
ORDINANCE NO. O-2324-16

ITEM NO. 12

STAFF REPORT

GENERAL INFORMATION

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| APPLICANT | DAR, L.L.C. |
| REQUESTED ACTION | Rezoning to PUD, Planned Unit Development District |
| EXISTING ZONING | A-2, Rural Agricultural District |
| SURROUNDING ZONING | North: A-2, Rural Agricultural District East: A-2, Rural Agricultural District South: A-2, Rural Agricultural District West: Planned Unit Development, PUD (O-0405-46) |
| LOCATION | Southwest corner of 24 th Avenue N.E. and Tecumseh Road |
| WARD | 6 |
| CORE AREA | No |
| AREA/SF | 80.00 acres, more or less |
| PURPOSE | Single-family residential |
| EXISTING LAND USE | Vacant |
| SURROUNDING LAND USE | North: Single-family residential East: Single-family residential South: Single-family residential/Vacant West: Single-family residential |
| LAND USE PLAN DESIGNATION | Very Low Density Residential Designation |
| PROPOSED LAND USE DESIGNATION | Low Density Residential Designation |
| GROWTH AREA DESIGNATION | Suburban Residential Growth Designation |

PROJECT OVERVIEW: The applicant, DAR, L.L.C., is requesting rezoning to a Planned Unit Development, PUD, for approximately 80 acres on the southwest corner of 24th Avenue N.W. and E. Tecumseh Rd. The subject property is currently zoned A-2, Rural Agricultural District. The applicant requests this rezoning to allow for the development of single-family homes on roughly half-acre lots.

PROCEDURAL REQUIREMENTS:

GREENBELT COMMISSION MEETING: GBC23-23, September 19, 2023

The Commission forwards this request with a recommendation to follow Resolution No. R-1617-32 for the East Norman Trail and North Norman Tecumseh Trail. They would like to see a meandering trail in this location.

PRE-DEVELOPMENT MEETING: PD23-27, July 27, 2023

Neighbors asked if the property would drain across Tecumseh. The applicant's engineer explained this project will not fix issues the area is currently facing but it will not cause more as they are required to follow the same historic flow rate. Neighbors asked if it is the same developer as Montecito Ranch; the applicant answered yes. Neighbors asked for the cost of the homes. The applicant anticipates they will cost around \$700k and will be approximately 3,000 square feet. Neighbors asked if there will be curbs in the development. The applicant said they are not sure yet but the streets will be private and gated. Neighbors voiced concerns about the intersection of 24th Ave NE and Tecumseh. They would like to see the "stop sign ahead" signs moved up; staff said they would let Public Works know about this concern.

BOARD OF PARKS COMMISSIONERS: October 5, 2023

Parks staff recommended to support the developer's request to provide a fee-in-lieu of park land to be utilized at Deerfield Park, which is the closest public park within the same square mile as the proposed development. Vote was unanimous for fee-in-lieu by a vote of 7-0.

ZONING ORDINANCE CITATION:

SEC. 36-509 – PLANNED UNIT DEVELOPMENT

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan of record. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

Specifically, the purposes of this section are to encourage:

- (a) A maximum choice in the types of environment and living units available to the public.
- (b) Provision of more usable and suitably located open space, recreation areas, or other common facilities than would otherwise be required under conventional land development regulations.

- (c) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (d) Comprehensive and innovative planning and design of diversified developments which are consistent with the City's long range plan and remain compatible with surrounding developments.
- (e) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (f) Preparation of more complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.

The PUD (Planned Unit Development) Regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial and related uses which are planned and developed as a unit. Such development may consist of individual lots, or it may have common building sites. Private or public common land and open space must be an essential, major element of the development which is related to, and affects, the long term value of the homes and other development. A Planned Unit Development shall be a separate entity with a distinct character that respects and harmonizes with surrounding development.

STAFF ANALYSIS: The particulars of this PUD include:

USE: The allowable uses for the subject property are listed in Exhibit C.

OPEN SPACE/PARKLAND: Exhibit D, Greenspace Exhibit, shows 13.01 acres will be reserved as green space. The narrative states this is 15% of the property.

SITE PLAN/ACCESS: The proposed site plan has two access points on E. Tecumseh Rd. There are 83 proposed residential lots with 13 acres of open space. Large portions of the open space are designated as Water Quality Protection Zone and cannot be developed or programmed. The development will be gated.

SIGNAGE: All signs will comply with the Low Density Residential standards of the Sign Code.

SANITATION/UTILITIES: The lots will have polycart service for trash. The property will be served by private sanitary sewer septic systems. The lots will be served by City water.

SIDEWALKS: Sidewalks are required along E. Tecumseh Rd. and 24th Avenue N.E. They are not required along the interior streets as these are private streets.

PHASING: The applicant does not explain a phasing plan for the subject property.

EXISTING ZONING: The subject property is currently zoned A-2, Rural Agricultural District. The A-2 District requires a minimum of 10 acres for new lots.

ALTERNATIVES/ISSUES:

IMPACTS: The proposed use is similar to the surrounding area. City Staff does not anticipate negative traffic impacts. The quarter section to the west of the subject property has two recent developments. The western side along 12th Avenue N.E. is Park Hill Addition, which is a mix of single-family and commercial uses on the corner of 12th Avenue N.E. and E. Tecumseh Road. Montecito Ranch is a residential development directly east of Park Hill. Montecito Ranch lots were developed at approximately 2-acre lot sizes. Red Canyon Ranch and

Montoro Ridge are recent residential subdivisions located at the northwest and southwest corners of 12th Avenue NE and Tecumseh Road. Red Canyon Ranch is a typical single-family subdivision with approximately 6,000 – 7,000 SF per lot. Montoro Ridge was developed as a large lot subdivision, approximately 2-acres per lot. At the northeast corner of Tecumseh Road and 24th Avenue NE is a recent PUD, Planned Unit Development, to allow for a single-family home with an additional single-family unit/ADU allowing the family to age in place. To the south, located at the southwest corner of 24th Avenue NE and Rock Creek Road, is the buildout of Hallbrooke Addition, consisting of the traditional single-family lots, 6,000 – 7,000 SF.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: Please see the attached report from Engineering.

TRAFFIC ENGINEER: Please see the attached report from the Traffic Engineer.

UTILITIES: The lots have access to and will be served by City water. The lots will have private sanitary sewer septic systems.

CONCLUSION: Staff forwards this request for rezoning from A-2, Rural Agricultural District, to a PUD, Planned Unit Development, and Ordinance No. O-2324-16 to the Planning Commission for consideration and recommendation to City Council.