

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**



**FINAL PLAT**

**File Number:** 9-SQ-02-F **Related File Number:**  
**Application Filed:** 8/19/2002 **Date of Revision:**  
**Applicant:** MICHAEL SCHAAD, TRUSTEE  
**Owner:** MICHAEL E. SCHAAD, TRUSTEE

**PROPERTY INFORMATION**

**General Location:** Northwest side of Gleason Dr, southwest of Downtown West Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 120 I B 8.04 & PT 8.03 **Jurisdiction:** City  
**Size of Tract:** 5.01 acre  
**Accessibility:**

**GENERAL LAND USE INFORMATION**

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** West City **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

**ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)**

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

**ZONING INFORMATION (where applicable)**

**Current Zoning:** C-4 (Highway and Arterial Commercial) & C-6 (General Commerical Park)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

**PLAN INFORMATION (where applicable)**

**Current Plan Category:**  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Michael Schaad, Trustee  
**Surveyor:** Batson, Himes, Norvell & Poe  
**No. of Lots Proposed:** 3      **No. of Lots Approved:** 3  
**Variances Requested:** 1. Reduce the property line radius at the intersection of the JPE & Gleason Dr. from 75' to 0'. (Sect. 62-85)  
2. Waive the requirement to tie-in to the City Survey Control System. (Sect. 44-92.2)  
**S/D Name Change:**

**OTHER INFORMATION (where applicable)**

**Other Bus./Ord. Amend.:**

**MPC ACTION AND DISPOSITION**

**Planner In Charge:** Bonnie Curtiss  
**Staff Recomm. (Abbr.):** Deny Variance 1, based on requirement of the Department of City Engineering for a minimum 25' radius  
Approve Variance 2, because existing plats and documents for the site reference a different bearing base

DENY FINAL PLAT

**Staff Recomm. (Full):** The recommendation of denial is based on an incomplete final plat and the recommended denial of variance 1. A plat is considered "incomplete" when all relevant revisions, certifications, verifications and approvals have not been submitted by at least 9 days prior to the scheduled MPC meeting.

A revised plat was submitted by the 9-day corrections deadline. However, the following items and/or revisions are also required for final plat approval and have not been received as of September 12, 2002.

- 1. Site plan approval for the "as-built" conditions of the JPE road.
- 2. City Law Department approval of the legal document for the JPE
- 3. Maintenance agreement for the JPE
- 4. A turnaround included within the JPE right-of-way
- 5. A revised JPE right-of-way not overlapping the adjoining detention basin drainage easement
- 6. A minimum 25' property line radius at the intersection of JPE and Gleason Drive

**Comments:** Staff required additional information in review of this final plat pursuant to Sect. 45.32.2 of the Minimum Subdivision Regulations. A road profile, contours and pavement cross-section were required for the existing commercial driveway which the applicant now proposes to declare as a joint permanent easement (JPE). A site plan review is necessary to determine if the "as-built" conditions of the existing driveway are consistent with the requirements set-forth for JPEs in Sections 64-24.49 and 64-24.6. These sections require a JPE that serves non-residential lots to be built to public road construction standards. The applicant's engineer submitted the required site plan which is still under review by the City Engineering Department.

**MPC Action:** Denied      **MPC Meeting Date:** 9/12/2002

**Details of MPC action:**

**Summary of MPC action:** Deny Variance 1, based on requirement of the Department of City Engineering for a minimum 25' radius  
Approve Variance 2, because existing plats and documents for the site reference a different bearing base

DENY FINAL PLAT

**Date of MPC Approval:**      **Date of Denial:** 9/12/2002      **Postponements:**  
**Date of Withdrawal:**      **Withdrawn prior to publication?:**       **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**  
**Date of Legislative Action:**      **Date of Legislative Action, Second Reading:**  
**Ordinance Number:**      **Other Ordinance Number References:**  
**Disposition of Case:**      **Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**