

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: August 20, 2009****DEVELOPMENT NAME**

McMurray Place Subdivision

SUBDIVISION NAME

McMurray Place Subdivision

LOCATION

South side of Johnston Lane, 260'± East of Hillcrest Road,
extending to the unvacated portion of McMurray Street,
100' West of Schaub Avenue.

CITY COUNCIL**DISTRICT**

District 6

PRESENT ZONING

R-3, Multiple-Family

AREA OF PROPERTY

58 Lots / 12.3 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
reduced lot widths, lot sizes, setbacks and increased site
coverage, and Subdivision approval to create 58 lots.

TIME SCHEDULE**FOR DEVELOPMENT**

Immediate

ENGINEERING**COMMENTS**

Need to show calculations verifying that the detention
system is adequately sized to accommodate the increase in site coverage. 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.

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).

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.

REMARKS

The applicant is seeking Planned Unit Development approval to allow reduced lot widths, sizes, and setbacks, and 45% site coverage in a single-family residential subdivision, and Subdivision approval to create 58 lots, with two points of access onto Johnston Lane. All streets will be public streets. The site is located in Council District 6 and according to the applicant is served by public water and sanitary sewer.

The site was most recently approved for a 58-lot zero lot line single-family residential development at the January 3, 2008 meeting of the Planning Commission, with a one year extension of approval granted at the December 18, 2008 meeting. Prior to the 2008 approvals, the site had been approved for a 91 unit residential condominium development at the April 6, 2006 meeting of the Planning Commission, and a 60-lot, zero lot line single-family residential development at the April 7, 2005 meeting of the Planning Commission.

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.

Two items have been identified that prevents staff from continuing the review. First, the rezoning of the site approved by the City Council on April 1, 2008, contained the following condition:

(6) development of the site limited to the PUD approved January 3, 2008.

Thus, the PUD and Subdivision currently under consideration cannot be developed without a corresponding Zoning application to remove or modify the above condition.

Second, a portion of parcel R022808283000056. is not included in the application. Research by staff shows that a portion of this parcel was sold to an adjacent residential property owner (lot fronts Schaub Avenue) in July 2005, without the benefit of creating a legal subdivision via the Subdivision process. The two parties involved in the 2005 transaction have not changed, based upon the available records, thus the adjacent residential parcel must be included in this Subdivision application, or another application must be submitted that includes the adjacent parcel and the portion of parcel R022808283000056. in order to create a legal lot.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Holdover until the September 17th meeting, with the following items to be addressed:

- 1) Revision of the Subdivision application, with appropriate postage and fees, to include the residential lot fronting Schaub Avenue, so that portion of parcel R022808283000056. can be incorporated into the residential lot fronting Schaub, with revised information due by August 28th; or
- 2) If option 1 is not desired, submission of a separate application to create a new legal lot from that portion of parcel R022808283000056. and the lot fronting Schaub Avenue, by the September 1, 2009 filing deadline; and
- 3) Submission of a Zoning application to address the City Council's limiting condition, by the September 1, 2009 filing deadline.

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the September 17th meeting, with the following item to be addressed:

- 1) Submission of a Zoning application to address the City Council's limiting condition, by the September 1, 2009 filing deadline.

Revised for the September 17th meeting:

Applications were received to rezone the McMurray Place site, as well as to create a legal lot and eliminate a split-zoning condition for the adjacent residential property. These three applications will be heard at the October 1, 2009 meeting of the Planning Commission. Approval of the McMurray Place PUD and Subdivision applications will be contingent upon the Planning Commission and City Council's approval of the McMurray Place zoning application.

The applicant wishes to amend a previously approved PUD and Subdivision to allow reduced setbacks. Specifically, the applicant wishes to reduce the front setback to 15 feet, and the common side yard setback to 5 feet: side yards with street frontage will have a 15-foot setback. Rear setbacks are proposed to remain a minimum of 8 feet. Maximum site coverage for the proposed single-family subdivision will be 45%, which is allowed by right under the R-3 zoning designation.

Proposed lot sizes range from a low of 5,640 square feet to a high of 12,867 square feet. Minimum lot width appears to be 50-feet for rectangular lots, and approximately 25-feet for wedge-shaped lots proposed adjacent to semi-cul-de-sacs. Corner lots are wider, to accommodate street side-yard setback requirements.

The development will provide a minimum building setback of 8 feet from all adjacent properties, with the exception of where Lots 27 and 31 abut exterior properties: the site plan and plat indicate that the side yard for both of these lots will only be 5-feet where they abut adjacent properties not included in the development. It is recommended that 8-feet be provided, as is typically required for PUDs where they abut adjacent properties not included within the development.

Previous PUD and Subdivision approvals included conditions for right-of-way dedication along Johnston Lane, provision of a 6-foot high wall or fence around the development, placement of a note and depiction on the site plan/plat of setbacks and site coverages, the limitation of each lot to one curb-cut, the denial of direct access for any lot to Johnston Lane, provision of notes regarding maintenance of common areas, and approval of local, state and federal authorities regarding threatened or endangered species. These conditions should also be required for the application at hand.

Finally, no sidewalks are depicted on the site plan, however, sidewalks will be required. If the applicant wishes to request a waiver from the sidewalk requirement, an application for a sidewalk waiver for the entire development should be submitted prior to the request for building permits for any proposed residences.

RECOMMENDATION

Subdivision: *Based upon the preceding, and with a waiver of Section V.D.2. for the overall development, and Section V.D.9. for the street-side side yards for corner lots, the application is recommended for Tentative Approval, subject to the following conditions:*

- 1) Approval by the Planning Commission and City Council of the rezoning application for McMurray Place, that is scheduled for the October 1, 2009 meeting of the Planning Commission;*
- 2) Dedication of right-of-way sufficient to provide 25-feet of right-of-way, as measured from the centerline of Johnston Lane, as depicted;*
- 3) Placement of a note on the site plan and plat stating that a 6-foot high privacy fence or masonry wall shall be provided, with appropriate permits, as a buffer around the perimeter of the development, except within any required setback area adjacent to a street. Fence or wall to be completed prior to the issuance of a Certificate of Occupancy for the first residence constructed within the development;*
- 4) Revision of the site plan and plat to provide a minimum 8-foot side or rear yard setback where the development abuts properties outside of the proposed development (specifically revise the side yard setbacks for Lots 27 and 31);*
- 5) Placement of a note on the site plan and plat indicating the requested maximum building site coverage (45%);*
- 6) Placement of a note on the site plan and plat stating that all lots are denied direct access to Johnston Lane, and each lot and the common area are limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering, and conform to AASHTO standards;*
- 7) Compliance with Engineering comments (Need to show calculations verifying that the detention system is adequately sized to accommodate the increase in site coverage. 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);*
- 8) Placement of a note on the site plan and plat stating that the maintenance of all common areas, including the detention common area, is the responsibility of the property owners;*
- 9) Revision of lot size labels if necessary due to other revisions to the site plan/plat;*
- 10) Approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;*

- 11) *Provision of sidewalks throughout the development, or submission of an application for a sidewalk waiver for the entire development prior to the requesting of residential building permits;*
- 12) *Submission of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the Subdivision plat or the requesting of residential building permits;*
- 13) *Completion of the Subdivision process; and*
- 14) *Full compliance with all other municipal codes and ordinances.*

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

- 1) *Approval by the Planning Commission and City Council of the rezoning application for McMurray Place, that is scheduled for the October 1, 2009 meeting of the Planning Commission;*
- 2) *Dedication of right-of-way sufficient to provide 25-feet of right-of-way, as measured from the centerline of Johnston Lane, as depicted;*
- 3) *Placement of a note on the site plan and plat stating that a 6-foot high privacy fence or masonry wall shall be provided, with appropriate permits, as a buffer around the perimeter of the development, except within any required setback area adjacent to a street. Fence or wall to be completed prior to the issuance of a Certificate of Occupancy for the first residence constructed within the development;*
- 4) *Revision of the site plan and plat to provide a minimum 8-foot side or rear yard setback where the development abuts properties outside of the proposed development (specifically revise the sideyard setbacks for Lots 27 and 31);*
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- 8) *Placement of a note on the site plan and plat stating that the maintenance of all common areas, including the detention common area, is the responsibility of the property owners;*
- 9) *Revision of lot size labels if necessary due to other revisions to the site plan/plat;*
- 10) *Approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;*
- 11) *Provision of sidewalks throughout the development, or submission of an application for a sidewalk waiver for the entire development prior to the requesting of residential building permits;*
- 12) *Submission of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the Subdivision plat or the requesting of residential building permits; and*
- 13) *Full compliance with all other municipal codes and ordinances.*

LOCATOR MAP



APPLICATION NUMBER 4 & 5 DATE September 17, 2009

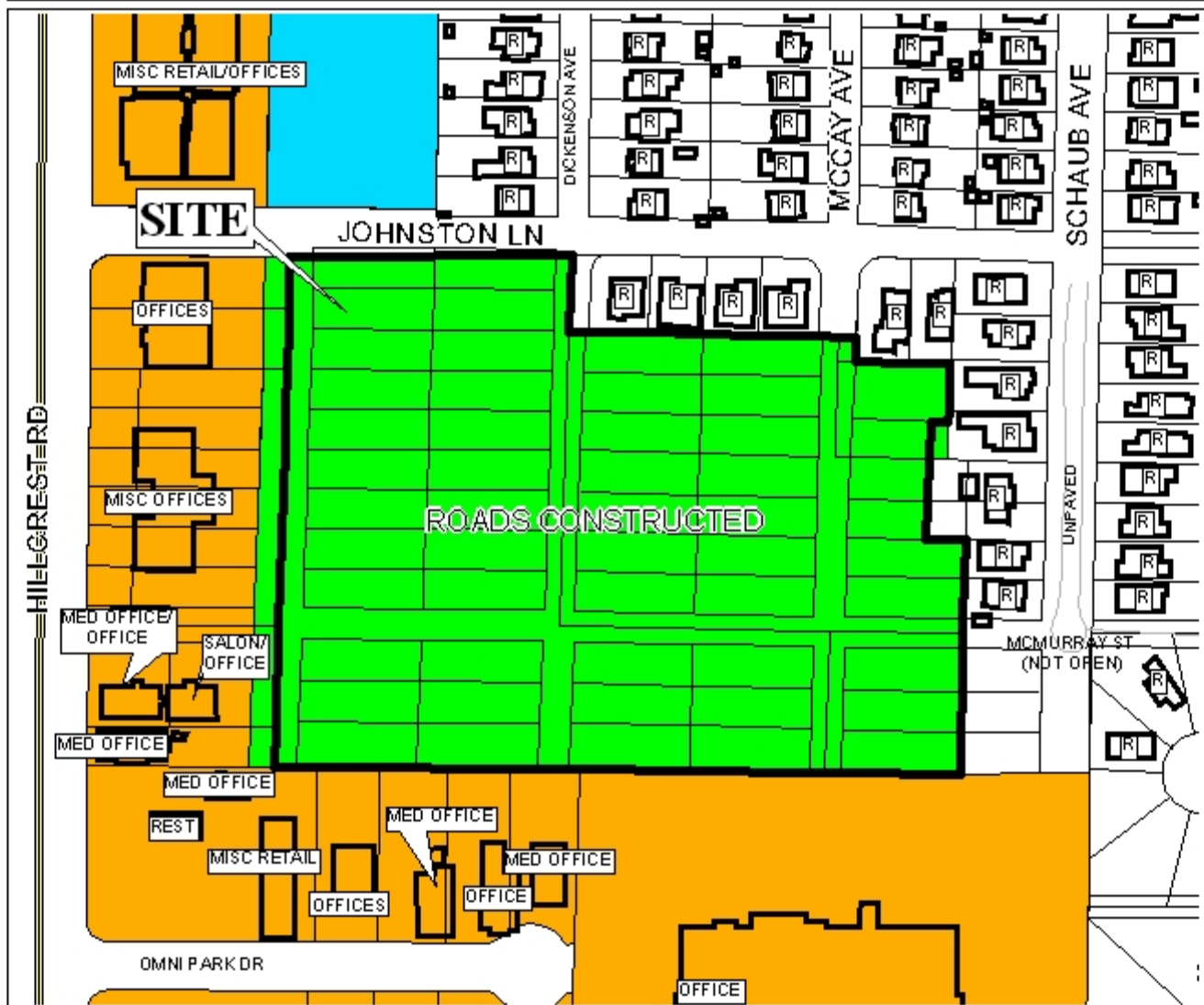
APPLICANT McMurray Place Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the north and east of the site. Commercial sites are located to the west and south of the site.

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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



Single-family residential units are located to the north and west of the site. Commercial sites are located to the west and south of the site.

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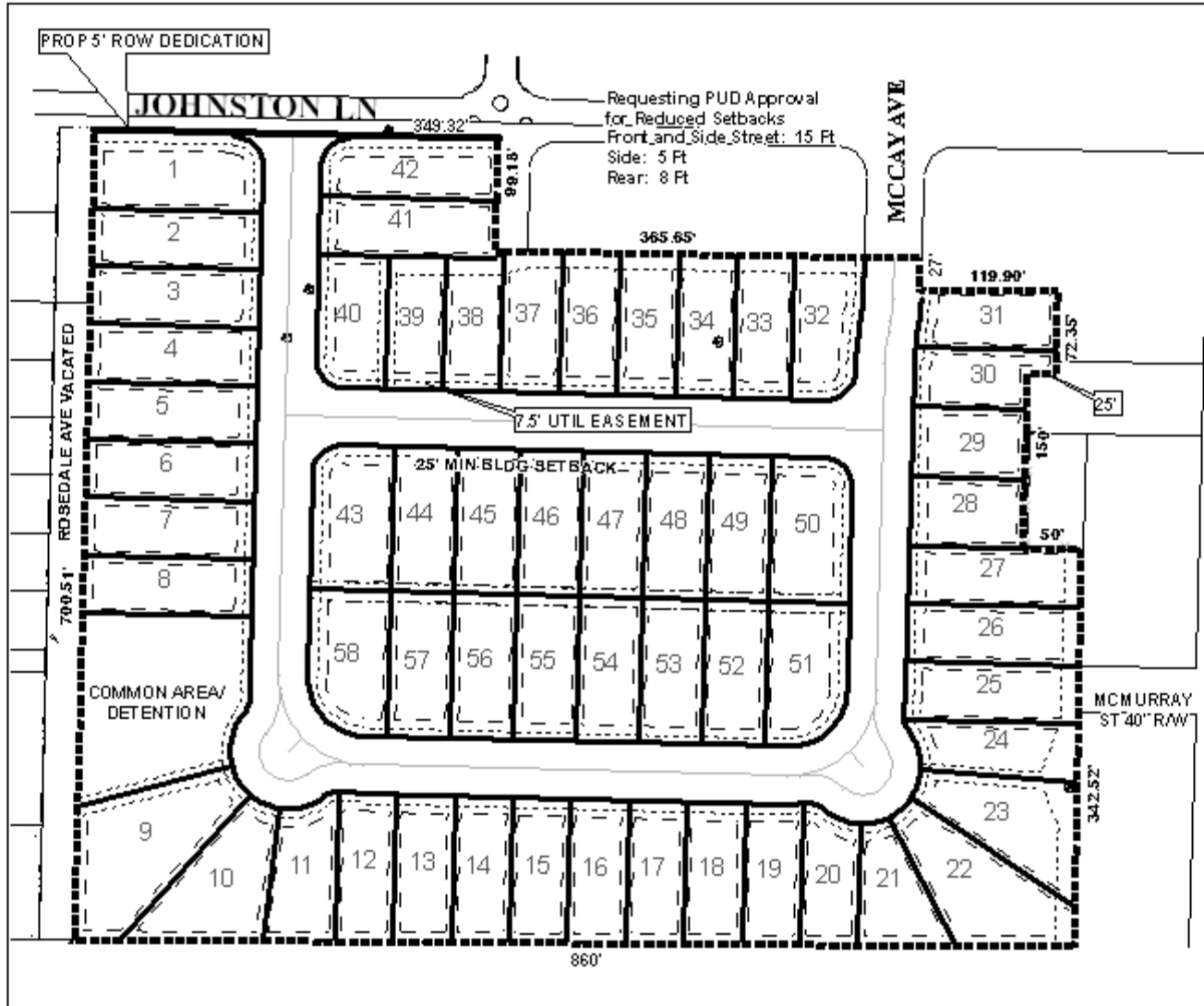
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SITE PLAN



The site plan illustrates the proposed development

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