Estates Plat 3*, pending annexation and rezoning. The 26.72-acre subject site is located approximately 1,200 feet north of Sinclair Road on the east side of West Lake Arrowhead Drive. (**Case #17-167**)

DISCUSSION

The applicant is seeking approval of a four-lot final minor plat on property not previously subdivided, as well as a small portion of property that was previously platted in the *Arrowhead Lake Estates Plat 2* plat. The property will be subdivided into four single-family lots that will have access onto Arrowhead Lake Drive. The platting of the subject property is contingent upon the approval of the annexation of the portion of the subject site that is not currently within the City, generally located along the west side of the property (annexation pending Council approval as of this writing). No additional right of way is required.

The existing lot (Lot 35 which is the portion of the property being annexed) is a common lot that will be replatted to combine the unplatted portion of the site. To support the incorporation of the common lot into the subdivision, the applicant has submitted information confirming that the subject property has the support of and will be incorporated into the Arrowhead Lake Estates Homeowners Association, who are also the current owners of the property pending the sale to the applicant. The applicant submitted a revised declaration of covenants, necessary for the addition of the property into the HOA, that includes signatures of the current property owners, per the applicant. With that information, staff finds that the requested replat will not eliminate any restrictions that have been relied upon by neighbors, is properly served by existing utilities, and will not be detrimental to the neighborhood.

Design Adjustment

The applicant is also requesting a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not be included on lots intended for development (which would generally mean that it should be included on a common lot). The applicant has provided information supporting the requested design adjustment, which is attached. The sensitive areas in this case include tree preservation area, and an area of steep slopes located on Lot 3, as seen on the attached land analysis map.

While it would be possible for the applicant to create separate lots for the tree preservation and sensitive land areas, the size of the lots do present a unique situation when compared with other subdivisions. The areas that are to be preserved are generally located along the east side of the property, where there is no direct access from a street. This situation is less likely to occur in more standard sized developments with smaller lots and more dense road networks, which would likely allow better access to preservation areas.

As an alternative to the placing sensitive areas in common lots, the UDC does permit sensitive areas to be placed on buildable lots if other regulations prevent the platting of separate lots. In this case, that requirement is not meant, but if it were, the provisions that are established in the UDC would allow the sensitive areas to be placed in a preservation easement instead of a common lot. And in addition, a building envelope must be included on the plat, which would restrict the location of future development on the site to ensure that it does not encroach on the sensitive areas. The requested design

adjustment, if approved, would allow the applicant to adhere to these alternative provisions for preserving sensitive areas, instead of requiring the creation of separate lots.

Furthermore, to allow future homeowners to more easily identify the location of the preservation easement the applicant has agreed to monument the corners of the easement in the same way that lot corners are monumented. This should allow future homeowners to locate the exact corner of the easements so that they are better aware of where the preservation area is located.

After considering the above information and the submitted information by the applicant, staff supports the granting of the design adjustment, as it would not be detrimental to public safety or injurious to other properties.

The proposed final plat has been reviewed by staff and aside from the requested design adjustment, it meets all requirements of the Unified Development Code.

RECOMMENDATION

Approval of the final plat for *Arrowhead Lake Estates Plat 3* and the requested design adjustment.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Final plat
- Design Adjustment narrative
- Land Analysis map

SITE CHARACTERISTICS

| | |
|-------------------------------|--|
| Area (acres) | 26.72 |
| Topography | Slopes north and south towards drainage area in middle of site |
| Vegetation/Landscaping | Wooded |
| Watershed/Drainage | Little Bonne Femme Creek |
| Existing structures | Vacant |

HISTORY

| | |
|--|--|
| Annexation date | East: 1998; West: Pending |
| Zoning District | R-1 |
| Land Use Plan designation | Neighborhood District |
| Previous Subdivision/Legal Lot Status | Lot 35, <i>Arrowhead Lake Estates Plat 3</i> |

UTILITIES & SERVICES

| | |
|------------------------|--------------------|
| Sanitary Sewer | BCRSD |
| Water | City Water & Light |
| Fire Protection | CFD |
| Electric | Boone Electric |

ACCESS

| Arrowhead Lake Drive | |
|-----------------------------|---|
| Location | Abuts west side of property |
| Major Roadway Plan | NA; local residential (50-foot ROW required; additional 5 feet dedicated) |
| CIP projects | None at this location |
| Sidewalk | No sidewalks required due to large lot development |

PARKS & RECREATION

| | |
|--------------------------------|-------------------------------------|
| Neighborhood Parks | Cascades Park (½ mile south) |
| Trails Plan | No trails planned adjacent to site. |
| Bicycle/Pedestrian Plan | None identified adjacent to site |

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on June 27, 2017.

| | |
|---|---|
| Public information meeting recap | Number of attendees: 0 Comments/concerns: NA |
| Notified neighborhood association(s) | Cascades Homeowner Association |
| Correspondence received | None at time of report. |

Report prepared by Clint Smith

Approved by Patrick Zenner