

RESOLUTION NO. R-1213-111

ITEM NO. 13a

STAFF REPORT

ITEM: Sassan Moghadam requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1213-8) to remove the Floodplain Designation, amend a portion of the property from Very Low Density Residential Designation to Low Density Residential Designation, and amend a portion of the property from Low Density Residential Designation to Very Low Density Residential Designation, for property generally located at the southeast corner of 48th Avenue N.W. and Tecumseh Road.

SUMMARY OF REQUEST: The Fountain View North Addition was previously approved as a PUD (Planned Unit Development) by the City Council in March of 2012. Since that time, the developer acquired additional land to the north and east of the originally approved site and is hereby submitting this revised PUD and 2025 Land Use Plan amendment for inclusion of the additional land areas, see "Exhibit A".

STAFF ANALYSIS: These tracts, like most of the land in this area along the east side of 48th Avenue NW, were placed under a Floodplain designation by the 2020 and 2025 Land Use Plans. In 2008, after an extensive study of the Ten Mile Flat Creek, the city adopted new floodplain maps. These new maps limit the extent of floodplain to the properties along the west side of 48th Avenue NW, and thus open this area along the east side of 48th Avenue NW for urbanization. However, although the changes in the floodplain maps from 2008 are recognized, that floodplain designation was never taken off the 2025 Land Use and Transportation Plan, therefore the newly acquired area still remains designated as floodplain. This amendment is a continuation to the application from March of 2012, removing the floodplain designation from the newly acquired property and designating the area as Very Low Density Residential and Low Density Residential. Water and sewer lines have been extended to this area in conjunction with the development of single-family subdivisions immediately to the south.

Within this PUD the applicant proposes to develop two separate areas totaling 25.43 acres; one area will consist of an active adult gated residential community with smaller lots clustered around central open spaces, and the second area will focus on seven large individual single family lots with larger homes and an eighth lot will include a water feature abutting Tecumseh Road and 48th Avenue NW. For the first site the target market is an active adult that is seeking low maintenance home sites along with the security of a gated community. The second site is gated as well, focusing on families seeking larger lots which will require more maintenance.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. *There has been a change in circumstances resulting from properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* Beginning with the development of the Ashton Grove subdivision at Rock

Creek Road and 48th Avenue NW, several subdivisions have been authorized along 48th Avenue NW in the last several years. The two immediately south of this request are nearing completion, and have provided the necessary utility extensions to also serve both sections of this new addition. At the same time, the city has investigated the impact of floodplains in the area, and the adoption of new maps clarifies which properties have been removed from any regulatory flood plains. With the updates to the maps this property is now located outside any such floodplain area.

2. ***There is a determination that the proposed change would not result in adverse land use or traffic impacts to surrounding properties or the vicinity.*** There are several homes on large lots east of this tract and north across Tecumseh Road, as well as the new single-family dwellings nearing completion to the south of this request. The proposed uses are compatible; 48th Avenue NW as well as Tecumseh Road are adequate to handle the expected traffic from all of these subdivisions.

STAFF RECOMMENDATION: The areas adjacent to this proposed development are single family and large lot developments. With the existing uses similar to the proposal, staff considers the request to amend the 2025 Land Use and Transportation Plan is warranted. The increase in traffic can be accommodated, and the proposed residential use is compatible with nearby developments. Staff has taken into account the amendment criteria required in the 2025 Land Use and Transportation Plan and considers those criteria have been met. Staff supports R-1213-111 to amend the 2025 Land Use and Transportation Plan from Floodplain designation to Very Low Density Residential and Low Density Residential.