

**PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: February 16, 2006

DEVELOPMENT NAME Belle Isle Subdivision, Unit 1, Resubdivision of
Lots 1-6

SUBDIVISION NAME Belle Isle Subdivision, Unit 1, Resubdivision of
Lots 1-6

LOCATION 4710 Belle Isle Lane
(North terminus of Belle Isle Lane)

**CITY COUNCIL
DISTRICT** 4

PRESENT ZONING R-1, Single-Family Residential

AREA OF PROPERTY 3.3± acres 6 Lots

CONTEMPLATED USE Six Lot, Single-Family Residential Subdivision
with a Gated, Private Street

**TIME SCHEDULE
FOR DEVELOPMENT** Immediate

**ENGINEERING
COMMENTS**

Area shown as a private drive is shown as dedicated ROW on the original plat. The ROW is 50 feet wide with a cul-de-sac on the northeast end. The COM Engineering has no record of the ROW being vacated. If the ROW has been vacated, a portion of the property would be allotted to the property owners to the east. In addition, the COM ROW has been gated off by the current property owner in the undisputed portion of the ROW.

The appropriate flood zones and required minimum finished floor elevations should be shown on each lot of the subdivision. Development must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

REMARKS

The applicant is requesting subdivision and PUD approvals to allow a six lot residential subdivision on a private street.

The site currently exists as six legal lots of record, part of the original Belle Isle Subdivision, Unit I, on an unimproved, unopened right-of-way. The application proposes to include the recorded, unimproved right-of-way for Belle Isle Lane. While the right-of-way has never been constructed or accepted for maintenance, by virtue of recordation of the final plat, it is in fact a dedicated right-of-way. Therefore, if it is to be included in the subdivision as a private street, it must be vacated.

The applicant contends that the right-of-way has been vacated; however, no documentation to substantiate that claim has been submitted.

Another option would be for the developer to construct this section of the road to a standard acceptable to City Engineering. Once accepted, the right-of-way would be open and the lots could be developed.

The Subdivision Regulations allow private street developments under limited circumstances, such as unusual difficulties, innovative design, a family subdivision of five lots or fewer, or a gated development. In addition to limited circumstances, there are very specific construction requirements, signage requirements, maintenance requirements, storm water requirements and certification requirements, all of which are listed in Section VIII.E.2 of the Subdivision Regulations. Compliance with the requirements of Section VIII.E.2 should be required.

The application states that the proposed subdivision is to be a gated private street, and therefore is eligible for consideration as an innovative subdivision. It should be noted, however, that if use of the gate ceases, the subdivision would no longer be in compliance with the Subdivision Regulations and the street would have to be brought into compliance with City standards.

Planned Unit Development approval is also required for all private street subdivisions. Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to

consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

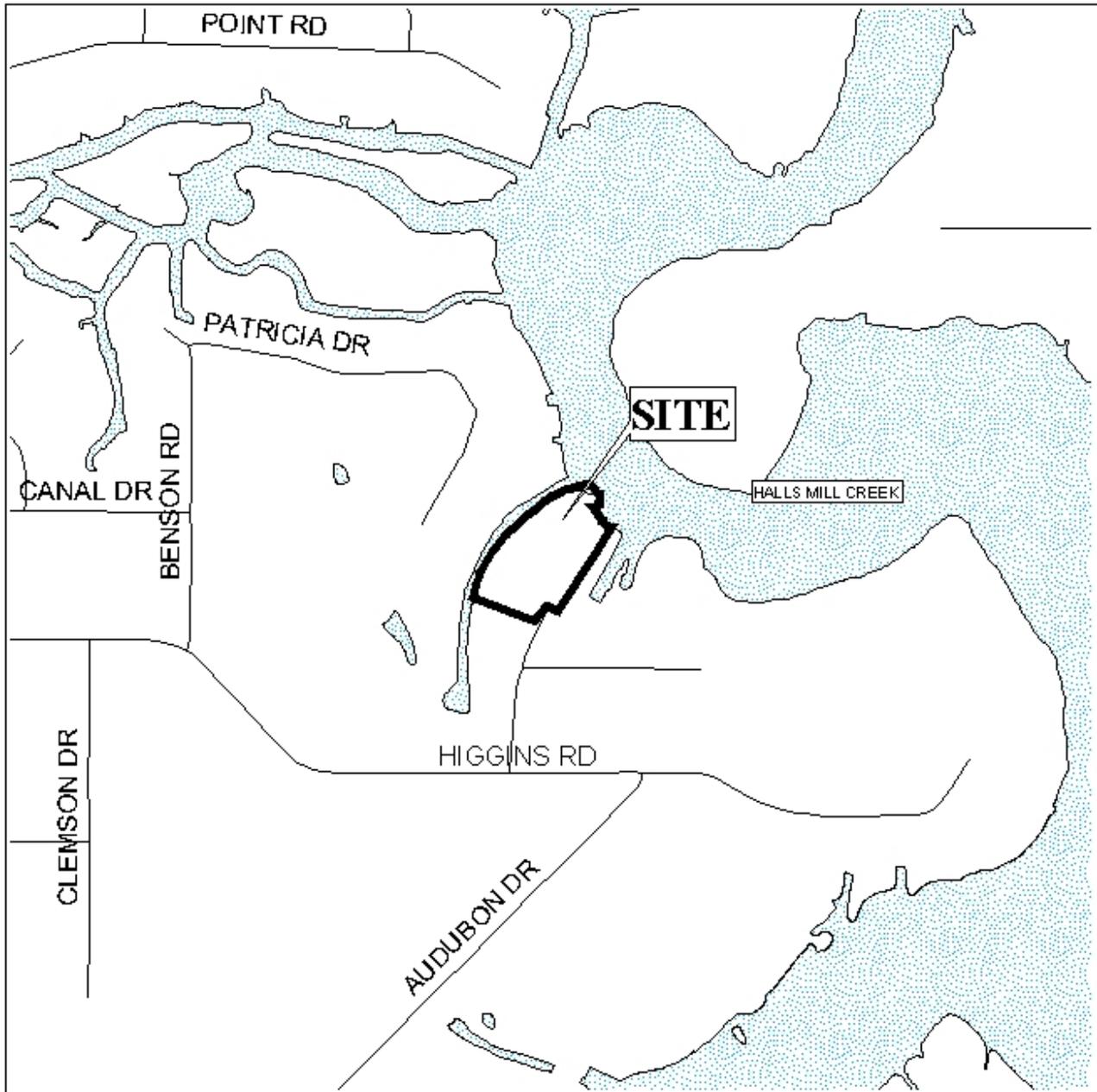
The application nor plat indicate or reference reduced setbacks or increased site coverage. Therefore, setbacks and site coverage as required by Chapter 64.3.C.1 of the City Code (R-1 requirements) would be applicable.

The site is located in the Cypress Shores Community, adjacent to Halls Mill Creek, and is located within the 100 year and 500 year flood zones. Therefore, the site would be considered environmentally sensitive. Additionally, the site is located in an area potentially impacted by storm related surge.

RECOMMENDATION *Subdivision* Based on the preceding, it is recommended that this application be heldover until the March 19th meeting to allow the applicant to submit documentation that the right-of-way has been vacated and can be included in the subdivision, or to revise the plat appropriately.

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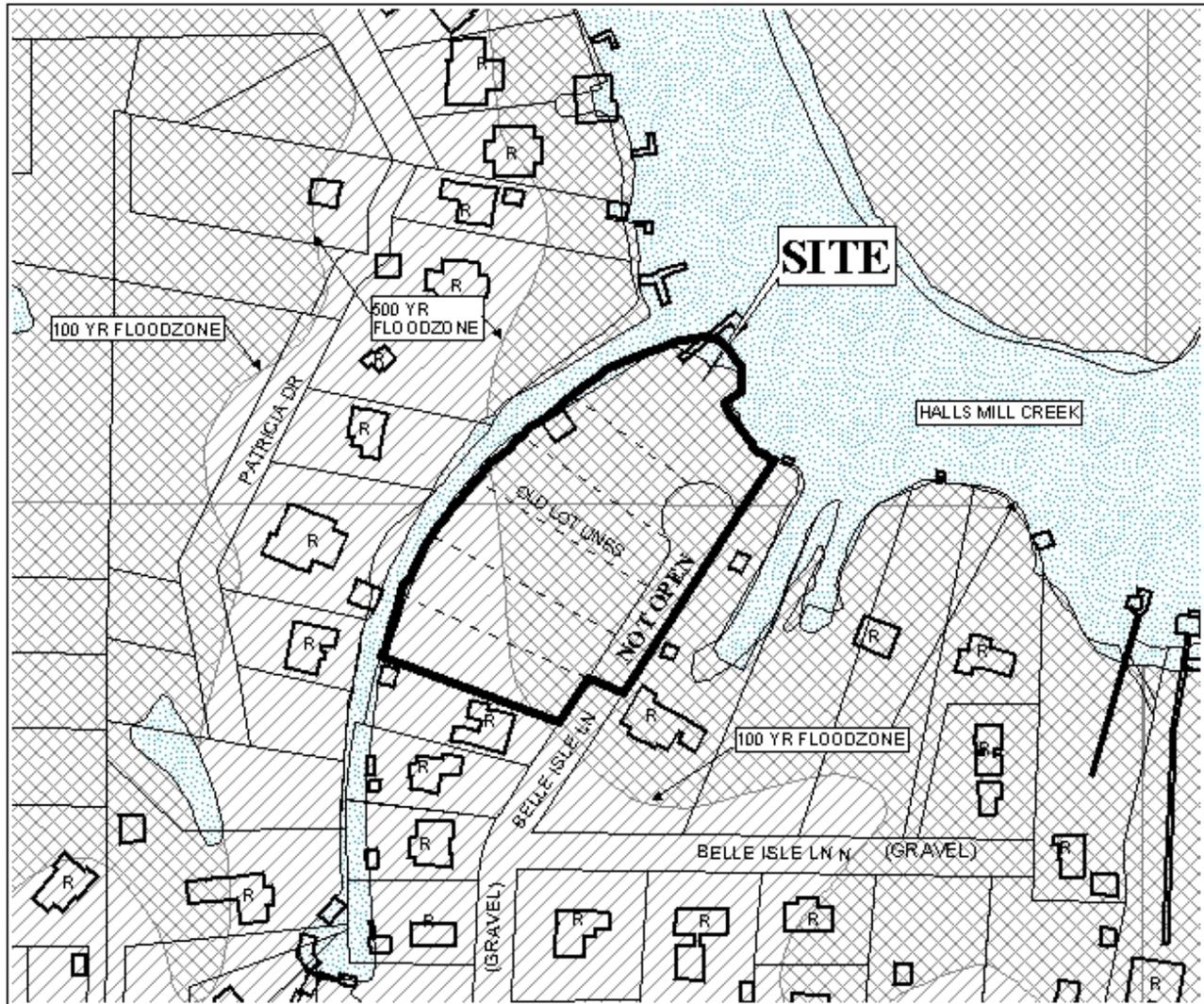
LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE February 16, 2006
APPLICANT Belle Isle Subdivision, Unit 1, Resubdivision of Lots 1-6
REQUEST Planned Unit Development, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential dwellings.



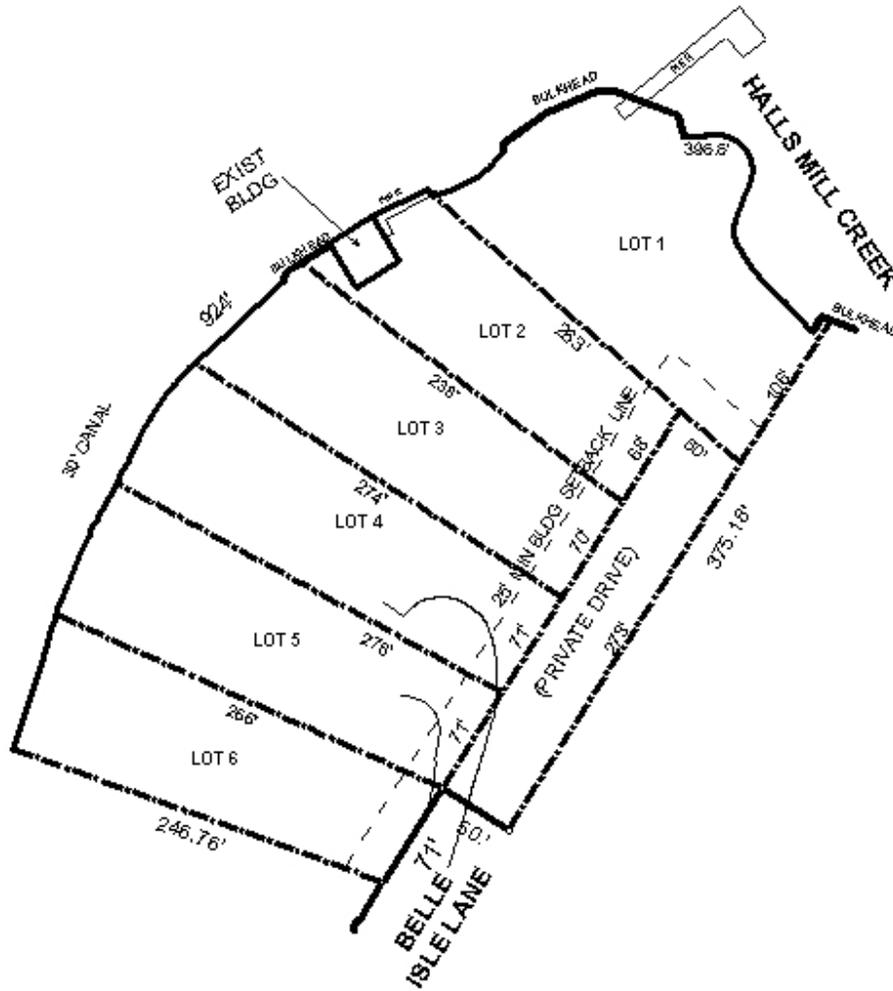
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LEGEND NTS

SITE PLAN



The site is located at the North terminus of Belle Isle Lane. The plan illustrates the proposed subdivision.

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