

**PREPARED FOR THE PLAN COMMISSION**

Project Address: 702 South Point Road

Application Type: Zoning Map Amendment, Demolition Permit, Preliminary Plat and Final Plat

Legistar File ID # [32952](#), [32916](#) and [32917](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Requested Action: Approval of a substitute request to rezone 702 South Point Road from A (Agricultural District), TR-C3 (Traditional Residential–Consistent 3 District) and PD (Planned Development District) to TR-C3, TR-P (Traditional Residential-Planned District) and CN (Conservancy District); approval of a demolition permit to allow an existing single-family residence to be razed, and; and approval of a preliminary plat and final plat creating create 259 single-family lots, 11 lots for two-family-twin residences, 7 outlots to be dedicated to the City for expansion of a park, an alley, and stormwater management, and 2 outlots for private open space.

Addendum

This zoning map amendment and subdivision plat for the First Addition to 1000 Oaks was scheduled for review by the Plan Commission at its March 10, 2014 hearing. However, the applicant, Jeff Rosenberg, VH South Pointe Land, LLC/ Veridian Homes, requested a late referral of the rezoning, demolition permit, preliminary plat and final plat to the March 24 meeting to allow for additional discussions with staff from the Parks Division regarding the February 28, 2014 memo from Kevin Briski, Parks Superintendent provided with the March 10 staff report. Both the original staff report and Parks Division memo are attached for reference.

Following the March 10 referral, the applicant met with Parks staff to address concerns about the design of the addition to Thousand Oaks Park that the developer proposes to dedicate to the City with the plat. The applicant and Parks staff have generally agreed to a revised layout for the addition to the park that increases the frontage of the park at two locations along Carmel Leaf Drive. Outlot 7 of the revised subdivision plat creates a small addition to the park at South Point Road directly north of the existing park dedication noted in the March 10 staff report that provides additional visibility of the future park along that north-south collector road. Outlot 8 of the revised plat includes the remainder of the proposed park expansion west of the existing dedicated park. The configuration of this portion of the park has been revised to modestly increase the frontage of the open space along Carmel Leaf Drive where Parks Division staff believes the topography of the site is most conducive to the construction of recreational amenities.

The revisions to address the Parks issues have been made without a change in the overall number of residential units compared to the version presented reviewed for the March 10 meeting, although the configuration of individual lots have been changed modestly to account for the revised street frontages for Thousand Oaks Park. Planning staff has reviewed the revised subdivision and believes that the revised lot arrangement will continue to meet the minimum lot design requirements of the requested TR-C3 and TR-P zoning districts.

In closing, the Planning Division believes that the revised First Addition to 1000 Oaks subdivision and the related demolition permit for the existing single-family residence on the site can meet the applicable standards for approval and are consistent the Pioneer Neighborhood Development Plan.

Recommendation: The Planning Division recommends that the Plan Commission forward substitute for Zoning Map Amendment Zoning Map Amendment ID 28.022–00103, 28.022–00104 and 28.022–00114, rezoning 702 South Point Road from A, TR-C3 and PD to TR-P, TR-C3 and CN, and the preliminary and final plats of First Addition to 1000 Oaks, to the Common Council with recommendations of **approval**, and find the standards met and **approve** a demolition permit for an existing residence, all subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

NOTE: Except as noted below, the conditions of approval from the March 10, 2014 staff report shall be recommended as the conditions of approval for the revised subdivision plat. The conditions in the February 28 Parks Division memo are superseded by the conditions noted below.

1. That the zoning map amendment be revised to rezone Outlots 7 and 8 as shown on the revised subdivision plat entirely to the CN (Conservancy) district. The current legal descriptions in Ordinance ID 32952 reflect the request for those lots to be zoned TR-C3. However, staff believes that it would be best for the portions of Thousand Oaks Park being dedicated with the revised plat to be zoned into the same district.

Parks Division (Contact Kay Rutledge, 266-4714)

2. The First Addition to 1000 Oaks Plat (March 13, 2014 revision) as currently proposed includes 259 single-family lots and 11 Twin Home lots (22 two-family units). The parkland dedication requirement for a single-family/two-family unit is 1,100 square feet per MGO Sec. 16.23(8)(f) and 20.08(6); the total dedication requirement for this subdivision is 309,100 square feet and has been met with the dedication of Outlots 7 and 8 for park purposes. It is critical that the road frontage that provides access and visibility to the park from Carmel Leaf Drive and Tawny Acorn Drive not be reduced as this would limit visibility and connectivity to the park. All park street frontages currently shown on the preliminary plat shall be retained in the final plat.
3. Park Development Impact Fees per MGO Sec. 20.08(2) will be required for all new residential development in this subdivision; a credit will be given for the existing single-family home on the property. The developer must select a method for payment of park impact fees prior to signoff of the final plat. This development is within the Elver Park impact fee district (SI29). Please reference ID# 08115 when contacting Parks Division staff about this project.
4. No underground utility easements shall be located within either park unless approved by the Parks Division.
5. Fencing of lots that back onto land that is being dedicated as parkland is required; the fencing should be located on the single-family lots with a requirement that the fencing be maintained by the property owner.
6. Fencing of the woodland property lines is recommended for all lots backing onto Outlots 7 and 8; the fencing should be located on the single-family lots with a requirement that the fencing be maintained by the property owner.
7. A condition of the 2008 plat approval stated “The developer shall provide a tree inventory and assessment to identify any significant disease issues, to ensure protection of trees at the woodland edge adjacent to development lots and to identify trail corridors and park development locations. Surveyed locations will be

required for trees in some areas adjacent to proposed construction. Coordination with the developer will also be required to ensure that fencing of the woodland property lines occurs as part of the development process.” This is recommended as a condition of approval for the proposed First Addition plat as well.

8. A condition of the 2008 plat approval stated “The park will become the primary corridor for the regional bike path. The potential trail routes and feasibility for a trail underpass of South Point Road should be evaluated as part of the plat grading design. The drainage corridor should be evaluated for pedestrian trails.” This is recommended as a condition of approval for the proposed First Addition plat as well; the plan should incorporate a pedestrian trail connection through Outlot 7 to Carmel Leaf Drive.
9. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.