

**SUBDIVISION &  
PLANNED UNIT DEVELOPMENT  
STAFF REPORT**

**Date: October 6, 2022**

<b><u>DEVELOPMENT NAME</u></b>	Sunset Creek Subdivision
<b><u>SUBDIVISION NAME</u></b>	Sunset Creek Subdivision
<b><u>LOCATION</u></b>	3250 Spanish Alley (North terminus of Spanish Alley, between Halls Mill Creek and Riviere du Chien Road).
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>AREA OF PROPERTY</u></b>	3 Lots / 7.5± Acres
<b><u>CONTEMPLATED USE</u></b>	Subdivision approval to create three (3) legal lots of record from three (3) legal lots of record and a portion of existing right-of-way; and Planned Unit Development approval to allow a gated, private street single-family residential subdivision.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Not provided

**ENGINEERING  
COMMENTS**

**Subdivision:** The “PLAT” that was submitted is labeled BOUNDARY & STAKEOUT SURVEY (dated 5/11/21) and is not legible for review.

**Planned Unit Development:** A PUD drawing was not submitted for reviewed.

**TRAFFIC ENGINEERING  
COMMENTS**

Design of access from the private street to the north terminus of Spanish Alley to be approved by Traffic Engineering and conform to AASHTO standards. Terminating the public street prior to the cul-de-sac will eliminate the ability for vehicles to turn around at the end of this street.

**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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm).  
Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).
2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

**REMARKS**

The applicant is requesting Subdivision approval to create three (3) legal lots of record from three (3) legal lots of record and a portion of existing right-of-way; and Planned Unit Development approval to allow a gated, private street single-family residential subdivision.

The site has been given a Low Density Residential (LDR) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. 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 to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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.

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 subject site consists of three (3) existing legal lots of record located on a cu-de-sac, which were approved by the Planning Commission at its September 7, 2017 meeting, and subsequently recorded in Probate Court as Sunset Creek Subdivision. The applicant wishes to vacate the Spanish Alley cul-de-sac right-of-way, and construct a gate, hence the current applications. It should be noted that the applicant has not yet begun the right-of-way vacation process, which will need to be completed, prior to the signing of the Final Plat, if approved. Furthermore, if approved, the applicant will need to revise the name to be different than the previously recorded subdivision.

The applicant did not submit a preliminary plat showing the proposed lot lines and other information as required by Section IV of the Subdivision Regulations for the proposed Subdivision, but rather a survey of the existing property configuration, and an indication as to where the proposed gate will be located. As such, if approved, a Final Plat, compliant with Section IV of the Subdivision Regulations will be required.

The site has frontage along Spanish Alley and Riviere du Chien Road. Riviere du Chien Road is a minor street without curb and gutter, and has an existing compliant right-of-way of 80-feet.

Spanish Alley is a minor street without curb and gutter, and has an existing compliant right-of-way per the previous Subdivision approval. However, it should be noted that if the applicant is successful in their attempt to have the Spanish Alley right-of-way vacated, there will not be a compliant turn around area for garbage and trash trucks, fire trucks and other emergency vehicles to safely turn around. Therefore, if approved, the applicant may be required to provide a hammerhead, or other compliant turn around, as required by the Fire Department.

In regards to access management, a note stating Traffic Engineering comments should be placed on the Final Plat, if approved.

As mentioned, a preliminary plat showing the proposed lot configuration was not submitted with the application, therefore staff is unable to determine how wide the proposed lots will be at their frontages, however as the existing right-of-way width is 47.75± feet wide South of the existing turn around, each lot may only have up to 16± feet of street frontage, considerably less than the 60-feet of street frontage required by Section V.D.2. of the Subdivision Regulations. The existing Lot 3 is the only lot that would have sufficient street frontage, as proposed, as it also fronts Riviere du Chien Road.

An existing drainage easement is located on the site. If approved, a note should be placed on the Final Plat stating that no structures are to be placed in any easement without the permission of the easement holder.

PUD 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.

It is very important to note that the PUD review is site plan specific; therefore *any* future changes to the overall site plan must be submitted for PUD review. Furthermore, PUD approvals expire after one year if no permits are obtained.

In regards to the PUD, the applicant states:

*This proposal is needed just to install a fence and gate for these properties. All property is owned by the same person however it crosses over a cul-de-sac that will need a gate installed across it. Please see attached plans for this work.*

As mentioned previously, if the applicant is successful in their attempt to have the cul-de-sac right-of-way vacated, it would eliminate a compliant turn-around area for emergency vehicles, and create lots that have sub-standard street frontage. It should be noted that the applicant could place a fence, with gates, along the existing front property lines of the existing lots. The fence and gates could be either chain link, or wrought iron (with Traffic Engineering approval) up to eight (8) feet high, and would not impede emergency vehicle maneuvering.

### **RECOMMENDATION**

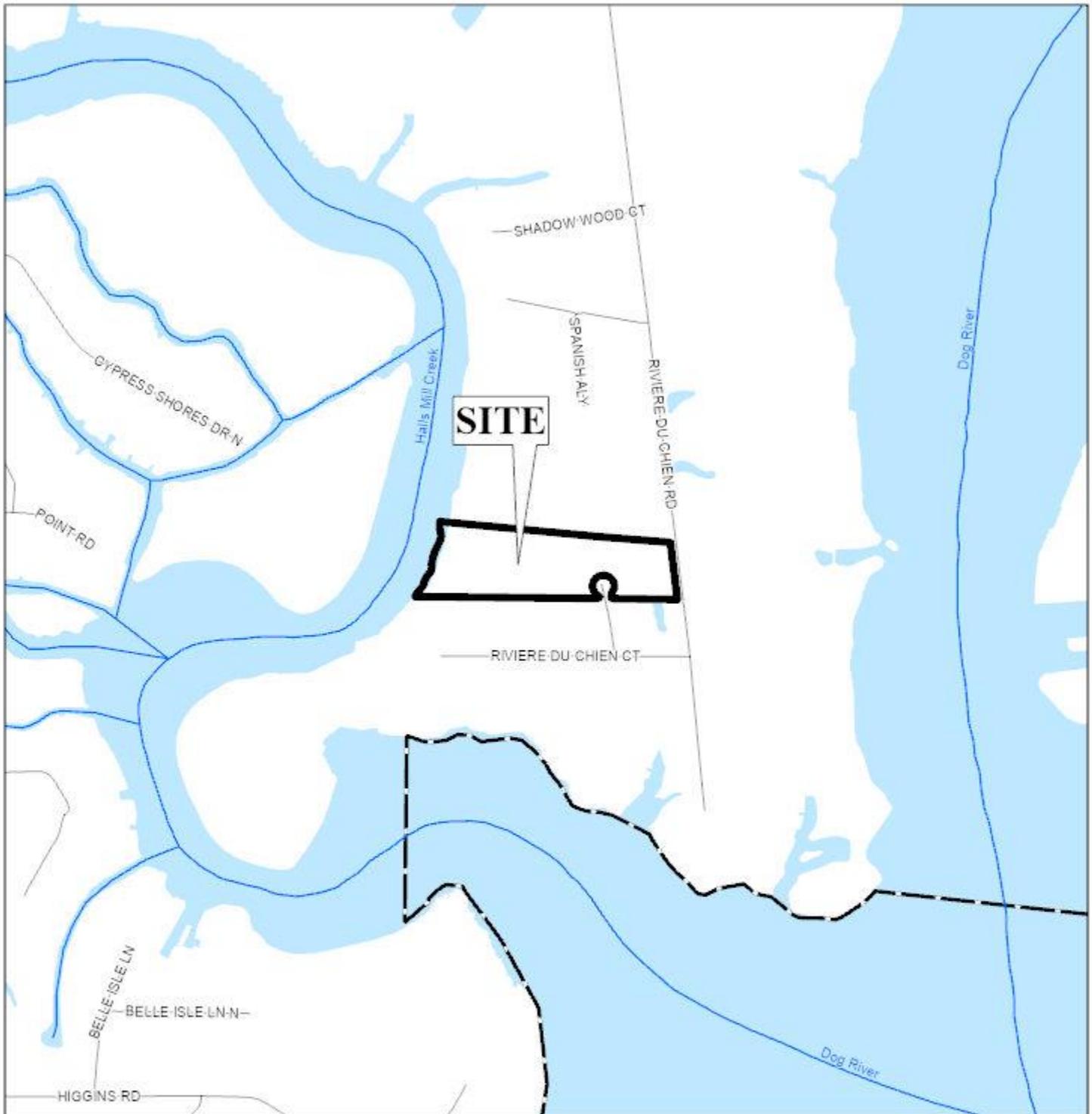
**Subdivision:** The application is recommended for Denial, due to the following reasons:

- 1) A plat as required by Section IV.A. of the Subdivision Regulations was not submitted for staff review;
- 2) The proposed Subdivision configuration would result in two of the three proposed lots having sub-standard street frontage; and
- 3) The proposed Subdivision configuration would eliminate a compliant turn-around for public works and emergency vehicles.

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

- a. the proposal does not promote the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because the proposed configuration would result in the loss of a compliant turn-around for public works and emergency vehicles.

# LOCATOR MAP



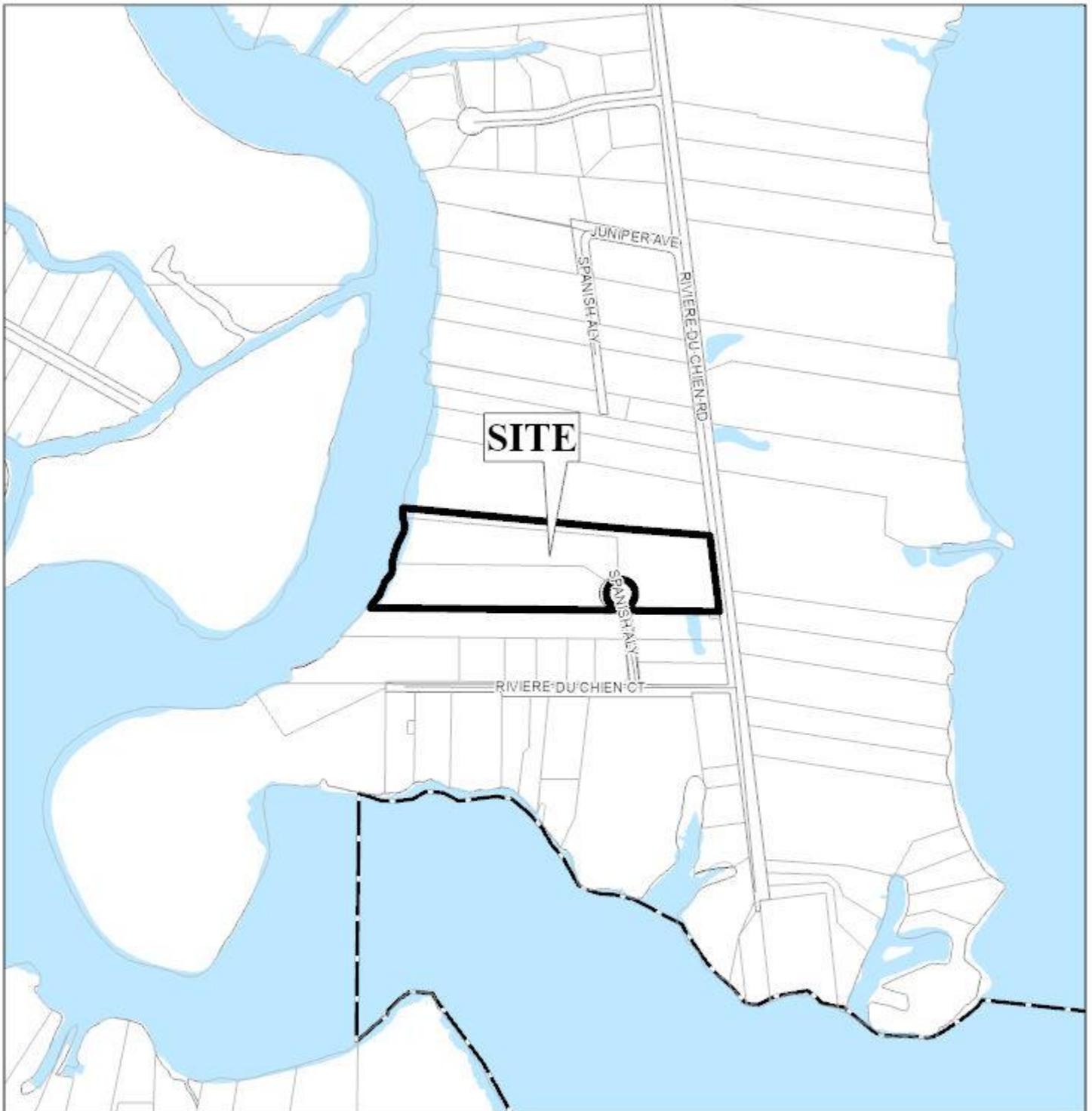
APPLICATION NUMBER 11 DATE October 6, 2022

APPLICANT Sunset Creek Subdivision

REQUEST Subdivision, Pud



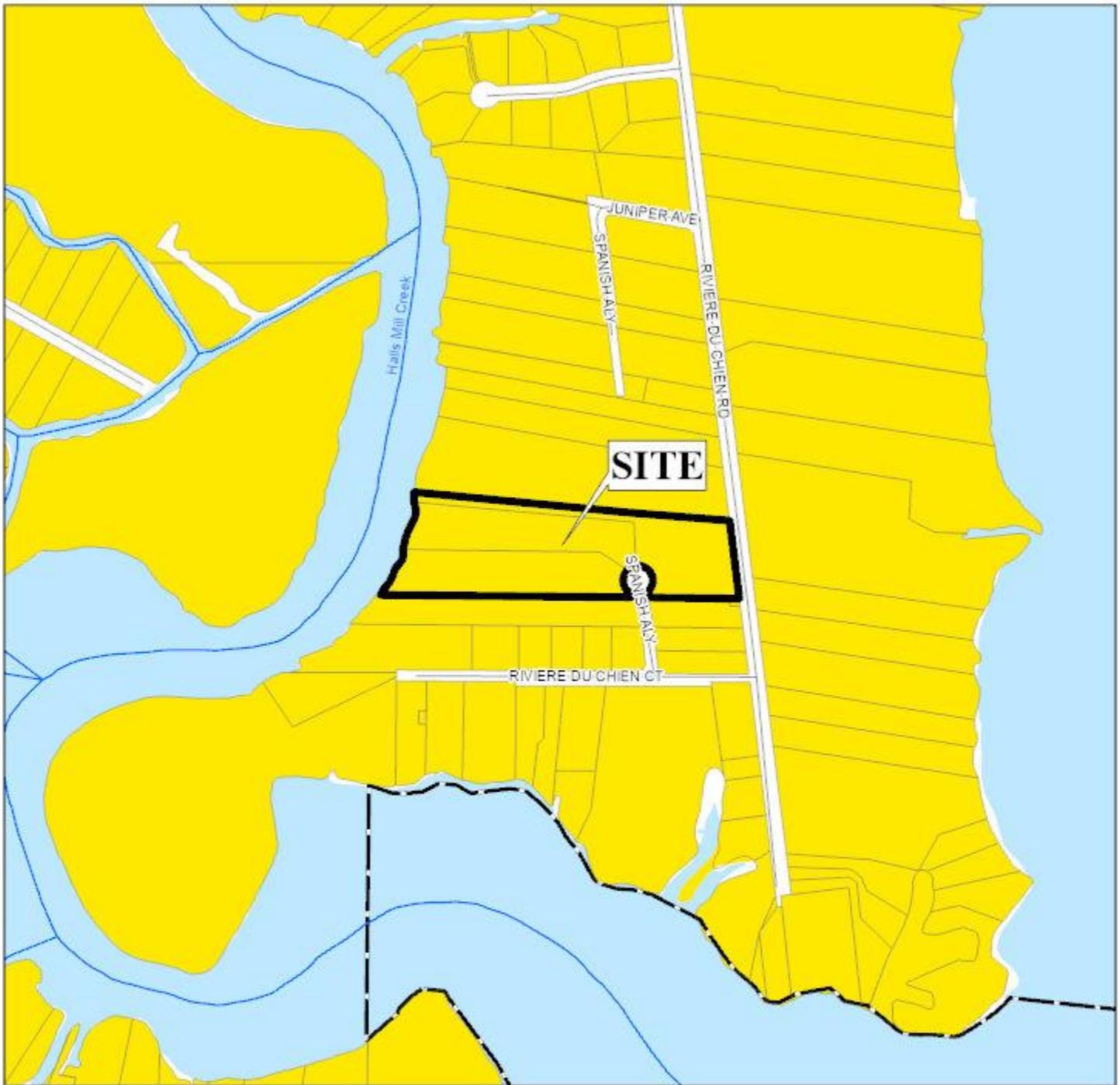
# LOCATOR ZONING MAP



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# FLUM LOCATOR MAP



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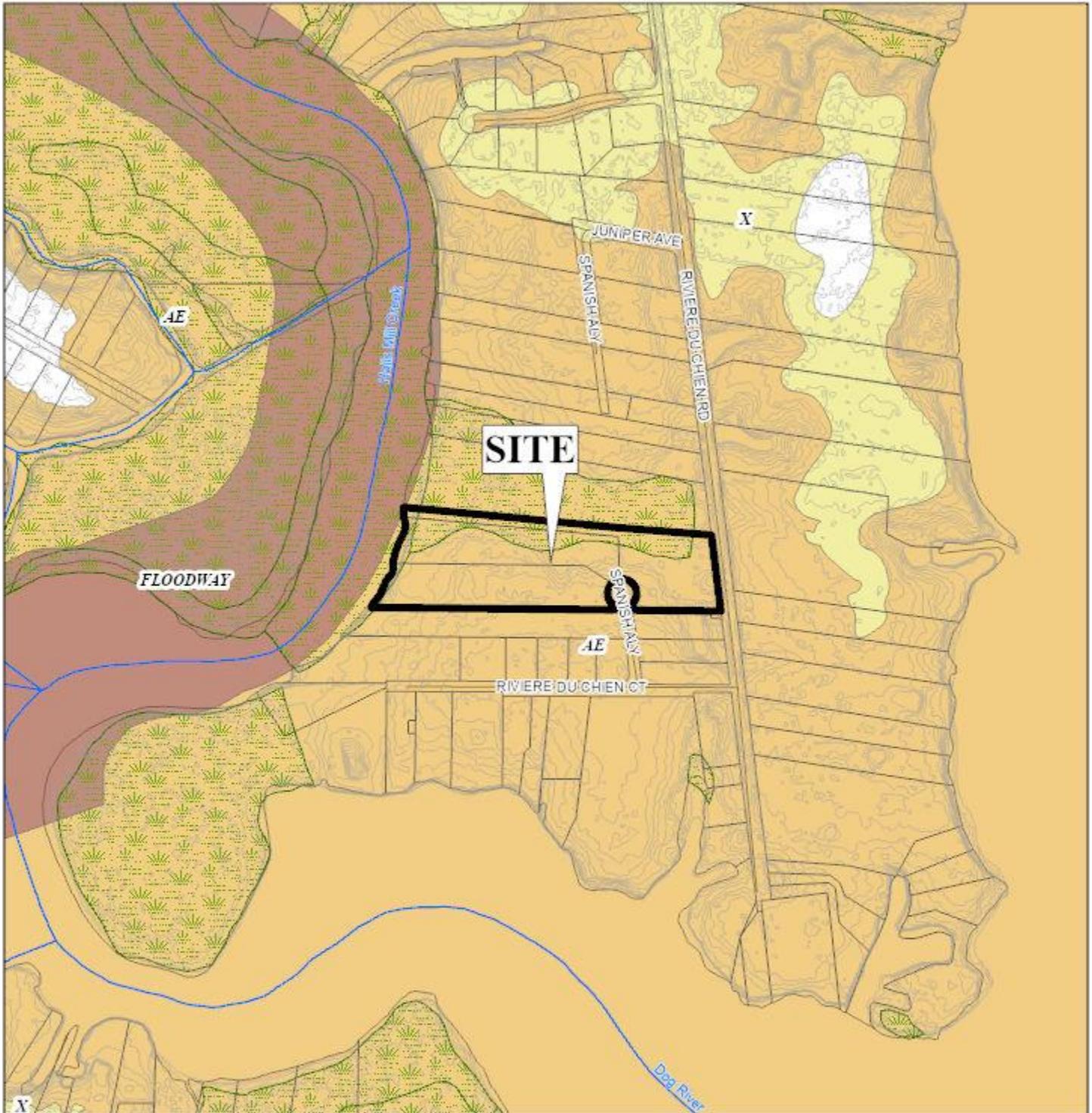
REQUEST Subdivision, Pud

**Layer2**

- |                           |                                   |                           |                    |
|---------------------------|-----------------------------------|---------------------------|--------------------|
| Low Density Residential   | Downtown                          | Traditional Corridor      | Heavy Industry     |
| Mixed Density Residential | District Center                   | Mixed Commercial Corridor | Institutional      |
|                           | Neighborhood Center - Traditional | Downtown Waterfront       | Parks & Open Space |
|                           | Neighborhood Center - Suburban    | Light Industry            | Water Dependent    |



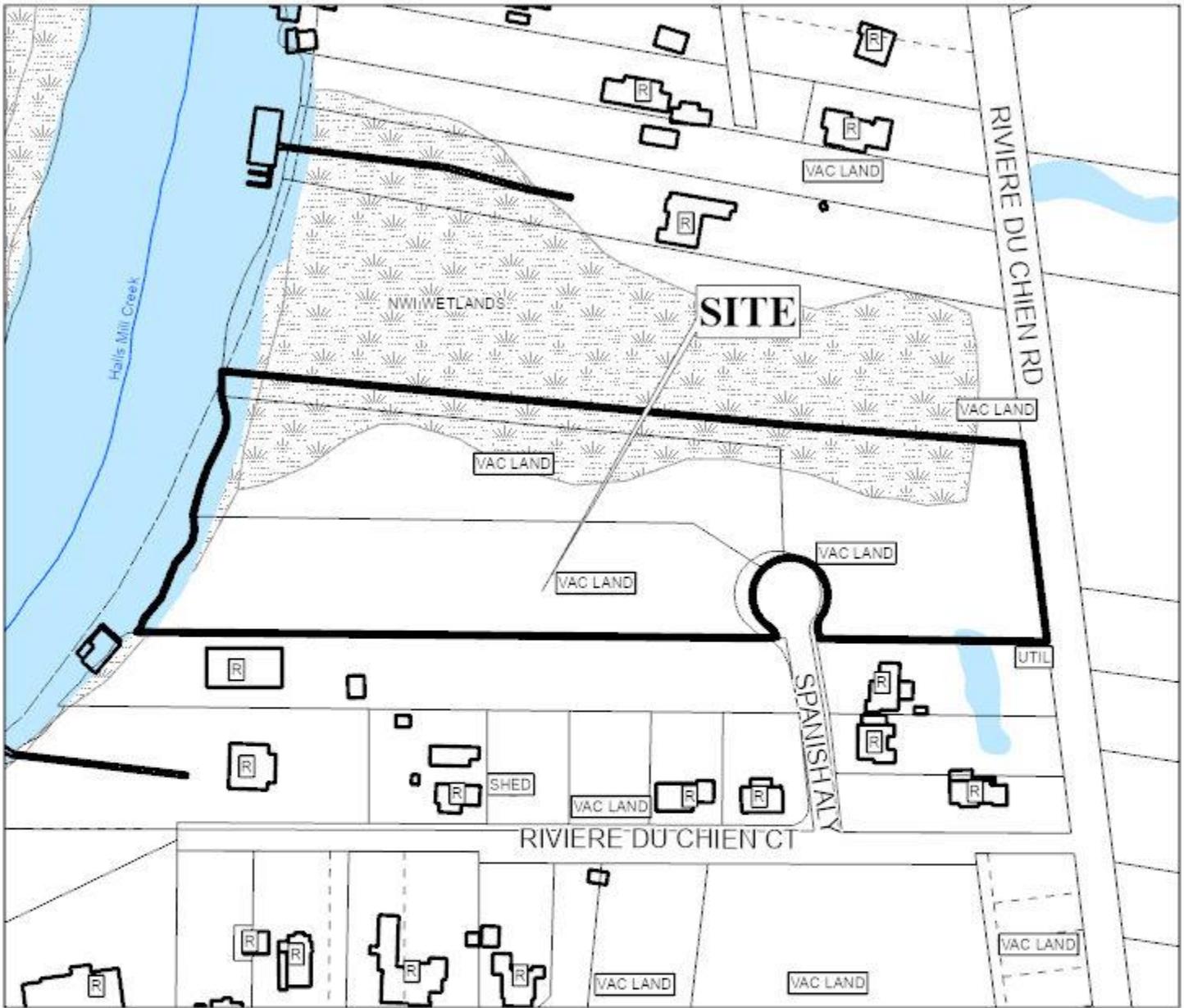
# ENVIRONMENTAL LOCATOR MAP



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

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<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> T-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD-WH	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1
<span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpink; border: 1px solid black;"></span> T3	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> I-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> T4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6



**PLANNING COMMISSION  
VICINITY MAP - EXISTING AERIAL**



The site is surrounded by single family residential units.

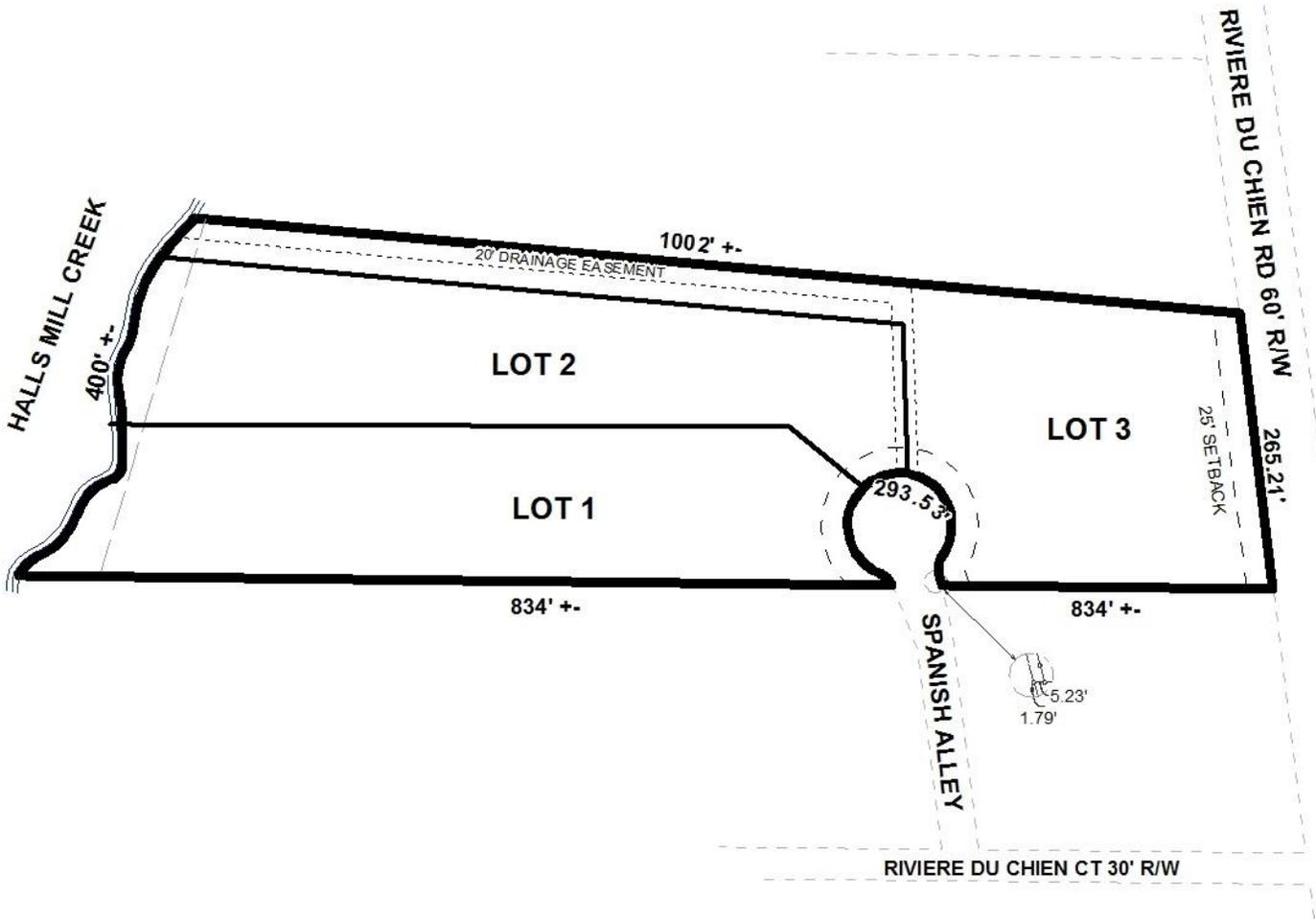
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# DETAIL SITE PLAN



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APPLICANT Sunset Creek Subdivision

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NTS