

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: November 6, 2014****DEVELOPMENT NAME**

C.J. Small Subdivision No. 2

SUBDIVISION NAME

C.J. Small Subdivision No. 2

LOCATION

950 South Broad Street and 951 & 953 Marine Street
(Southwest corner of South Broad Street and Kentucky
Street, and Southeast corner of Marine Street and Kentucky
Street)

**CITY COUNCIL
DISTRICT**

District 3

AREA OF PROPERTY

2 Lots/1.2± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow shared
parking and multiple buildings on a single building site and Subdivision Approval to create 2
legal lots of record.

**TIME SCHEDULE
FOR DEVELOPMENT**

Not specified.

**ENGINEERING
COMMENTS****Subdivision**

The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- D. Add/Correct the spelling of the street names in the vicinity map.
- E. Show and label all flood zones.

- F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- G. Provide and label the monument set or found at each subdivision corner.
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- I. Provide the Surveyor's Certificate and Signature.
- J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Planned Unit Development

- 1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot.

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

- 1. 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. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.

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 72" Live Oak Tree located on the North side of Lot A. 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.

MAWSS COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

REMARKS

The applicant is requesting Planned Unit Development Approval to allow shared parking and multiple buildings on a single building site and Subdivision Approval to create 2 legal lots of record.

This site most recently appeared before the Planning Commission at its February 7, 2013 meeting where the Commission approved shared access between two building sites. A variance was approved at the Board of Zoning Adjustment's July 11, 2011 meeting to allow the use of an R-1, Single-Family Residentially zoned property as a parking lot.

It should be pointed out that the site plans from both the PUD and variance approvals illustrate two existing residential dwelling units on the proposed Lot A of the current Subdivision request; however, it appears applicant now desires to demolish one of the structures and construct a 2,250 sf. repast center in the same location. The applicant states that the center will be used approximately 1-2 days a week, with the hours not to exceed 8:00 P.M. and the will not be rented for other events. It is important to note that the site is split-zoned with the proposed Lot B zoned B-3, Community Business and the proposed Lot A zoned R-1, Single-Family Residential. As the applicant is proposing a commercial expansion on the proposed Lot A, either a rezoning of the property to a B-3, Community Business District or use variance approval from the Board of Zoning Adjustment would be required for approval.

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 purpose of the subdivision request for this site is to create 2 legal lots of record from 1 existing lot and 2 metes-and-bounds parcels.

The preliminary plat illustrates the proposed 1.2± acre subdivision which is located at the southwest corner of South Broad Street and Kentucky Street, and southeast corner of Marine Street and Kentucky Street. The site is located in Council District 3 and the applicant states that the subdivision is served by city water and sanitary sewer.

In accordance to the Subdivision Regulations, both proposed lots appear to exceed the minimum size requirements. The lot sizes in square feet and acres are illustrated on the preliminary plat and should be retained on the Final Plat. The 25' minimum building setback line is not depicted, but should be illustrated on a revised site plan and Final Plat, if approved.

The site fronts South Broad, Marine, and Kentucky Streets, all with compliant right-of-way widths. Typically no dedication would be required; however, as the proposed Lot A is a corner lot, the provision of a corner radius in compliance with Section V.D.6. of the Subdivision Regulations should be required at the southeast corner of Marine and Kentucky Streets. The 25' minimum building setback line and lot size information should also be revised on the Final Plat to reflect dedication, if approved.

As a means of access management, the site should be limited to the existing curb-cuts, with any changes to be approved by Traffic Engineering and conform to AASHTO standards.

There does not appear to be any proposed new parking areas and the proposed 24' wide asphalt drive appears compliant in regards to travel aisle width.

Sidewalks are shown on the site plan; however, there is no dumpster depicted. The site plan should be revised to illustrate a dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance, to include a connection to sanitary sewer, or a note should be placed on the site plan stating garbage collection will be via curb-side pick up.

Landscaping notes, including credit trees, are included on the site plan and would appear to comply with Section 64-4.E. of the Zoning Ordinance regarding tree and landscaping requirements. However, it should be pointed out that the 3 required perimeter trees appear to be located within the frontage.

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.

RECOMMENDATION

Subdivision: Recommended that this application be heldover to the meeting of December 18th to coincide with the timetable of the PUD request.

Planned Unit Development: Recommended that this application be heldover to the meeting of December 18th, with revisions due by November 17th, to allow the applicant to address the following:

- 1) Submission of a Rezoning application to the Planning Commission to rezone the proposed Lot A to an appropriate commercial zoning district for the proposed commercial use, to include notification fees and labels; or
- 2) Submission of a Use Variance application to the Board of Zoning Adjustment to allow the proposed repast center in an R-1, Single-Family Residential District.

Revised for the December 4th meeting:

The applications were held over from the November 6th meeting to allow the applicant to submit a Rezoning application to the Planning Commission or a Use Variance application to the Board of Zoning Adjustment. Since that time, the applicant has applied for a Use Variance to allow the proposed repast center in an R-1, Single-Family Residential District. The applicant's request is set to be heard by the Board at its December 1st meeting, thus any approvals for the current PUD application should be contingent upon the approval of the Use Variance request.

The 38 existing parking spaces would appear to be sufficient with regards to the building's proposed size and number of seats; however, the site plan does not appear to illustrate any accessible parking spaces or routes and, although the Planning Section does not enforce accessible parking or ADA, certain aspects of ADA do impact site design. As such, the revised site plan and building plans should depict a compliant number of accessible spaces and design compliance with the requirements of the ADA, in accordance to the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design).

The applicant should also be aware that any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance. It appears that there is an unshielded floodlight mounted on a utility pole in the Marine Street right-of-way, shining into the parking area: this existing flood light does not comply with the previous lighting requirements of the Zoning Ordinance in that it likely casts light onto the adjacent residence to the south. Existing lighting should be modified with shields and/or redirection so as to not shine onto adjacent residential property. Any new lighting must comply with the requirements of the Zoning Ordinance.

The PUD site plan illustrates 3 proposed trees adjacent to the previously mentioned utility pole and within the first 15' of the front 25' setback. Any tree planted within the first 15' of the front 25' setback must be Live Oak and any tree planted within 15 horizontal feet from overhead utilities must also be Live Oak if overstory or Crape Myrtle if understory. As such, the site plan should be revised, as necessary, to illustrate full compliance with the tree and landscaping requirements of the Zoning Ordinance. A dumpster appears to be located in this landscaped area: the dumpster must be moved to a compliant location, with a compliant enclosure.

GIS data indicates a portion of the proposed Lot A and the entire Lot B is located within the AE Flood Zone. The proximity of the site to water may mean that the site is environmentally sensitive, thus approvals from local, state and federal agencies for floodplain issues may be required prior to development.

RECOMMENDATION

Subdivision: The application is recommended for tentative approval, subject to the following conditions:

- 1) Provision of a corner radius on the Final Plat in compliance with Section V.D.6. of the Subdivision Regulations at the southeast corner of Marine and Kentucky Streets;
- 2) Revision of the lot size information to reflect dedication and retained elsewhere on the Final Plat;
- 3) Depiction of the 25' minimum building setback line on the Final Plat along all street frontages;
- 4) Placement of a note on the Final Plat stating: (Development of the site must comply with local, state and federal regulations regarding flood zones.);
- 5) Placement of a note on the Final Plat stating: (Development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);
- 6) Placement of a note on the Final Plat stating that both lots are limited to the existing curb-cuts, with any changes to be approved by Traffic Engineering and conform to AASHTO standards;
- 7) Compliance with Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 8) Compliance with Engineering comments: (The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:
A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Add/Correct the spelling of the street names in the vicinity map. E. Show and label all flood zones. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a

copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 9) 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 72" Live Oak Tree located on the North side of Lot A. 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.);*
- 10) Compliance with 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.); and*
- 11) Submission of a revised, approved PUD site plan prior to the signing of the Final Plat.*

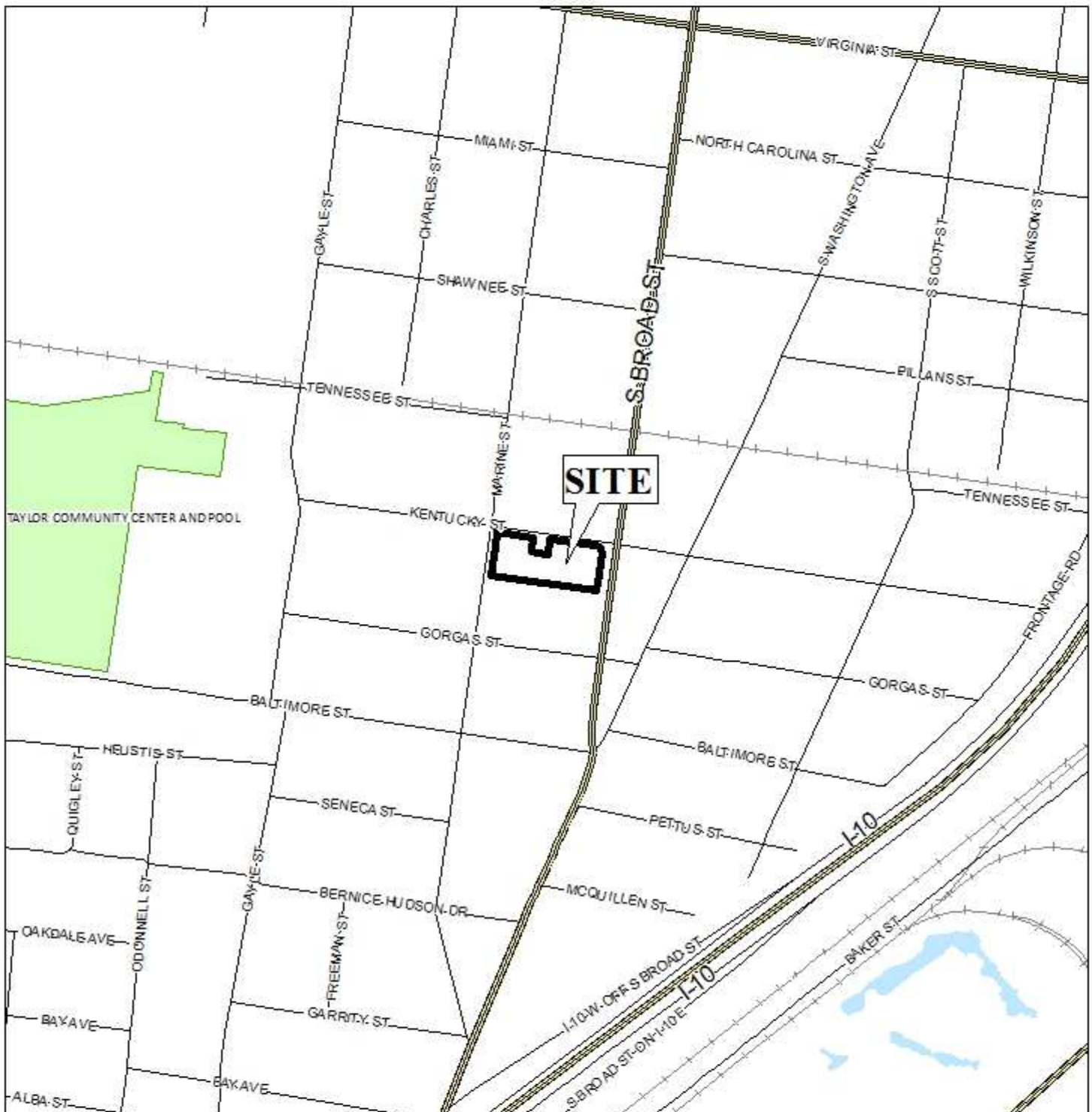
Planned Unit Development: *The application is recommended for approval, subject to the following conditions:*

- 1) Provision of a corner radius, to coincide with the Final Plat, in compliance with Section V.D.6. of the Subdivision Regulations at the southeast corner of Marine and Kentucky Streets;*
- 2) Provision of a compliant tree and landscape plan at time of any land disturbance request for the facility;*
- 3) Revision of the site plan to illustrate full compliance with the dumpster requirements in Section 64-4.D.9. of the Zoning Ordinance for the existing dumpster or the placement of a note stating garbage collection will be via curb-side pick up;*
- 4) Revision of the site plan to illustrate to depict a compliant number of accessible spaces adjacent to the proposed facility, and design compliance with the requirements of the ADA, in accordance to the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design);*
- 5) Modification of existing site lighting, through redirection and/or shielding, to not shine onto any adjacent residences;*
- 6) Placement of a note on the revised site plan stating: (All new lighting on the site to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance);*
- 7) Compliance with Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) Compliance with Engineering comments: (1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. 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. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. Any and all proposed land disturbing activity*

within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.);

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- 10) Compliance with 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.);*
- 11) Completion of the Variance process prior to the issuance of permits;*
- 12) Development limited to an approved Use Variance application;*
- 13) Revision of the site plan to not illustrate the proposed repast center if the Use Variance application is Denied;*
- 14) Obtainment of a Demolition Permit for the removal of the existing dwelling unit;*
- 15) Submission of one (1) revised PUD site plan to the Planning Division of the Urban Development Department, prior to the signing of the Final Plat and issuance of any construction-related permits;*
- 16) The resubmission of a Planned Unit Development (PUD) application if the site development is changed, prior to the issuance of any permits; and*
- 17) Full compliance with all municipal codes and ordinances.*

LOCATOR MAP



APPLICATION NUMBER 4 DATE December 4, 2014

APPLICANT C.J. Small Subdivision No. 2

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residences are located to the west of the site. Residences and businesses are located to the north and south of the site.

APPLICATION NUMBER 4 DATE December 4, 2014

APPLICANT C.J. Small Subdivision No. 2

REQUEST Subdivision, Planned Unit Development

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION

VICINITY MAP - EXISTING ZONING



Single-family residences are located to the west of the site. Residences and businesses are located to the north and south of the site.

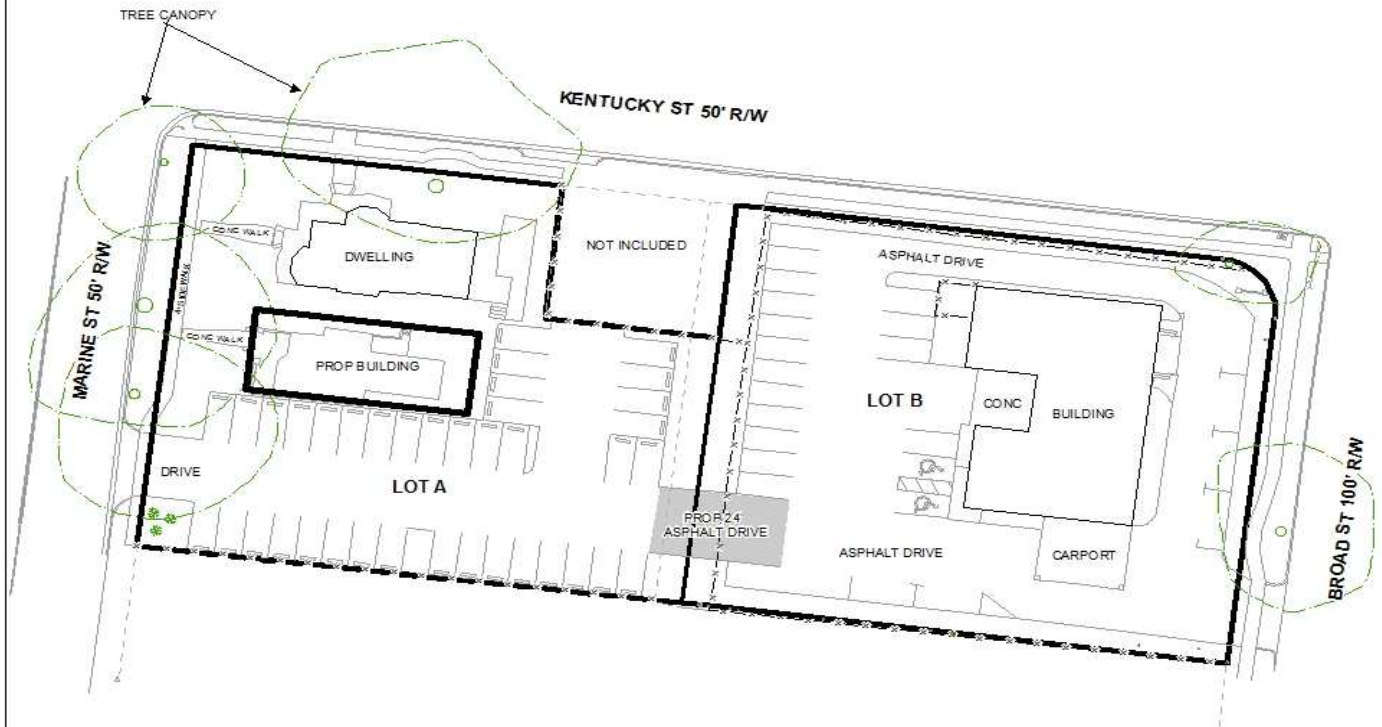
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SITE PLAN



The site illustrates the proposed building and asphalt drive, existing buildings, trees, and parking.

APPLICATION NUMBER 4 DATE December 4, 2014

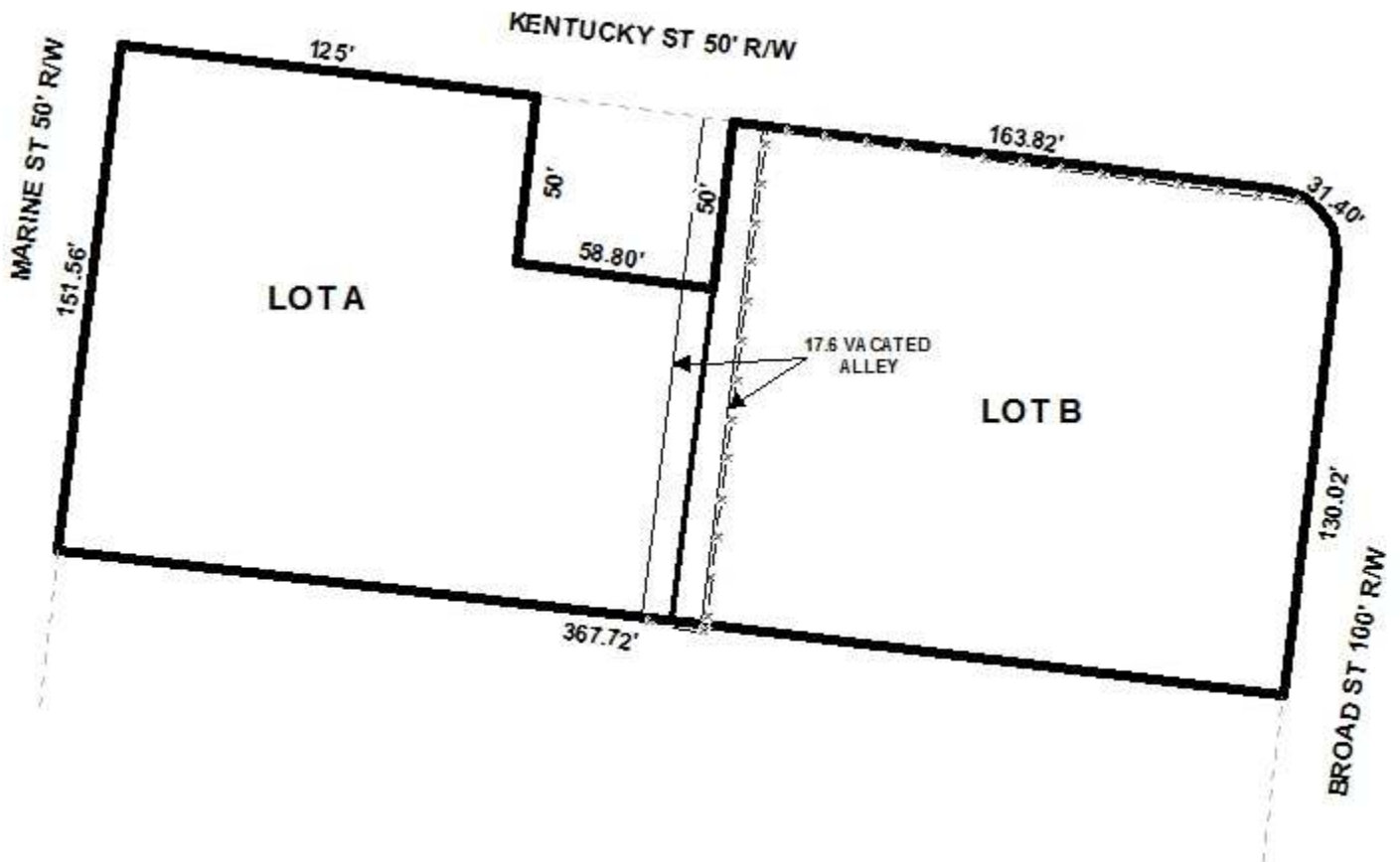
APPLICANT C.J. Small Subdivision No. 2

REQUEST Subdivision, Planned Unit Development



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 4 DATE December 4, 2014

APPLICANT C.J. Small Subdivision No. 2

REQUEST Subdivision, Planned Unit Development

