

**PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: February 3, 2005**

<u>DEVELOPMENT NAME</u>	Berney-Fly Subdivision
<u>SUBDIVISION NAME</u>	Berney-Fly Subdivision
<u>LOCATION</u>	1118 Government Street (North side of Government Street, 425'± West of Hallett Street)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	
<u>AREA OF PROPERTY</u>	.7± Acres
<u>CONTEMPLATED USE</u>	Shared access between two building sites.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.
<u>URBAN FORESTRY COMMENTS</u>	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 the landscaping and tree ordinance to be coordinated with Urban Forestry.
<u>REMARKS</u>	The applicant is requesting Planned Unit Development approval to allow shared access between two lots and subdivision approval to create a legal lot of record.

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 eastern portion of the site received PUD approval for nine townhomes in 1999, subject to the following conditions:

1. denial of access to Montauk Avenue;
2. window walls limited to those shown on the plan;
3. the exact location of the driveway to be coordinated with the Traffic Engineering Department and Urban Forestry; and
4. repair/replacement of sidewalks along Government Street and Montauk Avenue, as determined to be necessary by the City Engineering Department.

The eastern portion of the site is currently under development, two townhomes are complete and two more are under construction; the previous conditions should still apply to any approvals granted to the site.

It should be noted that PUD approval is site plan specific, and when the townhome site received PUD approval from the Commission in 1999, the applicant proposed pavers for the parking and driveway. The applicant now proposes stamped asphalt instead of pavers. Stamped asphalt is an approved alternative paving surface; however, as the surface is a modification to the original plan, it must be approved by the Commission. It should also be noted that the width of the driveway is adequate for two-way traffic.

The western portion of the site consists of a residence and was granted a use variance by the Board of Zoning Adjustment for a bed and breakfast. The owner of the residence proposes to relocate a structure to the vacant parcel between the two sites, and share a driveway with the townhome development. The applicant proposes to convert the relocated building for use as a bed and breakfast and the applicant has a use variance application pending before the Board of Zoning Adjustment at their February 14th meeting.

The site is located in the Oakleigh Garden District; therefore, the approval of the Architectural Review Board will be required for all exterior site improvements.

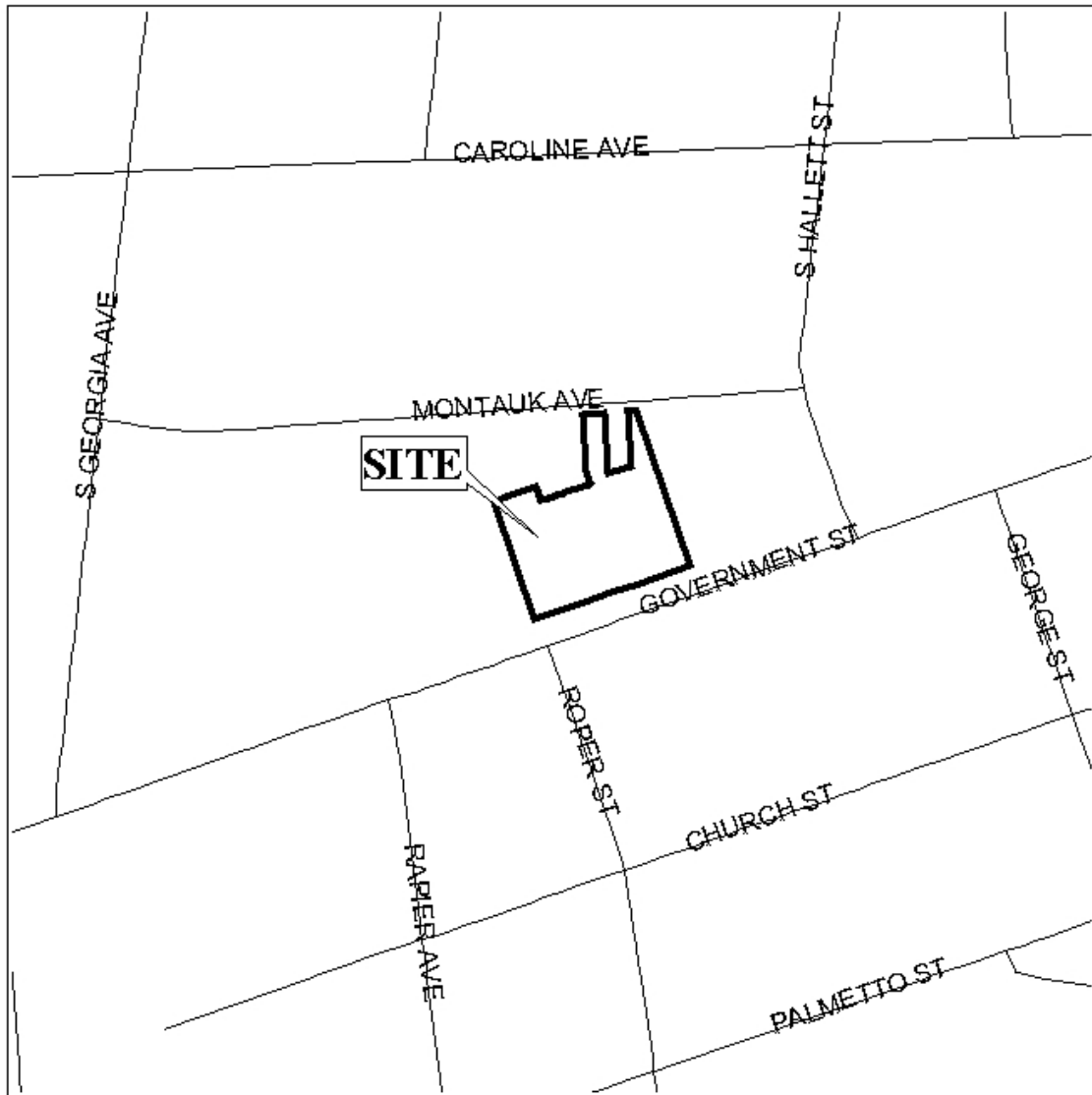
The site consists of three properties and the properties to the east and west are legal lots of record; however, the “middle” parcel is not a legal lot of record—it is essentially a “leftover” parcel, thus the applicant is requesting subdivision approval to create one lot. The site fronts Government Street, a planned major street and has an existing right-of-way in compliance with the Major Street Plan, and based upon the accompanying PUD, the lot will be required to share access with the adjoining lot to the East.

RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) that the townhome site fully comply with the conditions of the 1999 PUD (denial of access to Montauk Avenue, window walls limited to those shown on the plan, the exact location of the driveway to be coordinated with the Traffic Engineering Department and Urban Forestry, and repair/replacement of sidewalks along Government Street and Montauk Avenue, as determined to be necessary by the City Engineering Department); 2) that the new parking and drives be paved with stamped asphalt; 3) approval of the Architectural Review Board; and 4) approval of any necessary variances by the Board of Zoning Adjustment.

Subdivision: The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following condition: 1) placement of a note on the final plat stating that the site will share access with the adjoining lot to the East (Lot 1, Central Park).

LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE February 3, 2005

APPLICANT Berney-Fly Subdivision

REQUEST Planned Unit Development, Subdivision



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

















Single and multi family residential units are located to the north and south of the site. Various commercial sites are located to the east, west, and south of the site.

APPLICATION NUMBER 1 & 2 DATE February 14, 2005

APPLICANT Berney-Fly Subdivision

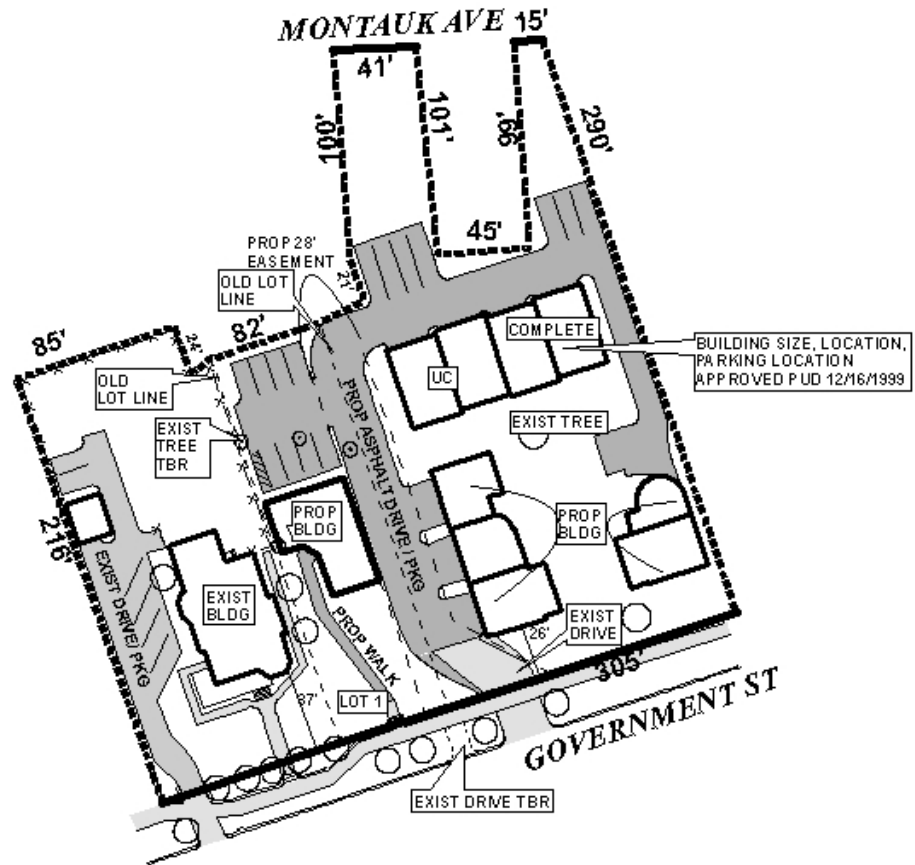
REQUEST Planned Unit Development, Subdivision

LEGEND

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



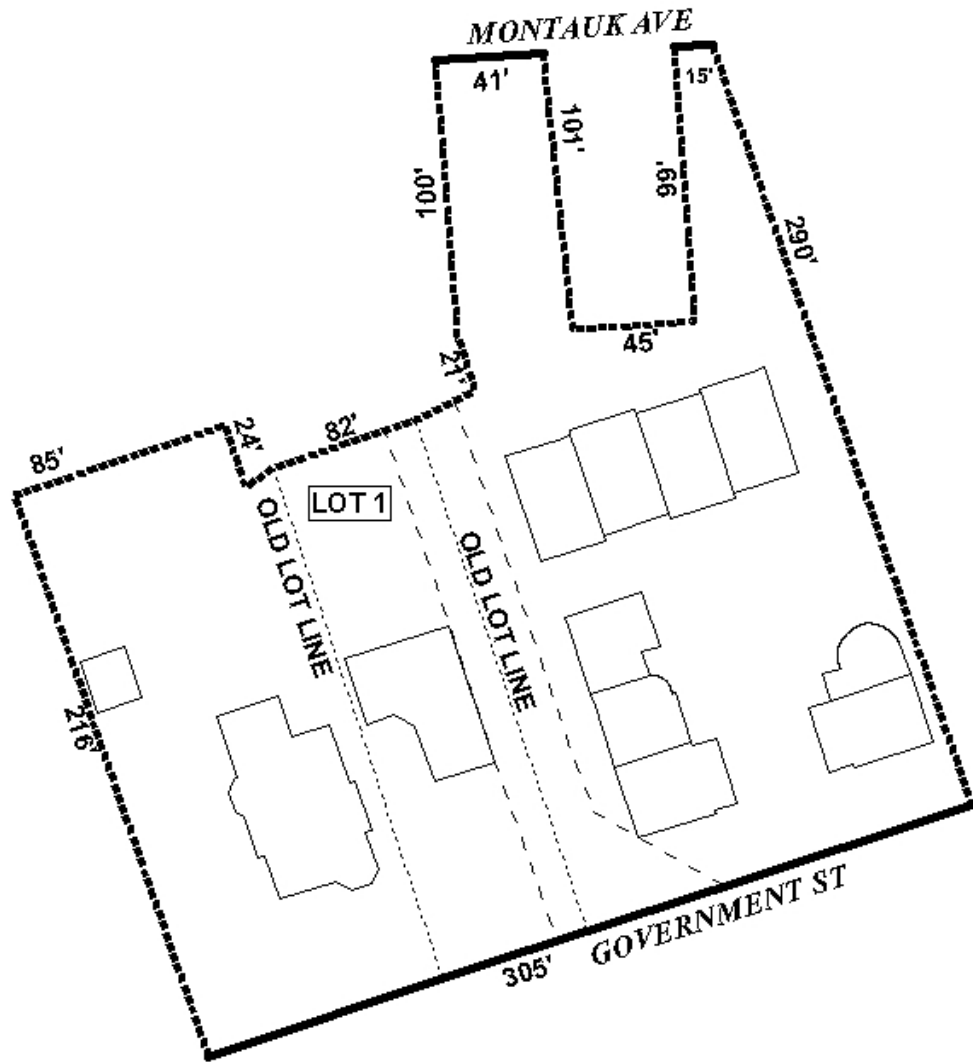
The site plan illustrates the existing buildings, parking, drives and landscaping, along with the proposed buildings, parking, drives, and landscaping

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 REQUEST Planned Unit Development, Subdivision



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SUBDIVISION PLAT



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