

CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda

Docket Item #7
SUBDIVISION # 2004-0014

Planning Commission Meeting
December 7, 2004

ISSUE: Consideration of a request for approval of a subdivision in the Carlyle Development.

APPLICANT: Post Carlyle I, L.L.C.
by Catharine Puskar, attorney

LOCATION: 1800 Ballenger Avenue

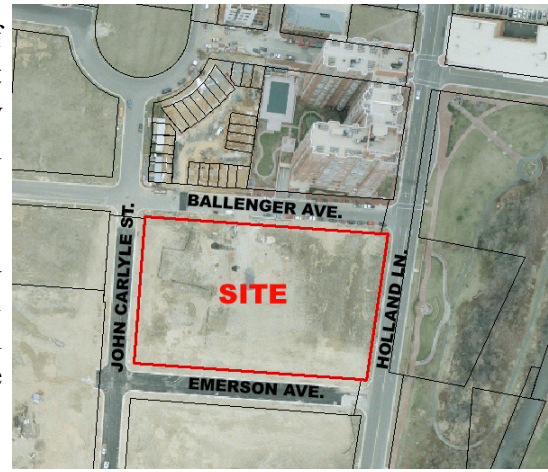
ZONE: CDD #1/Coordinated Development District

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION:

The applicant, Post Carlyle I, L.L.C., requests approval of a subdivision for Lot 617 of the Carlyle Development. Lot 617 presently constitutes the Block L, which is bounded by Ballenger Avenue, Holland Lane, Emerson Avenue, and John Carlyle Street.

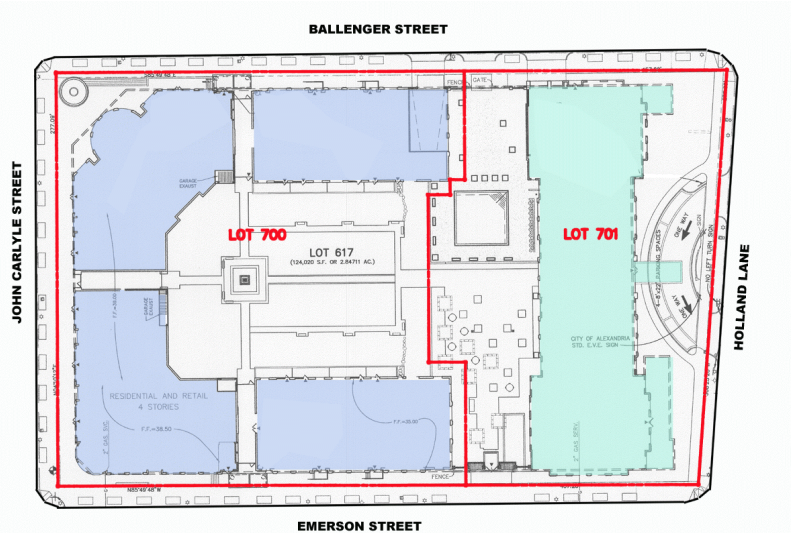
Plans for the entire block have already been approved, and building permits have been issued. Construction will soon begin on a 4 to 5 story building with ground floor retail and 131 dwelling units, and on a 186-unit high-rise residential building.



Site Aerial

The applicant is requesting approval of a two-lot subdivision. The intention of the subdivision is to allow the two buildings, which were initially proposed by a single developer, to be developed separately. The subdivision will create a 49,698 sq. ft lot for the high rise building, which will be developed as apartments, and a 74,322 sq. ft. lot for the mid-rise building, which will be developed as condominiums.

A underground parking structure will be constructed under the entirety of the block and will cross the proposed new property line. Other infrastructure, such as fire suppression systems, will also cross the property line. The applicant has prepared a Deed of Subdivision and a Declaration of Covenants which allow the property to be subdivided while allowing the City to view the two lots as one. The documents have been reviewed and accepted by the City Attorney.



**Proposed Subdivision (in red)
with Approved Site Plan**

The proposed subdivision will not affect the development or the design of the block, and the development as approved is consistent with the plans for the development of Carlyle. Staff recommends approval of the proposed subdivision.

STAFF: Eileen P. Fogarty, P&Z Director;
Jeffrey Farner, Development Division Chief;
David Sundland, Urban Planner III.

II. STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The subdivision shall be subject to the provisions of a Deed of Subdivision and a Declaration of Covenants. The Deed of Subdivision and Declaration of Covenants shall be reviewed and approved by the City Attorney and shall be recorded immediately subsequent to the recording of the plat of subdivision. (P&Z)
2. The final subdivision plat shall comply with Section 11-1700 of the Zoning Ordinance. (P&Z)

Staff Note: This plat will expire 18 months from the date of approval, or on June 18, 2006, unless recorded sooner.

III. CITY DEPARTMENT COMMENTS:

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

No comments.

Code Enforcement:

F-1 The subdivision of the proposed lot into two lots is acceptable based upon the approvals of the Director of Code Enforcement and the City Attorney.

Police Department:

No comments.

Archaeology

No comments.

SUB#2004-0014
1800 Ballenger Avenue

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**