DEVELOPMENT REVIEW BOARD

Planning Dept. - Major Case Comments

HEARING DATE/AGENDA ITEM 4 and 5

Project Number: PR-2020-004595

Application Number: SD-2021-00111 – PRELIMINARY PLAT
VA-2021-00216 – SIDEWALK WAIVER
SD-2021-00122 – VACATION OF PUBLIC EASEMENT 7 foot
SD-2021-00123 – VACATION OF PRIVATE EASEMENT 15 foot
SD-2021-00124 – VACATION OF PRIVATE EASEMENT 20-foot waterline
Project Name:

Request: CREATE 11 LOTS FROM 4 PARCELS (6 LOTS), CREATE TWO TRACTS FOR EASEMENTS, GRANT EASEMENTS

COMMENTS:
Updated 8-17-21

1. We received your supplemental submittal and have a few questions.
2. You included several references to the DPM Traffic Study Criteria. Can you provide a letter explaining how those apply to your case?
3. You included the e-mails regarding the gate into the subdivision.
4. Please consider leaving the mature at the entrance to the development.
5. The agent has raised questions about the turnaround requirement. The following comments are offered to explain why the DRB is requiring compliance with current requirements.

   The replat of the parcels in this application trigger the IDO requirement that 'development' is subject to all provisions of the IDO and the associated DPM. Specifically, the IDO does not allow a 'stub street' longer than 150 feet and the DPM requires that private gates have a turnaround to keep vehicles from standing in or backing into the ROW. More detail follows:

   (1) The application meets the IDO definitions of subdivide and subdivision triggering the requirements for a subdivision of land. The applicant is re-dividing land into two parts for future transfer of ownership.

   (a) "**Subdivide**

   To divide or re-divide (sometimes referred to as "replat") land into 2 or more parts or to consolidate 2 or more lots by whatever means

to facilitate the present or future conveyance or other transfer of incidents of ownership or use." (IDO, § 7-1, Definitions, p. 560)

The applicant is re-dividing the parcel for future conveyance or other incidents of ownership or use and therefore triggers the requirements of a subdivision of land, including stub streets and private gates.

(b) "**Subdivision**

1. The process of subdividing land into 2 or more lots or parcels for purposes of sale or development.

2. The parcel of land subdivided." (IDO, § 7-1, Definitions, p. 560)

(2) The IDO Section 14-16-6-6(L)(3) 'Review and Decision Criteria' for a Subdivision of Land-Major requires compliance with the IDO, DPM, and other adopted City regulations:

6-6(L)(3) **Review and Decision Criteria**

6-6(L)(3)(b) An application for a Preliminary Plat shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.

(a) The IDO requires:

IDO 5-3 (E)(1)(b) "Streets shall be designed to the standards of the DPM. "

IDO 5-3 (E)(1)(d) "…Where allowed, stub streets are limited to 150 feet in length."

(b) The DPM requires:

Section 7-4(J)(7) **Entrance and Gate Requirements for Private Ways and Streets**

1. All gated communities must include a turnaround for visitors at the gate so that the vehicle does not stand in or back into the City right-of-way.
2. Where a single gate is provided, the minimum width shall be 20 feet. For divided streets, the minimum width shall be 12 feet.
3. Additional entrance and gate requirements may be required by the Fire Marshal.

Updated 8-11

~~Please add a note to the plan regarding the mature stands of trees that will remain.~~

See section 5-2, Site Design and Sensitive Lands- the site appears to have mature trees. Please ~~provide a sensitive lands analysis.~~

~~The plat will need all utility signatures.~~

~~The application only includes the preliminary plat and sidewalk waiver. Were vacations supposed to be included?~~

~~Please include the notice of decision for the EPC Zone Map Amendment. AGIS still shows the site as zoned PD.~~

Vacations have been justified because the 7 and 15 foot access easements are no longer needed for access to adjacent properties and the public waterline easement will be replaced with private easements on site.

Comments may continue onto the next page)

Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Maggie Gould
Planning Department

DATE: 8-17-21