



# **Res. 2024-107 (S-851-24) & Res. 2024-127**

**Second Creek Farm Filing No. 3 Amendment No. 3 & Sale of Property  
(Tract B)**

**11/4/2024**

# Request Summary

---

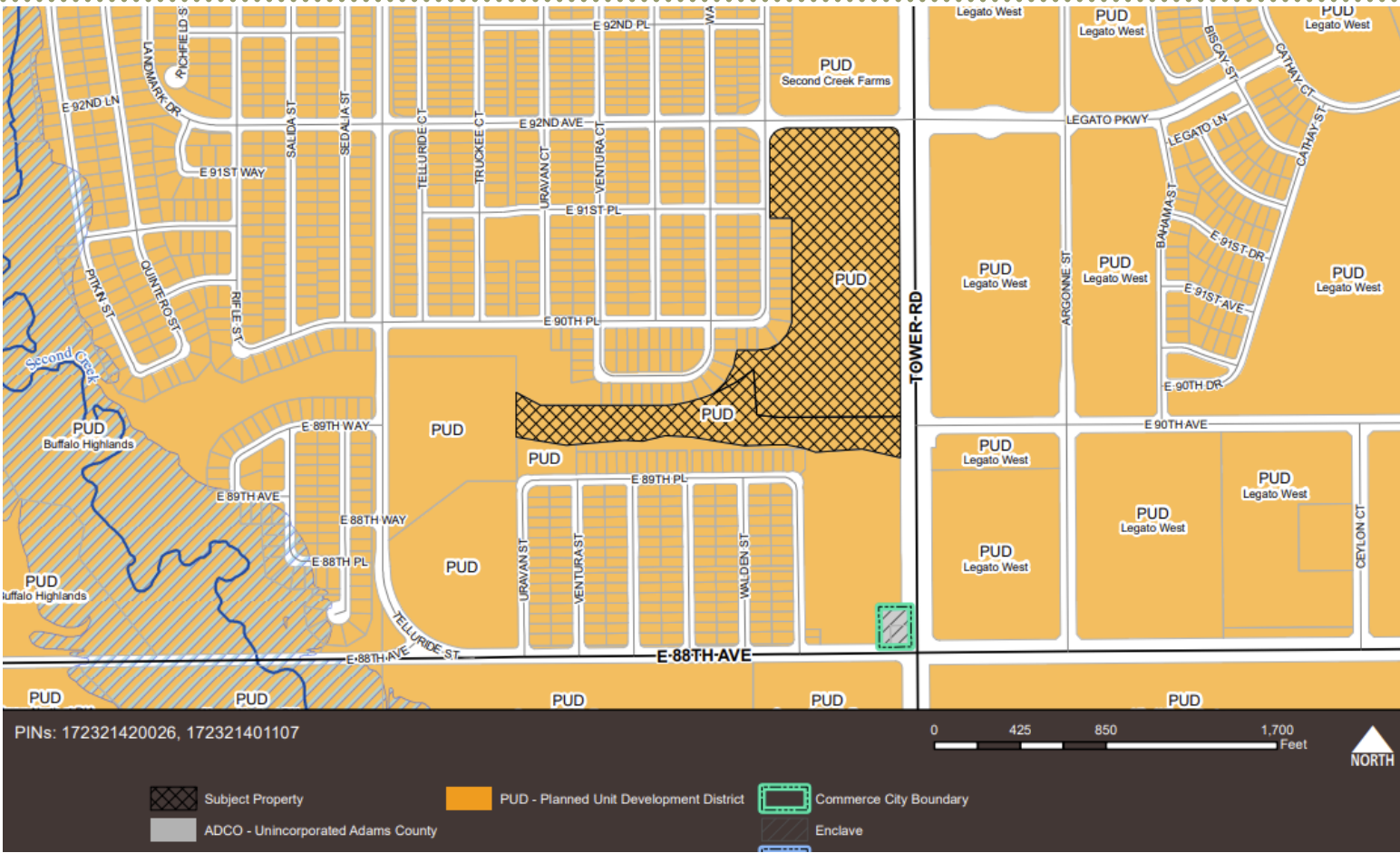
## **What is a Final Plat?**

- Legal instrument to create boundaries for lot and tracts for future development.
- A Final Plat does not impact zoning or the allowable uses within the zoning district.
- A Development Plan (or PUD Development Permit) is required at a later date for site layout, buildings, landscaping, and drainage.

## **What is City Council deciding?**

- Res. 2024-107: Whether the proposed platting adheres to Final Plat approval criteria or not.
- Res. 2024-127: Whether to sell Tract B or not.

# Vicinity/Zoning Map

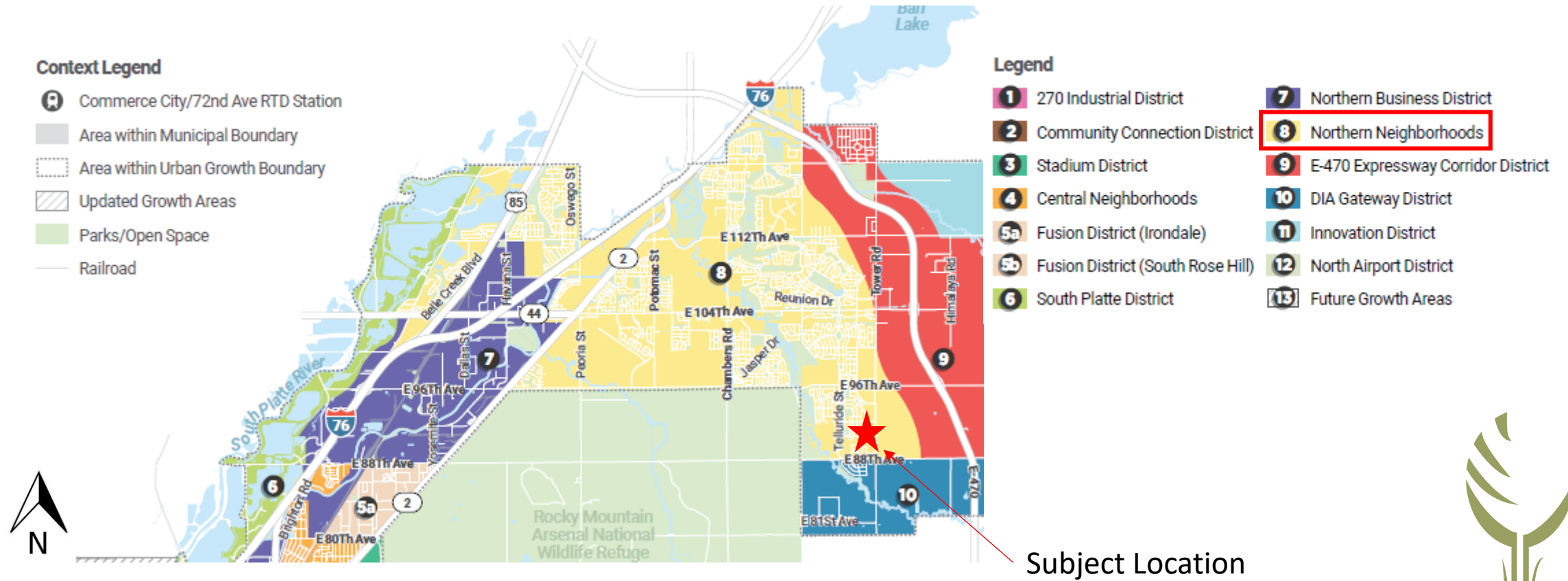


# Case Summary

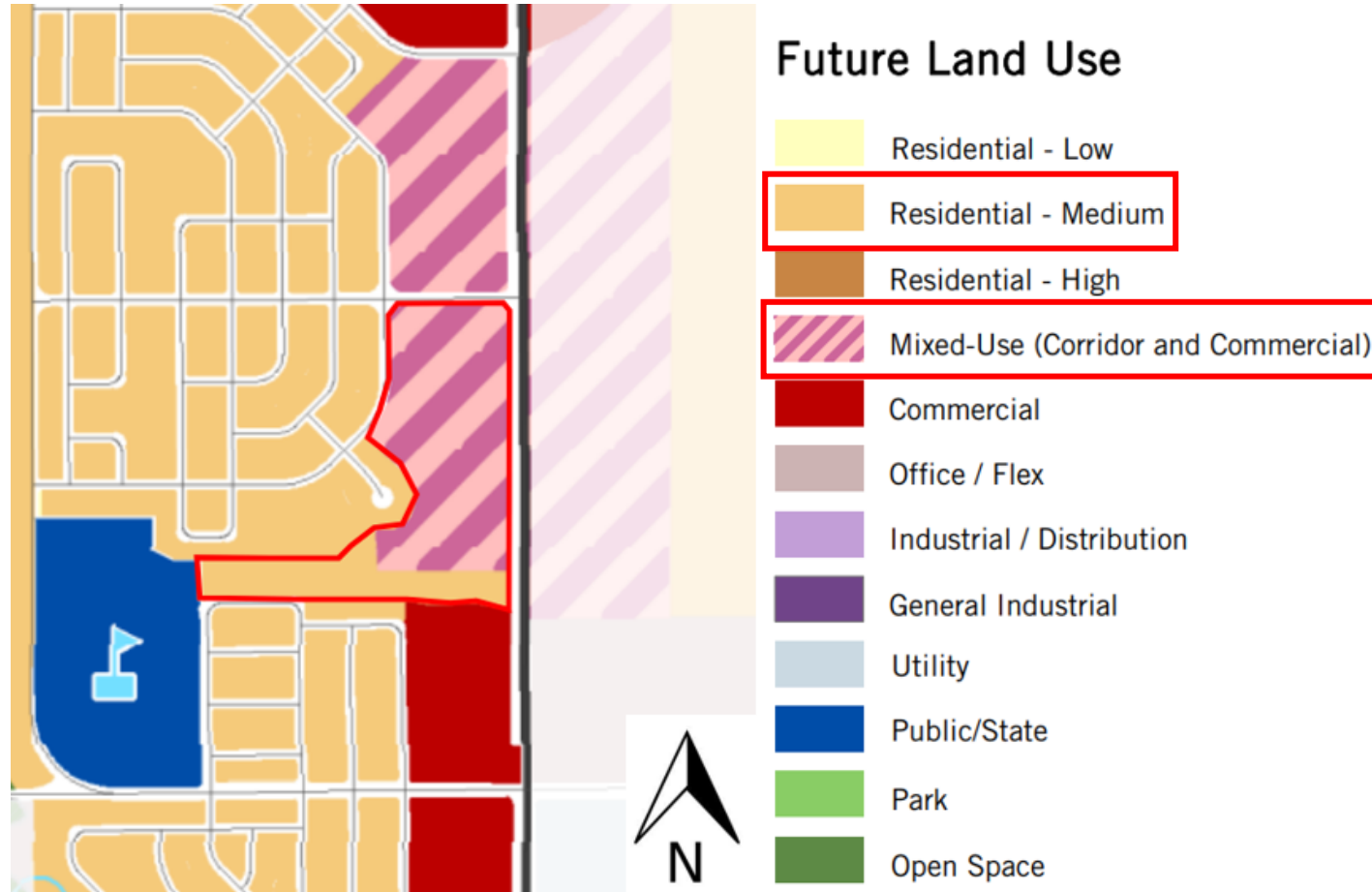
---

- Location: Southwest corner of East 92<sup>nd</sup> Avenue and Tower Road
  - Request: Final Plat approval to create two lots from one tract (lots 1 & 2) and split an existing tract into two (tracts A & B).
  - Site size: Approximately 28.90 acres
  - Future land use: Residential – Medium & Mixed-Use (Corridor and Commercial)
  - Current Zoning: Second Creek Farm Amendment 1 PUD (Planned Unit Development)
  - Concurrent Items: Resolution 2024-127 transferring property from the City to applicant
-

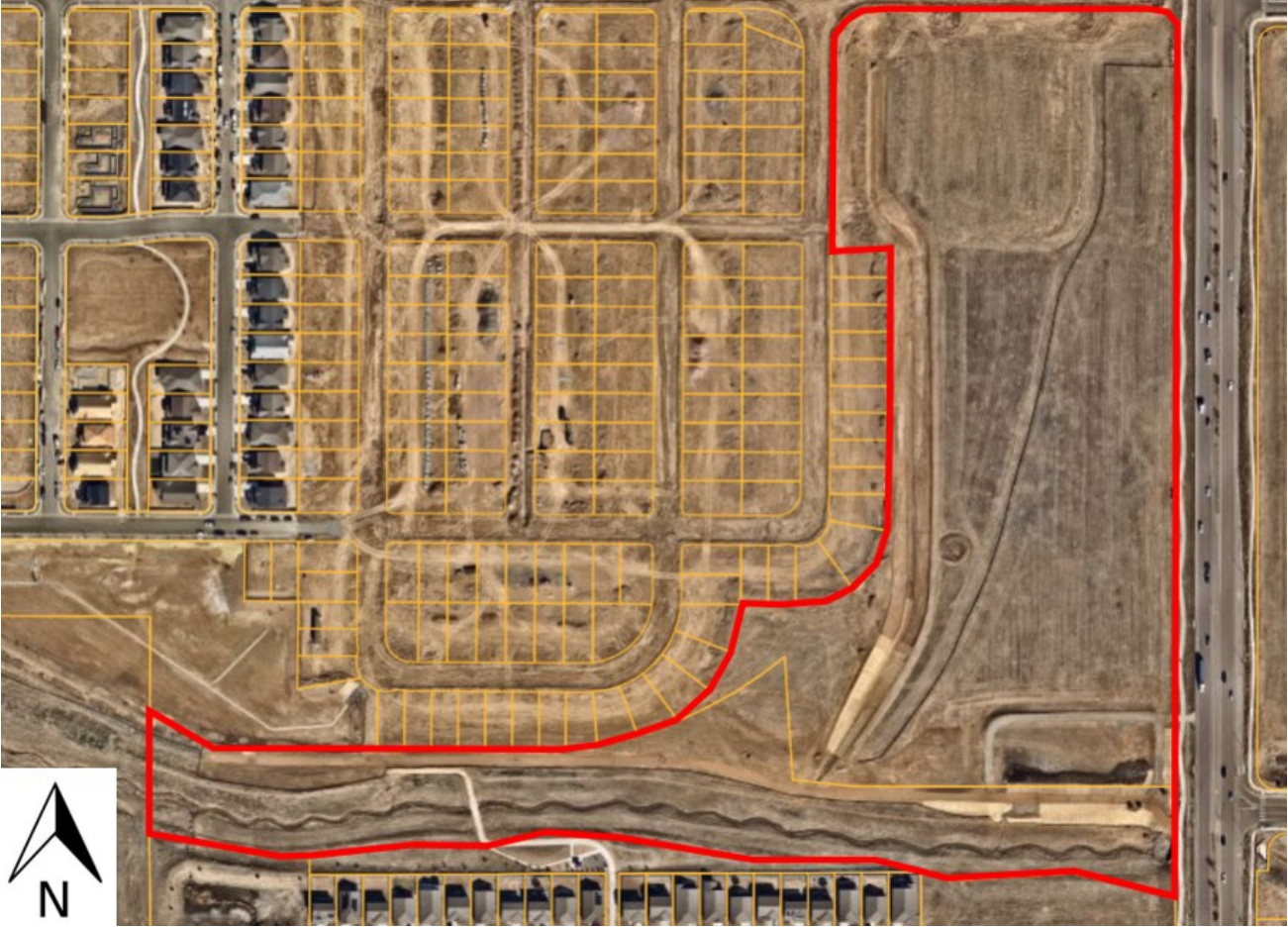
# Character Areas



# Future Land Use Plan

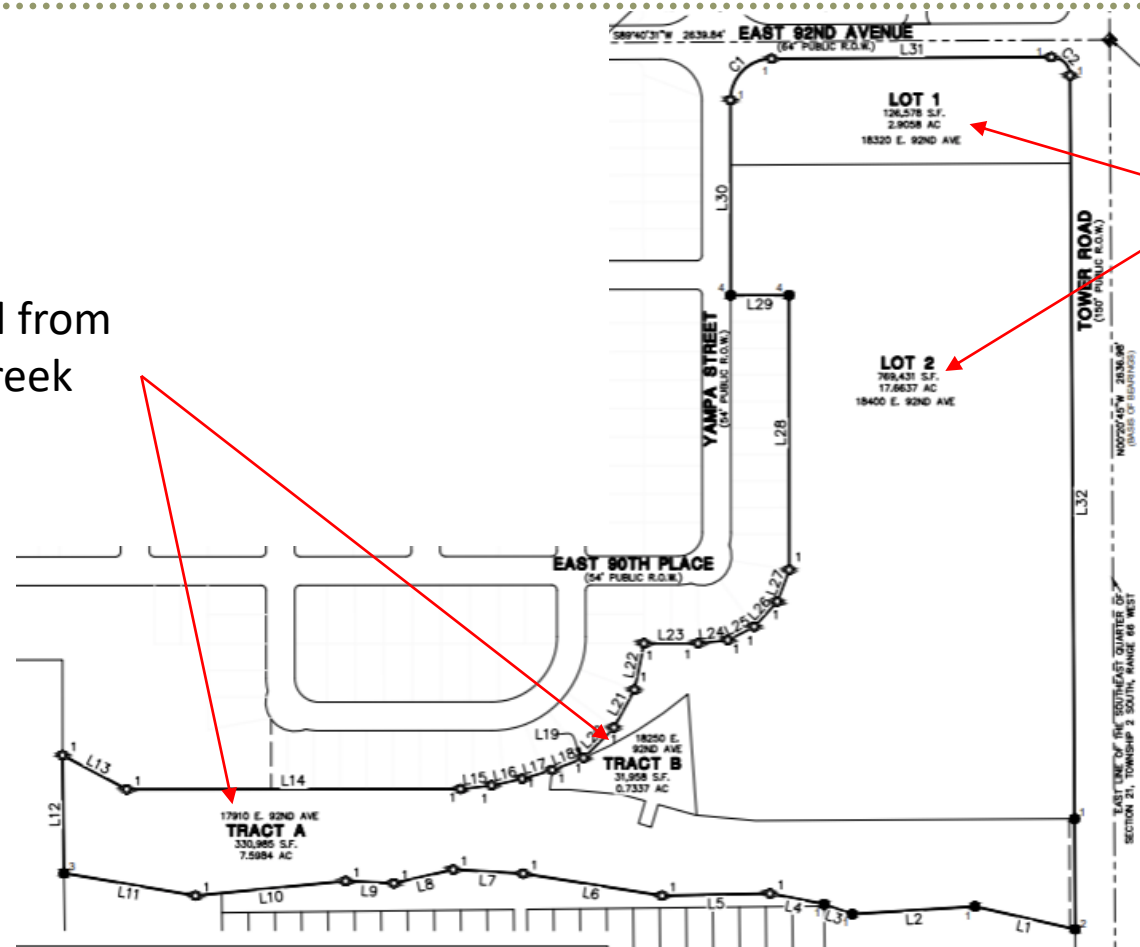


# Aerial



# Proposed Filing No.3 Amendment No. 3

Tracts A & B created from Tract B of Second Creek Farm Filing No. 1

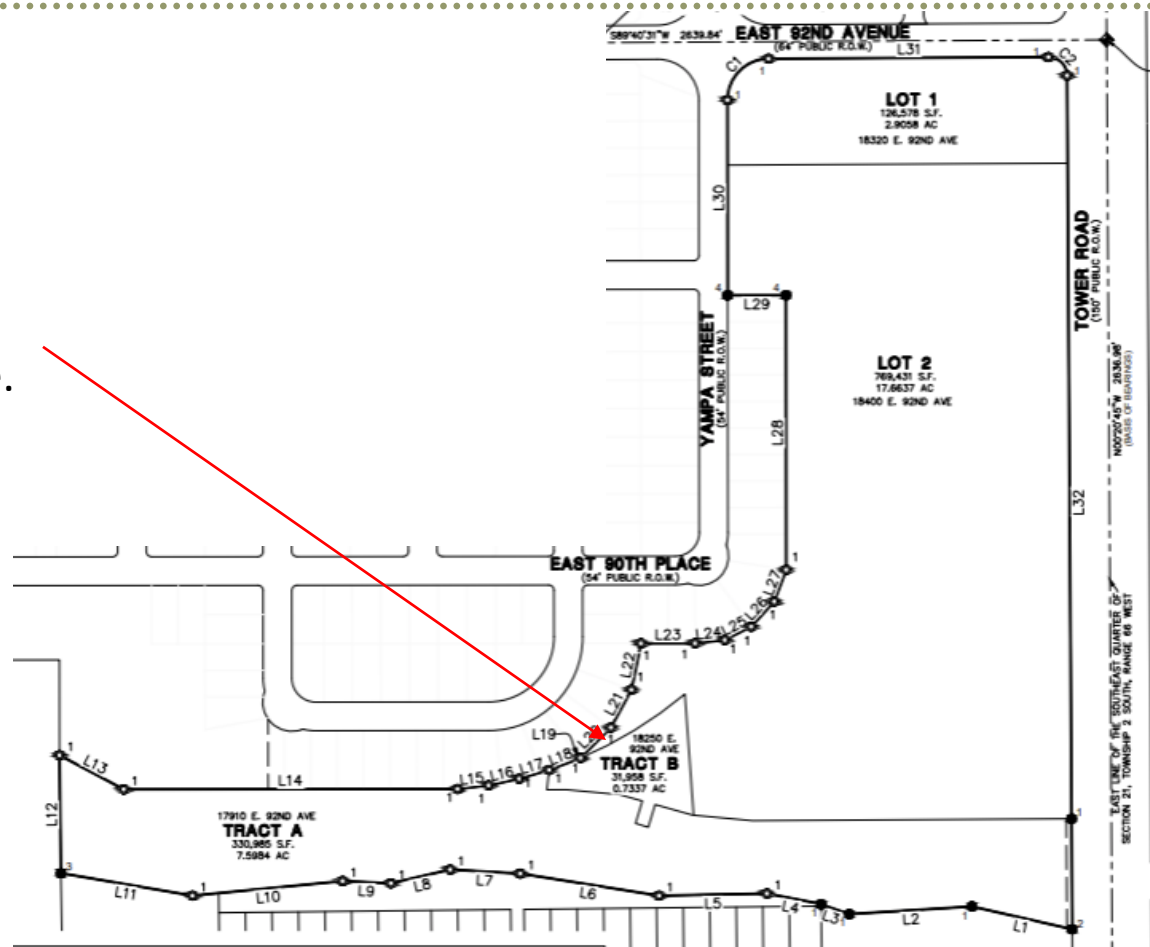


Lots 1 & 2 created from Tract KK of Second Creek Farm Filing No. 3



# Conveyance of Property – Res. 2024-127

Requested property proposed to for sale.



# Project Analysis

---

- Proposed Final Plat was reviewed by all relevant Development Review Team (DRT) agencies

# Planning Commission

---

- The application was heard by Planning Commission on October 1, 2024 and received a 5-0 recommendation of approval.

# Final Plat Approval Criteria

---

(3) *Approval Criteria.* A final plat may be approved if the decision maker finds that:

- a) The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;
- b) The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;
- c) There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;
- d) The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;
- e) The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;

# Final Plat Approval Criteria Cont.

---

- f) The subdivision:
  - i. Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city; or
  - ii. Any adverse effect has been or will be mitigated to the maximum extent feasible;
- g) Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;
- h) A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and
- i) As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

# Considerations for Discussion – Final Plat

---

- Future PUD Development Permits will finalize the site layout and details
- No development is proposed at this time
- The Final Plat will allow the property owner to request purchase of Tract B, so that the northern parcel and property to the north may develop
- The land within proposed Tract B is currently unused
- The market value appraisal is \$56,000



# Discussion

# Final Plat Approval Criteria Analysis

---

A decision for a Final Plat is based on the following criteria from Sec. 21-3241(3) of the LDC.

**Criteria (a): The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;**

The proposed platting meets the bulk standards of the PUD Zone Document and Land Development Code and is therefore consistent.

**Criteria (b): The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;**

The final plat is consistent with the Planned Unit Development (PUD) zoning district standards and creates lots and tracts for future development at this location.

**Criteria (c): There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;**

The application has been reviewed by the DRT members to ensure all standards and regulations are met. During review no discussion or comments were made to suggest that the final plat will violate any state, federal, or local laws, regulations, or requirements.

---



# Final Plat Approval Criteria cont.

---

**Criteria (d): The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;**

The final plat will create two lots from one tract and split another existing tract into two. The proposed layout is logical and allows for future development of this site and properties to the north as well. Lastly, the Final Plat is consistent with the purpose and intent of the Land Development Code.

**Criteria (e): The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;**

After review of the final plat, the DRT found that the subdivision complies with City standards and does not create a lot or a layout that would make the implementation of any standards difficult.

# Final Plat Approval Criteria cont. -2

---

## **Criteria (f): The subdivision:**

**i. Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city; or**

**ii. Any adverse effect has been or will be mitigated to the maximum extent feasible;**

The proposed subdivision is the first step in preparing the site for development and development of the site is not proposed at this time. As a result, no substantial or undue adverse impacts are expected for adjacent properties. Future site improvements will occur with the review and approval of a PUD Development Permit and Final Plat if necessary.

## **Criteria (g): Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;**

Adequate facilities and services already exist in the area due to existing residential development. When a proposal to develop the site is proposed, additional services will be added to serve the future residential and commercial uses.

# Final Plat Approval Criteria cont. -3

---

**Criteria (h):** A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements shown on the consolidation plat documents; and  
No Development Agreement is required at this time because no public improvements are required.

**Criteria (i):** As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.  
No phasing is proposed for this plat.