

## Planning Commission Staff Report

January 14, 2009 ~~December 10, 2008~~  
Item 6.b. ~~Item 6.c.~~

- SUBJECT:** PUD-75/PSPA-3
- APPLICANT:** Don Babbitt / Heartwood Communities
- PROPERTY OWNERS:** Robert Wentworth
- PURPOSE:** Work Session to consider and receive comment on an application to rezone an approximately 6.13-acre parcel from the PUD-SRDR (Planned Unit Development – Semi-Rural Density Residential) District to the PUD-LDR (Planned Unit Development – Low Density Residential) District and to amend the Happy Valley Specific Plan from the maximum three parcels to six parcels to allow for the subdivision of the 6.13-acre parcel.
- GENERAL PLAN:** Low Density Residential-One dwelling unit per 2 gross acres
- SPECIFIC PLAN:** Happy Valley Specific Plan: Semi-Rural Density Residential
- ZONING:** Rezone from the existing PUD-SRDR (Planned Unit Development-Semi-Rural Density Residential) to PUD-LDR (Planned Unit Development-Low Density Residential) District
- LOCATION:** 1157 Happy Valley Road
- ATTACHMENTS:**
1. Exhibit A, Site Plans dated “Received October 1, 2008”
  2. Exhibit C, Planning Commission Meeting Minutes Excerpts dated “ August 22, 2007”
  3. Exhibit D, Adjoining Development’s Site Plan
  4. Exhibit E, Public Correspondence
  5. Exhibit F, Location and Noticing Maps

## **BACKGROUND**

The applicant, Don Babbitt, submitted a preliminary review application requesting the City consider increasing the density of a 6.13-acre site located at 1157 Happy Valley Road, in the Happy Valley Specific Plan area.

The Happy Valley Specific Plan provides a “density” for each parcel within the plan area allowing development of those sites up to that number. The designation of a listed number of units is not an entitlement in that the final number may change due to special circumstances such as terrain, geotechnical issues, and utility service to a site. The subject site is allocated three parcels that can be developed under the existing PUD-SRDR zoning designation. This designation allows one parcel per 2 acres. If the site were developed with a proposal of 3 parcels, it would be consistent with the Happy Valley Specific Plan (HVSP).

The applicant submitted a preliminary review application depicting the development of the site with 7 lots; 4 additional lots above the existing “density” allocation based on its zoning. Staff engaged in a discussion with the applicant to determine if the request was reasonable, if the proposed increase in the number of units would fit within the surrounding neighborhood, if utilities could serve the site and the required capacity, and if the increase would affect the overall total number of homes projected for “build-out” of the HVSP area. The site layout with 7 lots appeared to try to squeeze too many lots into the 6.13-acre site. In some instances, the sizes of the lots and locations were awkward.

Both the applicant and property owner continuously worked with staff through the preliminary stage to discuss the merits of allowing additional units at this location and what the future area-wide impacts may be, if any.

Those discussions led to staff recommending that the application be considered by the Planning Commission as a workshop. Staff also discussed design alternatives that could propose either the allowed number of lots, 3, to a modified plan of 5 or 6 lots. The applicant indicated that their goal was to provide a project that was consistent with the adjacent developments, fitting in with the Mariposa and Serenity at Callippe Preserve seamlessly.

Staff noted that the issues generated by this request were:

1. Would the City support additional units by rezoning property to a higher density in the HVSP area?
2. Would the City support an amendment to the HVSP to accommodate the additional lots?
3. Would the increase in lots impact public services planned for the entire area?
4. Would the increase in lots be compatible with the surrounding developments?

The proposed project was considered by the Planning Commission at a workshop on August 22, 2007. Three planning commissioners were present; Commissioners Blank, Pearce and Narum were not in attendance. The result of the comments from Commissioners Fox, O'Connor, and Olson are reflected in Exhibit C, Planning Commission Excerpted Minutes. The comments primarily reflected a discomfort in amending the HVSP thereby allowing additional units at the location. There was also some discussion related to a reduction of the number from 7, but no direction as to how many additional units could be supported if any.

Staff continued to work with the applicant after the workshop to discuss how the project could meet the existing standards and how it might fit in with the surrounding neighborhood. The applicant revised the original 7-lot site plan to a 6-lot site plan which provided more useable and efficient lots that appear to be more compatible with the adjacent, recently approved subdivisions than the original proposal.

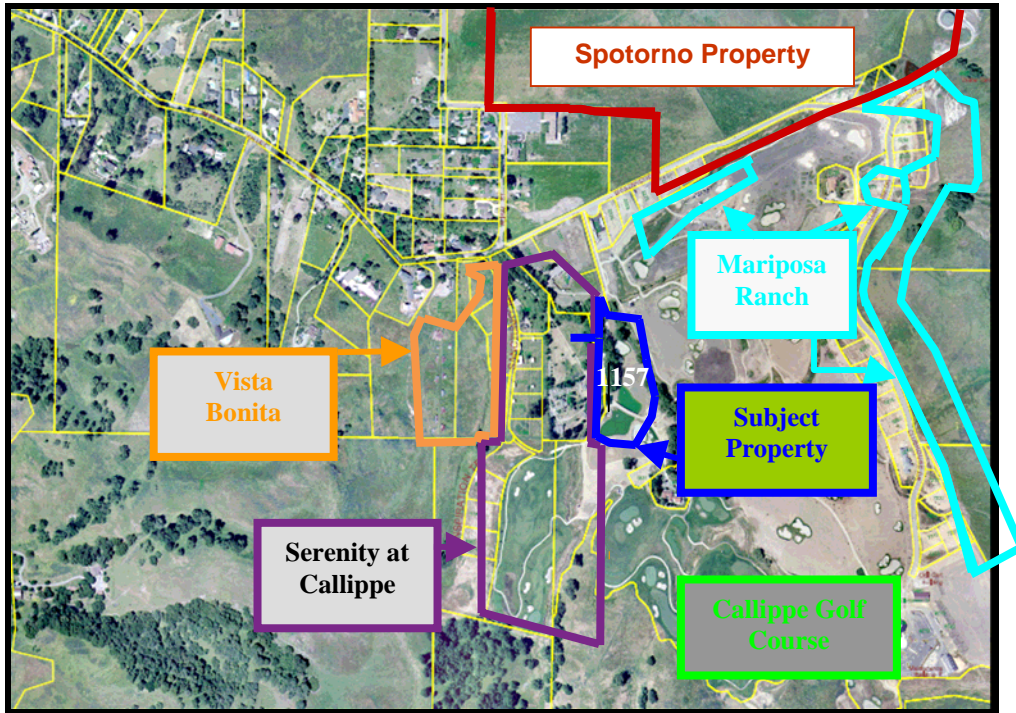
Staff has considered the issue of potentially overbuilding the HVSP area and has found that there are reductions in the number of units that have been approved in the HVSP area than what was anticipated. This existing reduction could be considered units that could be deemed available for other sites that wish to develop slightly above their designated "density" allocation.

The applicant requested that staff calendar the proposed project for a second workshop so that comments could be received from all of the commissioners and to have an additional opportunity to discuss the merits of the proposal and be provided direction. Hence, the project has been amended as discussed above for the commission to review and consider the applicant's revised proposal.

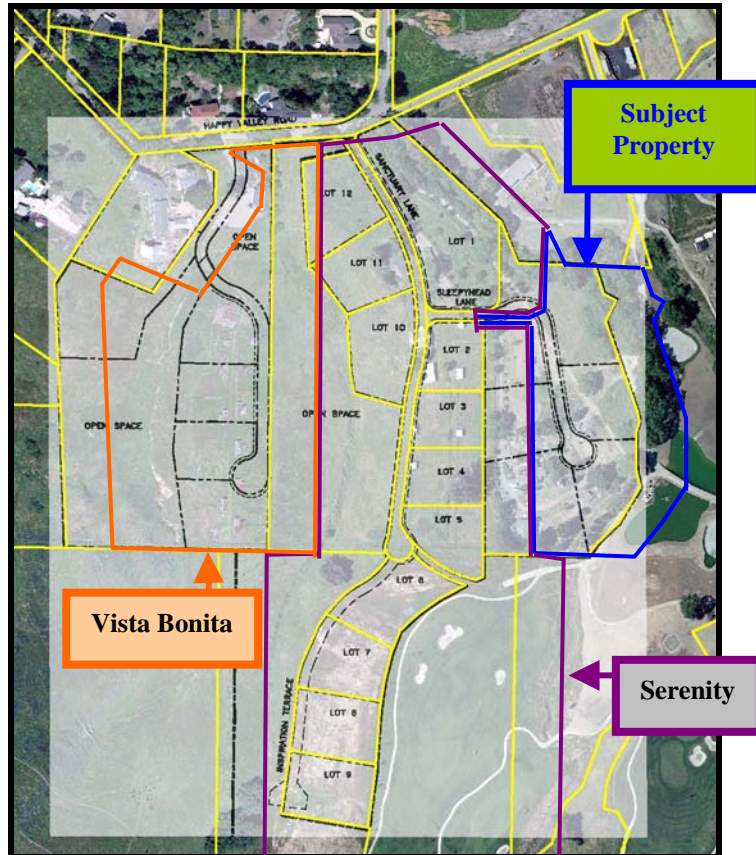
## **SITE DESCRIPTION**

The subject site is an approximately 6.13 acre relatively flat lot located off of Sanctuary Lane and Sleepyhead Lane in the Happy Valley Specific Plan area; adjacent to the Callippe Golf Course. The proposed Spotorno development is located north of the subject property, north of Happy Valley Road, with the Callippe Golf Course located south and east of the subject site. The Mariposa Ranch PUD development is located east of the golf course, and the Serenity at Callippe Preserve and the proposed Vista Bonita of Happy Valley located west of the subject site. There is an existing residence, a second dwelling unit, and two accessory structures located at the south side of the site. The remaining middle and upper portion of the site is vacant and undeveloped. There are currently mature trees that border the majority of the property. The trees have not yet been evaluated for health, preservation or removal. This will be done as a part of the processing of the application.

### Aerial Location View



### Adjoining Developments



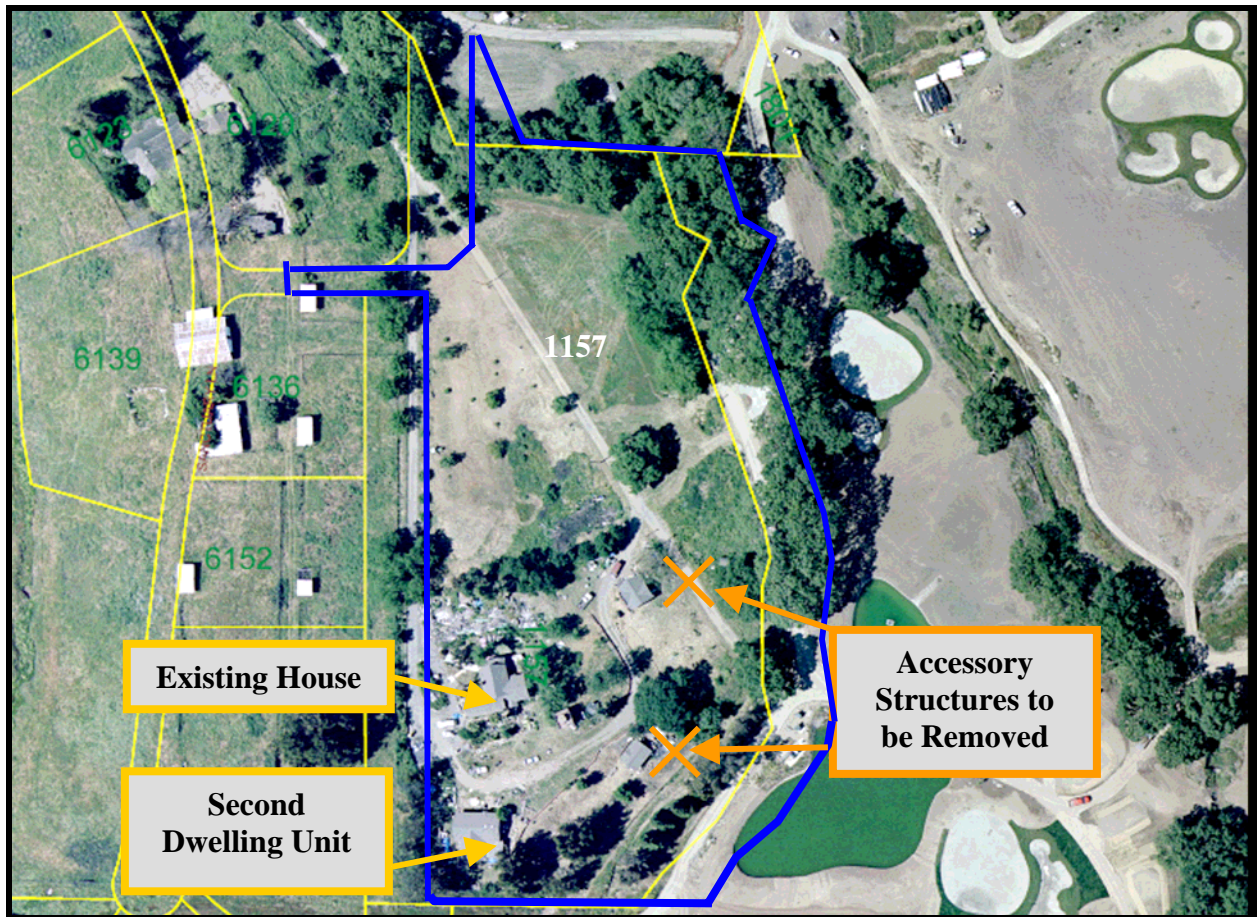


**PROJECT DESCRIPTION**

The applicant proposes to amend the Happy Valley Specific Plan to affect a rezone of the subject site from PUD-SRDR (Planned Unit Development-Semi-Rural Density Residential) District, one home per 2 acres, to PUD-LDR (Planned Unit Development-Low Density Residential) District, one home per acre. The rezone would allow an increase of the density from three allowable units to six units.

The proposal would retain the existing home and second dwelling unit; demolish the accessory structures, and subdivide the parcel into six individual lots.

**Subject Site**





## Proposed Layout of Lots



The lots, as shown in Exhibit A, would range from 29,185 to 61,855 square-feet in size. The following chart compares the proposed site development standards of the Happy Valley Specific Plan (HVSP) and the proposed project.

**Please see next page**

## Site Development Standards

HVSP	Parcel Size	Parcel Dimensions	FY Setback	SY Setbacks	RY Setbacks	Max Height	FAR	Req HVSP parking
<b>PUD-SRDR</b>	1 acre	width/depth: 175-feet	35-foot	25-foot	35-foot	30-foot	25%	2-car garage with 4 total on-site spaces
<b>Proposed PUD-LDR*</b>	Lots 2-5 are less than 1-acre	Lots 2 and 3 are substandard in Depth only as compared to the PUD-SRDR dimension noted above	All lots: 35-foot Minimum	All lots: 30-foot Minimum	All lots: 35-foot Minimum	30-foot Max	25% Max	2-car garage with 4 total on-site spaces

\*LDR lots are not required to be 1 acre. The purpose of this table is to show the close conformity of the proposed project to many of the existing SRDR site development standards.

With the exception of the depths for Lots 2 and 3, all of the lots will meet or exceed the development standards of PUD-SRDR district.

### DISCUSSION

Staff is presenting the Commission with a conceptual site plan (Attachment 1: Exhibit A) for consideration and comments. This workshop will allow the Planning Commission the opportunity to provide direction to the applicant and staff regarding the request.

### General Plan

The General Plan land use designation for the subject site is Low Density Residential (one dwelling unit per 2 gross acres). This land use designation would support 3 housing units as identified in the Happy Valley Specific Plan. If the density increases, the general plan land use designation may be required to be amended to Medium Density residential to provide conformity with the proposal. This designation (MDR) would allow 2-8 dwelling units per gross acre.

### Happy Valley Specific Plan

The Happy Valley Specific Plan land use designation for the property is PUD-SRDR (Planned Unit Development-Semi-Rural Density Residential) which restricts the number of total units at this site to three. Therefore, the proposed project would not conform to this designation and would require a specific plan amendment to increase the allowable

density for the subject site. The proposed specific plan amendment would increase the overall density from three to six lots resulting in an increased density of three lots.

### **Site Layout**

The development proposal consists of six individual lots. The lots are configured to allow the existing residential and second dwelling units on lot 6. Four of the six lots are proposed at less than 1 acre with setbacks that are similar to the low density residential standards. While the proposal includes a 25-foot wide driveway, the Fire Department has indicated that they would prefer Sleepyhead Lane be widened to 28-feet to allow for single load street parking.

Lots 1 and 6 would be the only lots within the proposed development that would retain the minimum required 1 acre parcel size for low density zoning. Lot 1 also has a unique configuration because it is located next to the Happy Valley Creek. Lots 3-5 are proposed at approximately 33,105 square-feet and Lot 2 is proposed at approximately 29,185 square-feet. The applicant feels that a homeowner is not going to maintain an entire 2-acre site, under the current zoning, with landscaping and, therefore, could create an eyesore next to the golf course. As proposed, the majority of the lots would be less than an acre in size and would be required, under design guidelines, to be completely landscaped prior to occupancy and therefore would provide for a more attractive project adjacent to the Callippe Preserve Golf Course. This is similar to the discussion during the processing of Serenity at Callippe; which ended up being less than the required 1-acre.

### **Planning Commission Work Session**

The Planning Commission considered the original proposal as described above under “Background” as a work session to receive comments on subdividing the existing 6.13-acre increasing the number of lots up to seven, ranging from 9,200 square-feet to 68,080 square-feet. The question posed to the Planning Commission was as follows:

Would it be appropriate to change the zoning to match those of the adjacent developments located at Serenity and Mariposa Ranch?

After receiving public comments from the applicant and two residents of the Happy Valley area who expressed opposition to the proposal, the Planning Commissioners present for the work session provided the following feedback:

Commissioner O’Connor noted that he did not generally favor Specific Plan amendments because he believed that Specific Plans were created for a reason. He felt that this may lead to unintended consequences and, therefore, could not support the amendment.

Commissioner Fox agreed with Commissioner O’Connor’s and noted that she rarely supported a Specific Plan amendment, particularly when the density is proposed to be



increased. She concluded by stating that she would not support an increase in density or an amendment to the existing zoning.

Commissioner Olson believed that the City had already approved projects that did not meet the letter of the Specific Plan and suggested that six one-acre lots be incorporated into the proposal. He noted that the bypass road was a problem and that the City had already approved the Serenity at Callippe development. He concluded that the proposed Wentworth lots were against the golf course and did not believe that six lots would pose a problem.

**Direction Requested:**

- 1. Would the Planning Commission support a General Plan amendment to allow an increase in the density allocated for the subject site?*
- 2. Would the Planning Commission support an amendment to the Happy Valley Specific Plan which would allow an increase in the density allocated for the subject site?*
- 3. Would the Planning Commission support a rezone of the subject site which would be consistent with the adjacent developments located at Serenity and Mariposa Ranch?*
- 4. If an analysis provided by the applicant determines that the proposed project would not increase the overall allowable units within the Happy Valley Specific Plan area, would the Planning Commission support the proposed density believing it appropriate for the Plan area?*
- 5. Given the proposed setbacks, lot sizes, and location of the site, is site layout appropriate?*
- 6. Would it be appropriate to combine this project with Serenity at Callippe Preserve for maintenance, HOA, open space, and design guidelines?*
- 7. Would the proposed lots substantially change the character of the neighborhood?*

**PUBLIC NOTICE**

Notice of this workshop was sent to all property owners and occupants within 1,000 feet of the subject property. In response to the noticing, staff received the following comments.

Bobby and Steve Jenson, of 1133 Happy Valley Road, adjacent to the subject property, strongly object to any variation from the current zoning designation. They feel that this would set a precedent for future development and contradict the current zoning regulations. Mr. and Mrs. Jenson feel that increasing the proposed development would be inconsistent with the rural atmosphere of the Happy Valley area and surrounding development. They also stated that a portion of the property is located in an environmentally sensitive creek area and, therefore, not suitable for building. Please see Exhibit E for the Jenson's letter.

Kevin Close, of 871 Sycamore Road, spoke with staff on December 1, 2008 stating his concerns about the proposed project. Mr. Close feels that the project should follow the regulations set out in the Happy Valley Specific Plan and is against increasing the density. He feels that increasing the density will not only impact the rural feeling of the Happy Valley area, but that increasing the density would further impact the traffic that is currently received through Happy Valley.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission consider and provide comment and direction for the proposed project.

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