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right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, N53°37'38", W more or less, a distance of 69.36 feet, more or less, to a point of curvature along said right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way and curving to the left on a curve with a radius of 230.00 feet, a delta of 4°41'57", an arc length of 18.86 feet, a chord bearing of N56°09'17" W, more or less, and a chord distance of 18.86 feet, more or less, to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, as shown on the plat filed September 22, 2004 and recorded in Plat Book 32 on page 94, and curving to the left on a curve with a radius of 230.00 feet, a delta of 16°30'34", an arc length of 66.27 feet, a chord bearing of N66°39'30" W, more or less, and a chord distance of 66.04 feet, more or less, to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point also being the southeast corner of Lot 16 of Block 10 of Fairway Hills PRD, as shown on the aforementioned plat, said point being marked by a rebar with survey cap number 6565; Thence, northeasterly along the easterly line of said Lot 16 in Block 10 of Fairway Hills PRD, N14°38'21" E, more or less, a distance of 102.58 feet, more or less, to the northeast corner of said Lot 16, said corner being coincident with the southeast corner of Lot 15 of Block 10 of Fairway Hills PRD, and said corner being marked by a rebar with survey cap number 6565; Thence, northeasterly along the easterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, N14°38'21" E, more or less, a distance of 83.44 feet, more or less, to a point on the easterly lot line of said Lot 15, said point being marked by a rebar with survey cap number 6565; Thence, northwesterly along the northeasterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, N25°09'50" W, more or less, a distance of 132.38 feet, more or less, to the northerly corner of said Lot 15, said corner being coincident with the northeast corner of Lot 14 of Block 10 of Fairway Hills PRD, and also coincident with the southeast corner of Lot 3B of Fairway Hills PRD, as shown on the plat filed July 9, 1980 and filed in Plat Book

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17, Page 189, and also coincident with the westerly lot line of Lot 3A of Fairway Hills PRD, as shown on the plat filed November 21, 1979 and recorded in Plat Book 17, on Page 132, said corner being marked by a rebar with survey cap number 1019; Thence, northeasterly along the easterly lot line of said Lot 3B of Fairway Hills PRD, and the westerly line of said Lot 3A of Fairway Hills PRD, N17°55'58" E, more or less, a distance of 191.15 feet, more or less, to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being marked by a rebar with survey cap number 6565; Thence, northwesterly along the easterly lot line of said Lot 3B of Fairway Hills PRD, and the westerly line of said Lot 3A of Fairway Hills PRD, N20°01'18" W, more or less, a distance of 326.69 feet, more or less, to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being coincident with the southwest corner of Lot H1 of Lot 3A of Fairway Hills PRD, as shown on the plat filed on August 30, 1991 and recorded in Book 8 of Highway Plats on Page 39, said corner being marked by a rebar with survey cap number 6565; Thence, northeasterly along the southerly line of said Lot H1 of Lot 3A of Fairway Hills PRD, N57°02'43" E, more or less, a distance of 77.75 feet, more or less, to the southeasterly corner of said Lot H1 of Lot 3A, said point also being located on the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and also on the southwesterly line of Lot 2 of Fairway Hills PRD, as shown on the plat filed on November 30, 1977 and recorded in Plat Book 15 of Page 215, said corner being marked by a rebar with survey cap number 6565; Thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S22°24'27" E, more or less, a distance of 100.94 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 3095; Thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S40°29'56" E, more or less, a distance of 133.62 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 1019; Thence, southeasterly along the northeasterly lot

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line of said Lot 3A of Fairway Hills PRD, and along the southerly line of said Lot 2 of Fairway Hills PRD, S76°54'53" E, more or less, a distance of 221.11 feet, more or less, to a point on the northeasterly lot line of said Lot 3A, said point being coincident with the southeast corner of said Lot 2 of Fairway Hills PRD, and also coincident with the westerly line of Lot 30 of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and recorded in Plat Book 19 on Page 124, said point being marked by a rebar with survey cap number 1019; Thence, southerly along the easterly line of said Lot 3A of Fairway Hills PRD, and along the westerly line of said Lot 30 of Fairway Hills PRD, S08°05'24" E, more or less, a distance of 102.89 feet, more or less, to a point on the easterly line of said Lot 3A, said point being coincident with the southwest corner of said Lot 30, said point being marked by a rebar with survey cap number 3095; Thence, northeasterly along the southerly line of said Lot 30 of Fairway Hills PRD, N76°46'01" E, more or less, a distance of 105.59 feet, more or less, to the southeast corner of said Lot 30, said corner also being coincident with the southwesterly corner of Lot 29R of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and filed in Plat Book 19 and Page 124, said corner being marked by a rebar with survey cap number 3095; Thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N76°42'20" E, more or less, a distance of 161.03 feet, more or less, to a point on the southerly lot line of said Lot 29R, said point being marked by a rebar with survey cap 3095; Thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N87°22'22" E, more or less, a distance of 66.97 feet, more or less, to the point of beginning. Said tract of land contains 8.00 acres, more or less

PROPOSED LEGAL DESCRIPTION	Lot 3A revised and Block 11 of Fairway Hills Planned Residential Development
PARCEL ACREAGE	Approximately 8.00 acres
LOCATION	Along Fairway Hills Drive and Old Hwy. 40
EXISTING ZONING	Medium Density Residential District with a Planned Residential District

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SURROUNDING ZONING

North:	Medium Density Residential District with a Planned Residential District
South:	Medium Density Residential District with a Planned Residential District
East:	Medium Density Residential District with a Planned Residential District
West:	Medium Density Residential District with a Planned Residential District

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 12/10/2004

REVIEWED BY Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Major Amendment to the Fairway Hills Planned Residential Development Plan be continued to the January 27, 2005 Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to the Fairway Hills P.R.D. to allow an apartment complex to be constructed on the subject property. In particular, the apartment complex will consist of four buildings, each three stories in height with a drive under garage in each building. In addition, each building will consist of 27 units for a total of 108 units. The applicant has also submitted a Preliminary Plat to subdivide the subject property into two lots. (See companion item #04PL192.)

The property is located along Fairway Hills Drive within the Fairway Hills Planned Residential Development. Currently, a clubhouse, swimming pool and playground are located on proposed Lot 3A and proposed Block 11 is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Residential Development and has noted the following considerations:

Design Features: As noted above, the apartment complex will consist of four buildings, each three stories in height with a drive under garage in each building for a total height from ground elevation of 25 feet-11 3/8 inches. In addition, each building will consist of 27 units for a total of 108 units. The structural elevations show a balcony on each unit and that each structure will have a peaked roofline. However, to date a list of the building material has not been submitted for reviewed and approval. In addition, the location of the dumpster(s) must be shown in order to determine if any screening may be needed so as not to negatively impact adjacent properties. Staff is also recommending that the location of any proposed air

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handling equipment as well as information identifying the decibels of noise generated by the equipment and the range of influence from the projected decibel levels be submitted for review and approval in order to determine what impact, if any, the use(s) may have on the area properties. As such, staff is recommending that the Major Amendment to the Planned Residential Development be continued to the January 27, 2005 Planning Commission meeting to allow the applicant additional time to submit the above referenced information.

Parking: The 108 unit apartment complex requires that a minimum of 162 parking spaces be provided. In addition, six of the parking spaces must be handicap accessible, with one of the handicap spaces being "van" accessible. The site plan identifies 27 parking stalls located within each drive under garage. However, the access aisle between 22 of the spaces measures 24 feet in lieu of 26 minimum feet as per the Parking Regulations. As such, only five of the parking spaces within each garage, for a total of 20 spaces, meet all the requirements of the Parking Regulations. In addition, the site plan identifies 56 parking spaces within the exterior parking lot located on the subject property and 26 additional parking spaces located on the east side of Fairway Hills Drive, directly across from the subject property. However, the adjacent property was not included in the legal description submitted as a part of this Major Amendment to the Planned Residential Development. As such, a subsequent Major Amendment to the Planned Residential Development or an amendment to this request must be submitted for review and approval in order for the parking spaces to be used for this development and/or any other development. The applicant should also be aware that the existing Medium Density Residential District allows a parking lot only as an accessory use to a residential use on the same property. However, the site plan currently has 76 parking spaces with four of the spaces being "van" handicap accessible meeting all of the Parking Regulation requirements. It appears that the applicant may be able to adjust the design of the garage parking spaces to provide the minimum 26 foot wide access aisle which subsequently would result in a total of 164 parking spaces being provided on-site. In addition, it appears that the applicant could provide the two additional handicap spaces without losing any of the aforementioned parking spaces. As such, staff is recommending that the Major Amendment to the Planned Residential Development be continued to the January 27, 2005 Planning Commission meeting to allow the applicant to adjust the site plan as identified and resubmit the parking plan for review and approval.

Phasing Plan: To date, a Phasing Plan for the proposed development has not been submitted for review and approval. A phasing plan allows the staff to review the phased project to insure that circulation through the site is continually maintained and that the Fire Department has adequate fire apparatus access as well as other on-site improvements such as utility extension(s), grading, drainage, etc. As such, staff is recommending that the Major Amendment to the Planned Residential Development be continued to the January 27, 2005 Planning Commission meeting to allow the applicant to submit a phasing plan.

Lighting and Signage: The applicant has submitted a lighting package identifying exterior lighting at the entrances of each structure as well as within the parking area as per the Parking Regulations. To date, a sign package has not been submitted. If the applicant is not proposing signage then the sign package would consist of a statement indicating that

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“no signage is being proposed”.

Site Improvements: A grading plan has been submitted; however, the plan must be revised to include an erosion and sediment control plan. In addition, a drainage plan, including on-site detention if necessary must be submitted for review and approval. Staff is also recommending that a phased grading and drainage plan be submitted if the applicant is proposing to develop the site in phases. The site plan for the apartment complex shows a sanitary sewer service line connecting into a sanitary sewer main located on proposed Lot 3A. A sanitary sewer plan and profile for the connection must be submitted for review and approval. Staff is recommending that the Major Amendment to the Planned Residential Development be continued to the January 27, 2005 Planning Commission meeting to allow the applicant additional time to submit the above referenced information.

Water: Staff has met with the applicant and his representative to discuss water volume and pressure issues relative to the site. The applicant has been discussing options for providing the necessary domestic and fire flow protection needed for the development and indicated he would get back to staff with additional information. To date, the information has not been submitted and the applicant is unavailable until Monday, January 3, 2005. As such, staff is recommending that the Preliminary Plat be continued to the January 27, 2005 Planning Commission meeting to allow staff and the applicant additional time to resolve the water issue.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the January 6, 2005 Planning Commission meeting if these requirements has not been met. Staff has received one call voicing opposition to the proposed development. In particular, the caller voiced opposition to the apartment complex use and the height of the structures.