

City Council Agenda Memo

From: Ryan Miller, City Planner

City Council Meeting: December 20, 2022

Subject: Revised Preliminary Plat – Southland Addition

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

Wade Price has submitted a revised preliminary plat for Lot 1 in Block 1; Lots 1-6 in Block 4 and Block 6 in Southland Addition, and 23rd Street South in Bluegill Third Addition.

Background:

Southland Addition in its current form was preliminary platted in 2018. The preliminary plat included Blocks 1-6 with only Block 2 being platted into individual lots. Since that time, a housing development near Ace Avenue and 22nd Street South resulted in a final plat which voided much of Block 5. The developer is ready to build multi-family units in this portion of Block 5 which was inadvertently vacated.

Additionally, the northern portion of this subdivision was recently rezoned for commercial development. With the 20th Street South interchange at Interstate 29 and the intersection improvements at 22nd Avenue and 20th Street, commercial development is becoming more practical in this area. With the planned multi-family developments, vacated portion of Block 5, and recent commercial rezoning, a revised preliminary plat was necessary.

Item Details:

The revised preliminary plat includes Lot 1 in Block 1, a 38,699 square foot commercial lot zoned Business B-2 District. The block was rezoned to B-2 in February 2022. Lot 1 meets zoning standards for a B-2 lot. Development on the lot will be subject to Commercial Corridor Design Review Overlay District standards due to its frontage on 20th Street South. Bufferyard setbacks will be required to the south and southwest due to adjacent residential zoned land. Lot 1 has an existing access drive to 20th Street South. A one-foot no access easement will be added between Ace Avenue and the existing access drive at the time of final plating. An additional access drive would be permitted onto Ace Avenue.

Lots 1 - 3 in Block 4 are zoned Residence R-3 Apartment District and planned for multi-family dwellings. Lots 1 and 2 will front Ace Avenue and are planned for condominiums / townhomes. The lots are each roughly 30,000 square feet and meet zoning standards

for the R-3 District. Lot 3 is a 3.70-acre lot with a 60-foot frontage to Ace Avenue. The required lot width is 75 feet. The access drive to Lot 3 would need to be at least 20-feet north of the Ace Avenue / 22nd Street Intersection within that 60-foot frontage.

With the size of Lot 3 and R-3 zoning, the lot may very likely require secondary access, which would be required when more than 400 vehicle trips per day are planned. As an example, 400 vehicle trips would occur if more than 57 apartment units are built. The preliminary plat shows a 30-foot shared access easement running along the south portion of Lots 4 - 6. This shared access drive could satisfy the secondary access needs but would not resolve the shortage of lot frontage. The shared access drive would be recommended at 40-feet wide at a minimum.

Staff, however, recommends platting right-of-way for a private or public street running east-west along the southern edge of Lots 4 - 6. This would provide Lot 3 with an additional 315 feet of lot frontage and meet the lot frontage requirements. The private or public street should be platted up to the eastern edge of Lot 6 in order to allow for a future extension towards 22nd Avenue in order to improve access and circulation for future commercial development in this area, and to alleviate stress on Ace Avenue and the Ace Avenue / 20th Street South intersection.

Lots 4 - 6 in Block 4 are each roughly 48,000-49,000 square feet commercial lots zoned B-2. Each meet the minimum zoning standards for B-2 lots. Access to the lots are shown utilizing shared access drives along the boundary of Lot 4 and 5 and Lots 5 and 6 as well as the shared access drive along the south portion of the three lots. Development on the lots would be subject to the Commercial Corridor Design Review Overlay District standards. As shown, the lots would also be subject to bufferyard setbacks on the southern portion of the lots due to being adjacent to Residential zoned lots. This would require a minimum 15-foot setback to parking lots and 25-foot setback to buildings or structures with five (5) trees and 10 shrubs planted per 100 lineal feet. The access drive would need to meet the 15-foot bufferyard setback, meaning the shared access easement would need to move 15 feet north of its current location and would not allow access to Lot 3 as those access drives would run through the bufferyard. Platting a public right-of-way street in place of the east-west shared access drive would eliminate the need for bufferyard setbacks due to elimination of the abutment with residential zoned lots but would create double frontage for Lots 4 - 6. A private street cannot count towards bufferyard setbacks.

Block 6 is a 60,000 square foot lot intended for storm water detention. A preliminary Drainage Study was previously reviewed for Southland Addition. Staff is not recommending a revised Drainage Study at this time so long as development occurs within the limitations allowed in the previous Drainage Study. The preliminary plat also includes a previously preliminary platted right-of-way for a 23rd Street extension to the east towards 22nd Avenue.

Staff provided two options to the Planning Commission in order to improve secondary access to lot three, as well as the commercial lots, and also provide relief from traffic at

Ace Avenue and 20th Street. Option one would require a 60-foot right-of-way for a public road running along the southern edge of Lots 4 - 6 in Block 4. This option would ensure that a street meeting public road standards would be built for access to Lots 3 - 6 in Block 4, as well as plan for a future connection to 22nd Avenue. Another option presented was for the increase in the shared access easement from 30 feet to 50 feet. This option would allow for a private shared access drive to be built as well as room for a required 15 foot landscaped buffer to the south of the access drive. The Planning Commission discussed both options and ultimately chose to recommend a 50-foot shared access easement in lieu of requiring a public right-of-way.

Legal Consideration:

None

Strategic Plan Consideration:

Economic Growth – this preliminary plat will include new areas for commercial and residential growth.

Financial Consideration:

None

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

The Development Review Team and staff recommended approval with modifications to the access to Lots 3 - 6 in Block 4.

The Planning Commission voted 8 - 0 recommending approval with the following changes:

- Increase the 30-foot shared access easement along the southern edge of Lots 4 - 6 to a 50-foot shared access easement.

Supporting Documentation:

Legal Notice – City Council
Legal Notice – Planning Commission
Planning Commission Minutes
Location Map
PC Recommendation Preliminary Plat
Revised Preliminary Plat
2018 Preliminary Plat
2020 Preliminary Plat
Zoning Map