



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 5, 2023

Re: Hidden Haven Plat 1 – Final Plat (Case # 271-2022)

Executive Summary

This request would approve a one-lot final plat on 10.53-acres of previously unplatted land located northwest of the western terminus of Westwinds Drive. A separate request to waive construction of sidewalk along the parcel's frontage with the Stadium Boulevard/Hwy 740 corridor is associated with the request and appears under separate cover for Council's June 5, 2023 agenda for consideration.

Discussion

A Civil Group (agent), on behalf of Sonya Andreassen-Henderson (owner), is seeking approval of a one-lot final major plat to be known as Hidden Haven Plat 1. The 10.53-acre parcel is located on the north side of Stadium Boulevard, approximately 500 feet east of College Park Drive, but accessed from the western terminus of Westwinds Drive and is addressed 1605 and 1607 Westwinds Drive.

Approval of the final plat would bestow "legal lot" status upon the acreage and allow for building permits to be issued for additional on-site structures. This platting action is also being considered concurrently with requests to rezone (Case # 142-2023) the acreage to A (Agriculture) and grant a conditional use permit (Case # 144-2023) for the construction of a second primary dwelling on the acreage. Additionally, a design adjustment to waive construction of sidewalk along the parcel's Stadium Boulevard frontage is being sought.

The acreage received preliminary plat approval from Council in February 2023. The preliminary plat (see attached) proposed the division of the acreage into two (2) parcels. The applicant has since sought a variance to allow placement of a detached garage in front of a house and a variance to allow a garage to be constructed on a lot before construction of the house. The Board considered variances seeking relief from the Unified Development Code requirements to allow for these actions in March 2023. Both variances were denied.

Given this outcome, the applicant sought rezoning to Agriculture and a conditional use permit to allow a second primary dwelling on a single lot. Both actions were heard during the Planning & Zoning Commission's May 4, 2023 meeting and were recommended for approval. The rezoning and conditional use permit requests will be introduced for Council consideration on June 5 concurrently with this request and the requested design adjustment.

While the proposed final plat is for a singular lot not the previously approved two (2) lot subdivision, it is staff finding that the plat is still in substantial compliance with the approved



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preliminary plat. The singular parcel will still require the extension of public infrastructure and is obligated to install previously approved off-site improvements to ensure compliance with other UDC provisions. A single lot zoned Agricultural allows two primary dwellings on a single lot by conditional use. No variances will be needed for the construction of a new garage in the location desired by the applicant.

The subject site is significantly impacted by sensitive environmental features (i.e. steep slopes, floodplain, and greenbelt designated lands) that the adopted Comprehensive Plan supports for protection and adjoining property owners want preserved. The reduction in the number of lots will facilitate protection of these features and, if rezoned, the A district designation would assure adjoining residents that further division of the parcel would be limited to the originally proposed 2 lots.

Per the applicant, future plans for the site include the demolition of the existing two outbuildings west of the existing homestead on the lot. The site would be improved with a new accessory detached garage, in approximately the same location of the improvements to be removed, and a new second primary dwelling to the rear of the property on a ridgeline that is behind the proposed accessory garage. No additional right-of-way is required with the final plat, but a new 10-foot utility easement is provided along the south property line.

The lot will be accessed from Westwinds Drive and will have direct access to the existing right-of-way and pavement. A new code-compliant turnaround will also be constructed in the unimproved right of way for St. Michael Drive that will allow larger vehicles, such as emergency vehicles, the ability to turn around after traveling to the end of the street. This turnaround was depicted on the approved preliminary plat, which is attached, and has received construction plan approval.

A concurrent request, under separate cover, seeks Council approval to waive the requirement that sidewalk be installed along the proposed subdivision's 535-foot of Stadium Boulevard (classified as an expressway) frontage. UDC Section 29-5.1(d)(2)(v), states:

"Sidewalks shall be required on both sides of expressways and frontage roads **unless the council determines** that potential or existing pedestrian volumes do not necessitate sidewalks to safeguard the public health, safety and general welfare."

This standard allows Council to waive sidewalks along Stadium if they find that the sidewalks are unnecessary due to low pedestrian volume. Staff evaluation of the waiver request is supported given the limited surrounding opportunity for connectivity and other challenges given the topographic conditions west of the end of existing Westwinds Drive. Furthermore, the waiver is supported based on comments offered from the City's Parks and Recreation Department relating to the opportunities to connect a sidewalk to the existing County House Trail at College Park. Parks and Recreation staff noted that while there is a City trail to the west of the site the grades on the subject site down to the trail connection would make



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construction difficult. Please see the concurrent agenda item for specific analysis of the waiver request.

Upon staff review of the final plat, it has been found to be in substantial conformance with the approved preliminary plat and meets all the standards of the Unified Development Code regulations with the exception of the sidewalk waiver along the parcel's Stadium Boulevard (expressway) frontage. The final plat and is recommended for approval by staff.

Locator maps, final plat, and the previously approved *Hidden Haven* preliminary plat are attached.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Infrastructure, Tertiary Impact: Not Applicable

Legislative History

Date	Action
2/6/23	Approved the preliminary plat of <i>Hidden Haven</i> . (Res. 16-23)

Suggested Council Action

Approval the final plat to be known as Hidden Haven Plat 1.