

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

<u>DEVELOPMENT NAME</u>	Noble Drive East Subdivision, Resubdivision of Lots 1 & 2
<u>SUBDIVISION NAME</u>	Noble Drive East Subdivision, Resubdivision of Lots 1 & 2
<u>LOCATION</u>	5275 Noble Drive North (Southwest corner of Noble Drive North and Noble Drive East)
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>AREA OF PROPERTY</u>	1 Lot / 0.8 ± acres
<u>CONTEMPLATED USE</u>	Planned Unit Development Approval to allow multiple buildings on a single building site, and Subdivision approval to create 1 lot.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	Must comply with all storm water and flood control ordinances. Detention must be provided for any increase in impervious area added to the site excess of 4000 square feet. The location of the detention area(s) shall be shown on the final plat. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. The driveway with access from Noble Drive N should be a minimum of twenty feet wide.
<u>URBAN FORESTRY COMMENTS</u>	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).
<u>FIRE DEPARTMENT COMMENTS</u>	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.
<u>REMARKS</u>	The applicant is seeking Planned Unit Development Approval to allow multiple buildings on a single building site, and Subdivision approval to create 1 lot from 2 existing lots. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create one lot, combining two existing lots, and creating a PUD that allows three residential buildings on a single building site with a total of four dwelling units. The applicant proposes to construct a two-unit residential building as well as keep the existing two buildings which are both one-unit residential structures on the newly created lot.

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 applicant proposes to combine two lots in the Noble Drive East Subdivision which was approved by the Planning Commission on January 17, 2008. The proposed lots meet the minimum size requirements as regulated by Section V.D.2 of the Subdivision Regulations. The proposed lot size is not indicated on the plat and should be indicated on the final plat, if approved. The proposed lot also has adequate frontage along a public right-of-way.

The site fronts Noble Drive North to the North and Noble Drive East to the East. Both Noble Drive North and Noble Drive East are minor streets without curb and gutter and are depicted with a right-of-way of 50 feet. No dedication was required in 2008 when the site was initially subdivided, however, now that the site is in the city and is zoned for heavy commercial use, there may be a need for street improvements later. Section V.B.14 of the Subdivision Regulations required minor streets not provided with curb and gutter to have a right-of-way of 60 feet. As such, dedication sufficient to provide 30 feet of right-of-way from the centerline of both Noble Drive North and Noble Drive East should be required. Additionally, with the additional dedication, the curb radius at the street intersection may need to be adjusted so as to comply with Section V.B.16 of the Subdivision Regulations.

The 25-foot minimum building setback line is depicted on the preliminary plat. If approved, the setback line should be revised to reflect any right-of-way dedications required.

The plat depicts two existing curb cuts to the site. Part of the previous Planning Commission approval was a condition that each lot in the subdivision be limited to one curb cut. As this new request will combine two lots in the subdivision, it seems reasonable to limit the site to the existing number of curb cuts with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards.

The site is zoned B-3, Community Business District, thus the multi-family residential uses are allowed by right. Furthermore, this district allows up to 50% site coverage and a 25-foot front yard setback and zero-foot side and rear yard setbacks.

The site contains the existing two residential buildings which were designed as a single-family residence and a garage apartment. The site also contains two unpaved driveways and no parking.

The site is in the Theodore Annexation Area and was recently zoned B-3, Community Business District, by the City Council. At the July 16, 2009, Planning Commission meeting, the applicant requested rezoning from the initial R-1 zoning to R-2 to allow a duplex. Before the case could be heard, the City Council rezoned the property to B-3. Duplexes are only allowed above the first floor in a B-3 zone. The Planning Commission recommended denial of the rezoning request, and the applicant, after consultation with staff, decided against pursuing the rezoning at City Council. The applicant instead has submitted the applications to combine the two lots and have a total of four dwelling units on a single property, making the project multi-family residential, and thus allowed by right in a B-3 zoning district.

For multi-family residential development, the Zoning Ordinance requires a lot size of at least 8,000 square feet for the first two units and 1,500 square feet for each additional unit. As such, the required lot size is 11,000 square feet. The proposed lot is 34,842 square feet and thus exceeds the requirement for multi-family development. Further, as the applicant is proposing a residential PUD, the PUD common area requirements of 700 square feet per dwelling unit shall apply. Four dwelling units require open space of 2,800 square feet. The site plan depicts open area in excess of this requirement.

The site plan depicts the existing and proposed development. All of the structures, as proposed, will meet setback requirements except the existing easternmost building which will be partially within the front yard setback. As this is an existing condition, the structure would be considered legally non-conforming.

The Zoning Ordinance requires parking to be provided at a ratio of 1.5 parking spaces per dwelling unit. Accordingly, four dwelling units require six parking spaces. The site depicts eight asphalt parking spaces of adequate size to meet these requirements. The site plan further depicts two curb cuts. The curb cut to Nobile Drive North and the driveway to the parking area are depicted with widths of 18 feet. The curb cut to Noble Drive East and the driveway to the second parking area are depicted with width of 12 feet. The zoning ordinance requires driveway widths of 24 feet for two-way accessways to ensure enough room for passing vehicles. The site plan should be revised to depict accessways of 24 feet.

The use of the site is proposed to be multi-family residential. All of the surrounding property is zoned B-3 and allows a variety of commercial uses. A large warehouse is directly to the south of the site and single-family residential development abuts the site to the west. Chapter 64-5.C.2.d. of the Zoning Ordinance requires the PUD to be designed to limit adverse affects to and from the site by the surrounding development. Accordingly, a buffer compliant with Section 64-4.D.1 of the Zoning Ordinance should be required along the South and West property lines.

No dumpster is depicted on the site plan. If a dumpster is proposed it should be depicted on the site plan and meet all enclosure, buffer, access and maneuvering, and setback requirements; or a

note on the site plan should be provided indicating that no dumpster will be included as part of the development and waste removal will occur by curbside pickup.

Compliance with the tree planting and landscaping ordinances is not depicted on the submitted site plan. Full compliance with these regulations will be required as the site is zoned B-3.

No sidewalks are depicted on the site plan. Sidewalks should be depicted, or a sidewalk waiver should be submitted and approved.

Finally, 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: Based upon the preceding, this application is recommended for tentative approval, subject to the following conditions:

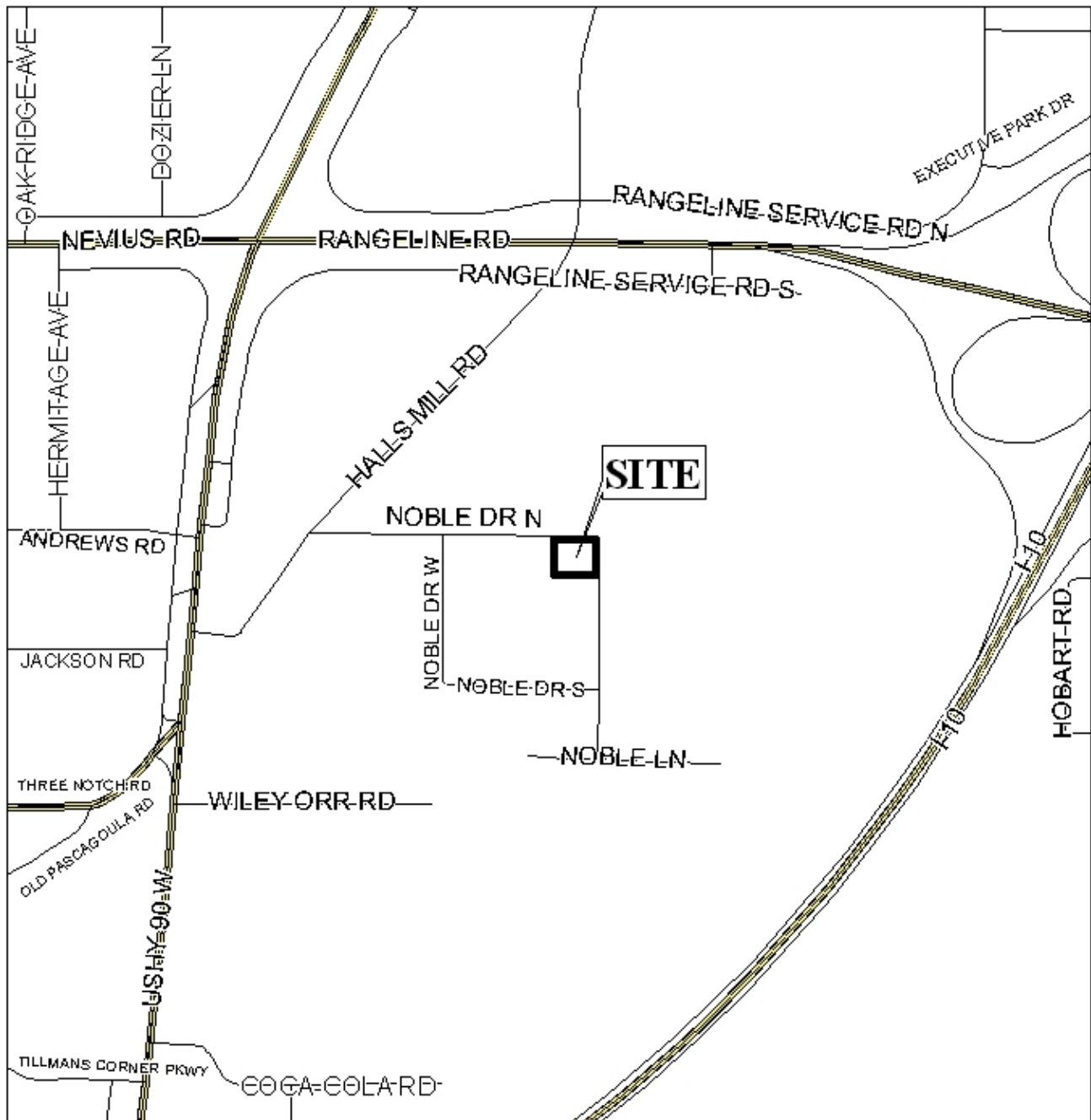
- 1) Labeling of the lot size, in square feet, on the plat, or provision of a table on the plat with the same information;
- 2) Provision of dedication sufficient to provide 30 feet of right-of-way from the centerline of both Noble Drive North and Noble Drive East;
- 3) Compliance with Section V.B.16 of the Subdivision Regulations regarding curb radii;
- 4) Revision of the 25-foot minimum building setback line to reflect any required dedication;
- 5) Placement of a note on the final plat limiting the site to the existing number of curb cuts (two) with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards;
- 6) Placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) Compliance with Engineering Comments: *Must comply with all storm water and flood control ordinances. Detention must be provided for any increase in impervious area added to the site excess of 4000 square feet. The location of the detention area(s) shall be shown on the final plat. Any work performed in the right of way will require a right of way permit;* and
- 8) Full compliance with all municipal codes and ordinances.

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

- 1) Completion of the Subdivision process;
- 2) Revision of all curb cuts and accessways to a minimum width of 24 feet;
- 3) Provision of a buffer compliant with Section 64-4.D.1 of the Zoning Ordinance along the South and West property lines;
- 4) Depiction of a dumpster on the site plan showing compliance with all enclosure, buffer, access and maneuvering, and setback requirements or a note on the site plan be provided indicating that no dumpster will be included as part of the development and waste removal will occur by curbside pickup;

- 5) Full compliance with all landscaping and tree planting ordinances;
- 6) Depiction of sidewalks or submittal of a successful sidewalk waiver application;
- 7) Compliance with Engineering Comments: *Must comply with all storm water and flood control ordinances. Detention must be provided for any increase in impervious area added to the site excess of 4000 square feet. The location of the detention area(s) shall be shown on the final plat. Any work performed in the right of way will require a right of way permit;*
- 8) Revision of the site plan to show compliance with all conditions and submittal of two copies of said revised site plan to the Planning Section of Urban Development prior to the issuance of any permits; and
- 9) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



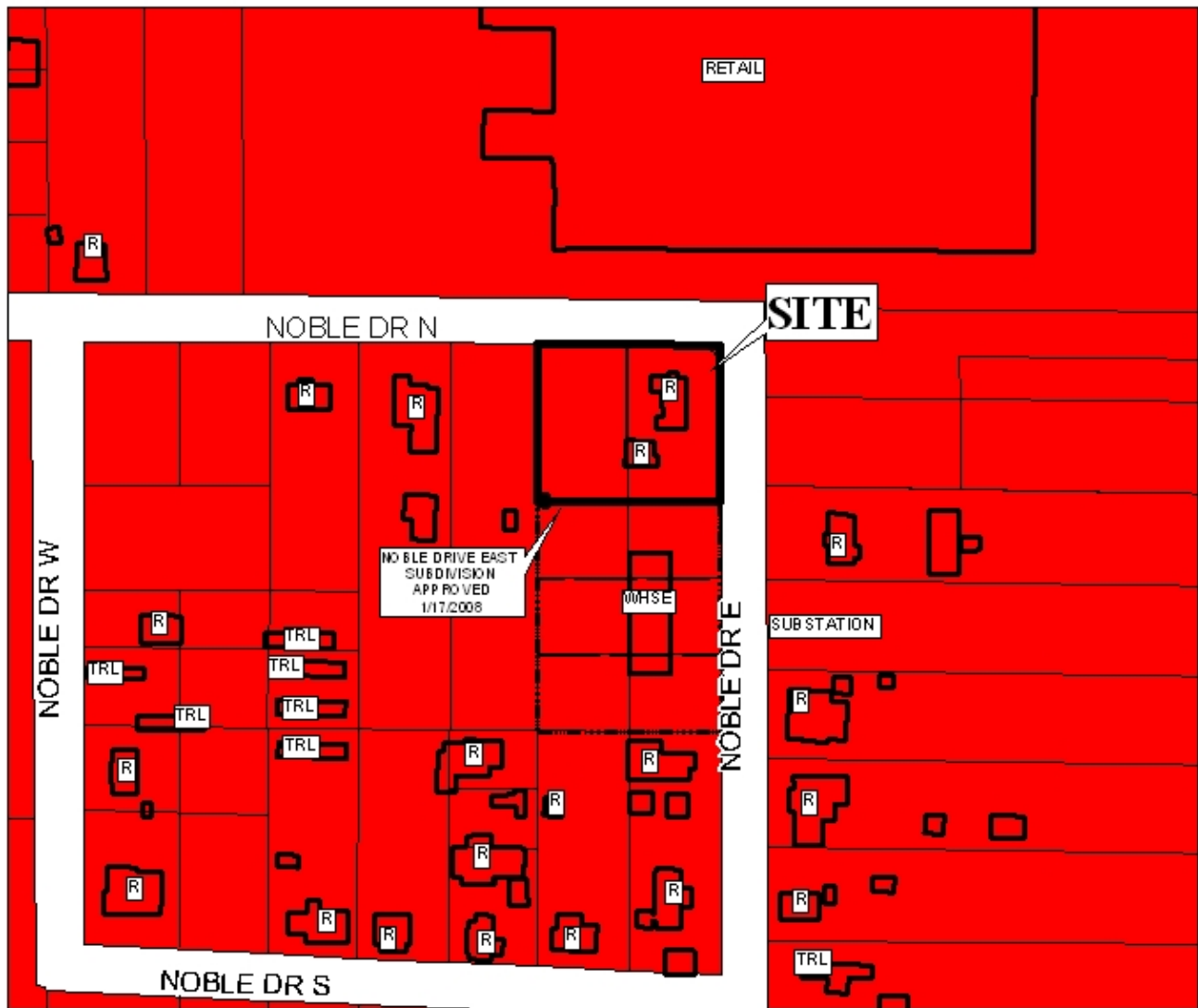
APPLICATION NUMBER 9 & 10 DATE August 20, 2009

APPLICANT Noble Drive East Subdivision, Resubdivision of Lots 1 & 2

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units to the east and west of the site, a department store to the north, and a warehouse to the south.

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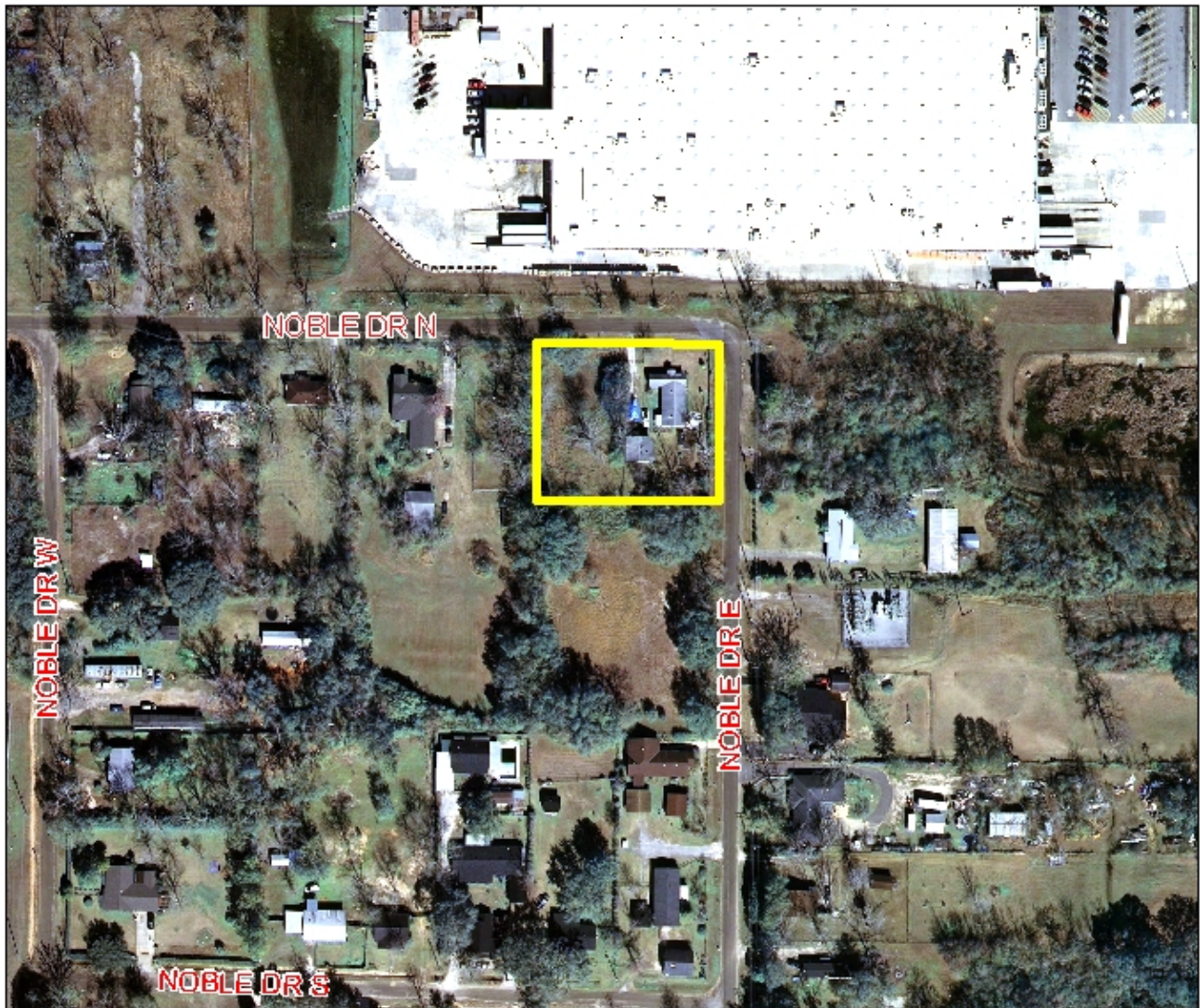
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LEGEND

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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

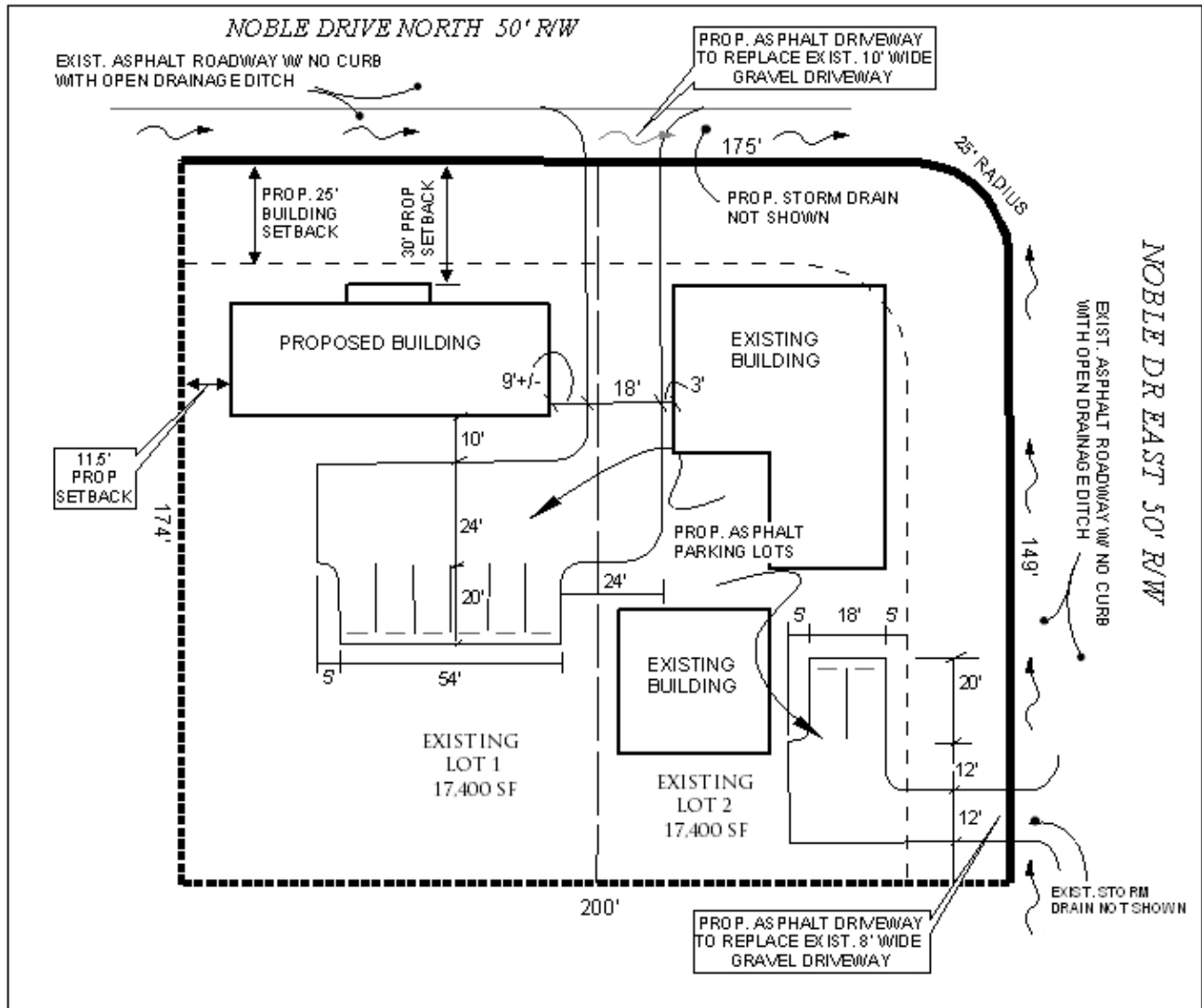


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SITE PLAN



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

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