

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: October 1, 2009****DEVELOPMENT NAME**

Karen & Kelly Douglas

LOCATION5275 Noble Drive North
(Southwest corner of Noble Drive North and Noble Drive East)**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

B-3, Community Business District

AREA OF PROPERTY

1 Lot (Not yet recorded) / 0.8 Acres ±

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Drainage from any new dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, 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).

**FIRE DEPARTMENT
COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code. All buildings shall comply with Section 508.5.1 of the 2003 IFC.

REMARKS

The applicant is requesting Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site.

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. PUD approval is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

The site is zoned B-3, Community Business District, thus the multi-family residential uses are allowed by right. Furthermore, this district allows up to 50% site coverage and a 25-foot front yard setback and zero-foot side and rear yard setbacks.

The site contains two existing residential buildings which were designed as a single-family residence and a garage apartment. The site also contains two unpaved driveways and no parking.

The site is in the Theodore Annexation Area and was recently zoned B-3, Community Business District, by the City Council. At the July 16, 2009, Planning Commission meeting, the applicant requested rezoning from the initial R-1 zoning to R-2 to allow a duplex. Before the case could be heard, the City Council rezoned the property to B-3. Duplexes are only allowed above the first floor in a B-3 zone. The Planning Commission recommended denial of the rezoning request, and the applicant, after consultation with staff, decided against pursuing the rezoning at City Council. The applicant instead submitted applications for Subdivision and PUD which were heard and approved at the August 20, 2009 meeting to combine the two lots and have a total of four dwelling units on a single property, making the project multi-family residential, and thus allowed by right in a B-3 zoning district. The applicant has since submitted the current application to amend the previous PUD approval. The previous PUD approval was conditional upon completion of the associated Subdivision application. Accordingly, any approvals of the PUD revision should likewise be conditional upon completion of SUB2009-00121, the Subdivision application associated with the first approval.

Specifically, the applicant plans to rearrange the parking and drive aisles, as well as move the location of the proposed new building further back.

For multi-family residential development, the Zoning Ordinance requires a lot size of at least 8,000 square feet for the first two units and 1,500 square feet for each additional unit. As such, the required lot size is 11,000 square feet. The proposed lot is 34,842 square feet and thus exceeds the requirement for multi-family development. Further, as the applicant is proposing a residential PUD, the PUD common area requirements of 700 square feet per dwelling unit shall

apply. Four dwelling units require open space of 2,800 square feet. The site plan depicts open area in excess of this requirement.

The site plan depicts the existing and proposed development. All of the structures, as proposed, will meet setback requirements except the existing easternmost building which will be partially within the front yard setback. As this is an existing condition, the structure would be considered legally non-conforming.

The Zoning Ordinance requires parking to be provided at a ratio of 1.5 parking spaces per dwelling unit. Accordingly, four dwelling units require six parking spaces. The site depicts eight asphalt parking spaces of adequate size to meet these requirements. The site plan further depicts two curb cuts. The curb cut to Nobile Drive North and the drive aisle to the parking area are depicted with adequate widths of 24 feet. The curb cut to Noble Drive East and the driveway to the second parking area are also depicted with adequate widths of 24 feet. The zoning ordinance requires driveway widths of 24 feet for two-way accessways to ensure enough room for passing vehicles.

The use of the site is proposed to be multi-family residential. All of the surrounding property is zoned B-3 and allows a variety of commercial uses. A large warehouse is directly to the south of the site and single-family residential development abuts the site to the west. Chapter 64-5.C.2.d. of the Zoning Ordinance requires the PUD to be designed to limit adverse affects to and from the site by the surrounding development. Accordingly, a buffer compliant with Section 64-4.D.1 of the Zoning Ordinance should be required along the South and West property lines.

No dumpster is depicted on the site plan. If a dumpster is proposed it should be depicted on the site plan and meet all enclosure, buffer, access and maneuvering, and setback requirements; or a note on the site plan should be provided indicating that no dumpster will be included as part of the development and waste removal will occur by curbside pickup. It should be noted that the site as currently depicted cannot accommodate a dumpster without additional paving to allow for full on site maneuvering.

Compliance with the tree planting and landscaping ordinances is not depicted on the submitted site plan. Full compliance with these regulations will be required as the site is zoned B-3.

No sidewalks are depicted on the site plan. Sidewalks should be depicted, or a sidewalk waiver should be submitted and approved.

RECOMMENDATION

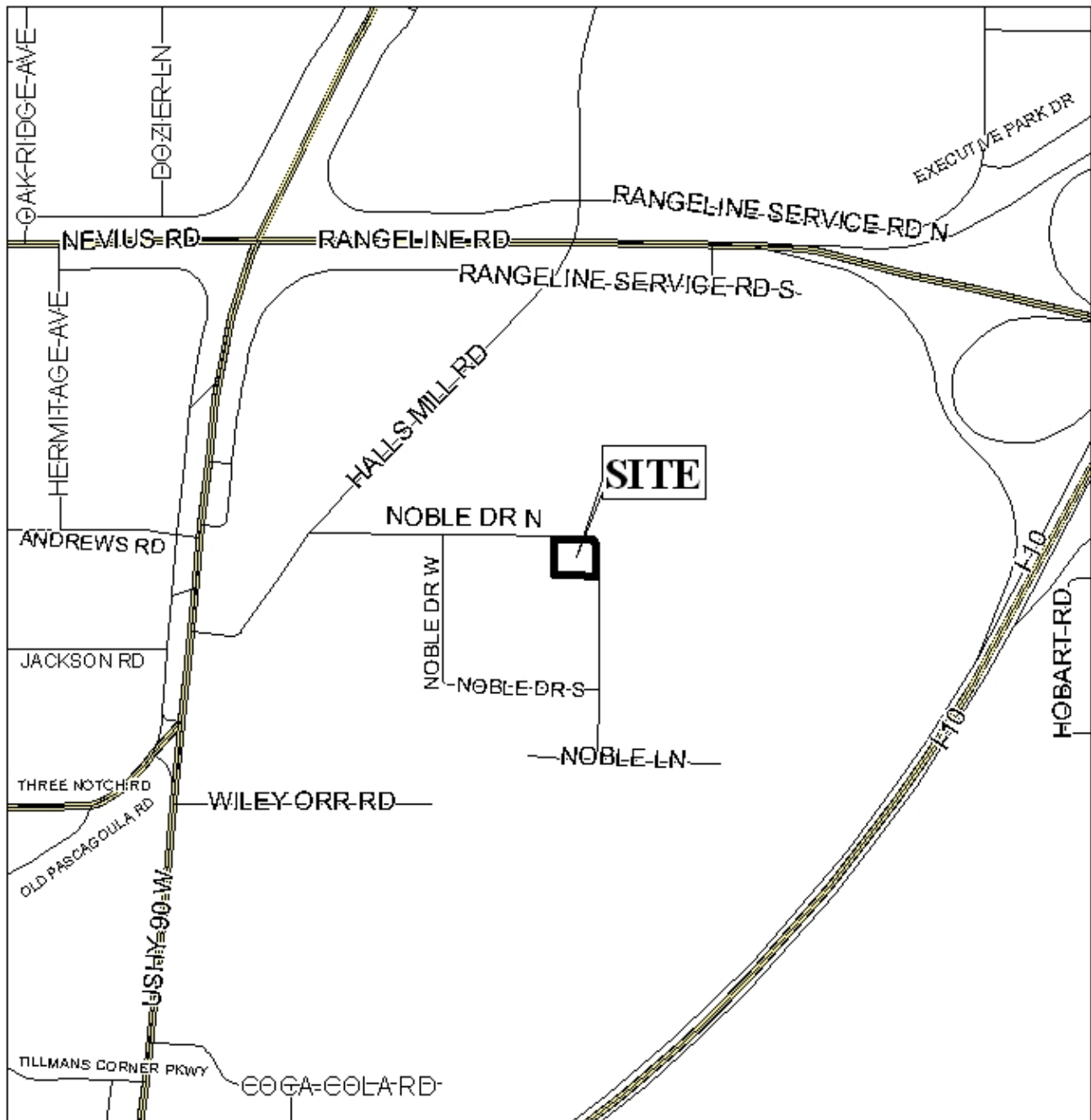
Planned Unit Development: Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) Completion of the Subdivision process for Case Number SUB2009-00121, the Subdivision case associated with the first PUD approval;
- 2) Provision of a buffer compliant with Section 64-4.D.1 of the Zoning Ordinance along the South and West property lines;
- 3) Depiction of a dumpster on the site plan showing compliance with all enclosure, buffer, access and maneuvering, and setback requirements or a note on the site plan be provided

indicating that no dumpster will be included as part of the development and waste removal will occur by curbside pickup;

- 4) Full compliance with all landscaping and tree planting ordinances;
- 5) Depiction of sidewalks or submittal of a successful sidewalk waiver application;
- 6) Revision of the site plan to show compliance with all conditions and submittal of two copies of said revised site plan to the Planning Section of Urban Development prior to the issuance of any permits; and
- 7) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



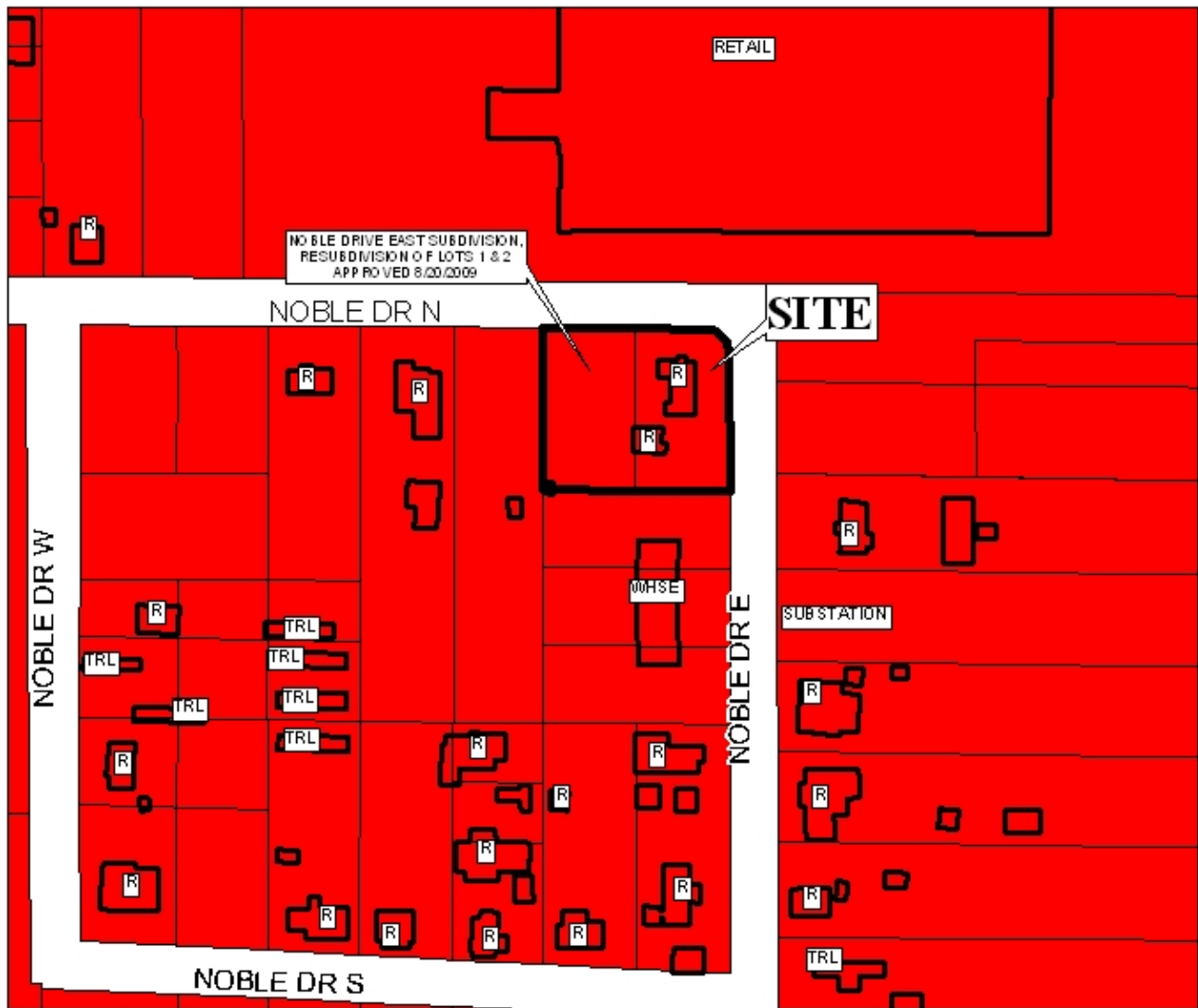
APPLICATION NUMBER 10 DATE October 1, 2009

APPLICANT Karen & Kelly Douglas

REQUEST Planned Unit Development

N
NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units to the east and west of the site, a department store to the north, and a warehouse to the south.

APPLICATION NUMBER 10 DATE October 1, 2009

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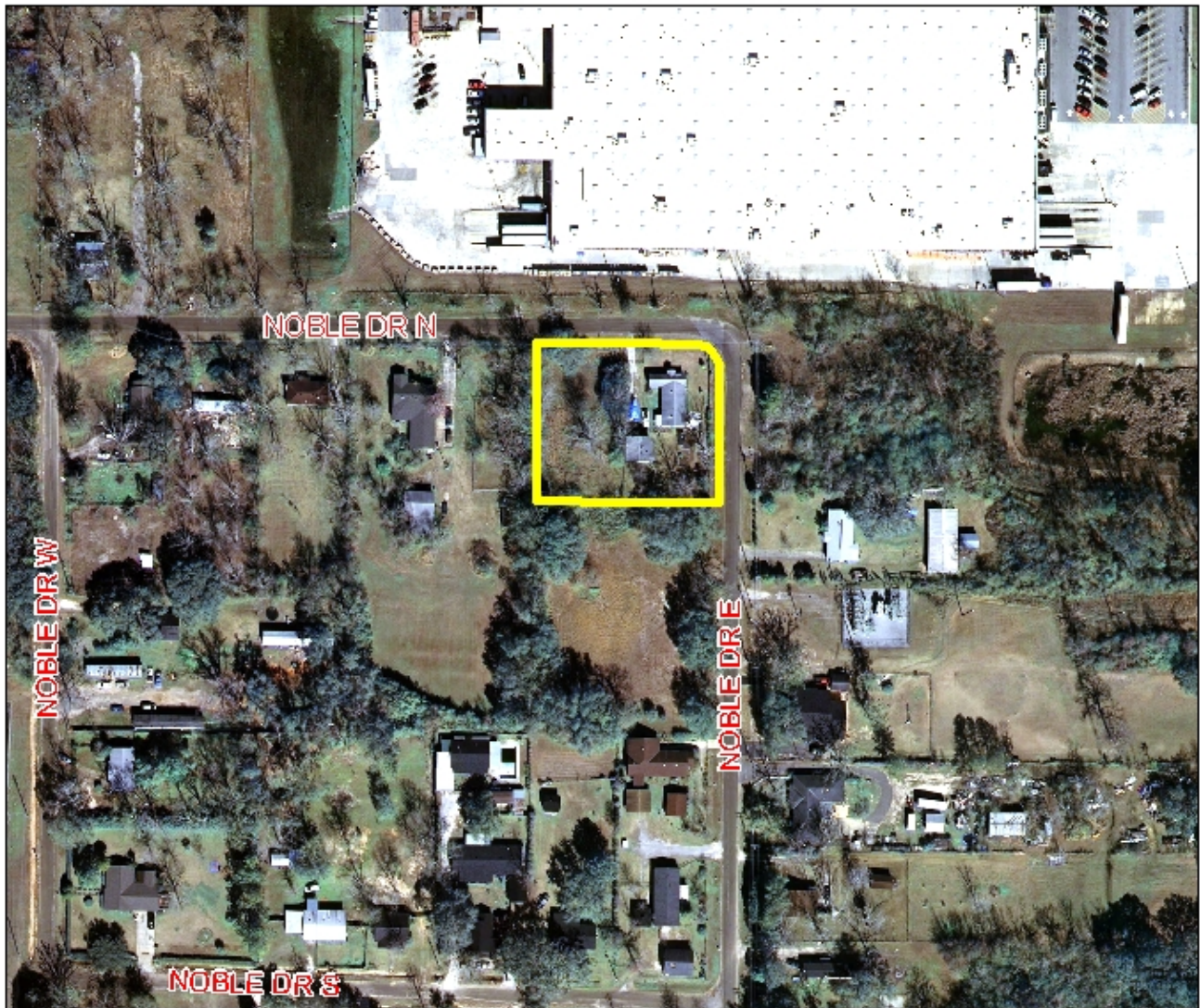
REQUEST Planned Unit Development

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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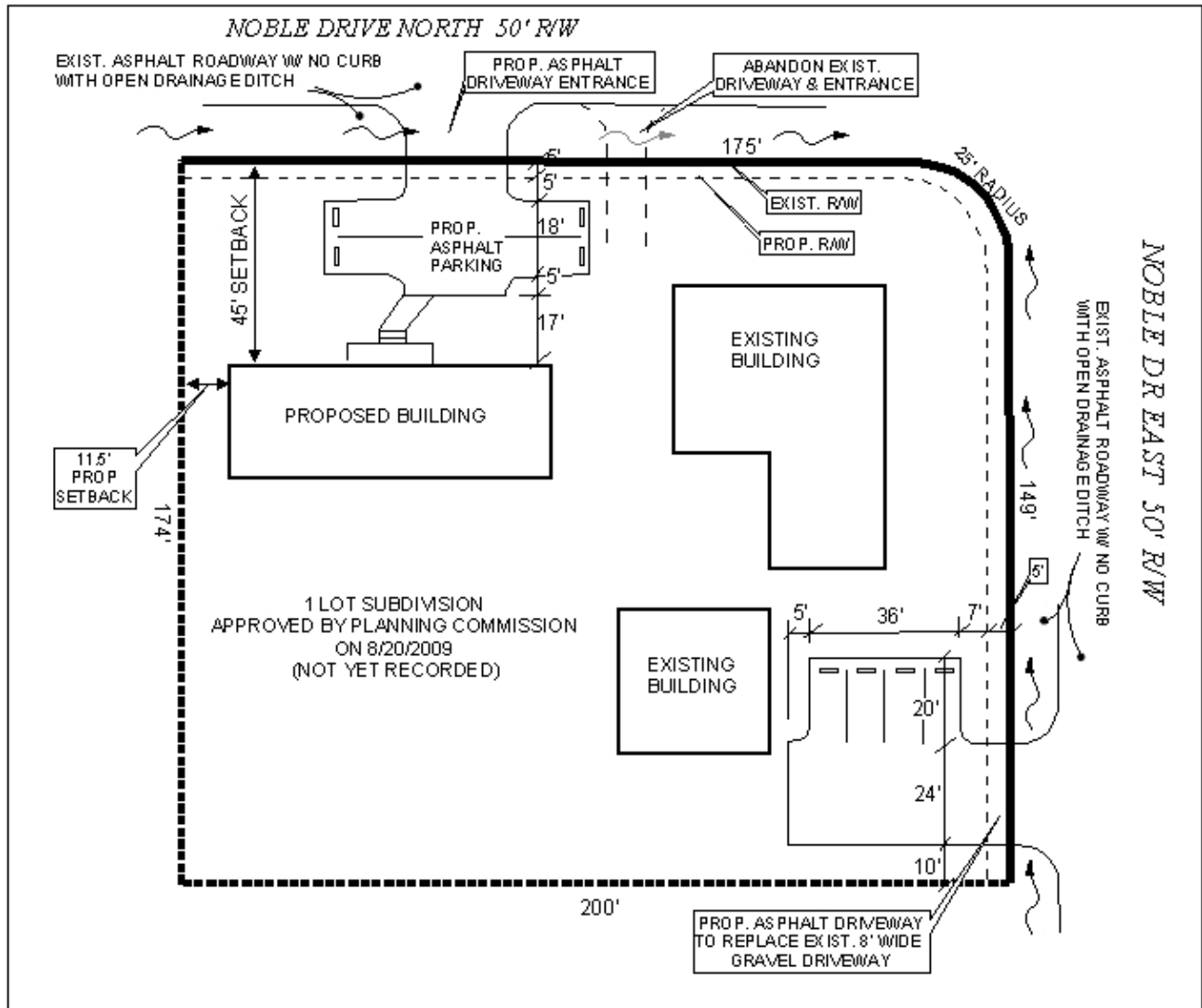
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SITE PLAN



The site plan illustrates the existing and proposed buildings, setbacks, and parking.

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