

**SUBDIVISION &
PLANNED UNIT DEVELOPMENT
STAFF REPORT**

Date: September 18, 2014

<u>NAME</u>	Tucker Place Subdivision
<u>SUBDIVISION NAME</u>	Tucker Place Subdivision
<u>LOCATION</u>	117 Batre Lane (Northwest corner of Batre Lane and Gaillard Street)
<u>CITY COUNCIL DISTRICT</u>	District 7
<u>CURRENT ZONING</u>	R-1, Single-Family Residential
<u>AREA OF PROPERTY</u>	8 Lots / 3.1± Acres
<u>CONTEMPLATED USE</u>	Subdivision Approval to create eight legal lots of record from an existing metes-and bounds parcel, and Planned Unit Development approval to amend a previously approved Planned Unit Development to allow reduced front and side yard setbacks in a proposed Subdivision.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate.

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 the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention will be required for any future addition(s) and/or land disturbing activity.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 75) there is historical credit available for impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition.

Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of a Land Disturbance Permit application.

- D. 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.
- E. Provide and label the POB for the legal description.
- F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.
- 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 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 (signatures not required) along with the original when submitting for City Engineer signature.

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, paving, and all above ground structures, 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 the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
4. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 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.
5. The proposed development must comply with all Engineering Department Policy Letters.

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).

MAWSS COMMENTS

No comments.

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.

REMARKS

The applicant is requesting Subdivision approval to create eight legal lots of record from an existing metes-and-bounds parcel, and Planned Unit Development approval to amend a previously approved Planned Unit Development to allow reduced front and side yard setbacks in a proposed Subdivision.

The applicant previously submitted very similar Subdivision and Planned Unit Development applications, and a Sidewalk Waiver application for the subject site, originally heard at the May 15th meeting. During a subsequent holdover, the sidewalk Waiver was denied at the June 19th meeting, and the Subdivision and Planned Unit Development were approved at the July 17th meeting. Changes from the originally approved plat and site plan are proposed; thus the Subdivision and Planned Unit Development must be amended.

The most notable changes are the removal of both of the existing dwellings on the site, the reconfiguration of the proposed lots, and the reconfiguration of one of the internal ingress and egress easements to minimize traffic congestion on Gaillard Street and Batre Lane. The proposed ingress/egress easement from Batre Lane would now be straightened to provide rear entry to six of the lots instead of five.

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.

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 if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

The purpose of the Subdivision application is to create eight legal lots of record from an existing metes-and-bounds legal description. The plat illustrates the proposed eight-lot, 3.1± acre subdivision located on the Northwest corner of Batre Lane and Gaillard Street, in Council District 7. The applicant states that the site is served by public water and sanitary sewer service. The proposed lots would meet the minimum requirements of the Subdivision Regulations.

The site fronts Batre Lane along the East side, Gaillard Street along the South side, and an unopened alley along the West side. Batre Lane and Gaillard Street are minor streets without curb and gutter and requiring 60' rights-of-way. The plat indicates proposed dedications along both streets to provide a compliant 30' from the centerlines of both. Dedication to provide a compliant 25' corner radius at the corner of Batre Lane and Gaillard Street is also indicated on the plat. Gaillard Street is a closed-end street approximately 450' long. There is currently no compliant Fire apparatus access on Gaillard Street. Therefore, a hammerhead, in compliance with Appendix D of the 2009 International Fire Code, and coinciding with the "pole" for Lot 7, as required by the original approval of the Subdivision, should be constructed prior to signing the Final Plat. Gaillard Street currently has a pavement width of less than the 20' minimum required for Fire apparatus access. Therefore, as in the original approval of the Subdivision, the paving of Gaillard Street to a 20' pavement width should be required prior to signing the Final Plat.

Proposed Lot 6 would now extend completely along the West side of the site. Therefore, a note should also be required on the Final Plat stating that Lot 6 is denied access to the alley along the West side of the site. As a means of access management, a note should be required on the Final Plat stating that each lot is limited to one curb cut to an abutting public street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

The plat labels the lots and detention/common area with their sizes in square feet, but should be revised to label all in both square feet and acres, or a table should be furnished on the Final Plat providing the same information.

The plat illustrates a 20' front minimum building setback line along both street frontages for all lots except a 10' setback along Batre Lane for Lot 1. As the subdivision is of innovative design, the reduced front yard setbacks would be allowed via the PUD with a waiver of the 25' front setback requirement of Section V.D.9. of the Subdivision Regulations. The PUD would also allow for the reduced side yard setbacks. The Final Plat should retain all approved setbacks.

As the Planned Unit Development is to allow reduced front and side yard setbacks, a note should be required on the site plan stating that all lots are limited to 35% maximum site coverage by all structures.

The site plan indicates a 6' high privacy fence along the Northwest portion of the site. Should any further enclosing wall or fence be proposed at a later date, the PUD must be amended to allow such if 3' high or higher within any required setbacks.

As per the denial of the Sidewalk Waiver in June, the site plan indicates a public sidewalk along both public street frontages.

Lot 7 would be a flag lot which is generally prohibited by Section V.D.1. of the Subdivision Regulations. However, as previously stated, the “pole” of this lot is intended to serve as a portion of the required hammerhead for Fire apparatus access. Due to the existence of other irregularly-shaped lots within this older part of the City, the shape of Lot 7 could be considered appropriate for the area in relation to the other proposed lots. Therefore, a waiver of Section V.D.1. would seem in order.

The plat indicates various drainage, utility and ingress and egress easements across the site. Therefore, a note should be required on the Final Plat stating that no structures are to be constructed within any easements. As there are two easements for ingress and egress on the site, a note should be placed on the Final Plat stating that the maintenance of the ingress and egress easements is the responsibility of the property owners. As this is not a private street subdivision, a note should be placed on the Final Plat stating that the ingress and egress easements are not to be gated or blocked in any manner so as to indicate a private street subdivision. A note should also be required on the Final Plat stating that the maintenance of the Detention/Common Area is the responsibility of the property owners.

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.

Two copies of a revised site plan incorporating all conditions of approval for the PUD should be furnished to Planning prior to signing the Final Plat for the Subdivision.

RECOMMENDATION

Subdivision: With waivers of Sections V.D.1. and V.D.9., the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions:

- 1) dedication to provide 30' from the centerlines of Batre Lane and Gaillard Street, as shown on the plat;
- 2) dedication to provide a 25' corner radius at the corner of Batre Lane and Gaillard Street, as shown on the plat;
- 3) construction of a hammerhead coinciding with the “pole” for Lot 7 prior to signing the Final Plat;
- 4) widening of the pavement on Gaillard Street to a minimum of 20' to allow for Fire apparatus access prior to signing the Final Plat;

- 5) placement of a note on the Final Plat stating that each lot is limited to one curb cut to a public street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) placement of a note on the Final Plat stating that Lot 6 is denied access to the alley along the West side of the site;
- 7) revision of the plat to label all lots and the detention/common area with their sizes in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 8) retention of the approved reduced setbacks for all lots;
- 9) placement of a note on the Final Plat stating that no structures are to be constructed within any easements;
- 10) placement of a note on the Final Plat stating that the maintenance of the ingress and egress easements is the responsibility of the property owners;
- 11) placement of a note on the Final Plat stating that the ingress and egress easements are not to be gated or blocked in any manner so as to indicate a private street subdivision;
- 12) placement of a note on the Final Plat stating that the maintenance of the Detention/Common Area is the responsibility of the property owners;
- 13) subject to the 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 the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention will be required for any future addition(s) and/or land disturbing activity.*
 - C. *Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 75) there is historical credit available for impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of a Land Disturbance Permit application.*
 - D. *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.*
 - E. *Provide and label the POB for the legal description.*
 - F. *Provide a written legal description for the proposed subdivision and matching bearing and distance labels.*
 - 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 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 (signatures not required) along with the original when submitting for City Engineer signature.);*

- 14) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 15) subject to the 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)];*
- 16) subject to the 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);*
- 17) 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; and
- 18) submission to Planning of two (2) copies of a revised PUD site plan indicating compliance with all conditions of its approval prior to the signing of the Final Plat.

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

- 1) construction of the hammerhead for Fire apparatus access coinciding with the “pole” for Lot 7 prior to signing the Final Plat;
- 2) widening of the pavement of Gaillard Street to a minimum of 20’ to allow for Fire apparatus access prior to signing the Final Plat;
- 3) placement of a note on the site plan stating that each lot is limited to one curb cut to a public street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) placement of a note on the site plan stating that Lot 6 is denied access to the alley along the West side of the site;
- 5) revision of the site plan to label all lots and the detention/common area with their sizes in square feet and acres, or the furnishing of a table on the site plan providing the same information;
- 6) revision of the site plan to indicate a 20.5’ rear setback line for Lots 1 through 4 and Lot 8 within the ingress/egress easement;
- 7) retention of the approved reduced setbacks for all lots;
- 8) placement of a note on the site plan stating that no structures are to be constructed within any easements;
- 9) placement of a note on the site plan stating that the maintenance of the ingress and egress easements is the responsibility of the property owners;
- 10) placement of a note on the site plan stating that the ingress and egress easements are not to be gated or blocked in any manner so as to indicate a private street subdivision;
- 11) placement of a note on the site plan stating that the maintenance of the Detention/Common Area is the responsibility of the property owners;
- 12) placement of a note on the site plan stating that all lots are limited to 35% maximum site coverage by all structures;
- 13) retention on the site plan of a city-standard sidewalk along Batre Lane and/or Gaillard Street;

- 14) subject to the Engineering comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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, paving, and all above ground structures, 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 the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 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. 5. The proposed development must comply with all Engineering Department Policy Letters.);*
- 15) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 16) subject to the 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)];*
- 17) subject to the 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);*
- 18) placement of a note on the site plan 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;
- 19) placement of a note on the site plan stating that no solid wall or fence exceeding 3' in height shall be built within any setback from a street;
- 20) submission to Planning of two (2) copies of a revised site plan indicating compliance with all approval conditions prior to the signing of the Final Plat; and
- 21) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 12 DATE September 18, 2014

APPLICANT Tucker Place Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential districts.

APPLICATION NUMBER 12 DATE September 18, 2014

APPLICANT Tucker Place Subdivision

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



The site is surrounded by single family residential districts.

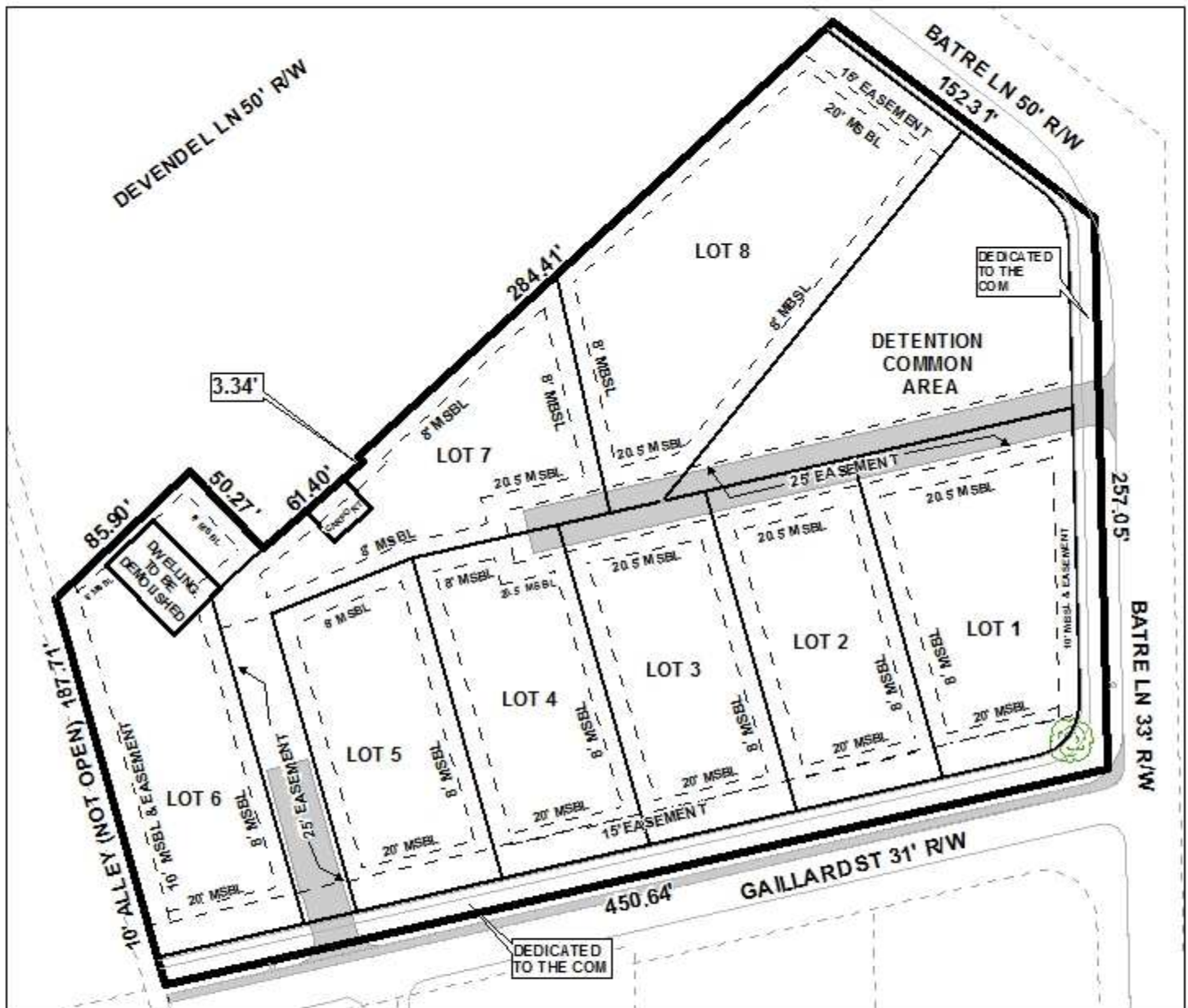
APPLICATION NUMBER 12 DATE September 18, 2014

APPLICANT Tucker Place Subdivision

REQUEST Subdivision, Planned Unit Development



DETAIL SITE PLAN



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

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 APPLICANT Tucker Place Subdivision
 REQUEST Subdivision, Planned Unit Development

