



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 15, 2022

Re: Bluff Creek Estates Plat 10 – Design Adjustments (Case # 115-2022)

Executive Summary

Approval would grant two partial design adjustment relating to the applicant's responsibility to install public sidewalk in its standard location and road infrastructure, pursuant to Section 29-5.1(d) and 29-5.1(g) of the Unified Development Code. The request for relief is sought in association with a two-lot final plat to be known as "Bluff Creek Estates Plat 10" that appears concurrently on the August 15 Council agenda. In lieu of the required sidewalk placement, the applicant seeks approval of an alternative that would facilitate connection to the Grindstone Creek Trail.

Discussion

A request by Crockett Engineering (agent), on behalf of The Moore Living Trust (owner), seeks approval of two design adjustments from Section 29-5.1(d) and 29-5.1(g) pertaining to sidewalk construction and roadway grading, respectively. The 6.55-acre subject property is zoned R-1 (One-Family Dwelling) and is generally located west of Bluff Creek Drive, approximately 200 feet north of the intersection of Bluff Creek Drive and Pebble Creek Court.

A concurrent request for a two-lot final major plat is presented under separate cover on Council's August 15, 2022 agenda. As described in that memo, the applicant seeks to create a residential subdivision in conformance with an approved preliminary plat. The purpose of the platting action is to establish a "legal lot" and the design adjustment specifically applies to the required public roadway improvements within the dedicated right of way for the extension of Bluff Creek Drive and a future bridge structure crossing Grindstone Creek along the parcel's eastern boundary shown on the plat.

Bluff Creek Drive is a neighborhood collector on the CATSO major roadway plan that currently terminates at the subject site, but will be required to be extended by the developer to provide access to the proposed subdivision. It should be noted that the associated bridge that would cross Grindstone Creek is not built and per City Code would be the responsibility of the City to construct. This future construction is not currently in the Capital Improvements Plan (CIP). The beginning of this future bridge would be located approximately 450' north of the existing street terminus.

There are no other design adjustments sought with the platting action. The applicant will be required to install public sidewalk along the Bluff Creek Drive extension along the eastern boundary of the lot pursuant to a final sidewalk elevation design that is currently being completed. All other required public road right-of-way and utility easements are shown as being dedicated on the plat.

Pursuant to Sections 29-5.1(d) and 29-5.1(g), respectively, sidewalks and grading are required to be completed along the property's Bluff Creek Drive frontage up to the future



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bridge abutment upon final platting. The applicant is requested partial relief from these obligations by providing the alternatives discussed below:

In regards to the design adjustment for sidewalk, the applicant seeks a partial waiver from the provisions of Section 29-5.1 (d) which would require constructing sidewalk in a 90' linear stretch where there are currently steep slopes exceeding 20% grade adjacent to the Grindstone Creek corridor. The applicant's alternative avoids these steep slopes and connects a gap in the bicycle and pedestrian network between existing sidewalk in-place along Bluff Creek Drive and the Grindstone Creek Trail.

The applicant proposes to construct sidewalk up to the new proposed street terminus in its standard location then cross over the right-of-way and tie-in the subject property's sidewalk installation and that of the parcel being developed on the east side of Bluff Creek Drive to the Grindstone Creek Trail on City property. A graphic of the proposed alternative is attached.

In regards to the design adjustment for grading, the applicant seeks a partial waiver from the provisions of Section 29-5.1 (g) which reads:

29-5.1 (g) Public Improvements.

- (1) All required public improvements, including but not limited to streets and utilities, shall be installed or constructed in accordance with the procedural requirements in Section 29-5.2, or in related public improvements standard specifications or policies established by the City department or other entity responsible for the design, operation, or maintenance of that type of improvement.*

Chapter 22 of the City Municipal Code requires the developer to provide roadway grading up to the future bridge abutments that would be installed as part of a future bridge crossing Grindstone Creek. The applicant cites in the design adjustment worksheet that grading without an existing abutment or retaining wall is impossible due to the steep slopes and creek crossing. Given this condition, the applicant proposes to grade approximately 340' of the required 435'.

The 95' difference between required grading and that proposed is the applicant's requested design adjustment. It should be noted that within the 345' of proposed grading, the grade of the roadway bed would be such that it will accommodate the alternative sidewalk construction that is proposed. The alternative sidewalk location mitigates the loss of the 95' of required roadway grading typically required by Chapter 22.

After review of the plat, the sidewalk alternative, and the design adjustment request, Public Works is in support of the design adjustment which would essentially grant relief from having to grade and construct sidewalk to a bridge abutment that does not yet exist. Typically, an abutment or retaining wall would already be in place for the developer to grade to and stabilize the earthen fill. In this unique situation, the developer would be required to construct a retaining wall for fill stabilization, which given the unknown timeline of the bridge, would otherwise erode away.



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In terms of the design adjustment criteria per Section 29-5.2(b)(9) of the UDC, the request is not believed to create adverse impacts on abutting properties, will not make multi-modal access to the site more dangerous, or have adverse impacts on public health. The waiver would address a site-specific condition in a way that is not incompatible with developments of a similar situation and is not believed incompatible with the Comprehensive Plan. A full analysis of these criteria is contained within attached Planning Commission staff report.

The Planning and Zoning Commission considered this requests at their June 9, 2022 meeting. Staff presented their report and the applicant gave an overview of the design adjustment requests. Two members of the public spoke about concerns relating to connecting sidewalk to the Grindstone Creek Trail. Following discussion about trail connectivity and the typically required sidewalk location, a motion to recommend approval of the design adjustments was unanimously approved (9-0).

The Planning Commission staff report, locator maps, final plat, design adjustment worksheets, design adjustment exhibit, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Mobility, Connectivity, and Accessibility

Legislative History

Date	Action
04/18/94	Approved the preliminary plat of Bluff Creek Estates Phase 5-A, a Major Subdivision. (Res. 70-94)

Suggested Council Action

Approve requested design adjustments from Section 29-5.1(d) and 29-5.1(g) of the UDC as recommended by the Planning and Zoning Commission.