

**PUD &  
SUBDIVISION STAFF REPORT****Date: September 2, 2004**

<b><u>DEVELOPMENT NAME</u></b>	Greenwood Subdivision
<b><u>SUBDIVISION NAME</u></b>	Greenwood Subdivision
<b><u>LOCATION</u></b>	251 South McGregor Avenue (West side of South McGregor Avenue, 200'± North of Pinebrook South)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 5
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential
<b><u>AREA OF PROPERTY</u></b>	2.0± Acres                      5 Lots
<b><u>CONTEMPLATED USE</u></b>	Five Lot, Single-Family Residential Subdivision with a Gated Private Street
<b><u>TIME SCHEDULE</u></b>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	Discharge onto adjacent property cannot be increased or concentrated without a hold harmless agreement from the affected property owner. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.
<b><u>URBAN FORESTRY COMMENTS</u></b>	Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (City Code Chapters 57 and 64 and State Act 61-929).
<b><u>REMARKS</u></b>	The applicant is proposing the development of a five lot gated community with a private street. Planned Unit Development approval is required for all private drive subdivisions. The proposed subdivision is to be a gated community with a private street, and therefore is eligible for consideration as an innovative subdivision under the private street section of the Subdivision Regulations.

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.

A similar application for six lots was recently denied by the Commission. Reasons given at that time related to the number of lots, concerns about drainage/environmental features, and concerns about existing trees.

The applicant has reduced the number of lots to five, in hopes of addressing the concern about density. With regard to the drainage/environmental concerns, development will have to comply with the City Engineering Department's comments (Discharge onto adjacent property cannot be increased or concentrated without a hold harmless agreement from the affected property owner. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit); and, if wetlands are in fact present on the site, a Wetlands Delineation will be required and no permits issued until approvals from all applicable federal, state and local agencies are obtained.

The plan appears to meet the requirements for Planned Unit Development Approval.

This section of McGregor Avenue is shown as a Major Street on the Major Street Plan component of the Comprehensive Plan, and as such requires a minimum right-of-way of 80' and may require a 40' parallel service road or some alternative method of access management.

The plat indicates dedication of additional right-of-way to provide 40' from centerline, in conformance with the Major Street Plan. The plan also indicates only one point of access, the proposed private street, thereby providing adequate access management; providing that a condition is placed on any approvals denying Lot 1 direct access to McGregor Avenue.

The Subdivision Regulations allow for private streets under several circumstances, one of which is a gated community. As the proposed subdivision is to be gated, it is eligible for consideration as a private street development. However, it should be noted that if use of the gate ceases, the subdivision would no longer be in compliance with the Subdivision Regulations.

There is an existing dwelling located on the site. This dwelling should be removed prior to recording of the final plat if the PUD and subdivision are approved.

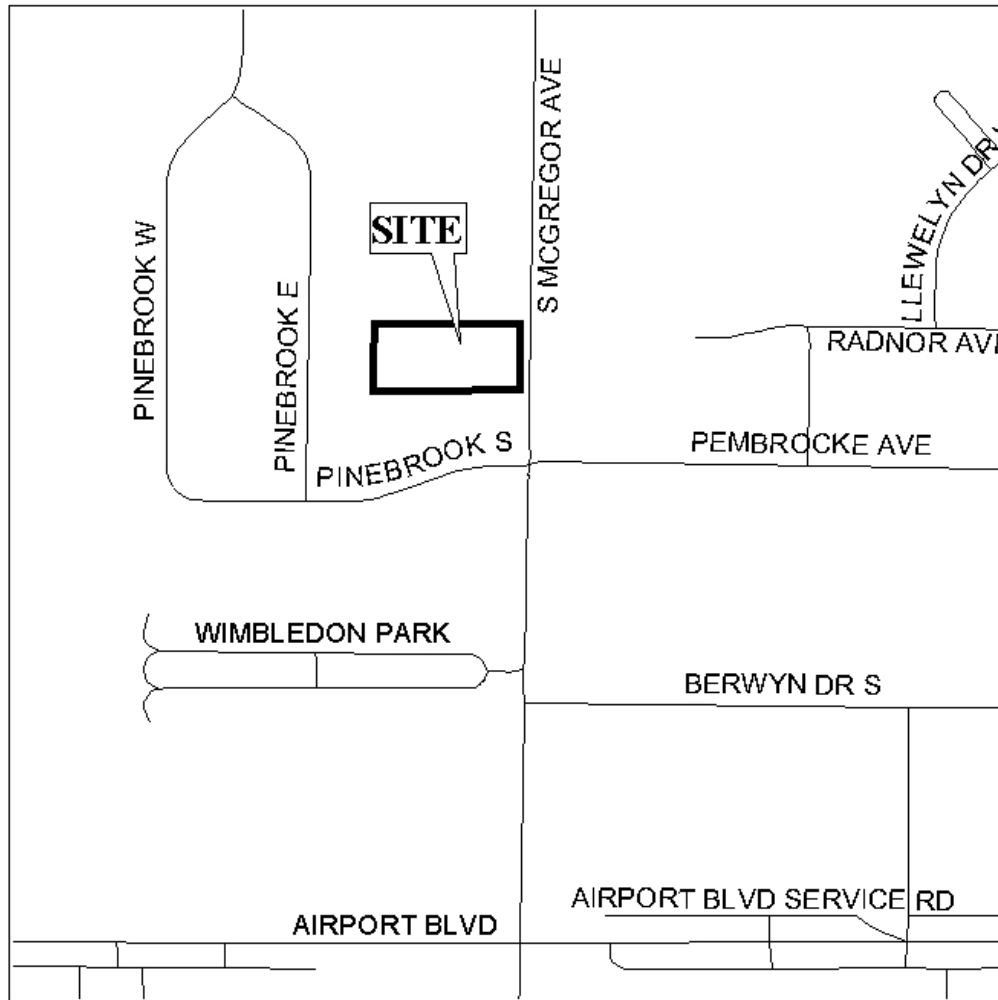
The plat indicates the detention for the site is to be provided in the Southwest corner of the site. The Engineering Department will have final approval of the detention facilities.

**RECOMMENDATION**

**Planned Unit Development:** based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) dedication of sufficient right-of-way along McGregor Avenue to provide 40' from centerline, as shown on the plan submitted; 2) full compliance with the comments from the City Engineering Department (Discharge onto adjacent property cannot be increased or concentrated without a hold harmless agreement from the affected property owner. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit); 3) full compliance with the private street requirements of the Subdivision Regulations (Section VIII.E); 4) the gate to remain operational and in use, if gate ceases to be used, the street must be brought into compliance with city standards and dedicated to the city; 5) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and 6) compliance with standard setbacks and site coverage requirements.

**Subdivision:** the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) dedication of sufficient right-of-way along McGregor Avenue to provide 40' from centerline, as shown on the plan submitted; 2) full compliance with the comments from the City Engineering Department (Discharge onto adjacent property cannot be increased or concentrated without a hold harmless agreement from the affected property owner. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit); 3) full compliance with the private street requirements of the Subdivision Regulations (Section VIII.E); 4) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and 5) the gate to remain operational and in use, if gate ceases to be used, the street must be brought into compliance with city standards and dedicated to the city.

## LOCATOR MAP



APPLICATION NUMBER 6 & 7 DATE September 2, 2004  
APPLICANT Greenewood Subdivision  
REQUEST Planned Unit Development, Subdivision



# **PLANNING COMMISSION VICINITY MAP - EXISTING ZONING**



The site is surrounded by single family residential dwellings.

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REQUEST Planned Unit Development, Subdivision

LEGEND



