

**PLANNED UNIT DEVELOPMENT &  
SUBDIVISION STAFF REPORT****Date: March 1, 2007****DEVELOPMENT NAME**The Woodlands at The Preserve Subdivision,  
Resubdivision of Lot 59**SUBDIVISION NAME**The Woodlands at The Preserve Subdivision,  
Resubdivision of Lot 59**LOCATION**3545 Rue Royal  
(East side of Rue Royal, 800'± North of Rue Preserve)**CITY COUNCIL  
DISTRICT**

District 6

**PRESENT ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

1 Lot/ 0.1± acres

**CONTEMPLATED USE**Amend Planned Unit Development (PUD) Approval to allow reduced  
side yard setbacks.**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediately

**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.**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**

No Comments.

**REMARKS**The applicant is requesting an amendment to the existing PUD to  
allow modifications to previously approved side yard setbacks.

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 any changes to the site plan must be approved by the Planning Commission.

Amendments to the The Woodlands at The Preserve Subdivision with regard to modifications to the previously approved setbacks are approved based on the overall development. Generally, those approvals required submission of documentation that the existing drainage system/detention was adequate to handle the increased site coverage requested. However, this amendment to the Subdivision and PUD will not increase density, but will affect one of the conditions of approval stating that a minimum of 10-feet of separation be provided between buildings.

Site plans submitted for the construction of the dwelling illustrated 6'11" sited on the South side property line and 3'1" from the North side property line. However, "as built" plans illustrate the dwelling was constructed 5-feet from each side property line.

While allowing the construction of the residence seems fair and consistent under the circumstances, an amendment of the side yard seems to be the most practical, since demolition of the structure would seem an excessive remedy.

**RECOMMENDATION**      *Subdivision* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) submission of a revised copy of the site plan for the PUD file, prior to signing the final plat.

*Planned Unit Development* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) revision of the site plan to illustrate the amendment of the side yard setbacks for Lot 59; 2) compliance with all municipal codes and ordinances; and 3) approval by the Building Official to determine the compliance with the building code.

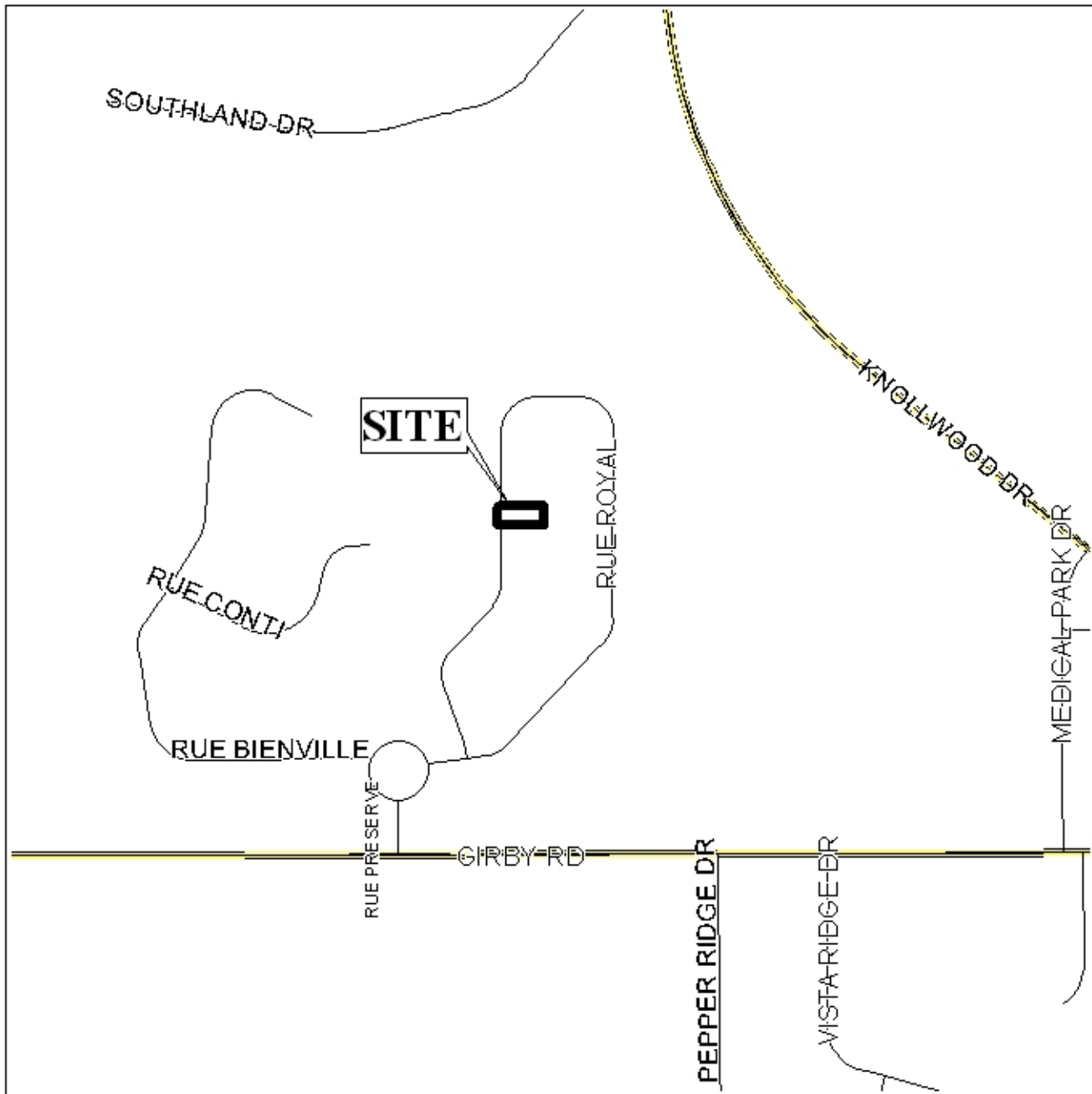
***Revised for the March 15<sup>th</sup> meeting:***

*The application was heldover at the applicant's request; however, no additional information was provided by the applicant.*

**RECOMMENDATION**      *Subdivision* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) submission of a revised copy of the site plan for the PUD file, prior to signing the final plat.

*Planned Unit Development* Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) revision of the site plan to illustrate the amendment of the side yard setbacks for Lot 59; 2) compliance with all municipal codes and ordinances; and 3) approval by the Building Official to determine the compliance with the building code.

## LOCATOR MAP



APPLICATION NUMBER Holdover DATE March 15, 2007

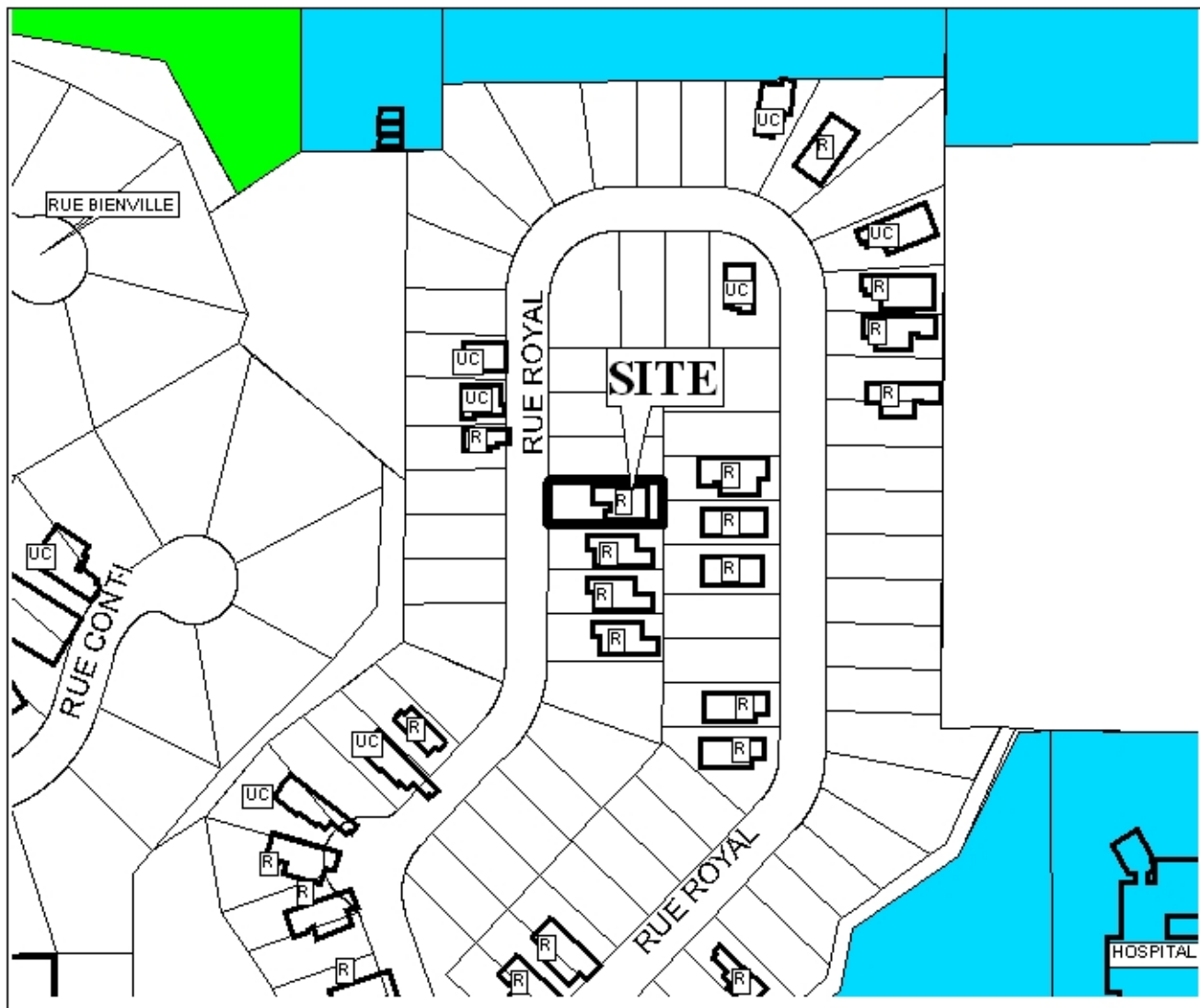
APPLICANT The Woodlands at the Preserve, Subdivision, Resubdivision of Lot 59

REQUEST Subdivision, Planned Unit Development



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER Holdover DATE March 15, 2007

APPLICANT The Woodlands at the Preserve Subdivision, Resubdivision of Lot 59

REQUEST Subdivision, Planned Unit Development

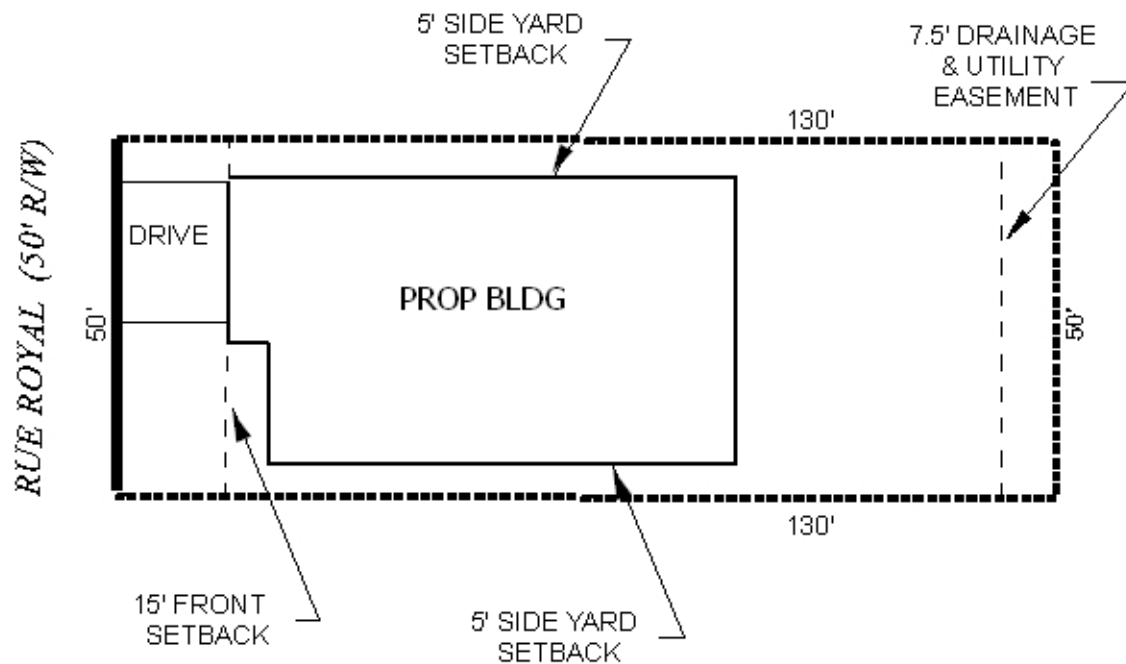
LEGEND

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 building, setbacks, and drive.

APPLICATION NUMBER Holdover DATE March 15, 2007

APPLICANT The Woodlands at the Preserve Subdivision, Resubdivision of Lot 59

REQUEST Subdivision, Planned Unit Development



NTS