



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 19, 2024

Re: Russell Subdivision Plat 7 – Preliminary Plat (Case # 21-2024)

Executive Summary

This request would approve a new 8-lot preliminary plat, to be known as “*Russell Subdivision Plat 7*”, on 3.20 acres of R-1 (One-family Dwelling) zoned property at the northwest corner of Rollins Road and Russell Boulevard. The preliminary plat contains 6 single-family homesites and 2 common lots. The existing home addressed 709 Russell Boulevard is to be retained and the development would be accessed from a shared, irrevocable ingress/egress connecting to Russell Boulevard only. A concurrent request, under separate cover on the Council’s February 19 agenda, seeks approval of two design adjustment relating to roadway design and sidewalks within the development. Approval of the requested design adjustments is necessary ensure the plat’s compliance with the UDC.

Discussion

A Civil Group (agent), on behalf of Jack and Kay Wax (owners), are seeking approval of an 8- lot preliminary plat to be known as “*Russell Subdivision Plat 7*” which constitutes a replat of Lots 1 and 2 of Russell Subdivision – Plat 5. A total of 6 single-family homesites and 2 common lots are proposed for the development. Associated with this request, under separate cover on the February 19 Council agenda, are two design adjustments seeking relief to allow a 20-foot wide common irrevocable ingress/egress easement to serve as the site principal means of access and wavier of internal sidewalks along this proposed access. Common lot C1 is proposed for stormwater and will include the Fire Code compliant turnaround for the development. Common lot C2 is proposed to accommodate the ingress/egress easement.

The subject site is encumbered by an existing greenspace conservation easement along its northern boundary that was recorded with Russell Subdivision – Plat 4. The boundaries of this easement are not impacted by the proposed platting action, but rather have been incorporated into proposed Lots 605, C1, and 606. Per UDC definition this easement cannot be encroached upon by future dwelling unit development, but can be disturbed for public utility construction and access purposes. The preliminary plat shows future public sewer construction occurring within the easement with no access impacts being anticipated. The construction of the new public sewer main to serve the 6 homesites will eliminate the existing “private” sewer lateral to the home addressed 709 Russell Boulevard.

The proposed plat was initially presented to the Planning Commission at its December 21, 2023 meeting. At that time the plat proposed the ingress/egress easement connecting Russell Boulevard to Rollins Road. This connection result in significant public and Commission concerns being expressed. The applicant agreed to table action on the plat to allow for its revision. The attached plat sought for approval has removed the “through” connection and



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now proposes to terminate the ingress/egress easement at the northern property line of proposed Lots 602 and 603. This termination required that a compliant Fire Code turnaround be installed. This turnaround is shown on the plat within proposed common lot C1 and has been approved by the Fire Department as it is compliant with Appendix D of the Fire Code.

The proposed plat, if approved, would authorize the applicant to proceed forward with the preparation of a final plat containing 8 lots. This number of lots, as shown within the attach Planning Commission transcript, was view by adjoining property owners as a significant concern given potential traffic issues and given the arrangement is not characteristic of the surrounding lots along Russell Boulevard.

The subject site is zoned R-1 which has a prescribed minimum lot area of 7,000 sq. ft.. The lots depicted on the preliminary plat all exceed this minimum area and would permit development of single-family homes of varying scale. The introduction of a development containing lots of this size supports goals and objectives of the comprehensive plan with respect to housing diversity and infill development. Furthermore, the lots proposed are not significantly out of character with those in the surrounding neighborhoods to the west and south of Russell Boulevard and Rollins Road. Additionally, development along Oakwood Court northeast of the subject site contains smaller lots in a configuration consistent with that proposed by the applicant, albeit the lots are accessed from a public street.

The proposed preliminary plat provides for the future dedication of necessary utility easements along its roadway frontages as well as includes a sewer easement within Lot 606 that would permit the extension of a future public sewer from Oakwood Court eliminating a current common collection situation. No additional right of way is required for Russell Boulevard or Rollins Road as such rights of way are at their UDC required width. Sidewalk will be required along both roadway frontages were it is presently not existing.

The location of the proposed access point into the development has been evaluation for compliance with the separation standards from the Rollins/Russell intersection and is found to meet UDC standards. Given the project will generate less than 100 vehicle trips in the peak hour, no traffic study was required.

Per sec. 29-5.2(d)(4) of the UDC, a resubdivision/replat of land shall only be approved if Council determines compliance with the following provisions (staff analysis follows each provision):

- (i) The resubdivision would not eliminate restrictions on the existing plat upon which neighboring property owners or the city have relied, or, if restrictions are eliminated, the removal of such restrictions is in the best interest of the public.**

The only know restrictions impacting the subject development are those found within the greenspace conservation easement that was recorded in Book 2481, Page 101. This easement has been retained without alteration and is shown on the proposed preliminary plat. The easement's limitations with respect to private



development or vegetation removal will remain valid following approval of the resubdivision and directly impact any future residential construction on Lots 604, 605, or 606.

(ii) Adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided to meet the needs of the resubdivision, or, there will be no adverse effect on such infrastructure facilities caused by the resubdivision.

The site is presently served by sufficient public utilities to support its development. To facilitate the proposed lot layout shown on the submitted preliminary plat extension of public infrastructure, at the applicant's expense, will be required. Required public utility easements have been shown on the plat to support necessary expansions. No known capacity issues relating to the existing public infrastructure systems have been cited by applicable staff relating to the proposed development. The extension of the new public sewer main will enable elimination of the private common collector serving 709 Russell Boulevard to be eliminated.

(iii) The replat would not be detrimental to other property in the neighborhood, or, if alleged to be detrimental, the public benefit outweighs the alleged detriment to the property in the neighborhood.

The subject development proposes a total of six, single-family detached residential dwelling units on 3.2 acres (a density of 1.9 du/ac). The existing R-1 (One-family Dwelling) zoning allows development on 7,000 sq. ft. lots (a density of 6.2 du/ac). While approval of the proposed preliminary plat, a resubdivision of the existing platted two lots, will permit development on significantly smaller lots than the lots along Russell Boulevard with the exception of Oakwood Court, the introduction of a greater diversity of single-family detached housing option is not detrimental to the integrity of the surrounding neighborhood. Integration of such housing is supported by the comprehensive plan. Finally, while increased development will result in additional traffic generation, the anticipated 57 ADT's on a daily basis are not believed to be in excess of what the existing roadway network is designed to accommodate. Given the development is not anticipated to generate more than 100 trips in the peak hour no traffic study was required.

The Planning Commission held a public hearing on this matter at its January 18, 2024 meeting. Following the staff report, the applicant's agent explained the revisions made to the plat following the December 21, 2023 hearing. Several members of the public spoke expressing concerns about the lack of communication following the December 21 meeting, possible traffic impacts given the site's proximity to the Russell Boulevard Elementary, the size of the lots being inconsistent with the vision for the area, maintenance of the sidewalks that would be along the rear of lots within the development specifically with respect to snow



removal and trash collection/maintenance, trash collection, concerns regarding the creation of a private not public access, and that the does not bring “income” diversity to the neighborhood.

Following brief additional discussion and clarification of procedural matters, the Planning Commission made three separate motions with respect to the proposed development. The first motion was to approve the right of way width reduction and type of access within the development which was approved by a vote of (5-1). The second motion was to approve the requirement to build sidewalk along the ingress/egress easement which was approved by a vote of (6-0). The third motion was to approve the proposed preliminary plat, subject to technical corrections, which was approved by a vote of (6-0).

A copy of the Planning and Zoning Commission staff report, locator maps, revised preliminary plat, original and revised design adjustment requests, and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated. Any costs associated with the extension or relocation of public utility infrastructure will be borne by the applicant.

Long-Term Impact: Minimal. Potential costs may include increased public safety and trash collection services as well as increased public infrastructure maintenance (i.e. electric, roads, sewer, and water) to the site. These increased costs may or may not be off-set by user fees or increased tax collection.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable and Sustainable Infrastructure, Secondary Impact: Resilient Economy, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Infrastructure, Tertiary Impact: Economic Development

Legislative History

Date	Action
4/21/2016	Approved final plat – Russell Subdivision Plat 5 (Ord. 022792)

Suggested Council Action

Approve the proposed preliminary plat to be known as “Russell Subdivision Plat 7” as recommended by the Planning and Zoning Commission.