

28 Polo

AR PFP 18-00678

AR NV 18-00679

AR NV 18-00680

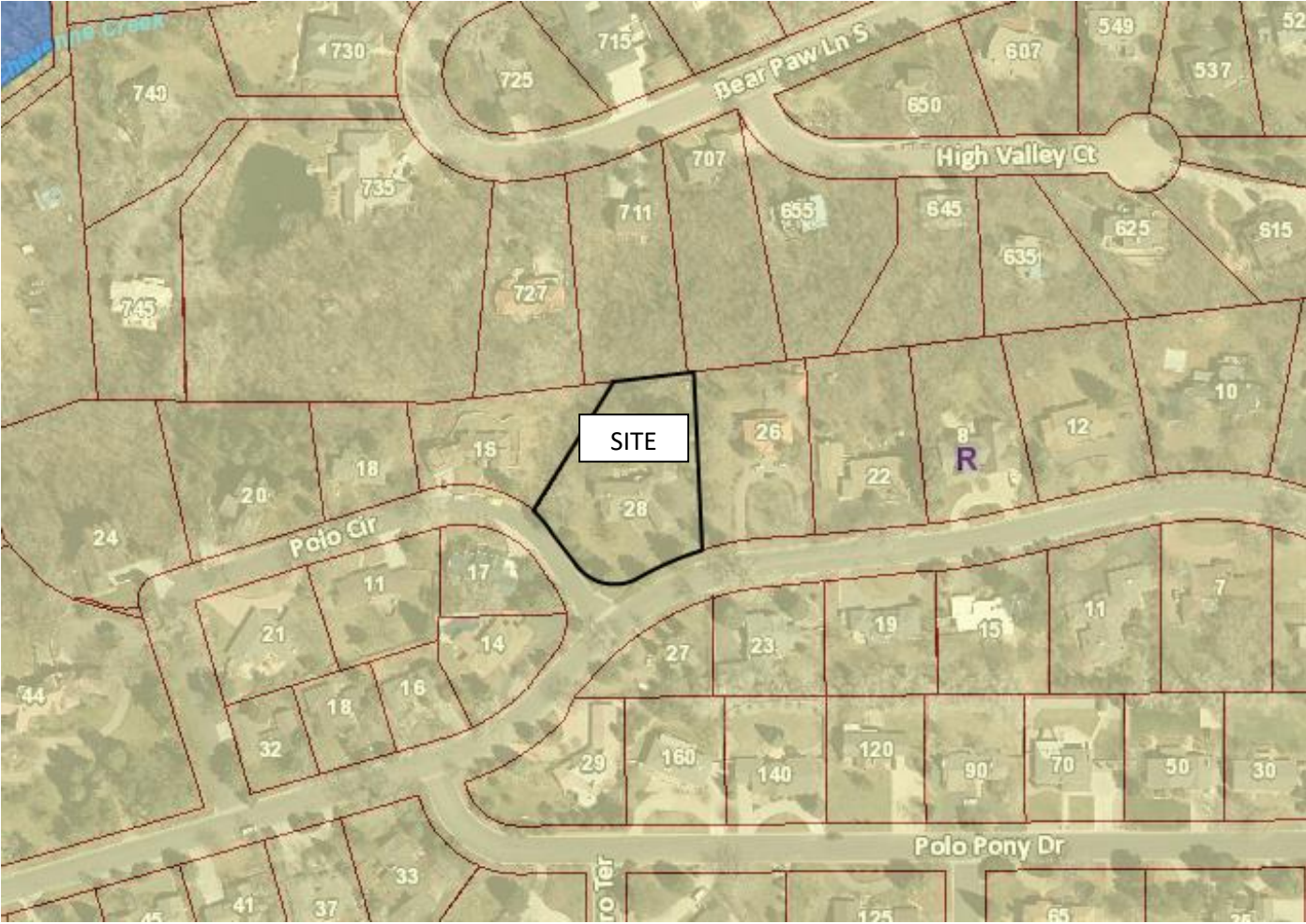
February 26, 2019

Lonna Thelen, Principal Planner

Land Use Review



Vicinity Map



28 Polo



- Existing Property
 - Zoned R
 - Newly constructed single-family home
- Applications
 - Preliminary and final plat
 - Subdivide one lot into two lots
 - Lot size nonuse variance
 - To allow 19,230 sf lots where 20,000 sf lots are required
 - Lot width nonuse variance
 - To allow a 67' rear lot with for Lot 1 and a 59' rear lot width for Lot 2
- Neighborhood meetings:
 - October 23, 2018, approximately 40 people attended

History



- June 5, 2017 – Approval of the first application for a preliminary and final plat and two nonuse variances.
- July 20, 2017 – Appeal of staff’s decision heard by City Planning Commission. Appeal was denied.
- August 22, 2017 – Appeal of City Planning Commissions decision to City Council. Appeal was upheld (project denied).
- October 3, 2018 – The preliminary and final plat and two nonuse variances were submitted again.
- January 17, 2019 – City Planning Commission denied the application 6-2.
- January 28, 2019 – 28 Polo LLC appealed the City Planning Commission Decision to City Council.
- February 26, 2019 – City Council hearing on the appeal.

Areas of Concern



- Neighborhood Character
- Drainage
- Geologic Hazards

Neighborhood Character

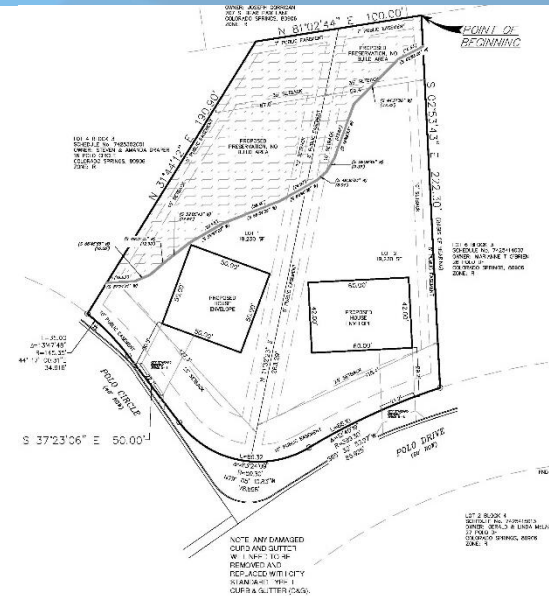


- Opposition to the project is based on the proposal not being in character with the existing neighborhood.
- Two nonuse variances:
 - Lot size
 - Lot width for rear setback line

Lot size



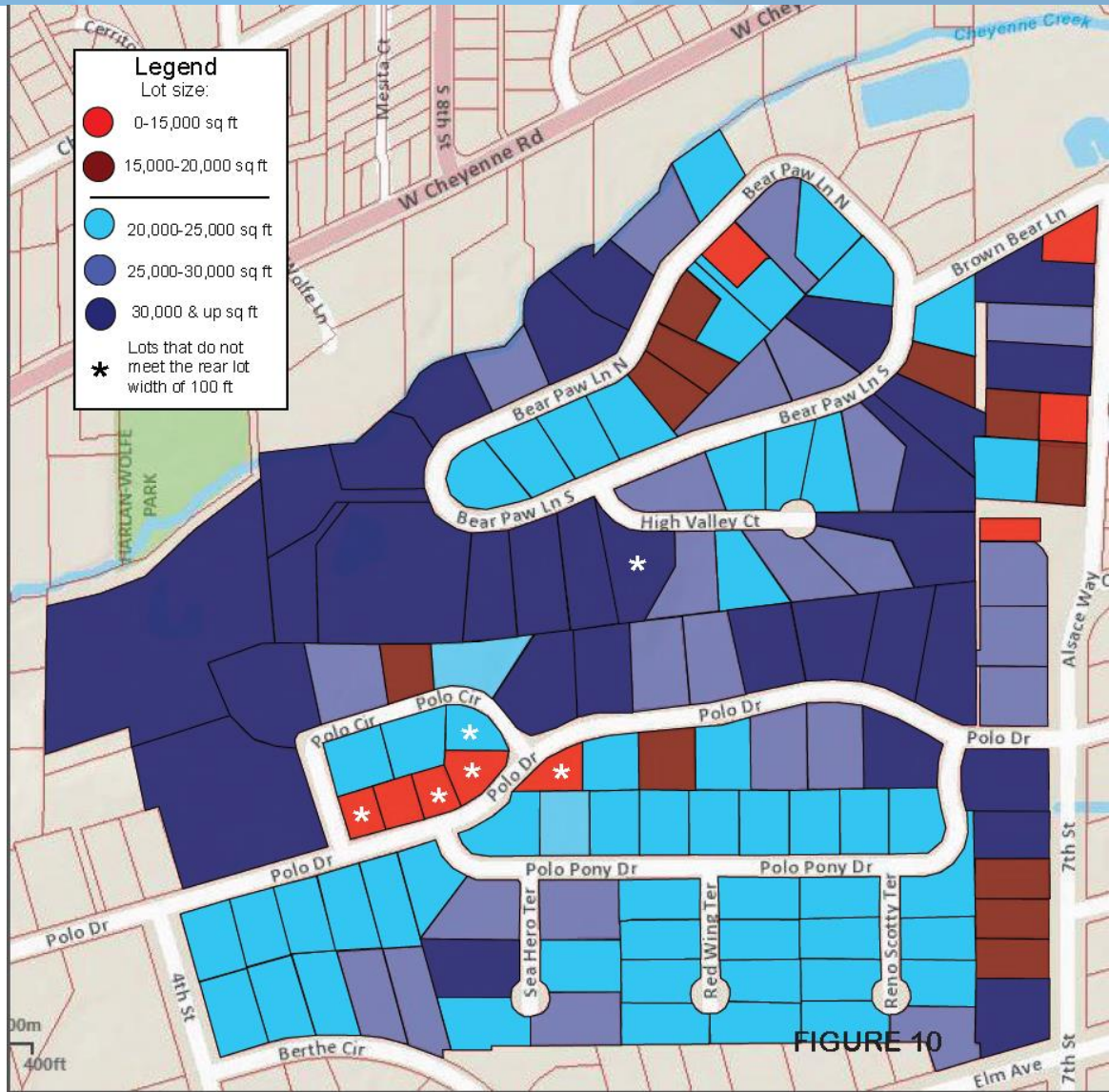
- Exceptional or Extraordinary
 - Lot shape – pie shape
 - Preservation area over steep slope
 - Limited lot coverage to 15%
- No reasonable use
 - 3.85% reduction in lot size
 - Surrounding properties 11,000 sf to 31,000 sf
 - 20 surrounding properties less than 20,000 sf
- No adverse impact
 - No adverse impact to the neighborhood health, safety or welfare.



Lot size



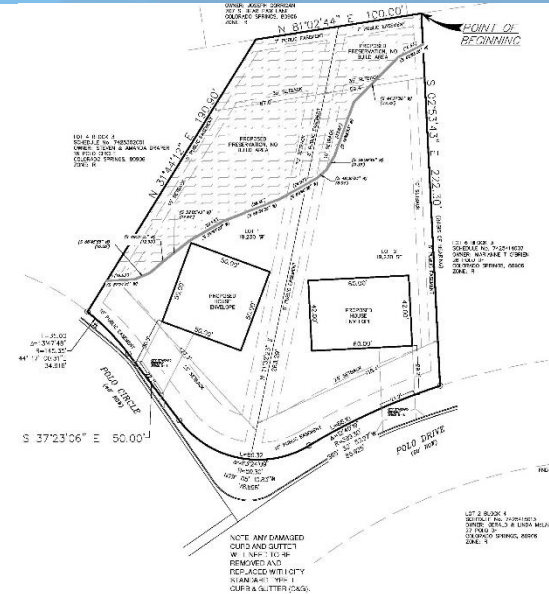
- 20 lots out of 131 lots less than 20,000 sf
- 6 lots do not meet rear lot width



Lot width



- Exceptional or Extraordinary
 - Front lot line meets lot width
 - Pie shaped lot, smaller rear lot width
 - Rear portion of lot to be preserved as reservation area due to steep slope
 - Limited lot coverage to 15%
- No reasonable use
 - Without nonuse variance cannot use this property with the same reasonable use as surrounding properties.
 - Surrounding properties primarily rectangular.
- No adverse impact
 - No adverse impact to the neighborhood health, safety or welfare.



Drainage



- The Final Drainage Report has been approved by City Engineering.
- No significant increase to flow rates
- No significant change to existing drainage patterns

Geologic Hazards



- Geologic Hazard report has been approved.
- Geologic Hazard concerns include:
 - Expansive soils, downslope creep areas, potentially unstable slopes, seasonal shallow groundwater and artificial fill
 - The majority of geologic hazards found in the preservation area.
- Groundwater not encountered at a 20' boring depth.
 - Foundations not expected to be affected

Recommendation



AR NV 17-00123 – NONUSE VARIANCE

Uphold the appeal of City Planning Commission's decision to deny the nonuse variance allowing two 19,230 square-foot lots where 20,000 square feet is required, based upon the finding that the appellant did meet the review criteria contained in City Code Section 7.5.906.A.4. and that the nonuse variance request complies with the review criteria in City Code Section 7.5.803.B.

AR NV 17-00124 – NONUSE VARIANCE

Uphold the appeal of City Planning Commission's decision to deny the nonuse variance allowing a 67-foot rear yard lot width for Lot 1 and a 59-foot rear yard lot width for Lot 2 where 100 feet is required, based upon the finding that the appellant did meet the review criteria contained in City Code Section 7.5.906.A.4 and that the nonuse variance request complies with the review criteria in City Code Section 7.5.803.B.

AR PFP 17-00122 – PRELIMINARY AND FINAL PLAT

Uphold the appeal of City Planning Commission's decision to deny the preliminary and final plats for 28 Polo Drive, based upon the finding that the appellant did meet the review criteria contained in City Code Section 7.5.906.A.4 and that the preliminary and final plats request complies with the review criteria in City Code Section 7.7.102, 7.7.204 and 7.7.303.

