

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: May 7, 2009****DEVELOPMENT NAME**

Josephine Allen Subdivision

SUBDIVISION NAME

Josephine Allen Subdivision

LOCATION

Area bounded by Dr. Thomas Avenue North, Herman Drive, extending to the South side of Chin Street

**CITY COUNCIL
DISTRICT**

District 2

AREA OF PROPERTY

3 Lots / 43.8 ± acres

CONTEMPLATED USE

Planned Unit Development Approval to allow multiple buildings on a single building site in a Multi-Family Residential District, and Subdivision approval to create 3 lots.

**TIME SCHEDULE
FOR DEVELOPMENT**

None provided.

ENGINEERING**COMMENTS**

Show Minimum FFE on plans and plat. For Lot #1, all buildings will be subject to A Zone restrictions and requirements unless this subdivision application is revised to subdivide out the portion of Lot #1 that is located in the A Zone. No fill is allowed within a special flood hazard area without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Dedication of 5 feet of additional ROW will be required on the portion of Dr. Thomas Avenue N. that has a 40 foot ROW. A minimum of a 25 foot radius to be dedicated to the City of Mobile is required at the SE corner of Lot #1 and the SW corner of Lot #2. A drainage easement will be required for any storm drainage system receiving drainage from a public street. The size and location of any required easements is subject to the approval of the City Engineer.

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).

Hold application over until revised site plan can be submitted showing proposed development with three existing Live Oak Trees on site.

Revised for the June 4 meeting:

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 50" Live Oak Tree, 35" Live Oak Tree, 40" Live Oak Tree, and the 36" Live Oak Tree located on Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

Note that the 55" and 60" Live Oak Trees will require tree removal permits from Urban Forestry if removal is requested, but due to their condition, preservation status is not advised.

FIRE DEPARTMENT**COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specific compliance with Section 508.5.1 – Fire Hydrants, and Appendices C and D – Fire Hydrant Spacing and Access.

REMARKS

The applicant is seeking Planned Unit Development Approval to allow multiple buildings on a single building site in a Multi-Family Residential District, and Subdivision approval to create 3 lots. The site is located in Council District 2, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create three legal lots, and to accommodate new development via PUD approval on proposed Lots 1 and 2: a total of 14 dwelling units (7 duplex structures) and a new cultural arts center are proposed. Lots 1 and 2 formerly contained public housing units similar to those on proposed Lot 3, however, the units were demolished between 1997 and 2002. The existing Josephine Allen public housing units on proposed Lot 3 will remain with no changes.

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 any changes to the site plan / Subdivision plat will require approval by the Planning Commission.**

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the

minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The existing site is partially developed and zoned R-3, Multi-Family Residential. To the East of the site are businesses located in R-1, Single Family, and I-1, Light Industrial districts. South of the site are residences and businesses located in R-2, Two-Family and I-2, Heavy Industrial districts. West and North of the site are residences in an R-2 district.

The site has frontage onto multiple minor public and private streets. The right-of-way for Dr. Thomas Avenue North (a public street), where it is West of Reddy Street, is below the minimum 50-foot width required by the Subdivision Regulations, thus dedication necessary to provide sufficient right-of-way will be required. As pointed out in the Engineering comments, corner radii dedications will also be required. All other streets have adequate right-of-ways.

The 14 proposed dwelling units on Lot 1 will be built as duplex structures. Each unit will have a curb-cut onto Dr. Thomas Avenue Drive North. The applicant should ensure adequate off-street parking for 21 vehicles, and the existing parking lot that will remain, located at the corner of Reddy Street and Herman Drive, should result in adequate parking.

As 4 of the proposed dwelling units will be designed to meet Americans with Disabilities Act accessibility requirements, the applicant should ensure that the driveways are of sufficient length to prevent vehicles from overhanging into the right-of-way or public sidewalks. The size, design and location of any new curb-cuts shall be approved by Traffic Engineering and conform with AASHTO standards.

As Lot 1 is zoned R-3, full compliance with the tree and landscape requirements of the Zoning Ordinance will be required, however, the site plan lacks sufficient information for staff to determine if the requirements are fulfilled. Existing trees are not depicted on the site plan, thus Urban Forestry has requested a holdover of the application.

A 9,400 square foot cultural arts center is proposed for Lot 2. A parking lot contain 34 spaces is also proposed, as is a storm water detention facility. If a parking ratio of 1 space for 300 square feet of gross floor area is used, adequate parking will be provided on site. The parking lot will have an entrance onto Dr. Thomas Avenue North and onto Herman Drive (private street). The size, design and location of any new curb-cuts shall be approved by Traffic Engineering and conform with AASHTO standards. Existing on-street parking will remain.

As the cultural arts center site is zoned R-3, full compliance with the tree and landscape requirements of the Zoning Ordinance will be required, however, the site plan lacks sufficient information for staff to determine if the requirements are fulfilled.

New sidewalks are depicted on the PUD site plan where new development is proposed. As the new residences will include accessible units, the applicant should ensure that continuous sidewalks are provided along all public and private street frontages where new development is proposed, and that the existing recreation center and proposed cultural arts center are accessible via sidewalk by the mobility challenged.

Planned Unit Developments require 700 square feet of “common open space” per dwelling unit (per section 64-5.C.2.c. of the Zoning Ordinance), however, the applicant has not indicated the amount of landscape or common area being provided on Lot 1, which contains the new dwelling units. The PUD site plan should be revised to show required common open space information, as well as the required tree and landscape information.

Related to tree compliance, there is no indication as to the presence of overhead power lines. Where overhead powerlines exist, tree selection within 15 feet (measured horizontally) is limited to live oaks for any required overstory tree, and crepe myrtles for any required understory tree. A note should be placed on the site plan stating this, and any overhead powerlines to remain should be indicated on the site plan.

No dumpster is depicted on the site plan. If the residences or the cultural center site include dumpsters, they must be depicted on the site plan, and must be screened by a 6-foot high wooden privacy fence. If no dumpster will be used, a note should be placed on the site plan explaining how garbage pick-up will be undertaken.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

It appears that most of the development will occur outside of the floodzones associated with Three Mile Creek and the Mobile River, however the applicant should ensure that development complies with all applicable federal, state and local regulations relating to floodplain development, prior to the issuance of any permits or land disturbance activities.

RECOMMENDATION

Subdivision: The application is recommended for Holdover until the June 4th meeting so that the following can be undertaken, with revisions provided by May 18th:

- 1) Revision to depict compliance with Engineering comments (*Show Minimum FFE on plans and plat. For Lot #1, all buildings will be subject to A Zone restrictions and requirements unless this subdivision application is revised to subdivide out the portion of Lot #1 that is located in the A Zone. No fill is allowed within a special flood hazard area without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Dedication of 5 feet of additional ROW will be required on the portion of Dr. Thomas Avenue N. that has a 40 foot ROW. A minimum of a 25 foot radius to be dedicated to the City of Mobile is required at the SE corner of Lot #1 and the SW corner of Lot #2. A drainage easement will be required for any storm drainage system receiving drainage from a public street. The size and location of any required easements is subject to the approval of the City Engineer.*); and
- 2) Revision of the plat to reflect new area calculations and setbacks based upon right-of-way dedication.

Planned Unit Development: The application is recommended for Holdover until the June 4th meeting so that the following can be undertaken, with revisions provided by May 18th:

- 1) Revision to depict compliance with Engineering comments (*Show Minimum FFE on plans and plat. For Lot #1, all buildings will be subject to A Zone restrictions and requirements unless this subdivision application is revised to subdivide out the portion of Lot #1 that is located in the A Zone. No fill is allowed within a special flood hazard area without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Dedication of 5 feet of additional ROW will be required on the portion of Dr. Thomas Avenue N. that has a 40 foot ROW. A minimum of a 25 foot radius to be dedicated to the City of Mobile is required at the SE corner of Lot #1 and the SW corner of Lot #2. A drainage easement will be required for any storm drainage system receiving drainage from a public street. The size and location of any required easements is subject to the approval of the City Engineer.*);
- 2) Revision to show existing Live Oak trees on proposed Lot 1, with proposed development;
- 3) Revision to depict compliance with Fire Department comments (*All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specific compliance with Section 508.5.1 – Fire Hydrants, and Appendices C and D – Fire Hydrant Spacing and Access.*);
- 4) Revision of the site plan to show full compliance with the tree and landscaping requirements of the Zoning Ordinance for proposed Lots 1 and 2, including calculations for landscape areas and required PUD common open space for development on Lot 1;
- 5) Revision of the site plan to show sidewalks along all public and private street frontages for those lots accommodating new development;
- 6) Revision of the site plan, if necessary, to provide adequate paved off-street parking area to ensure that driveway length leading to garage/carport can accommodate one full-size pick-up or SUV, with no overhang into the right-of-way or required sidewalk;
- 7) Revision of the site plan to depict a screen dumpster, if one will be used, or placement of a note on the site plan explaining how garbage removal is undertaken; and
- 8) Placement of a note on the site plan stating that any tree planted within 15 feet of an overhead powerline shall be either live oak (overstory) or crepe myrtle (understory), and depiction of any overhead powerlines that will remain after redevelopment.

Revised for the June 4 meeting:

A revised PUD site plan and Subdivision plat were submitted by the applicant. The Subdivision plat was revised to reflect the required dedication along Dr. Thomas Avenue North, but also to change the western boundary of proposed Lot 1, making it approximately 1 acre smaller than originally submitted (the size of Lot 3 was increased). The plat also depicts a corrected boundary for proposed Lot 2 (the boundary on the plat did not match that on the PUD site plan). Lot 3 is labeled as “future development” when, in fact, it is already developed and in use.

The PUD site plan was revised to show existing trees, as requested, and a new dumpster, as requested. Urban Forestry has revised their comments, found on the second page of this report, to convey preservation status to several existing trees, including a 36-inch live oak tree that is proposed for removal due to a driveway: relocation of the driveway or a shifting of the proposed homes may be preferred by Urban Forestry.

Regarding the proposed residential development on Lot 1, the applicant has included a note on the site plan stating that the site will comply with the tree and landscape requirements of the Zoning Ordinance, as well as the PUD common area requirements: actual compliance is not depicted. The design professional making the application for the overall PUD is not the same design professional responsible for the detail design of the development on Lot 1, thus they did not believe that they could assume the responsibility of depicting site compliance. Therefore, drawings depicting full compliance will be required for Lot 1 at the time of submittal for land disturbance or building permits for Lot 1. Furthermore, if buildings or driveways must be shifted to accommodate tree preservation requirements, a revised PUD site plan must be submitted prior to applications for land disturbance (if the changes are significant, a new application may be required).

Regarding the proposed cultural arts center on Lot 2, the site plan depicts a dumpster served by a new curb-cut from Herman Drive, a private street. Servicing of a dumpster at the proposed location will require a truck to block the private street and maneuver in the private street while emptying and replacing the dumpster. It is advised that the dumpster location be changed so that it can be serviced from within the parking lot of the proposed development, however, it should be noted that Engineering now requires that all dumpster pads drain to sanitary sewer. The landscape calculations for the development on Lot 2 are provided, but proposed tree locations are not indicated: a site plan depicting full compliance, including tree location, will be required with land disturbance or building permit applications.

It appears that the corner radius for Lot 2, requested by the Engineering Department, was not depicted on the revised drawings.

Finally, curb-cuts for Lots 1, 2 and 3 should be limited to an approved Planned Unit Development, with the size, design and location of any new curb-cuts to be approved by Traffic Engineering and to conform to AASHTO standards.

RECOMMENDATION

Subdivision: As revised, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) Revision to depict compliance with Engineering comments (*Show Minimum FFE on plans and plat. For Lot #1, all buildings will be subject to A Zone restrictions and requirements unless this subdivision application is revised to subdivide out the portion of Lot #1 that is located in the A Zone. No fill is allowed within a special flood hazard area without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Dedication of 5 feet of additional ROW will be required on the portion of Dr. Thomas Avenue N. that has a 40 foot ROW. A minimum of a 25 foot radius to be dedicated to the City of Mobile is required at the SE corner of Lot #1 and the SW corner of Lot #2. A drainage easement will be required for any storm drainage system receiving drainage from a public street. The size and location of any required easements is subject to the approval of the City Engineer.*);
- 2) Placement of Urban Forestry comments as a note on the plat, and compliance thereof (*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 50" Live Oak Tree, 35" Live Oak Tree, 40" Live Oak Tree, and the 36" Live Oak Tree located on Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);

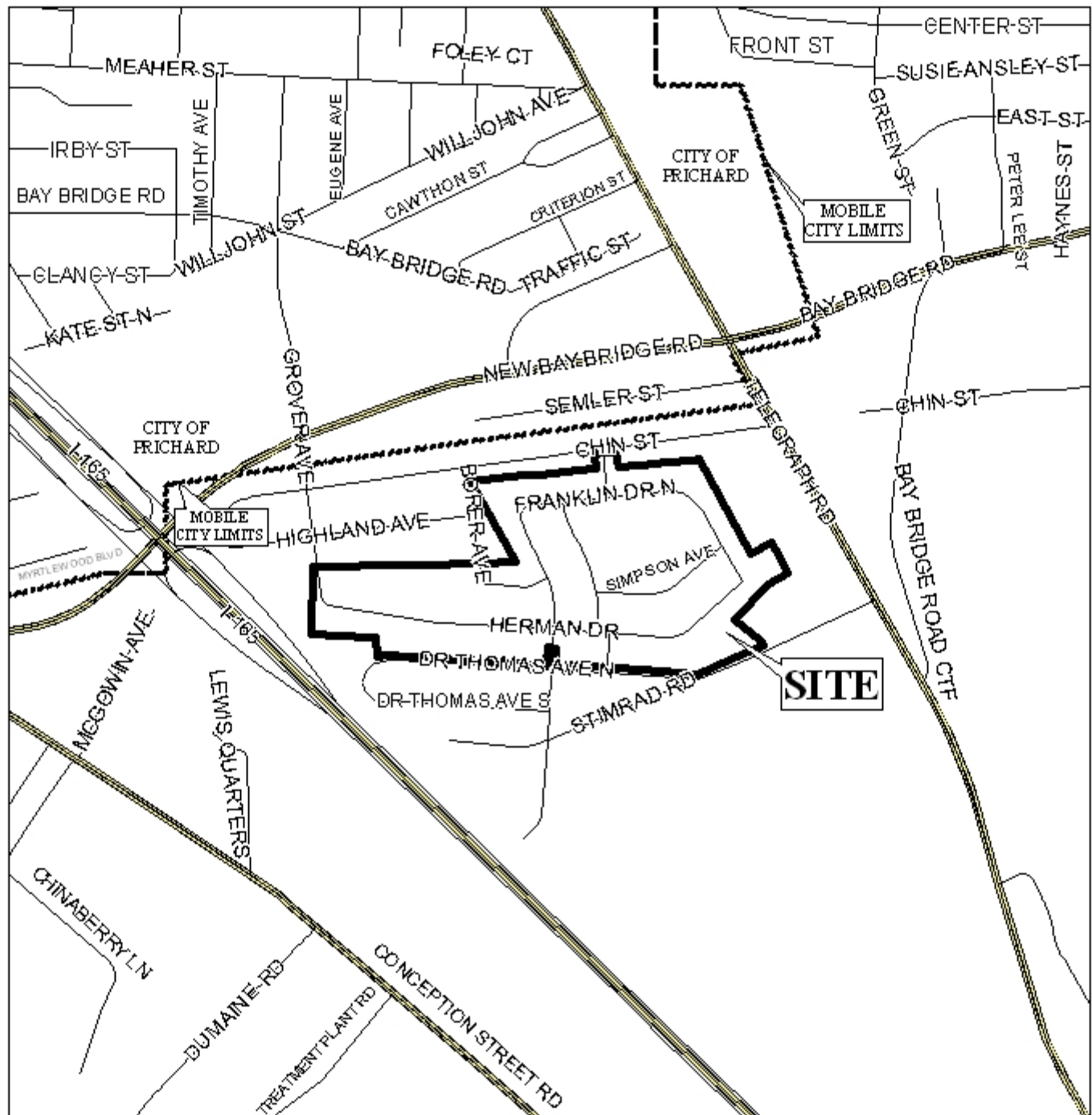
- 3) Placement of a note on the final plat stating that curb-cuts for Lots 1, 2 and 3 are limited to an approved Planned Unit Development, with the size, design and location of any new curb-cuts to be approved by Traffic Engineering and to conform to AASHTO standards;
- 4) Removal of the "future development" label on Lot 3;
- 5) Submittal of a revised PUD site plan;
- 6) Development of the site to be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) Development to comply with all applicable federal, state and local regulations relating to floodplain development; and
- 8) Completion of the Subdivision process prior to any request for land disturbance or building permits.

Planned Unit Development: As revised, the application is recommended for Approval, subject to the following conditions:

- 1) Revision to depict compliance with Engineering comments (*Show Minimum FFE on plans and plat. For Lot #1, all buildings will be subject to A Zone restrictions and requirements unless this subdivision application is revised to subdivide out the portion of Lot #1 that is located in the A Zone. No fill is allowed within a special flood hazard area without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Dedication of 5 feet of additional ROW will be required on the portion of Dr. Thomas Avenue N. that has a 40 foot ROW. A minimum of a 25 foot radius to be dedicated to the City of Mobile is required at the SE corner of Lot #1 and the SW corner of Lot #2. A drainage easement will be required for any storm drainage system receiving drainage from a public street. The size and location of any required easements is subject to the approval of the City Engineer.);*
- 2) Placement of Urban Forestry comments as a note on the site plan, and compliance thereof, with revisions to the site plan if necessary (*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 50" Live Oak Tree, 35" Live Oak Tree, 40" Live Oak Tree, and the 36" Live Oak Tree located on Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 3) Compliance with Fire Department comments (*All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specific compliance with Section 508.5.1 – Fire Hydrants, and Appendices C and D – Fire Hydrant Spacing and Access.);*
- 4) Site plans depicting full compliance with the tree and landscaping requirements of the Zoning Ordinance for proposed Lots 1 and 2, including calculations for landscape areas and required PUD common open space for development on Lot 1, to be submitted with any application for land disturbance or building permits for each respective lot;

- 5) Revision of the site plan to relocate the proposed screened dumpster so that it is serviced from within the parking area of the cultural arts center proposed on Lot 2;
- 6) Removal of the “future development” label on Lot 3;
- 7) Submission of a revised PUD site plan prior to any request for land disturbance or building permits, and prior to the signing of the final plat;
- 8) Development of the site to be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) Development to comply with all applicable federal, state and local regulations relating to floodplain development; and
- 10) Full compliance with all other municipal codes and ordinances.

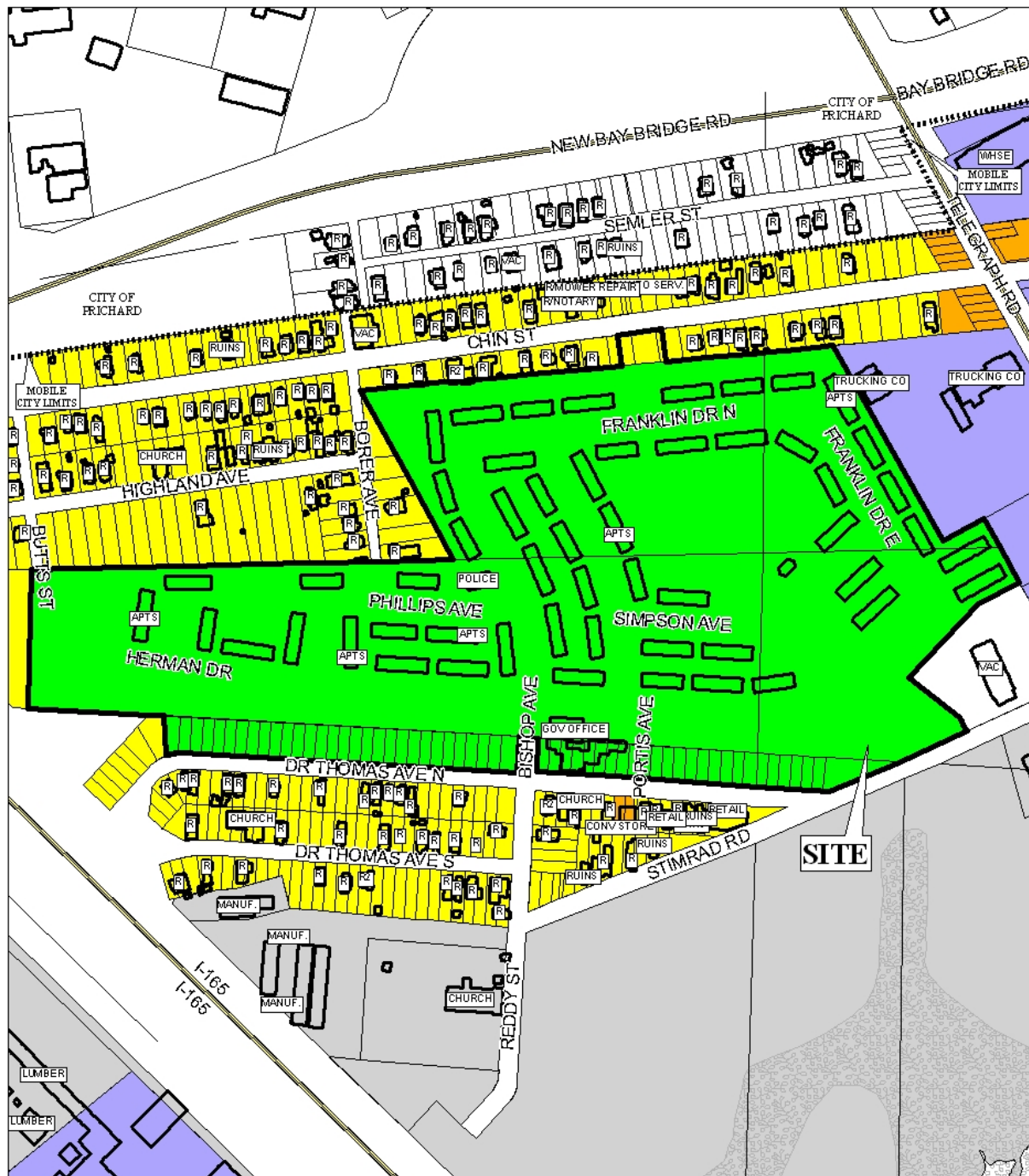
LOCATOR MAP



APPLICATION NUMBER 4 & 5 DATE June 4, 2009
 APPLICANT Josephine Allen Subdivision
 REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residences and other miscellaneous land use.

APPLICATION NUMBER 4 & 5 DATE June 4, 2009

APPLICANT Josephine Allen Subdivision

REQUEST Subdivision, Planned Unit Development

LEGEND



NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residences and other miscellaneous land use.

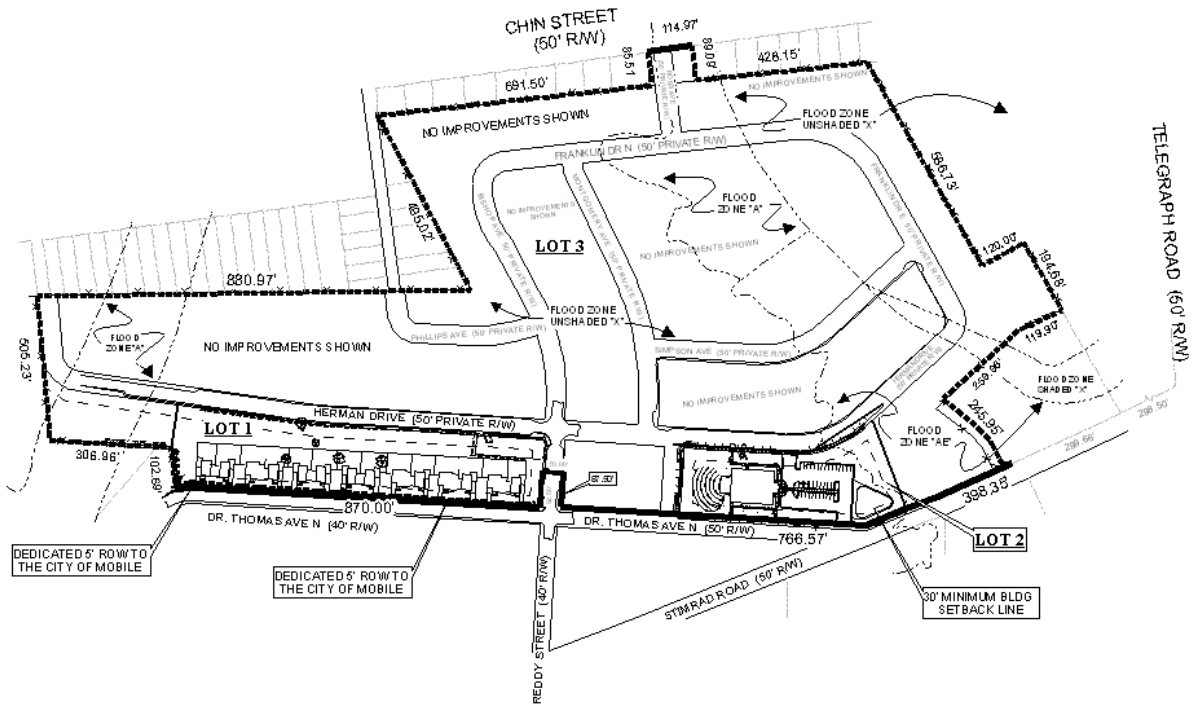
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REQUEST Subdivision, Planned Unit Development



SITE PLAN



The site plan illustrates the proposed buildings and parking, setbacks and roads.

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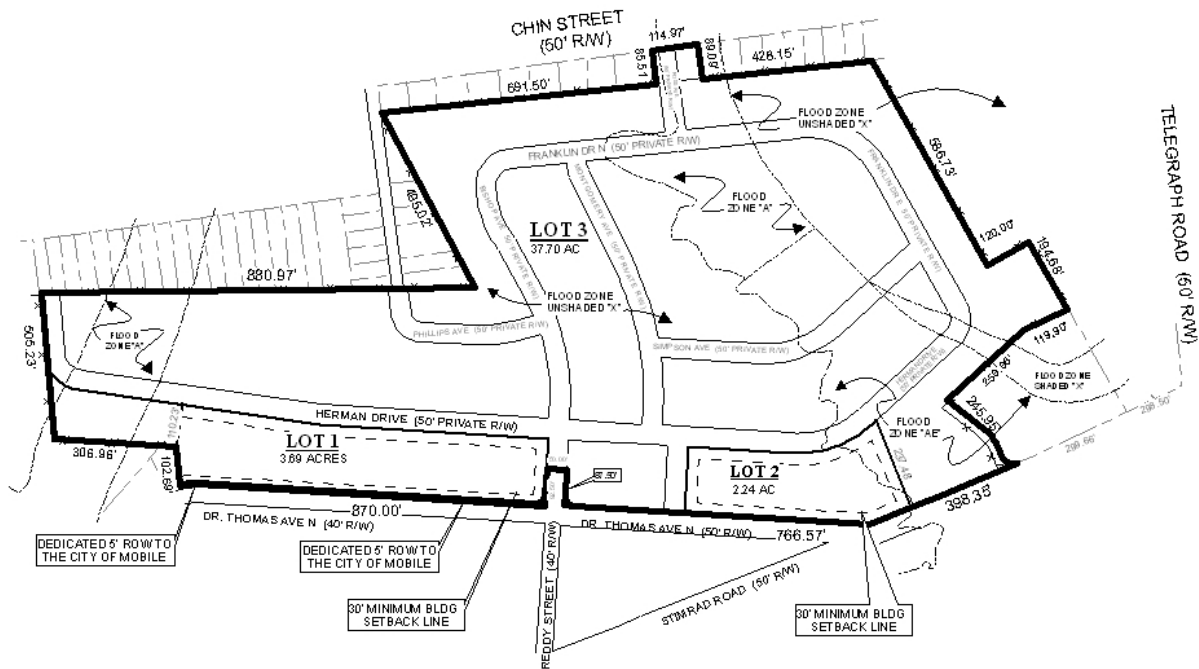
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SUBDIVISION DETAIL



APPLICATION NUMBER 4 & 5 DATE June 4, 2009

APPLICANT Josephine Allen Subdivision

REQUEST Subdivision, Planned Unit Development



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