

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: June 15, 2006**

<u>DEVELOPMENT NAME</u>	Bank Trust Subdivision, Resubdivision of Lot 2
<u>SUBDIVISION NAME</u>	Bank Trust Subdivision, Resubdivision of Lot 2
<u>LOCATION</u>	Southeast corner of Old Shell Road and South McGregor Avenue
<u>CITY COUNCIL DISTRICT</u>	District 7
<u>PRESENT ZONING</u>	B-2, Neighborhood business
<u>AREA OF PROPERTY</u>	Subdivision: 0.8 ± acres PUD: 1.43 ± acres
<u>CONTEMPLATED USE</u>	2-lot, commercial subdivision and Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access and parking.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediately
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.
<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).

Preservation status is to be given to the 50" Live Oak Tree located on the South 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 commercial projects shall comply with the 2003 International Fire Code and Appendices B through G, as adopted by the City of Mobile on July 6, 2004. All One- or Two-Family residential developments shall comply with Appendices B, C, and D of the 2003 International Fire Code, as adopted by the City of Mobile on July 6, 2004.

REMARKS

The applicant is requesting Subdivision approval to create two lots from one lot, and Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access and parking.

The Western half of the PUD site, the existing "Lot 1," is currently being redeveloped with a new bank building, while the Eastern half of the site (the existing "Lot 2") is being subdivided to accommodate a new tenant in the vacant building located on the proposed "Lot B." It should also be noted that the vacant building on the proposed "Lot B" will be reduced in size from approximately 2,700 square feet to 2,200 square feet, through the removal of approximately 500 square feet from the rear of the building.

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 must be approved 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 site has been the subject of several PUD approvals, including most recently in 2004 and 2005. The PUD amendment is to accommodate the proposed subdivision of the existing "Lot 2" into two lots. The April 2005 PUD approval included the following conditions:

- 1) completion of the subdivision process;
- 2) provision of the required buffer fence where the site abuts residentially zoned properties at the time those properties are developed residentially;

- 3) existing trees that are on the West side of Lot 1 require a permit from Urban Forestry to be disturbed. Preservation status for the 48" Live Oak located on the South side of Lot 2. 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;
- 4) any significant changes to the site development will necessitate a new PUD approval by the Planning Commission, to include all properties involved/effected; and
- 5) full compliance with all municipal codes and ordinances, including but not limited to landscaping, tree plantings, and sign number, location and size.

The existing lot configuration for the site was approved by the Planning Commission at the July 2, 2004 meeting, and the plat was recorded during May 2005.

Major street issues were addressed through the previous applications, but should be noted as a part of this request. In essence, the Commission required dedications along McGregor Avenue and Old Shell Road as conditions of subdivision approval, and limited the number of curb cuts. Given the unique nature of the existing development and the fact that the site was to be redeveloped in phases, the previous approvals allowed for removal of the head-in parking along Old Shell Road as each phase is developed. Since the site is a PUD, any future redevelopment of the Eastern half of the PUD site will necessitate new applications, which should reflect elimination of the remaining head-in parking spaces, as well as the provision of landscaping, tree plantings and sidewalks for that phase.

It should be noted that the proposed Lots A and B have two existing curb-cuts onto Old Shell Road. The July 2004 subdivision approval was conditioned upon Lots 1 and 2 having a maximum of two curb-cuts onto Old Shell Road. As the existing Lot 1 will have one curb-cut after completion of redevelopment, the proposed Lots A and B should be limited to their existing curb-cuts if there is no redevelopment on the proposed lots, or one shared curb-cut, if proposed Lots A and B are redeveloped in the future. The size, location and design of all future curb-cuts must be approved by Traffic Engineering and conform to AASHTO standards.

The property to the South is zoned R-1, Single-Family Residential, and as such a 10-foot buffer strip and a 6-foot privacy fence, in conformance with Section 64-4.D. of the Zoning Ordinance, are required on the site in question. However, that property is developed with a church and associated parking facilities, thus the fence would be buffering parking facilities from parking facilities. While the Commission does not have the authority to waive or grant variances from requirements of the Zoning Ordinance, the Commission has on occasion required installation of the required buffer fence at the time the adjacent residential property was developed residentially. Such a condition would be appropriate with this and future approvals.

RECOMMENDATION: **Planned Unit Development:** Based on the preceding, the PUD application is recommended for Approval, subject to the following conditions: 1) completion of the subdivision process; 2) provision of the required buffer fence where the site abuts residentially zoned properties at the time those properties are developed residentially; 3) placement of a note on the site plan stating: *"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 50" Live Oak Tree located on the South 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"; 4) any significant changes to the site development will necessitate a new PUD approval by the Planning Commission, to include all properties involved/effected; and 5) full compliance with all municipal codes and ordinances, including but not limited to landscaping, tree plantings and sign number, location and size.

Subdivision: Based on the preceding, the plat is recommended for Tentative Approval, subject to the following conditions: 1) placement of a note on the final plat stating that Lots A and B are limited to the existing curb-cuts, or if future redevelopment is undertaken, to one shared curb-cut onto Old Shell Road, with the size, design and location of the curb-cut to be approved by Traffic Engineering and conform to AASHTO standards; 2) placement of a note on the final plat stating: *"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 50" Live Oak Tree located on the South 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";* and 3) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



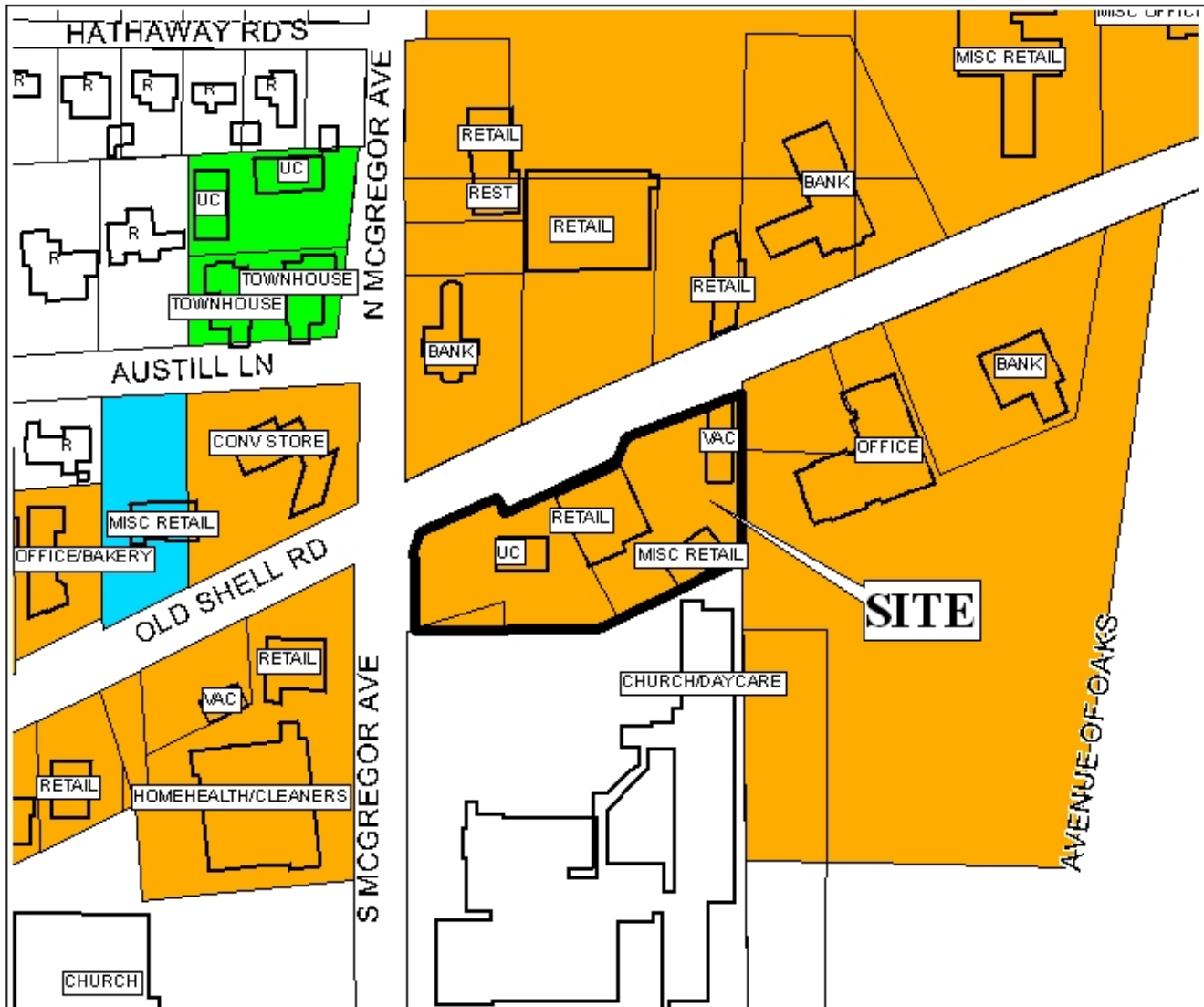
APPLICATION NUMBER 13 & 14 DATE June 15, 2006

APPLICANT BankTrust Subdivision, Resubdivision of Lot 2

REQUEST Planned Unit Development, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous businesses, with a church and daycare located to the South.

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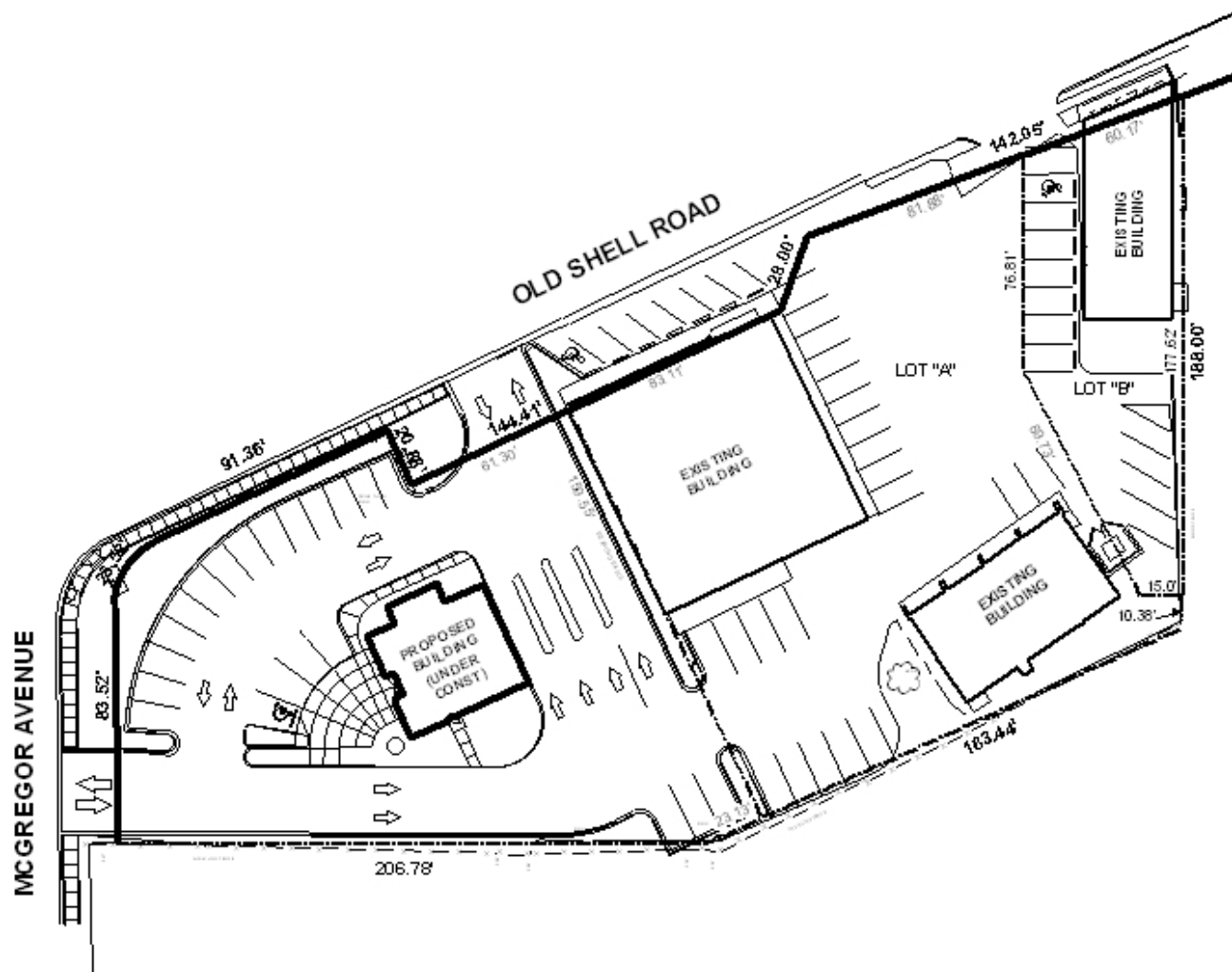
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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SITE PLAN



The site is located on the Southeast corner of Old Shell Road and South McGregor Avenue. The plan illustrates the existing structures and parking, along with the proposed building.

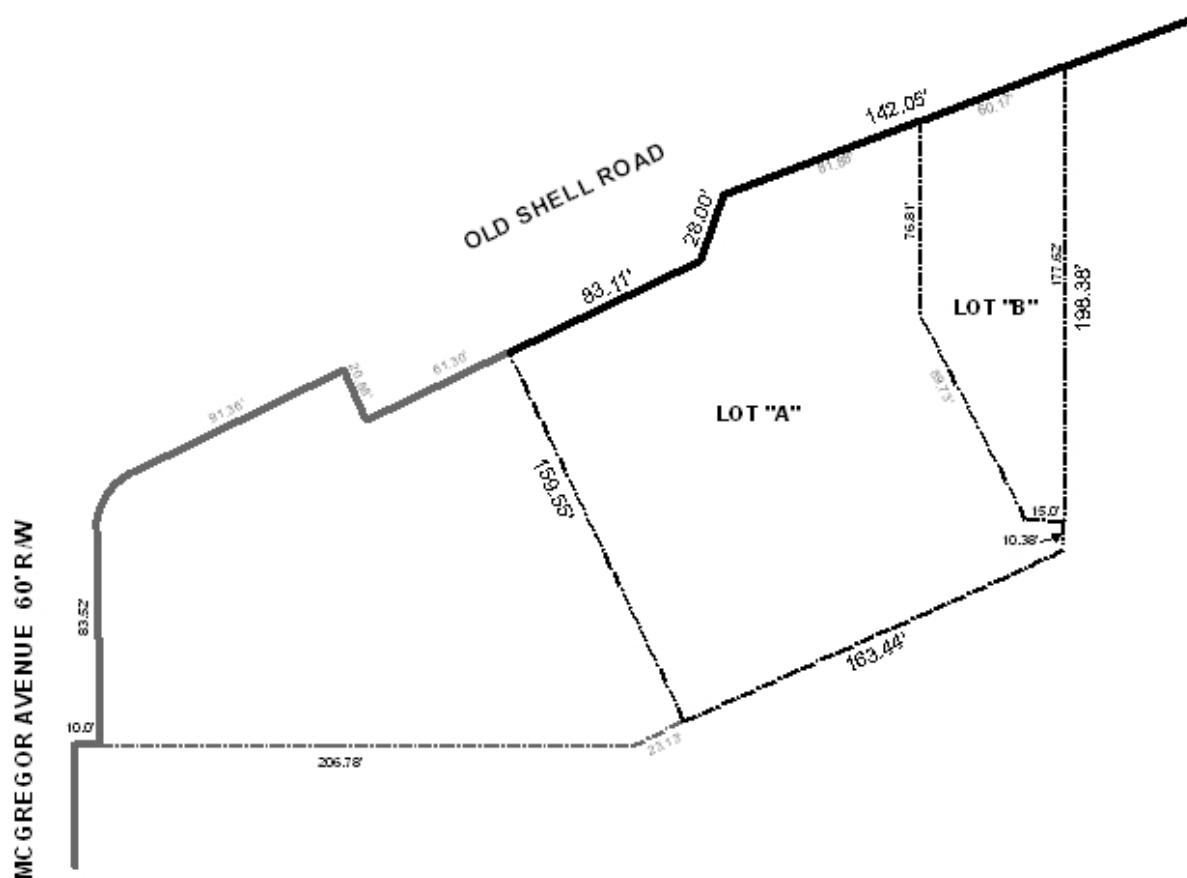
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DETAIL SITE PLAN



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REQUEST Planned Unit Development, Subdivision

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