

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: July 6, 2006****DEVELOPMENT NAME** Louise Place Subdivision**SUBDIVISION NAME** Louise Place Subdivision**LOCATION** South terminus of Louise Avenue (unopened right-of-way, to be partially vacated), including Gulver Street (unopened right-of-way, to be vacated), and McMurray Street (unopened right-of-way, to be vacated), extending from McNeil Avenue to Schaub Avenue**CITY COUNCIL  
DISTRICT** District 6**AREA OF PROPERTY** 4.7± acres**CONTEMPLATED USE** Single-family residences with reduced lot sizes, reduced frontage on streets, reduced front yard setbacks (15 feet), reduced side yard setbacks (5 feet), and increased site coverage (45%).**TIME SCHEDULE  
FOR DEVELOPMENT** Immediate**ENGINEERING  
COMMENTS** The applicant's engineer will be required to resubmit all drainage calculations to account for the proposed increased impervious area. The vacation process must be complete prior to issuance of the Land Disturbance permit. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.**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).

**REMARKS**

The applicant is seeking Subdivision and Planned Unit Development approval, to allow the development of a 19-lot subdivision of single-family residences with reduced lot sizes, reduced frontage on streets, reduced front yard setbacks (15 feet), reduced side yard setbacks (5 feet), and increased site coverage (45%).

The plat illustrates the proposed 4.7± acre, 19-lot subdivision which is located South terminus of Louise Avenue (unopened right-of-way, to be partially vacated), including Gulver Street (unopened right-of-way, to be vacated), and McMurray Street (unopened right-of-way, to be vacated), extending from McNeil Avenue to Schaub Avenue, and is in Council District 6. The site is served by public water and sanitary sewer.

The site fronts Louise Avenue, a 40-foot unopened right-of-way. This is substandard in width, and dedication of sufficient right-of-way to provide a 50-foot right-of-way should be required, along with construction of the unimproved portion of Louise Avenue and the construction and dedication of the proposed cul-de-sac streets, subject to City Engineering approval. As the site involves several unopened rights-of-way, vacation of these will be required before the plat is recorded or any permits are issued. As a means of access management, the site should be limited to a single curb cut for each lot.

The site was previously approved for 20 lots in two 2005 subdivisions; in this application, rather than Louise Drive continuing Southward, a portion of it would be vacated, with the lots being arranged around a cul-de-sac.

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 surrounding area is an older subdivision (Pinehurst), in which smaller lot sizes are characteristic, and many resubdivisions in Pinehurst have been approved with reduced lot dimensions and setbacks and increased site coverage. In fact, the proposed lots are larger than the typical lots along Louise Avenue, most of which are 5000 square feet. Similarly the proposed reduced lot widths and front and side setbacks are typical conditions in the neighborhood. On the final plat, proposed Lots 2 and 19 should show 15-foot setbacks along their Louise Street frontage.

The site plan shows several streets being vacated: in some cases the entire right-of-way is shown going to the development and in others only half (the typical situation). This is evidently variable based on private agreements between the applicant and the neighboring property owners who otherwise would have received half of the vacated right-of-way. Therefore, should any of the vacated right-of-way fail to be transferred as shown on the plat, the legal description will have to be revised to reflect the change; and the subdivision may fail to meet lot standards for Lot 1 and detention requirements. All of Gulver Street is shown vacated to the site; if the Southern neighbors do not transfer their portion of the right-of-way

to the applicant, detention facilities may be insufficient. In addition, if the Northern half of McMurray Street were not conveyed to the development as shown, Lot 1 would be undevelopable. Prior to signing the final plat, the legal description should be revised, if necessary, to reflect any variation in the transference of the vacated right-of-way; and the plat should be revised to eliminate proposed Lot 1, should the entire right-of-way width not be conveyed to the development, and to provide for adequate drainage, as City Engineering deems necessary.

Common and detention areas are shown on the plat and should be labeled on the final plat and accompanied by a note stating that maintenance of all common areas will be property owners' responsibility.

Finally, as the applicant submitted a revised plat to staff during the review period, the legal description should also be revised to reflect those changes.

### **RECOMMENDATION**

*Subdivision* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) compliance with Engineering comments (The applicant's engineer will be required to resubmit all drainage calculations to account for the proposed increased impervious area. The vacation process must be complete prior to issuance of the Land Disturbance permit. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.) 2) dedication of sufficient right-of-way to provide 50-feet from the centerline of Louise Avenue; 3) construction and dedication of the new streets to City Engineering standards; 4) completion of the right-of-way vacation process; 5) revision of the legal description to reflect previous plat revisions, and any disparities in the transfer of vacated right-of-way from what is shown on the preliminary plat; 6) the placement of a note on the final plat stating that the site is limited to a single curb cut per lot; 7) the depiction of the 15-foot building setbacks along Louise Avenue; and 8) the placement of a note on the final plat stating that common area maintenance will be property owners' responsibility.

*Planned Unit Development* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) compliance with Engineering comments (The applicant's engineer will be required to resubmit all drainage calculations to account for the proposed increased impervious area. The vacation process must be complete prior to issuance of the Land Disturbance permit. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.) 2) dedication of sufficient right-of-way to provide 50-feet from the centerline of Louise Avenue; 3) construction and dedication of the new streets to City Engineering standards; 4) completion of the right-of-way vacation process; 5) limitation of the site to a single curb cut per lot; and 6) full compliance with all municipal codes and ordinances.

*Revised for the July 20<sup>th</sup> meeting:*

*This application was held over from the July 6<sup>th</sup> meeting at the applicant's request. The recommendations remain as before.*

**RECOMMENDATION**

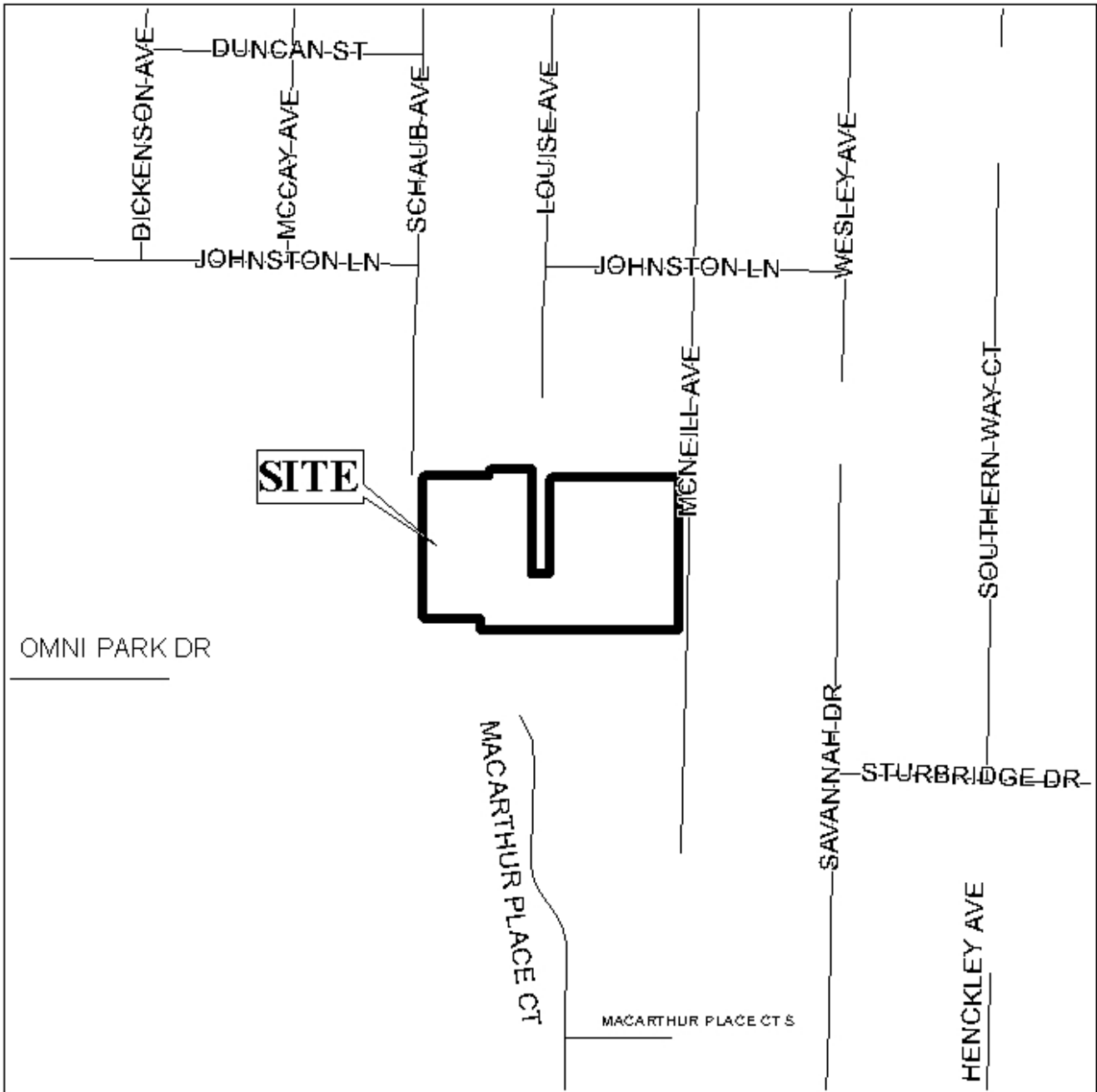
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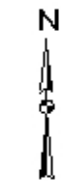
**Revised for the August 17<sup>th</sup> meeting:**

*This application was held over from the July 20<sup>th</sup> meeting at the applicant's request. No revisions have been submitted, so the recommendations remain as before. (See July 20<sup>th</sup> comments above.)*

## LOCATOR MAP



APPLICATION NUMBER Holdover DATE August 17, 2006  
APPLICANT Louise Place Subdivision  
REQUEST Subdivision, Planned Unit Development



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. An office is located southwest of the site.

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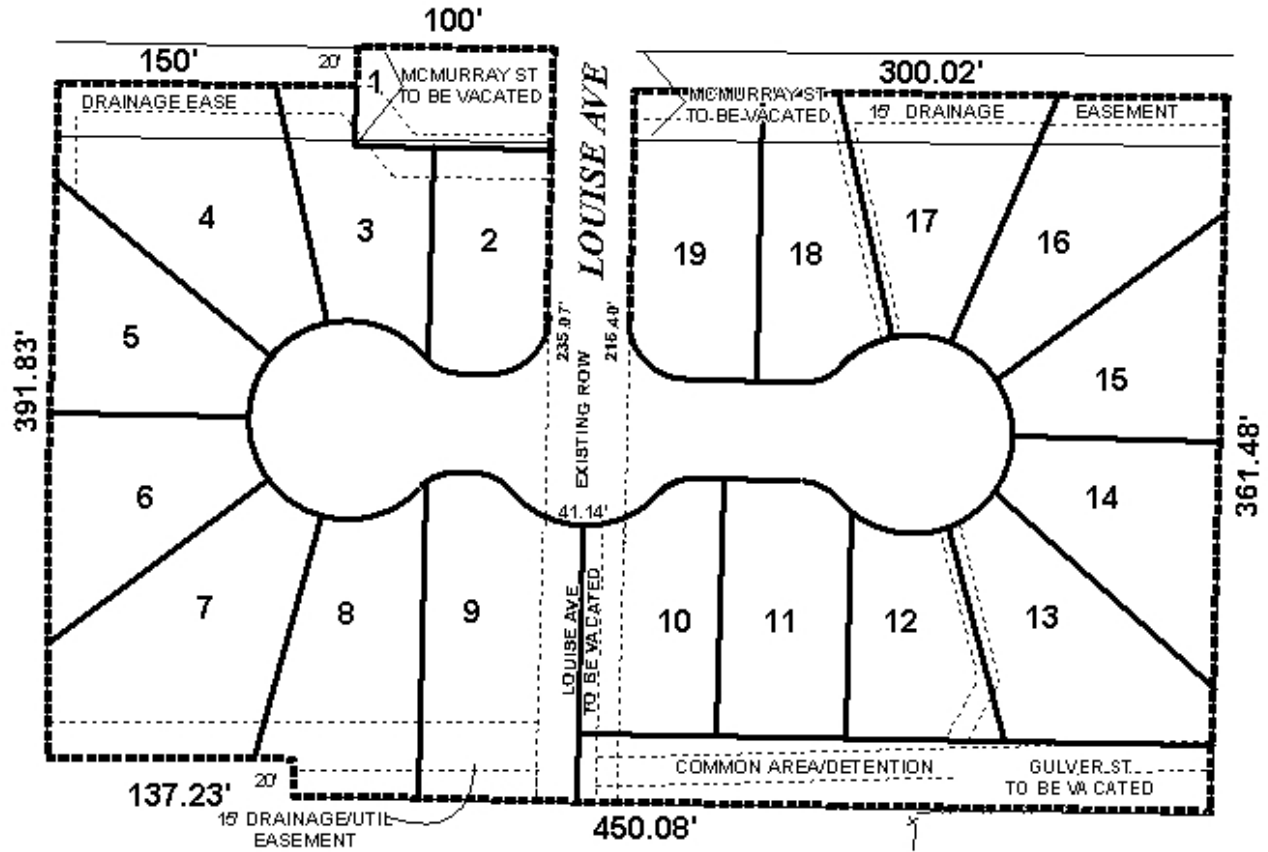
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LEGEND

|     |     |     |     |     |     |     |      |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|
| 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 | NTS |
|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|



# SITE PLAN



The site plan illustrates the proposed development

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