

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: July 11, 2013****DEVELOPMENT NAME**

Russell Yeckley

LOCATION2409 Wolf Ridge Road
(Southwest corner of Wolf Ridge Road and Feed Mill Road
[private street])**CITY COUNCIL
DISTRICT**

District 1

PRESENT ZONING

B-3, Community Business District

AREA OF PROPERTY

1 Lot / 3.4 ± Acres

CONTEMPLATED USEPlanned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
multiple buildings on a single building site and shared
access.**TIME SCHEDULE
FOR DEVELOPMENT**

In use, with additional improvements within one year.

**ENGINEERING
COMMENTS**

1. Add a note to the PUD drawing that states: Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. Add a note to the PUD drawing that states: Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. The existing detention facility will need to have its volume capacity and functionality verified by a licensed PE.
3. A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.
4. Must comply with the following Engineering Department Policy Letters: 1) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer system), and 2) 8-4-2004 Policy Letter (video inspection of new Storm Sewer System Piping).
5. *Previous land disturbing activity (clearing, filling, grading) must be properly permitted prior to approving any future Land Disturbance Permit application.*

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).

Preservation status is to be given to the 48" Live Oak Tree located on the Lot along Wolf Ridge Road. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and shared access.

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 if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

The property had been used as a single-family residence until 2006, when the applicant purchased it. At some time after the purchase, the applicant began to use the site for a plumbing business and obtained a home occupation business license in April, 2009. In February, 2011, it was discovered by Planning Staff that the site was not being used as a home occupation, but actually a full-scale commercial operation developed without any of the required plan reviews, permits, or Zoning approvals.

Subdivision, Zoning and PUD approvals were obtained at the December 15, 2011 Planning Commission meeting, and since that time the final plat has been recorded and the Zoning approved by City Council. During the permitting process for site improvements, however, it was discovered that the site plan submitted for permitting differed substantially enough from the plan approved by the Planning Commission that a new application for PUD review was required.

The PUD site plan appears to reflect the developed / to be developed portion of the overall 3.4 ± acre site. It should be noted, however, that aerials show that more of the site has been cleared, apparently without permits, since the original 2011 approval. Furthermore, it should be pointed out that the cleared area includes access to the adjacent private road, Feed Mill Road, and such access is not depicted on the site plan submitted for review.

As the submitted site plan is inaccurate in that it does not reflect true existing conditions, staff recommends that the applicant revise the plan and resubmit for review. The applicant should also be advised that the new site plan should either depict full compliance with all of the requirements of the Zoning Ordinance, or should provide written justification in a revised narrative as to why certain aspects of the design will not comply (for example, providing adequate front landscape area).

RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the September 5th meeting, with revisions due by August 12th:

- 1) Revision of the site plan to depict the entirety of the site;
- 2) Revision of the site plan to depict true conditions of the site and proposed improvements to the site; and
- 3) Revision of the site plan to depict full compliance with all aspects of the Zoning Ordinance, or submission of a revised narrative providing justification for any non-compliance issues.

Revised for the September 5th meeting:

A revised site plan and narrative were submitted by the applicant.

The revised site plan does not fully illustrate or address the approximately one ± acre of land that has been cleared of trees, graded and partially filled with dirt that has occurred since the business located at this site in 2009. It appears that this additionally cleared area has its own access point to Feed Mill Road: all access to Feed Mill Road was denied as part of the approved and recorded subdivision.

Any applications for land disturbance for this site must address all improvements that have been made since the property was acquired by the applicant. A land disturbance submittal addressing all non-compliant / unpermitted improvements should be submitted within 2 months of the Planning Commission approval, if approved.

If a land disturbance permit is successfully issued, then applications for after the fact permits will be required for all structures on the site. Permits to convert the existing residential structure to commercial use will be required. Plumbing, electrical, building and possibly mechanical permits will be required to address all of the commercial conversion issues on the site.

The revised site plan shows that the existing fence and sign will be removed from the right-of-way. The fence is proposed for relocation one foot within the property line. For that portion of the fence that is a 6-foot high privacy fence, it must be setback at least 25-feet from the property

line along Wolf Ridge Road, and 20-feet from the property line along the private Feed Mill Road due to visibility issues relating to vehicular traffic. If the applicant wishes there to be a fence closer to the roadways, either the privacy fence may be no higher than 3-feet, or a 6-foot high open chain link or similar fence can be used, subject to Traffic Engineering review for visibility. Permits and a site plan will be required to relocate or install any fence. Gates should also be depicted.

The revised site plan also shows the removal of an existing 8 x 40 foot container and gravel area that includes a driveway to Feed Mill Road. The driveway access will be removed, and the site will be limited to access only to Wolf Ridge Road.

The site plan of proposed improvements shows a paved parking area with 10 parking spaces, a proposed 600 square foot storage building, a storm water detention pond, and 7 new frontage trees and a sidewalk.

The applicant states that they will be able to comply with the overall landscape area requirements, but will only be able to place approximately 35% within the frontage area due to the fact that a “substantial” amount of land was dedicated for right-of-way use. As the residential structure on the site is preexisting, staff’s main concern is to ensure that the frontage landscape area be provided between the unpermitted office trailer and the front property line, and the plan shows that such is likely in compliance.

Only 7 frontage trees are proposed for the site. There are two existing trees in the frontage area, thus only 7 new trees will be required. The remaining tree requirements for the site are met through tree credits from trees existing elsewhere on the site.

If appropriate permits are obtained to retroactively address all commercial improvements to the property, it would appear that the Planned Unit Development, as proposed, will meet the minimum requirements of the Zoning Ordinance.

RECOMMENDATION

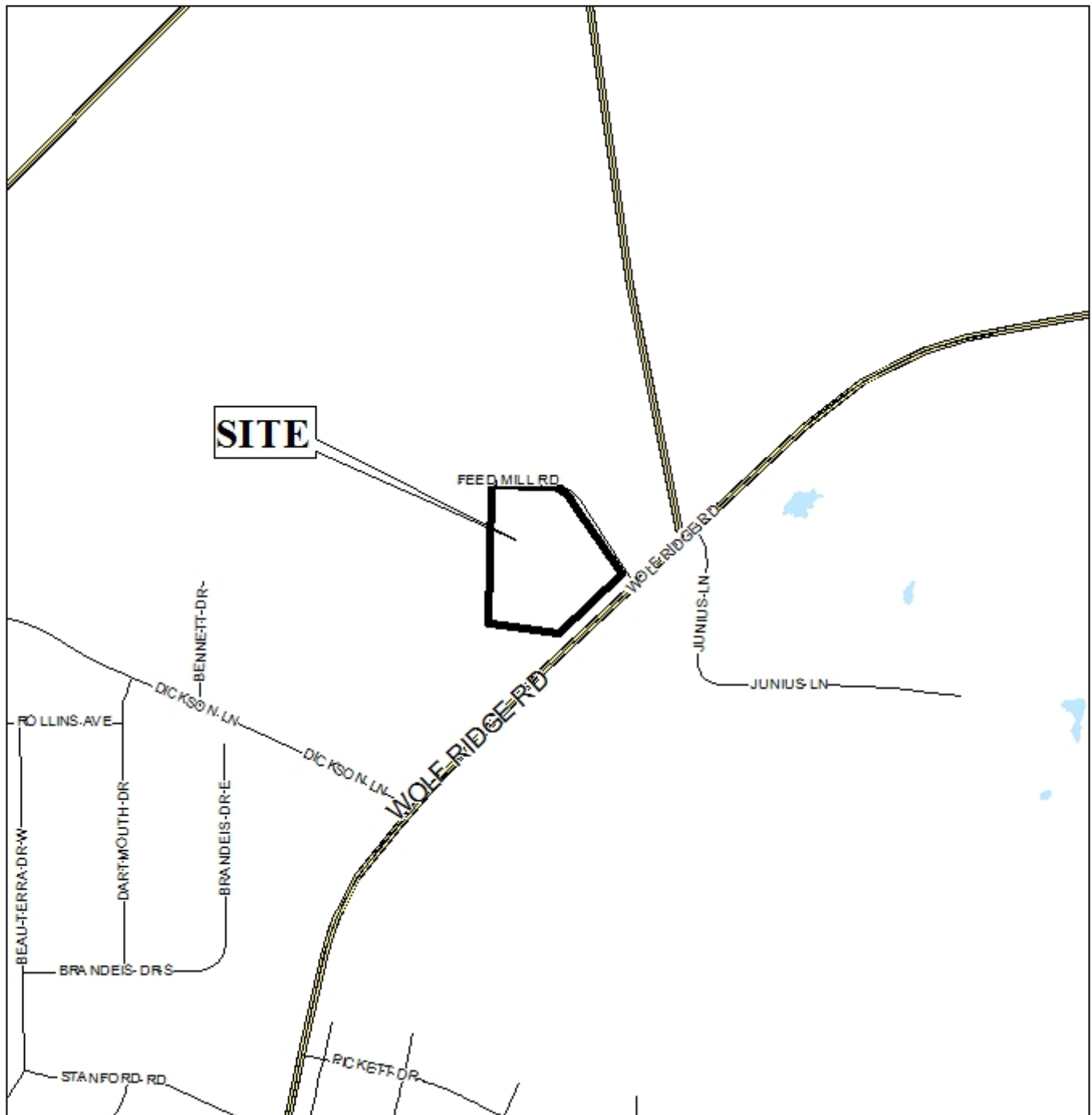
Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) Revision of the site plan to show the entire lot, and to show removal of all access points to Feed Mill Road;
- 2) Revision of the site plan to reflect any privacy fences taller than 3 feet to be at least 25-feet from Wolf Ridge Road, and 20-feet from Feed Mill Road;
- 3) Revision of the site plan to label gates in the fencing;
- 4) Depiction of any new fencing, if it will be chain link or similar;
- 5) Compliance with Engineering comments (1. Add a note to the PUD drawing that states: Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing that states: Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water

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- 6) Compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) Compliance with 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). Preservation status is to be given to the 48" Live Oak Tree located on the Lot along Wolf Ridge Road. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 8) Compliance with Fire comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 9) Submission for a Land Disturbance permit by November 5, 2013, to address all site modifications which have occurred without permits since commercial use of the site began in early 2009, including the unpermitted clearing and grading;
- 10) Obtaining of all permits necessary, after the fact, for use of the residential structure for commercial purposes, and for placement of the office trailer on the site;
- 11) Obtaining of permits to place the proposed storage structure on the site;
- 12) Removal of the sign from the right-of-way, with any new placement of the sign to only be undertaken after a sign permit has been secured;
- 13) Submission of a revised PUD site plan prior to any request for permits;
- 14) Completion of the permitting process prior to September 5, 2014;
- 15) Full compliance with all other municipal codes and ordinances.

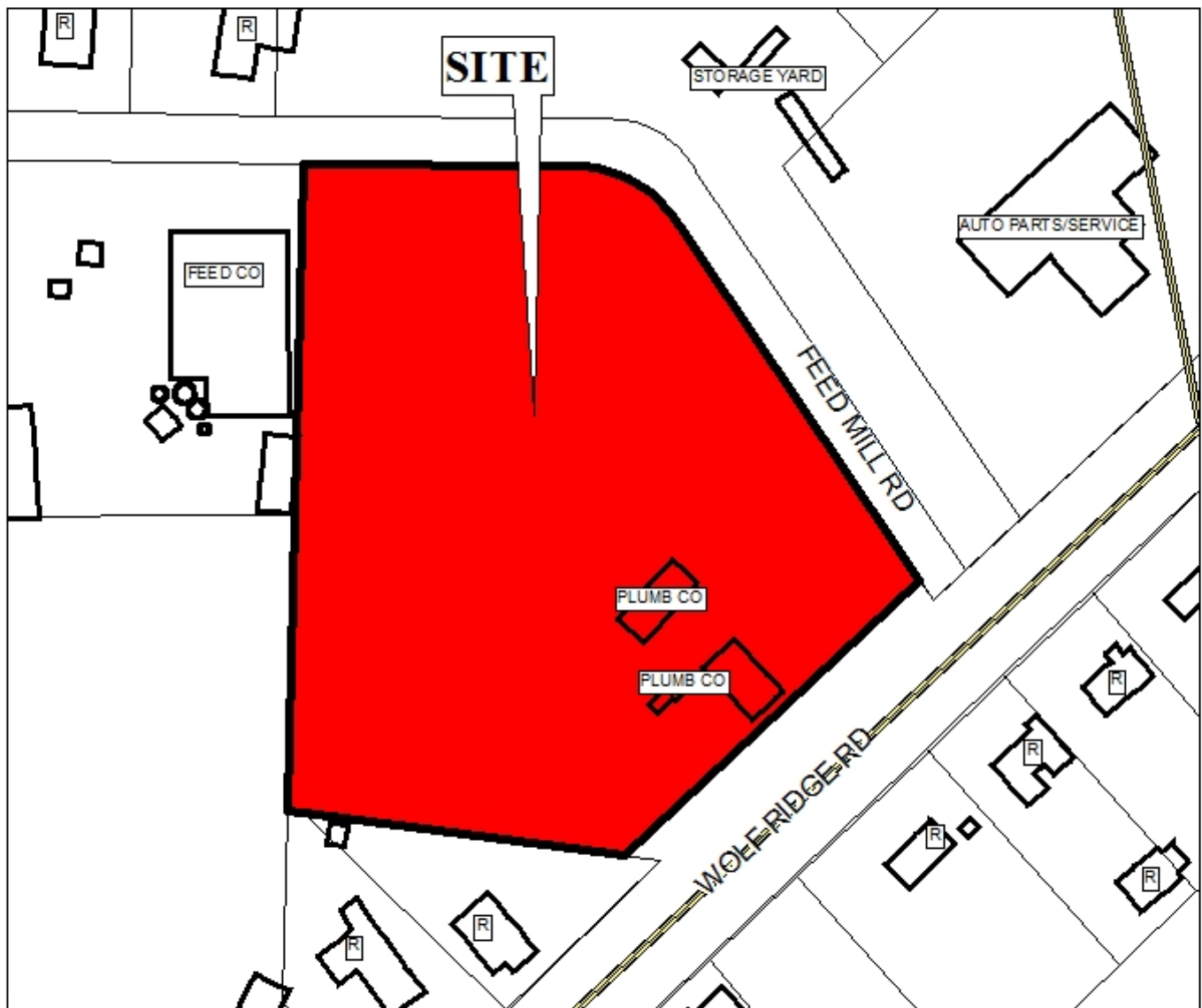
LOCATOR MAP



APPLICATION NUMBER 1 DATE September 5, 2013
APPLICANT Russell Yeckley
REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land use.

APPLICATION NUMBER 1 DATE September 5, 2013

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REQUEST Planned Unit Development

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

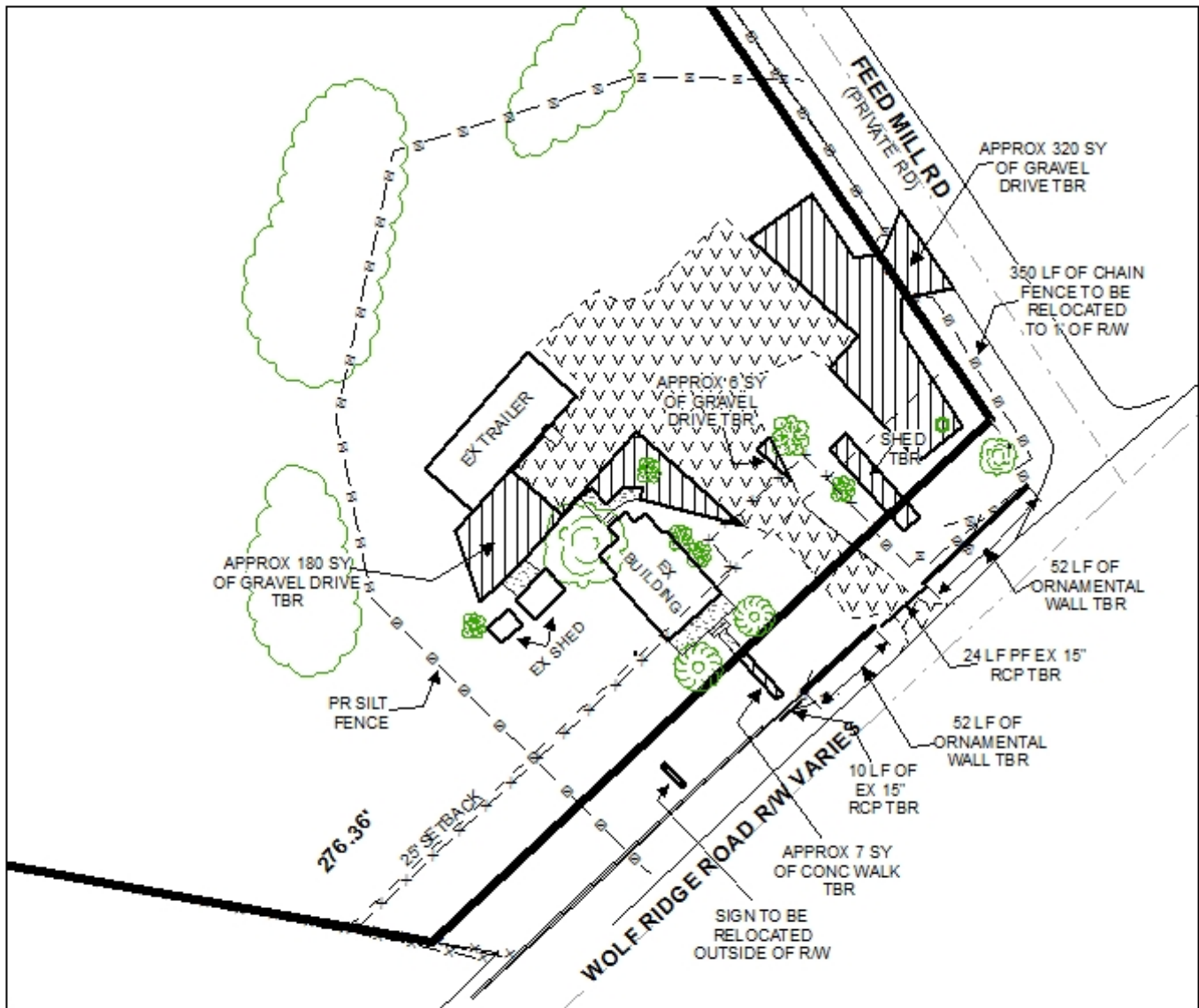


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SITE PLAN

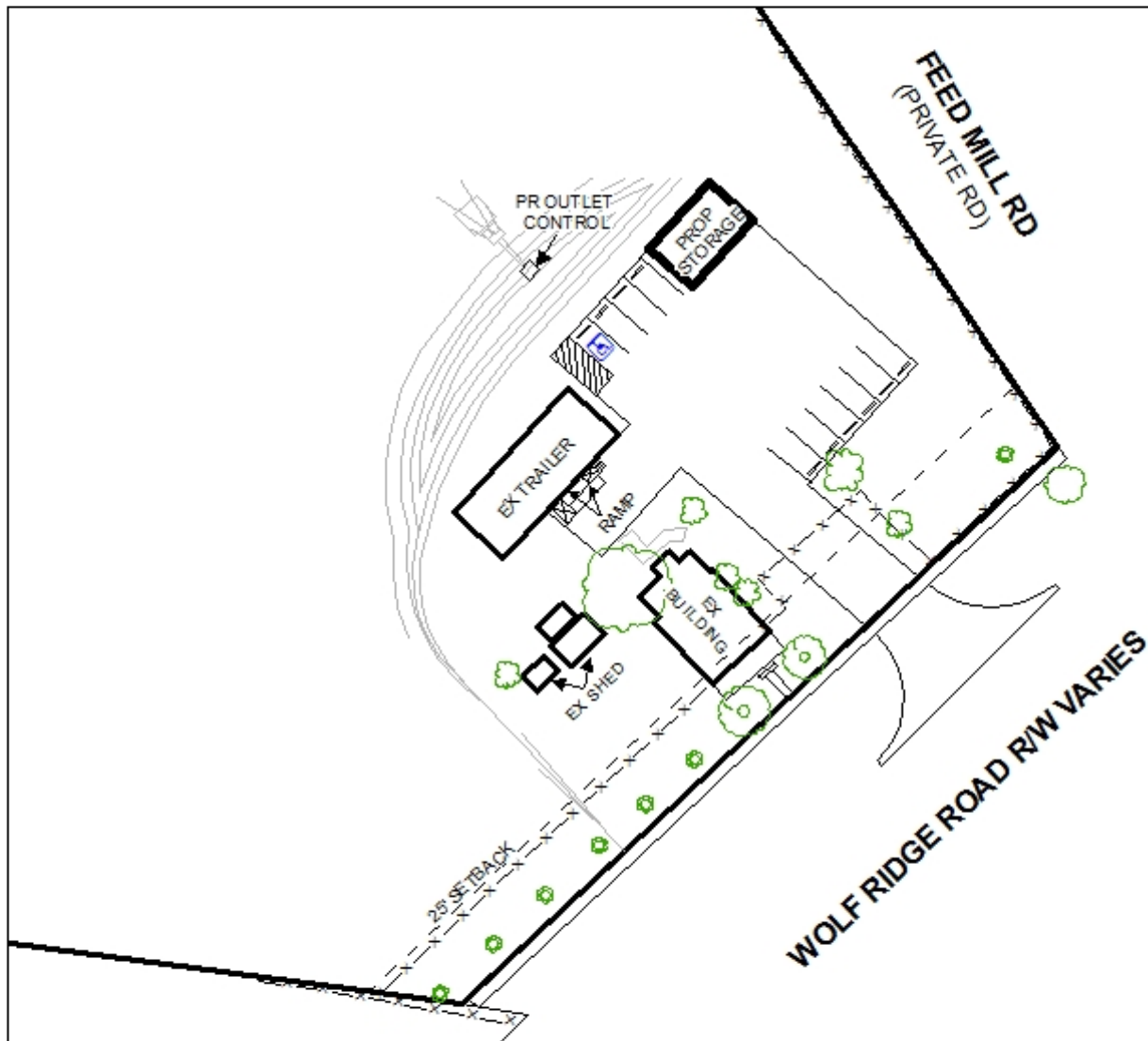


The site illustrates the existing building, trailer, sheds, proposed building, and power outlet control.

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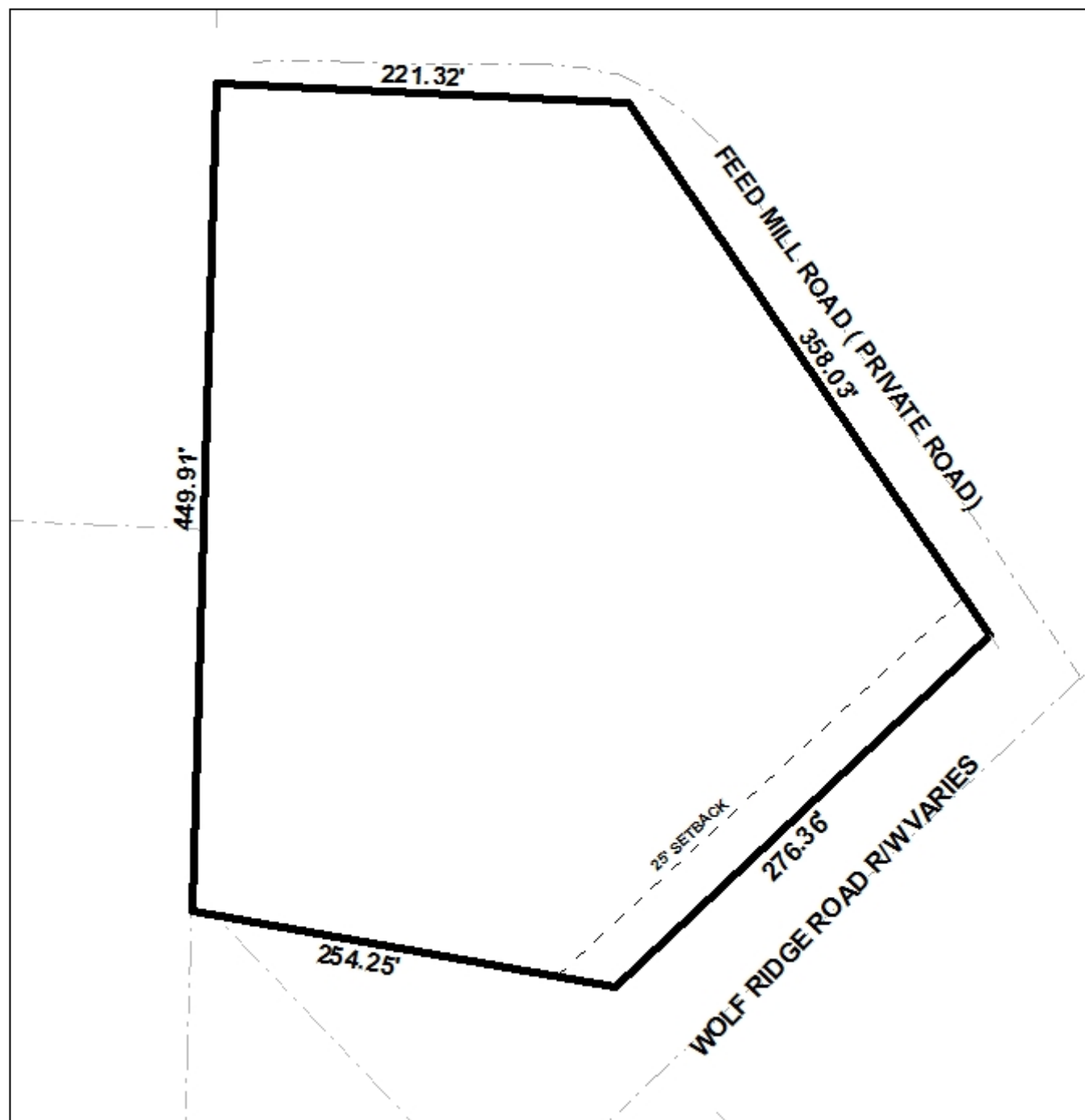


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