
ORDINANCE NO. O-1718-43

ITEM NO. 4a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Avalon Homes (As agent for the owners)
REQUESTED ACTION	Amending the existing PUD Narrative for Tanglewoods Addition, Ordinance No. O-1011-46, to change the front setback line on Lot 8
EXISTING ZONING	PUD, Planned Unit Development – Tanglewoods Addition
SURROUNDING ZONING	North: A-2, Rural Agricultural District East: A-2, Rural Agricultural District South: A-2, Rural Agricultural District West: A-2, Rural Agricultural District
LOCATION	North side of Rock Creek Road approximately ½ mile east of 36 th Avenue N.E.
SIZE	2.38 acres, more or less
PURPOSE	Construct a new single-family home
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Single-family Home & Undeveloped Land East: Open space for this PUD South: Open space for this PUD & Single-family Home West: Undeveloped Land

SYNOPSIS: The applicant is requesting to amend the existing PUD, Planned Unit Development Narrative on Lot 8 of Tanglewoods Addition. This amendment will reduce the front building setback from 50' to 20' only on Lot 8 of Block 1; the standards adopted for the remaining areas included under the PUD Narrative are not changing with this application.

BACKGROUND: The original request for this development in April of 2011 was for a seventy-acre tract which lies where the NORMAN 2025 Land Use and Transportation Plan transitions from Suburban Residential to Country Residential. The previous zoning of the area included in

this PUD was A-2, Rural Agricultural District. The proposal submitted for the PUD was to cluster fourteen lots around a substantial open space area, approximately 45 acres, within a gated residential community. The original plan was to gate the community but the owner has not done so to date.

ANALYSIS: The following key elements are an outline of the current proposal and previously adopted PUD for Tanglewoods Addition:

Current proposal:

The subject lot, Lot 8, is situated at the north end of this Addition, at the end of a private driveway that is approximately 500 feet in length; this private driveway is at the end of the cul-de-sac, a private street for the Addition. There are no other lots abutting Lot 8; it is surrounded by open space on the east and south sides, to the north and west are other A-2 properties not included in this development.

Due to the topography of Lot 8 the applicant is seeking to reduce the front setback line of 50' established in the PUD Narrative and shown on the plat. With the platted 50' front setback line established on this lot the house and amenities will be shifted to an area on the lot that will require major excavation/dirt work and the possibility of retaining walls to accommodate the proposed improvements. The applicant is proposing to establish a 20' front yard setback. This lot abuts two of the open space areas in this development; one open space area is approximately 25 acres and the other .36 acres.

The amendment to the PUD Narrative will be as follows, nothing else will change in the previously adopted PUD Narrative:

Exception: Lot 8, Block 1 of Tanglewoods Addition, a Planned Unit Development, shall have a minimum front yard setback of 20 feet measured from the front lot line. (As shown on Exhibit E)

Due to the front setback being shown on the final plat and filed of record with the County the applicant will also have to request closure and vacation thru City Council and District Court, as seen on the companion application, Ordinance No. O-1718-44.

Key elements of the existing PUD outline:

- **DENSITY** Both the NORMAN 2020 and 2025 Plan encouraged rural clustered development as a more efficient way to develop property by minimizing public improvements while maximizing the retention of open or agricultural areas. In this case, approximately thirteen acres of the west portion of this development is within the Suburban Area, and could achieve a density of almost seven dwelling units. The remaining area on the east side and the majority of the tract is within the Country Residential Area, where clustering allows a bonus of one dwelling per eight acres (A-2 requires ten acres per one dwelling), yielding an additional seven lots. The subdivision contains fourteen lots, while retaining forty-five acres of the tract as an undeveloped common area (60% of the tract).
- **USE** Fourteen single-family lots were platted for the development. Since platting was completed 3 permits have been issued for new homes. The individual lots range in size from one acre up to 3.65 acres. The PUD narrative currently indicates that standard RE, Residential Estates, zoning restrictions will control development of the homes on each

lot which included the front yard setback of 50 feet also recorded on the final plat, filed of record with the County.

- **OPEN SPACE** In order to gain support as a clustered development, substantial open space was required for this site. In this case, approximately sixty-percent of the tract is retained as private open space that is commonly owned or restricted by deed. Standard residential amenities will be permitted in the common areas, such as a gazebo, picnic areas, and trails.
- **DESIGN** All of the lots either directly abut or have views of various open space areas, which include a wooded area and a substantial meadow. A single gated entrance off Rock Creek Road flanked by open areas was initially proposed; however, the gate has not been installed to date.
- **PHASES** The subdivision was platted and filed of record in July of 2013, market demand will determine the development of the lots for the homes.

ALTERNATIVES/ISSUES:

- **IMPACTS** Most tracts in the general vicinity are either agricultural use or existing homes on acreages. The closest existing home site to the property line of a platted lot for this development is approximately 140 feet. The dwellings within this subdivision will be located adjacent to the private street, Tangled Oak Trail, or off a private driveway, and this decreased setback should have no impact on homes adjacent to this addition.
- **ACCESS** The Traffic Engineer concurred with the location for the intersection with Rock Creek Road which was approved and installed prior to platting.

OTHER AGENCY COMMENTS:

- **GREENBELT COMMISSION**
A Greenbelt Commission Meeting was not required for this application.
- **PRE-DEVELOPMENT MEETING**
A Pre-Development Meeting was not required for this application.
- **PARK BOARD** Public parkland dedication is not required for residential subdivisions which do not exceed one unit per acre. Private open space is included within the plat that far exceeds any public park requirement.
- **PUBLIC WORKS** The internal access, Tangled Oak Trail, is a private street that serves all of the lots. The Rock Creek Road entrance may be gated in the future, using the adopted city standard.

STAFF RECOMMENDATION: The applicant's request is a minor change to the site plan for Lot 8. Bringing the house forward on the lot does not impact any adjacent property owners because the front of the lot abuts open space areas, approximately 25 acres, for this development. Staff supports this request, and recommends approval of this Planned Unit Development amendment Ordinance No. O-1718-43.

