



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 17, 2016

Re: Creek Ridge, Plat No. 2 – Preliminary Plat (Case #16-145)

## Executive Summary

Approval will result in the creation of a 29-lot preliminary plat to be known as "Creek Ridge, Plat No. 2," along with dedications of easements and right of way, and will grant a variance to Section 25-47 regarding street length.

## Discussion

The applicant, Crockett Engineering Consultants is requesting, on behalf of Fred Overton Development, Inc. (owner), the approval of a preliminary plat that would be a continuation of the existing Creek Ridge Plat No. 1 subdivision to the north. The subject property was originally shown as Lot 77 on the original preliminary plat Creek Ridge (attached), but was never final platted. The subject site also includes previously platted lots from Creek Ridge, Plat No. 1 (Lot 26) and Creek Ridge, Plat No. 1A (Lot 27A), which are generally similar to Lots 26A and 27B as shown on the proposed preliminary plat.

The preliminary plat would create 23 **new** buildable single-family lots and 4 common lots. The previously platted lots (Lots 26A and 27B) have been modified, but are not considered new. The lots would be accessed by the extension of Heath Court from its current terminus through the property, terminating at the south property line to provide connectivity to adjacent property in the future. The extension of Heath Court as shown, however, requires a variance to the maximum terminal street length permitted by Section 25-47, which states that a terminal street may have a maximum length of 750 feet. The applicant is proposing to extend Heath Court such that its length would be approximately 1,500 feet. Staff does not support the requested variance, as detailed in the attached Planning and Zoning Commission staff report.

At its September 22, 2016, meeting, the Planning and Zoning Commission considered this request. Staff presented its report and a representative for the applicant gave an overview of the request. Commissioners questioned whether access was available to the south. The applicant's representative explained that there had been discussion with a property owner to the south to grant access, but an agreement could not be reached. The Commission also inquired about future plans to extend Ridgewood Road or Waltz Drive to the site. Both roads are located maintained by Boone County and are not planned to be extended such that they could provide a connection to the subject property. Such extension and improvement of these roadways would likely occur with future development of the adjoining properties. Extension of Heath Court such that it could provide secondary access to the subject site may be possible at the time the property to the south develops since it has frontage upon Route K.



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Following additional discussion, the Planning and Zoning Commission voted (7-2) to recommend **denial** of the preliminary plat and the associated variance. Commissioners voting to deny the plat and variance generally indicated concerns with the uncertainty of any possible connections for Heath Court in the future, and with the number of additional homes that would be permitted along Heath Court (a terminal street) if the variance was granted.

Staff notes that since the Planning and Zoning meeting, the applicant revised the plat to reduce the number of buildable lots within the development (which includes currently platted lots to the north as well) from 101 to 100 lots, which is the maximum number permitted when there is only one access point to a through street. This issue was discussed during the Planning and Zoning Commission, and the applicant amended the plat so that Lot 24 was changed to a common lot (Lot C4), which restricts development on the lot.

A copy of the Planning Commission staff report, locator maps, preliminary plat, variance worksheet, previously approved "Creek Ridge" preliminary plat, previously approved "Creek Ridge, Plat No. 1" final plat, and previously approved "Creek Ridge, Plat No. 1A" final plat, and meeting excerpts are attached.

## Fiscal Impact

Short-Term Impact: Limited short-term impact. All infrastructure extension will be at developer's expense.

Long-Term Impact: Long-term impact would include infrastructure maintenance and public safety services. Such increased costs may be offset by increased property taxes and user fees.

## Vision & Strategic Plan Impact

### [Vision Impacts:](#)

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

### [Strategic Plan Impacts:](#)

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

### [Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable



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## Legislative History

Date	Action
8/17/2015	Approved administrative plat of "Creek Ridge, Plat No. 1-A" , with variance to sidewalks (Ord. #22550)
6/6/2005	Approved final plat of "Creek Ridge, Plat No. 1" (Ord. #18526)
3/21/2005	Approved preliminary plat of "Creek Ridge" (Res. #56-05)

## Suggested Council Action

Denial of the variance to Section 25-47 relating to terminal streets and denial of the preliminary plat for "Creek Ridge, Plat No. 2" as recommended by the Planning and Zoning Commission.