



Planning Division Memorandum

From: Kimberly Rybold, AICP, Associate Planner
To: Development Review Board Panel 'A'
Date: February 11, 2019
RE: Amendments to Staff Report for Frog Pond Meadows RE Alley Access for Lots 63-68

Staff recommends a number of amendments to the Staff Report published February 4, 2019 for Frog Pond Meadows regarding a Condition of Approval related to requiring garage orientation for Lots 63-68 to Private Alley M and related findings. The published staff report requires garages on these lots be oriented to the alley, with any resulting modifications to street trees reviewed and approved by the Planning Director through the Class I Administrative Review Process. However, a closer examination of the specific situation leads staff to recommend removing this condition and modifying related references and findings. The specific code criterion in question is found under the garage standards and states, "where a dwelling abuts a rear or side alley or a shared driveway, the garage shall orient to the alley or shared drive." It is noteworthy this language says "dwelling" abuts and not "lot" abuts. The use of the term "dwelling" allows for a reasonable interpretation of the language that it is possible for a lot to abut an alley but for a dwelling to be placed on that alley-abutting lot in such a way that the dwelling does not abut the alley. The applicant conveyed to staff their intention to have the homes on the subject lots closer to and oriented toward Larkspur Terrace. The lot placement of the planned dwellings preserve a rear yard and room for a grade change within the rear yard. Having planned rear yards with a grade change between the rear yard and alley thus makes these planned "dwellings" not abutting the alley and not subject to the requirement of garages being oriented toward the alley. Staff further notes that nowhere does this particular standard clearly state that because a lot abuts an alley that access is required to be taken from the alley. To clearly remove the possibility of future dwellings on the subject lots abutting the alley the applicant has agreed to a Condition of Approval requiring a non-access landscape easement along the alley at the rear of the subject lots.

The amendments below remove the Condition of Approval related to alley access, add a Condition of Approval for a four-foot landscape buffer, and modify the discussion of the issue in relevant findings.

Delete Condition of Approval PDD 8:

Delete Condition of Approval PDD 8 in its entirety. Retain PDD 8 numbering with note "Not used" so as to not change numbering for other conditions of approval.

Add Condition of Approval PDD 9 to read:

The applicant shall provide a four-foot landscape and non-vehicular access easement between Private Alley M and the rear of Lots 63-68, to be maintained by the homeowners association.

Modify Condition of Approval PFD 9:

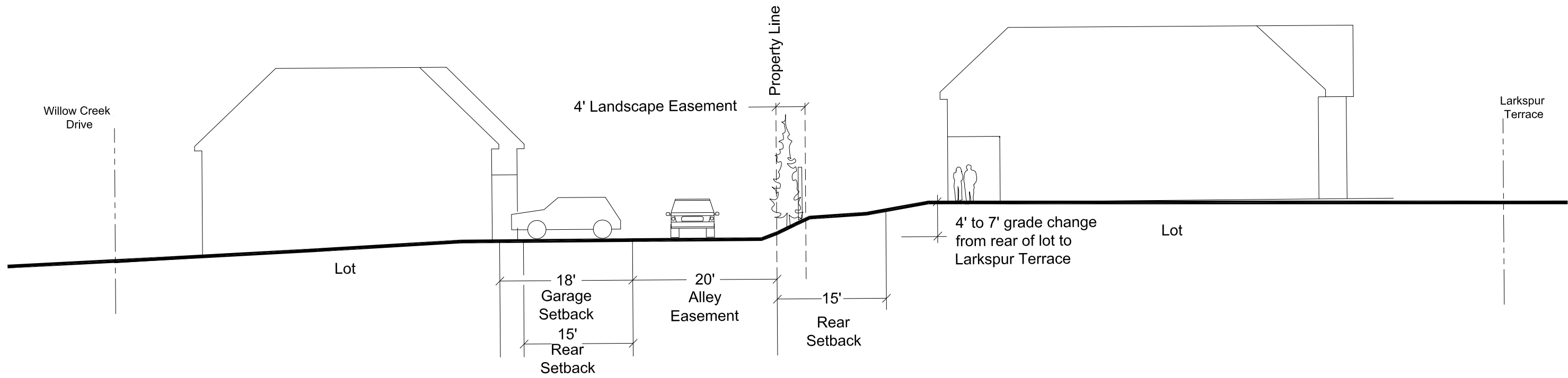
Delete Lots 63 through 68 from the list of lots requiring street addresses posted on the alley side of buildings.

Delete Condition of Approval PFF 4:

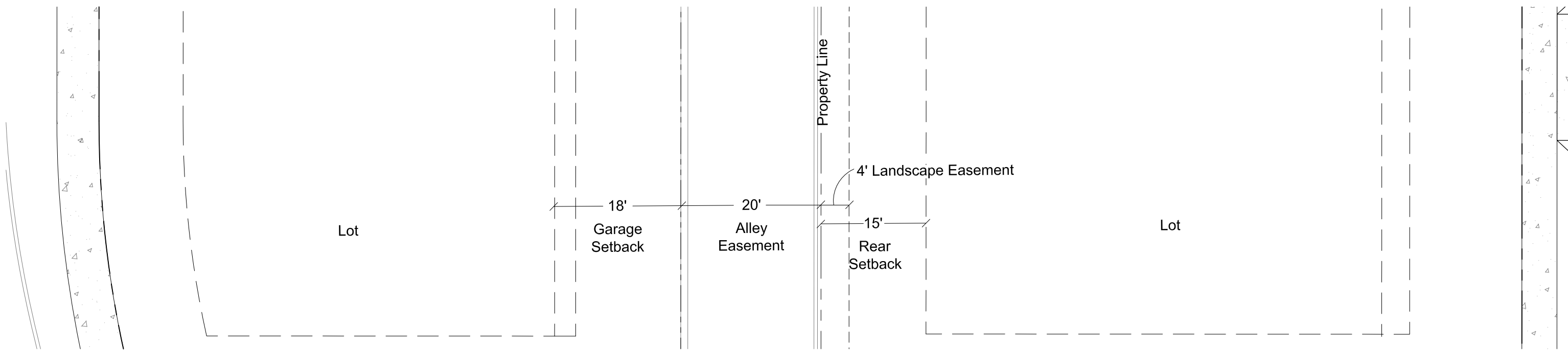
Delete Condition of Approval PFF 4 in its entirety. Retain PFF 4 numbering with note "Not used" so as to not change numbering for other conditions of approval.

Modify Finding D17 to read:

The applicant proposes three alleys throughout the subdivision. The first of these, Tract F, provides access to the rear of attached single-family lots 27-30. The applicant proposes garages oriented to this alley and a rear garage setback of 18 feet will apply. The other two alleys are Private Alleys L and M, which are proposed as easements across the rear of lots 1-6 and 69-74. The applicant's plans show that lots fronting Willow Creek Drive will have garage access along this alley; however, Lots 63-68 are shown with garage access from Larkspur Terrace. The applicant conveyed to staff their intention to have the homes on the subject lots closer to and oriented toward Larkspur Terrace. As such, these dwellings would not abut the alley and are not subject to this criterion. To clearly remove the possibility of future dwellings on the subject lots abutting the alley, Condition of Approval PDD 9 requires a non-access landscape easement along the alley at the rear of the subject lots.



Section



Plan

Frog Pond Meadows | Alley Access Plan and Section

February 11, 2019 | #18968

