

**REZONING,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: February 17, 2005

<u>DEVELOPMENT NAME</u>	University Club Apartments
<u>SUBDIVISION NAME</u>	University Club Apartments
<u>LOCATION</u>	139 East Drive (East side of East Drive, 900'± South of Old Shell Road, extending to the West side of Long Street, 600'± South of Old Shell Road)
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	R-3, Multi-Family Residential
<u>PROPOSED ZONING</u>	R-3, Multi-Family Residential
<u>PRESENT ZONING</u>	R-3, Multi-Family Residential
<u>AREA OF PROPERTY</u>	1 lot / 8± Acres
<u>CONTEMPLATED USE</u>	To remove zoning condition(s) and to construct multiple buildings on a single-building site.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	Engineering will require a 100' drainage easement along existing storm ditch (12 mile creek). And due to existing flooding problems in the area, Engineering will require storm water detention for a 100 year flood. In addition, if access to Long Street is required/approved Engineering will require it be improved to city standard. 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, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Parking aisles should be widened to twenty-four feet for two-way traffic flow.

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).

REMARKS

The applicant is requesting rezoning from R-3, Multi-Family Residential to R-3, Multi-Family Residential to remove associated conditions; Planned Unit Development approval to allow multiple buildings on a single building site; and subdivision approval to consolidate multiple lots into one.

The eastern portion of the site was zoned R-3 in 2001 subject to the following conditions:

1. the provision of a 50' easement to the land-locked property to the South;
2. the construction of Long Street to city standards;
3. the provision of a six foot wooden privacy fence, as well as a 10' buffer where the site adjoins R-1 zoning;
4. the provision of an additional dumpster, with the location to be approved by the Land Use Administration staff;
5. full compliance with the landscaping and tree planting requirements of the Ordinance;
6. the provision of a sidewalk along the improved portion of Long Street;
7. submission and approval of a one lot subdivision prior to the issuance of any building permits;
8. full compliance with all City Engineering Comments [Engineering will require 100 foot drainage easement along existing storm ditch {12 Mile Creek} due to existing flooding problems in area, storm water detention for 100 year storm, applicant will be required to improve Long street to City standards] and Traffic Engineering Comments [entrance should be designed for future extension of Long Street unless Engineering states that Long Street will never be built to the South, all driveway widths and locations to be approved by Traffic Engineering and designed to meet AASHTO standards];
9. full compliance with all municipal codes and ordinances;
10. relocation of existing dumpster or any litter receptacle away from abutting residential property, location to be approved by the Land Use Administration staff;
11. development to be in accordance with and limited to PUD 2000-30 (long Street Apartments); and
12. provision of a fence along South property line (along the ditch), to be approved by City Engineering.

In order to develop the property with multi-family residential, full compliance with the above referenced conditions would be required. However, many of the conditions specifically relate to the site plan associated with the prior application and may not be applicable to the proposed development. First, the current PUD request is different from the prior approval, thus condition 11 above should be deleted. Additionally, condition 4 regarding the dumpster(s) would be addressed during site plan review, and the Urban

Development staff would ensure that an adequate number of dumpsters are provided and that adequate setbacks and circulation are provided.

There are two other zoning conditions that are not reflected on the current site plan. First, the property adjoining the site to the south (along Long Street) actually exists as two separate parcels which are separated by the creek bed, thus the western parcel is land-locked. Condition 1 above, required the provision of a 50 foot easement to the land-locked property to the South. As the site is still land-locked the easement should still be provided, and no parking should be allowed to block the easement.

In regard to access, the site plan does not illustrate access to Long Street, nor is construction of Long Street proposed. The site plan illustrates the construction of 144 units, with 302 parking spaces, and the only access is to East Drive. Typically for this number of units, the Commission requires at least two points of access. Furthermore, an application for a 14 lot, single-family residential subdivision (compliance with R-3 conditions were not required) was approved by the Commission in 2003, and the Commission required construction of Long Street to a standard approved by City Engineering. The prior application proposed a wing gutter street design for Long Street. The construction of Long Street to a standard approved by City Engineering should be required. Additionally, with the construction of Long Street, the site plan should be modified to allow an additional point of access to Long Street

All other conditions such as privacy fencing, buffering, sidewalks, landscaping and tree plantings, as well as compliance with Engineering and Traffic Engineering Comments should be required.

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.

Regarding parking, the site will consist of 144 units, and 302 spaces are provided, which exceeds the required number of spaces (216). It should be noted that if the buildings are two stories in height, the PUD section of the Ordinance establishes minimum distance requirements between buildings; therefore, the spacing of the buildings must comply with Section V.C.2.b. of the Ordinance.

The site adjoins a floodway and as such the area may be considered environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits.

In regard to the proposed subdivision, the application would simply consolidate two lots

into one lot and the plat would meet the minimum requirements of the Subdivision Regulations.

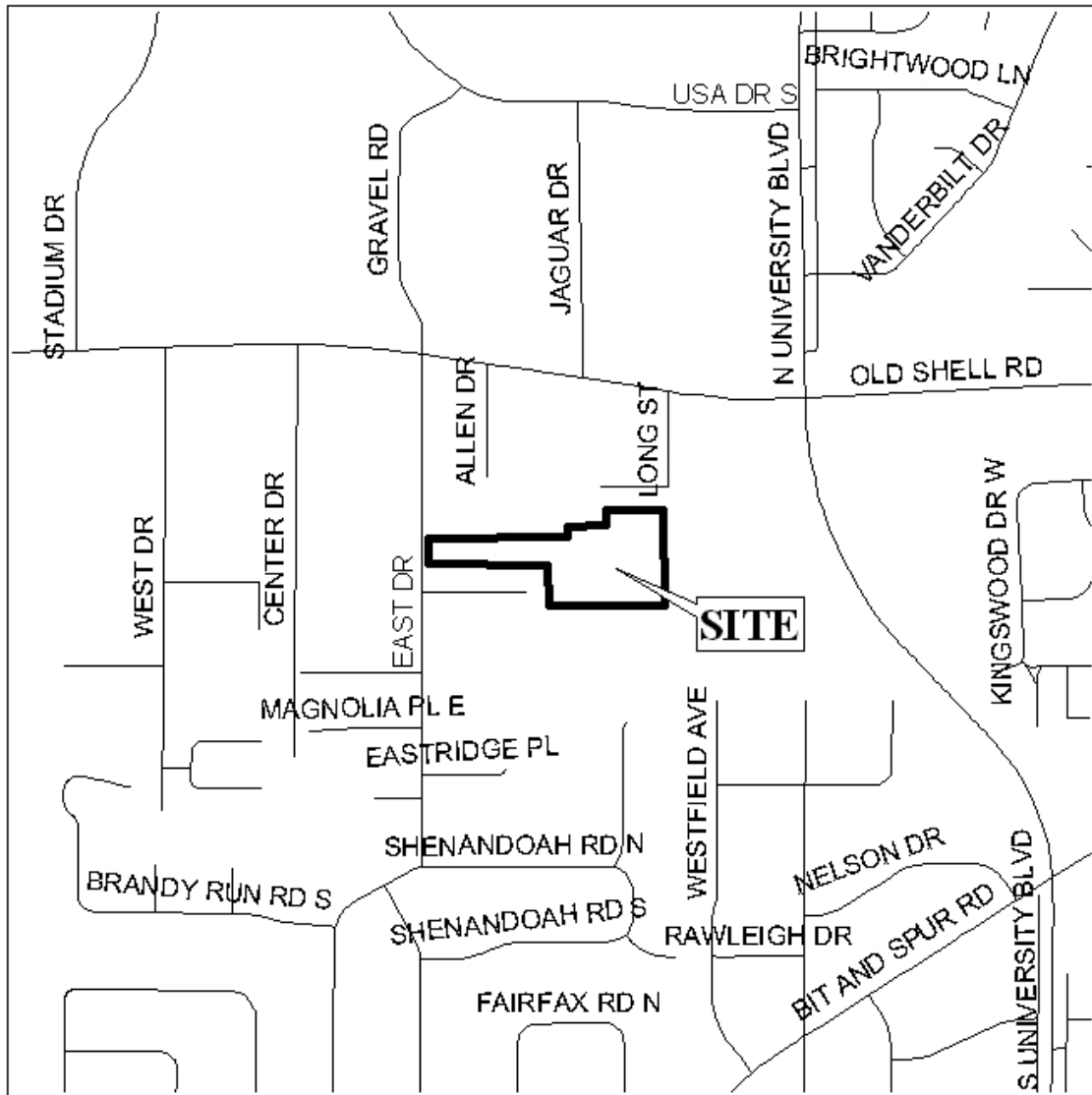
RECOMMENDATION

Rezoning Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) the provision of a 50' easement to the land-locked property to the South; 2) construction of Long Street to a standard approved by City Engineering; 3) full compliance with the landscaping and tree planting requirements of the Ordinance; 4) the provision of a sidewalk along the improved portion of Long Street, and the construction of a driveway to Long Street; 5) the provision of a six foot wooden privacy fence, as well as a 10' buffer where the site adjoins R-1 zoning; 6) full compliance with all City Engineering Comments (provision of a 100' drainage easement along existing storm ditch [12 Mile Creek], provision of storm water detention for a 100 year flood, any work performed in the right of way will require a right of way permit); 7) full compliance with Traffic Engineering Comments (driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards, and widening of parking aisles to 24-feet for two-way traffic flow); 8) the approval of all applicable federal, state and local agencies; and 9) full compliance with all municipal codes and ordinances.

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Subdivision The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) approval of all necessary federal, state and local agencies; and 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



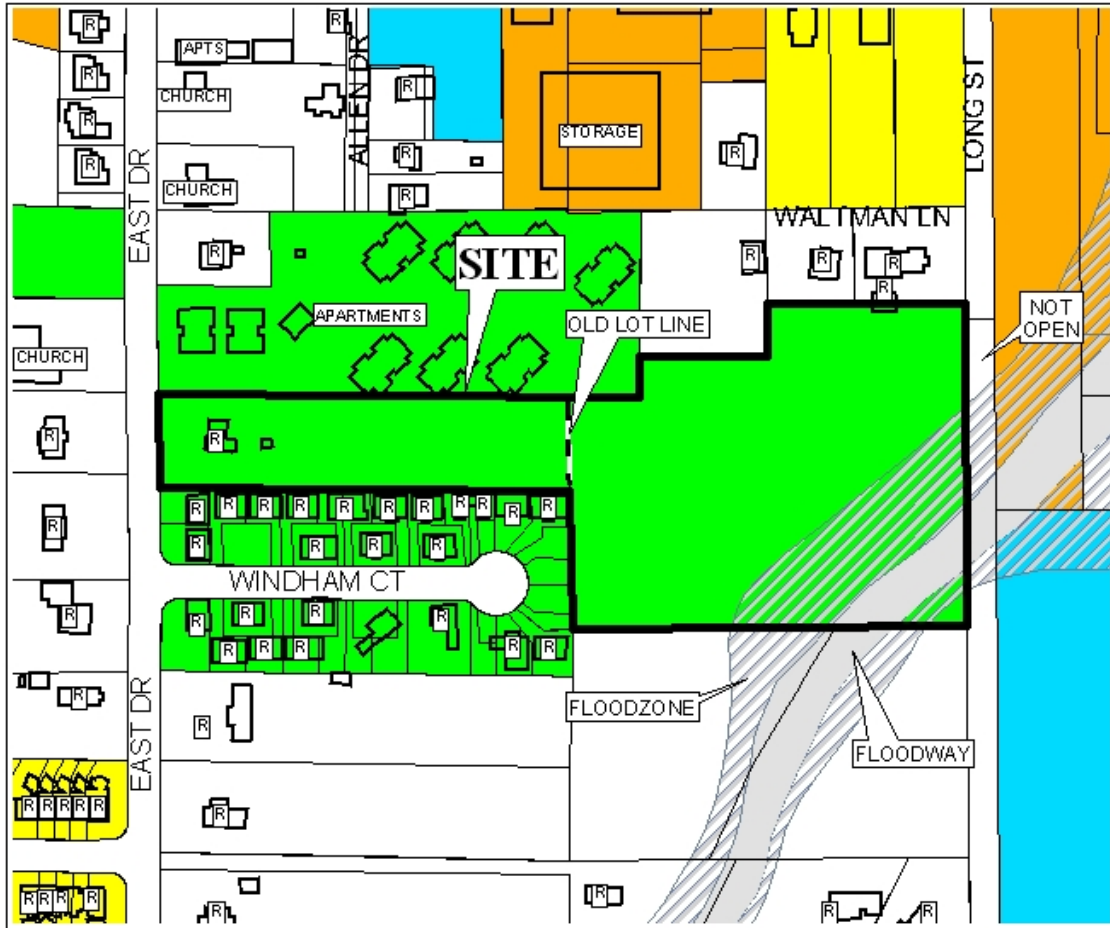
APPLICATION NUMBER 1, 2 & 3 DATE March 3, 2005

APPLICANT C. E. Jackson

REQUEST Rezoning, PUD and Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single and multi-family residential dwellings.

APPLICATION NUMBER 1, 2 & 3 DATE March 3, 2005

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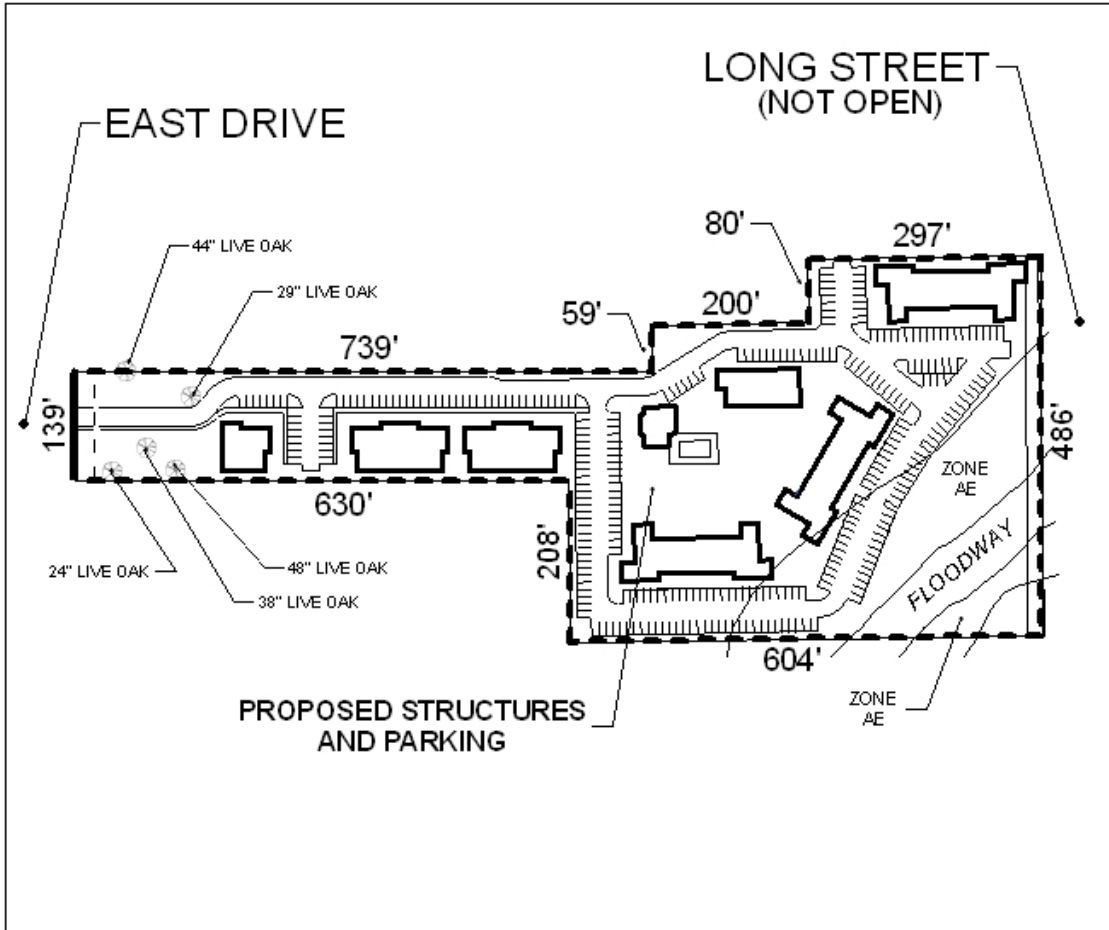
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LEGEND

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
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SITE PLAN



The site is located on the East side of East Drive, 900' South of Old Shell Road, extending to the West side of Long Street, 600' South of Old Shell Road. The plan illustrates the proposed structures and parking as well as the existing trees and floodzones.

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NTS