PLANNED UNIT DEVELOPMENT & SUBDIVISION STAFF REPORT

November 15, 2018

DEVELOPMENT NAME The Arbors at Somerby Park Subdivision

SUBDIVISION NAME The Arbors at Somerby Park Subdivision

LOCATION North and East side of Somerby Drive, 365' ± East of

Cody Road South.

CITY COUNCIL

DISTRICT District 6

AREA OF PROPERTY $74 \text{ Lots } / 22.4 \pm \text{acres}$

CONTEMPLATED USE Planned Unit Development Approval to allow reduced

front, rear and side yard setbacks to include A/C units taller than 3' within 18" of a side property line, and increased site coverage in a proposed subdivision, and to create 74 legal

lots of record from one existing legal lot.

TIME SCHEDULE

FOR DEVELOPMENT None given.

ENGINEERING

<u>COMMENTS</u> Subdivision <u>FINAL PLAT COMMENTS</u> (should be addressed prior to submitting the FINAL PLAT for review and/or 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. Provide and label the monument set or found at each subdivision corner.
- C. Designate each Common Area with an individual designator (i.e. #1, A)
- D. Label the proposed ROW as either PRIVATE or PUBLIC.
- E. Provide an updated Plat for review that includes the proposed curve data and proposed roadway geometrics (i.e. centerline radius, common areas).
- F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- G. Show and label any proposed public drainage easements.
- H. 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.

- I. 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.
- J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- M. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- N. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development 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. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- 3. 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.
- 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.).
- 5. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.

- 6. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
- 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

Each lot is limited to one curb cut to the proposed right-ofway. The common areas are denied any direct access from Somerby Road. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City (if public ROW) if access for public services is hindered (ex. garbage, fire access).

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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).

The fire access roads as depicted on the plan and measured by the scale provided do not meet the requirements of the 2012 IFC sec. 503 and Appendix D. They do not meet the 20 ft. unimpeded width provision. This applies to the entrance and all roadways.

REMARKS The applicant is requesting Planned Unit Development Approval to allow to allow reduced front, rear and side yard setbacks to include A/C units taller than 3' within 18" of a side property line, increased site coverage in a proposed subdivision, and to create 74 legal lots of record from one existing legal lot. The site is located in Council District 6, and according to the applicant the site is served by public water and sanitary sewer.

This site most recently appeared before the Planning Commission at its February 5, 2009 meeting, where the request was to resubdivide a legal lot of record into two lots, Planned Unit Development approval to allow 10 apartment buildings, 10 garages and a pool house on a single building site; and Zoning Approval to rezone the site from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District, to allow the construction of an apartment complex. The PUD and Rezoning request were denied; the two lot subdivision was never recorded, and thus expired. The current application is proposing a less intense development for the property.

The site has been given a Mixed Density Residential land use designation, per the recently adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 dwelling units per acre, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The owner intends to build a 74 lot single family residential subdivision with reduced front and side yard setbacks, increased site coverage, and an increased height for a/c units within the setbacks. The applicant states that the PUD application is for:

"The development of an innovative single family residential development, targeting homeowners seeking smaller lots sizes improved with modern and efficient garden or patio type homes. In an analysis of the real estate market the mobile city limits, one will find no new homes of this type, nor any plans for new developments.

Due to the lack of available large unimproved parcels within the city limits, no new residential subdivisions have been built in the last decade. Talking with real estate professionals as well as economic development representatives, there is a strong demand for new homes in this area. The design of the proposed homes and increased density of this proposed development fits into a growing trend of smaller homes and yards near hospitals and commercial services."

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 proposed lots appear to meet the minimum size requirements as defined by Section V.D.2. of the Subdivision Regulations. However, the applicant has requested reduced front yard setbacks to 20', reduced side yard setbacks of 7.5' on each side, increased site coverage to 45%, and to allow a 4' high air conditioner unit to be 18" from the side setback line. The Zoning Ordinance requires front yard setbacks to be 25', side yard setbacks to be a combined total of 20 feet with 8' being the minimum on one side, 35% site coverage, and a/c units to be 3' or less in height if they are going to be placed within the setbacks. However the PUD application allows the applicant to request relief from standard requirements.

The preliminary plat and site plan depicts the lot sizes in square feet, but not in acres. The Final Plat and site plan should be revised to depict the lots in both square feet and acres, if approved.

The smallest proposed lot will be 7,625 square feet \pm , and it appears that most of the lots will be at least 60' in width.

The building setback lines appear to be depicted on the plat and site plan, but are not labeled. The plat and site plan should be revised to label front, side, and rear yard setback lines, if approved, or provided a chart that displays that same information.

The applicant is also requesting 4' high air conditioner units to be 18" from the side yard setback line. Section 64-4.D.11 of the Zoning Ordinance states that in any district, the minimum yard setback for any mechanical equipment (HVAC units, generators, pumps, etc.) with a height of three (3) feet or more above grade shall be a distance equal to the underlying setbacks of that district. Staff would recommend should allowance be considered for the increased height of the a/c units then it should be allowed for any other future generators.

The site has frontage along Somerby Drive, a minor street with curb and gutter with an adequate 60' right-of-way, thus no dedication will be required. New road construction connecting Arbors Way, Arbors Drive, Arbors Drive North, Arbors Drive East, and Arbors Drive South to Somerby Drive are proposed, providing road frontage for the proposed lots. All proposed streets are depicted as having a minimum 50' right-of-way and appear to be adequate, thus no dedication is required. However, the applicant should confirm that the cul-de-sac will meet IFC requirements.

As access management is a concern, each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering.

The plat depicts several common areas on the site. A note should be placed on the Final Plat, if approved, stating that maintenance of the common areas are the responsibility of the property owners.

The plat and site plan also depicts a 10' drainage easement along the rear of most of the properties. A note should be placed on the Final Plat and site plan stating that no structures shall be placed or constructed within any easements.

No sidewalks are depicted on the site plan. As the applicant is proposing the streets to be public, sidewalks will be required along all street frontages within the development and along Somerby Drive. The sidewalk along Somerby should be built in conjunction with the streets internal to the development, including along the common areas. Sidewalks in front of each lot within the subdivision may be built as each lot is developed.

No privacy walls, fences or gates are depicted on the PUD site plan. If a wall or fence greater than 3 feet in height is proposed for the development along Somerby Drive, it must be depicted on the PUD site Plan. Additionally, as the PUD will have public streets, it cannot be a gated community.

RECOMMENDATION

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

1) revision of plat to depict the lot sizes in both square feet and acres;

- 2) revision of the plat to depict and label the reduced 20' minimum front yard setback and the 7.5' side yard setbacks;
- 3) placement of a note on the Final Plat stating that no structures shall be placed or constructed within any easements;
- 4) retention of the right-of-way widths for all streets;
- 5) placement of a note on the Final Plat stating each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering;
- 6) compliance with Engineering comments: "FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or 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. Provide and label the monument set or found at each subdivision corner. C. Designate each Common Area with an individual designator (i.e. #1, A) D.Label the proposed ROW as either PRIVATE or PUBLIC. E. Provide an updated Plat for review that includes the proposed curve data and proposed roadway geometrics (i.e. centerline radius, common areas). F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Show and label any proposed public drainage easements. H. 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. I. 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. J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. M. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.";
- 7) compliance with Traffic Engineering comments: "Each lot is limited to one curb cut to the proposed right-of-way. The common areas are denied any direct access from Somerby Road. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking

- restrictions may have to be implemented by the City (if public ROW) if access for public services is hindered (ex. garbage, fire access).";
- 8) 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 2015-116 and City Code Chapters 57 and 64).). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.";
- 9) revision of the plat to reflect compliance with Fire comments: "All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). The fire access roads as depicted on the plan and measured by the scale provided do not meet the requirements of the 2012 IFC sec. 503 and Appendix D. They do not meet the 20 ft. unimpeded width provision. This applies to the entrance and all roadways.";
- 9) full compliance with all other municipal codes and ordinances; and
- 10) provision of a revised PUD site plan prior to singing the Final Plat

Planned Unit Development: Staff recommends the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is reconfiguring a previous lot to allow a unique development;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because it is creating greater variety of housing types within the area;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the site is adjacent to an improved public street and is served by utilities;
- d. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the development is still allowing for a large area of common/ open space for the residents in the new community;
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities) adjacent to an improved public street and is served by utilities.

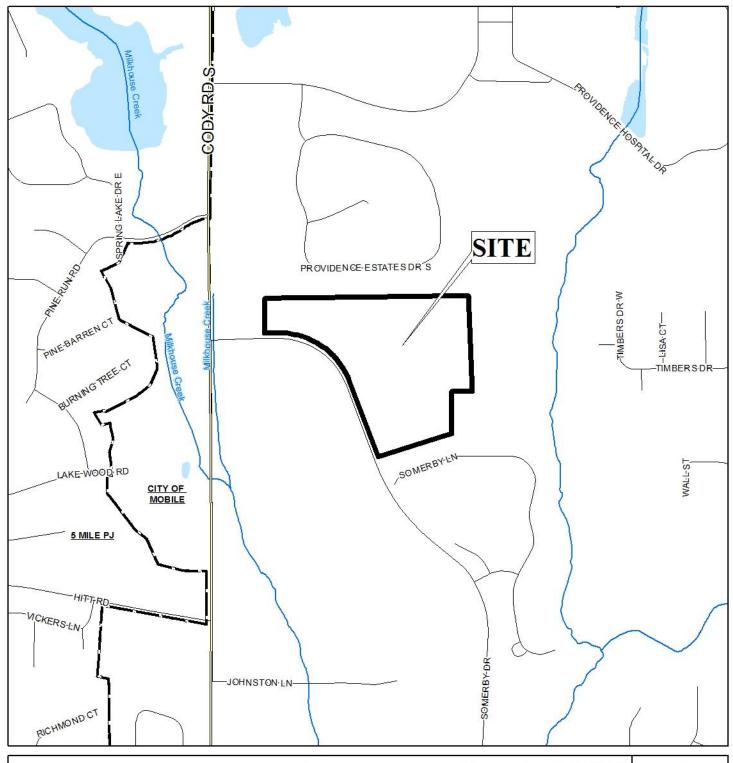
Based upon the preceding, this application is recommended for approval subject to the following:

- 1) streets will not be gated, as they will be public streets;
- 2) no walls or fences greater than 3' in height are to be built along Somerby Drive, if not depicted on the PUD site plan;
- 3) revision of site plan to depict the lot sizes in both square feet and acres;
- 4) revision of the site plan to depict and label the reduced 20' minimum front yard setback and the 7.5' side yard setbacks;

- 5) placement of a note on the site plan stating that no structures shall be placed or constructed within any easements;
- 6) retention of the right-of-way widths for all streets;
- 7) placement of a note on the site plan stating each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering;
- 8) revision of the site plan to clearly depict and label the sidewalks, with sidewalks along Somerby Drive and all common areas to be constructed during street construction;
- 9) compliance with Engineering comments: "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. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. 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, 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). 5. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 6. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters."
- 10) compliance with Traffic Engineering comments: "Each lot is limited to one curb cut to the proposed right-of-way. The common areas are denied any direct access from Somerby Road. Consideration should be given to the building layouts relative to the building layouts across the street (within the development). Backing out of driveways becomes very problematic if on street parking occurs opposite driveways. Parking restrictions may have to be implemented by the City (if public ROW) if access for public services is hindered (ex. garbage, fire access).";

- 11) 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.";
- 12) revision of the site plan to reflect compliance with Fire comments: "All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). The fire access roads as depicted on the plan and measured by the scale provided do not meet the requirements of the 2012 IFC sec. 503 and Appendix D. They do not meet the 20 ft. unimpeded width provision. This applies to the entrance and all roadways.";
- 13) full compliance with all other municipal codes and ordinances; and
- 14) provision of a revised PUD site plan prior to signing the Final Plat.

LOCATOR MAP



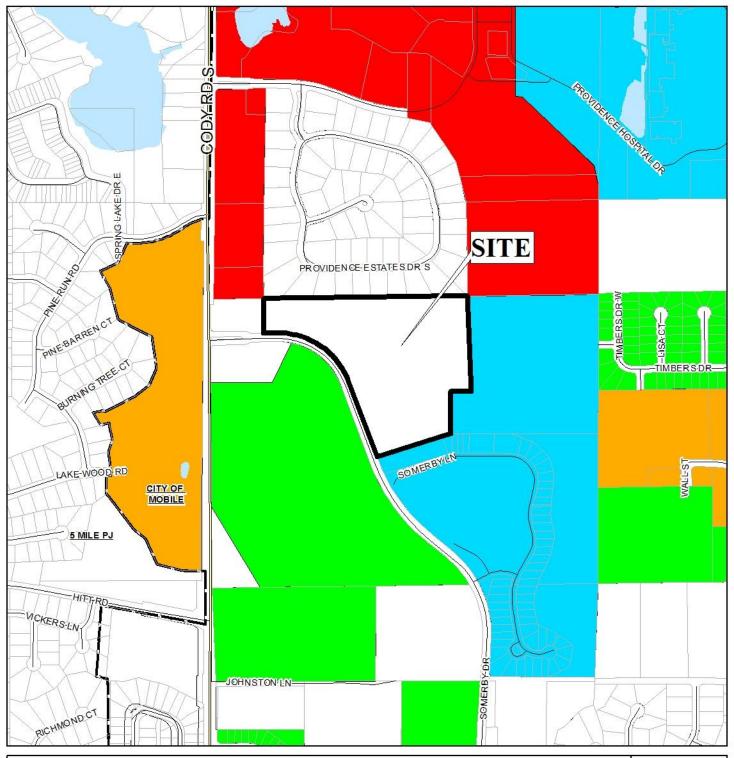
APPLICATION NUMBER ____9 ___ DATE ___ November 15, 2018

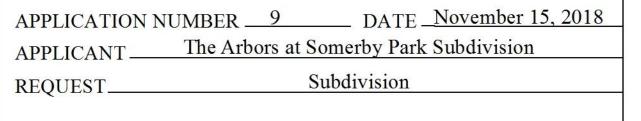
APPLICANT ___ The Arbors at Somerby Park Subdivision

REQUEST ____ Subdivision

NTS

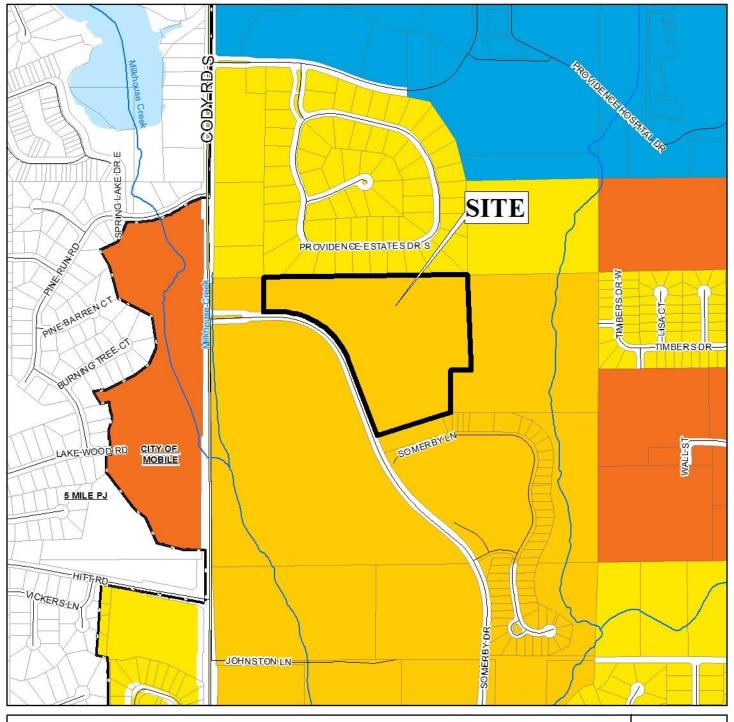
LOCATOR ZONING MAP

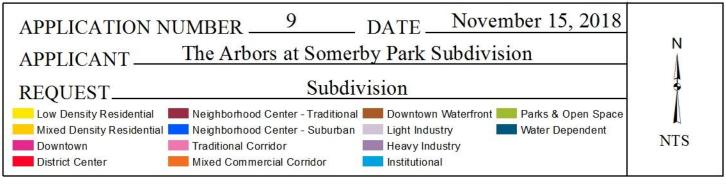




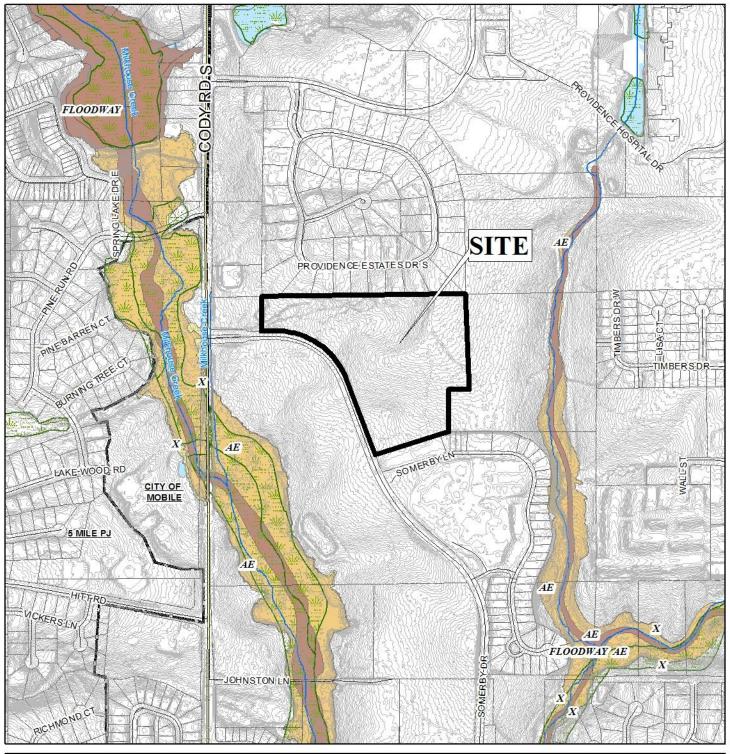
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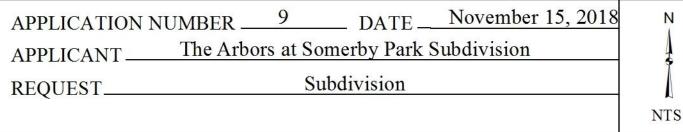
FLUM LOCATOR MAP



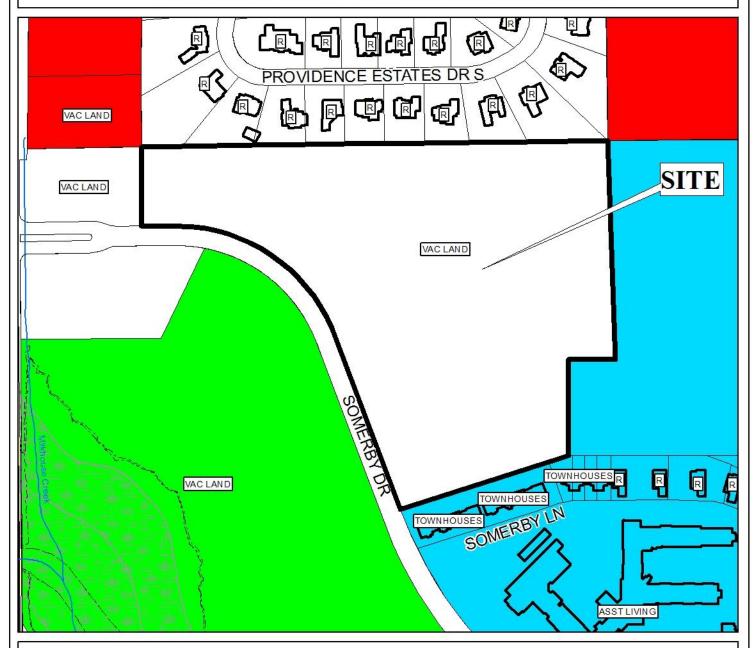


ENVIRONMENTAL LOCATOR MAP

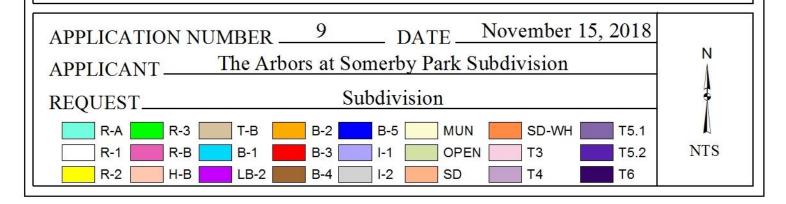




PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION	NUMBER _	9	DATE_	November 15, 2018	
APPLICANT	The Arbors at Somerby Park Subdivision				
REQUEST	Subdivision, Planned Unit Development				
TEQUEST —					



SITE PLAN



The site plan illustrates the proposed lots, buildings, setbacks, and easements.

APPLICATION NUMBER	9	DATE	November 15, 2018	N
APPLICANT	The Arbors	at Somerby Park S	ubdivision	Į.
REQUEST		Subdivision		Ĭ
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