

Woodside Subdivision

Class 2-Adjustment

Background:

August 29, 2019- Partition 19-11 was approved. The subject property is Parcel 3 of Partition 19-11.

October 22, 2020- CU-SPR-DAP-DR20-06 was approved for Lot 5 of the proposed subdivision.

May 18, 2021- The applicant notified the South Gateway Neighborhood Association to inform them of the proposed 5 lot subdivision.

Proposal:

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The applicant is proposing to divide the subject property into 5 lots:

Lot 1: 8,734sq.ft. (4,917sq.ft. excluding the access easement)/RA zoned

Lot 2: 5,329sq.ft./RA zoned

Lot 3: 5,462sq.ft./RA zoned

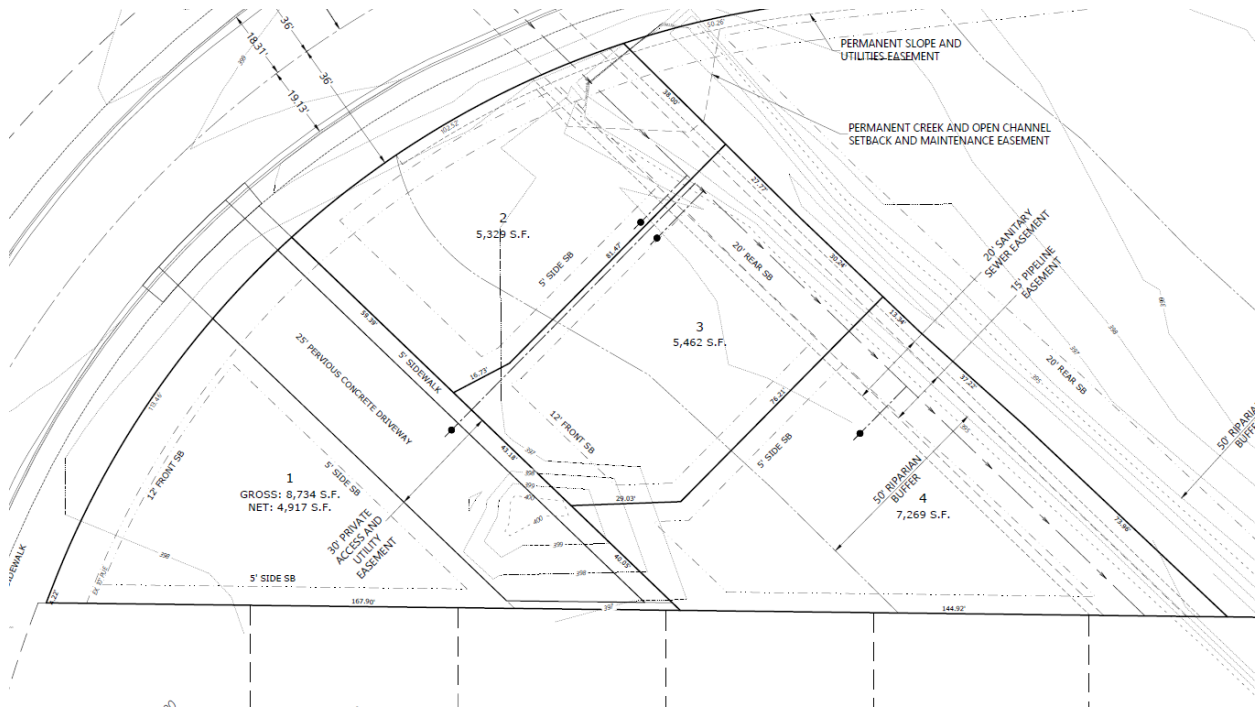
Lot 4: 7,269sq.ft./RA zoned and IC zoned

Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

The applicant is proposing to divide the subject property into a five (5) lot subdivision with a concurrent Class 2-Adjustment to allow more than 15% flag lots within the proposed subdivision.

Section 800.025(e) "Maximum percentage of flags lots within a subdivision. Within a subdivision, up to 15 percent of the lots may be flag lots."

Proposed Lots 3 and 4 are flag lots where only one flag lot is allowed.



SITE VICINITY and CHARACTERISTICS:

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The surrounding properties are zoned and used as follows:

North: Mildred Lane
 East: Woodside Drive
 South: RS; existing single family dwellings
 West: RS; existing single family dwellings

The subject property is located within the City limits and the Urban Growth Boundary.

Class 2-Adjustment

- (A) The purpose underlying the specific development standard proposed for adjustment is:**
 - (i) Clearly inapplicable to the proposed development; or**
 - (ii) Equally or better met by the proposed development.**
- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Findings (A): Lots 3 and 4 will have access onto Mildred Lane via an access easement along the west property line of the site. The proposal creates 2 flags in the proposed subdivision where only one flag lot is allowed. Due to the width of the lot and the location of the riparian corridor, a public access is not feasible, therefore, this is the only way this site can be developed and provide needed access. When creating an infill subdivision, the flag lot standard is not applicable. Infill lots like this one are typically narrow in width.

The proposed flag lots are sufficient in lot area and depth to meet the minimum building envelopes on each lot, exclusive of the flag lot access way.

The requested adjustment is the only means available to permit the subject property to be divided into 5 lots and permit the preservation of the property right for the subject property to be divided.

Findings (B): The proposed flag lots are sufficient in lot area and depth to meeting minimum building envelopes on each lot, exclusive of the access way.

The requested Class 2-Adjustments are the only means available to permit the subject property to be divided into 5 lots and permit the preservation of the property right for the subject property to be divided.

The result of this Class 2-Adjustment are large, private lots that are set off of the street, that are of adequate size and configuration to obtain building permits without the need for an adjustment to setbacks. The larger private lots will enhance the livability of the residential area. The access easement with a 5-foot sidewalk will provide a visually appealing access way to the lots.

Reciprocal and irrevocable access easement rights will be noted on the final plat and in each recorded legal description for the parcels. The flag lot access way will be paved upon development.

No parking is permitted on a flag lot access way and each has enough space available that off-street parking can be developed for residents and guests. A minimum of two-off street parking spaces is required in a garage.

The applicant cannot identify any reasons the proposal will detract from the livability or appearance of the existing neighborhood.

The criteria that are necessary for granting the Class 2-Adjustments have been addressed sufficiently to permit the 2 flag lots within the subdivision as shown on the tentative plan. The Class 2-Adjustments should be granted.

Findings (C): The proposed adjustment will not affect surrounding existing or proposed development.

