

**SUBDIVISION &  
PLANNED UNIT DEVELOPMENT STAFF REPORT** **Date: July 9, 2015**

<b><u>NAME</u></b>	McConnell Subdivision
<b><u>SUBDIVISION NAME</u></b>	McConnell Subdivision
<b><u>LOCATION</u></b>	211 Lakewood Drive East (East side of Lakewood Drive East, 140± South of Lakewood Court).
<b><u>CITY COUNCIL DISTRICT</u></b>	District 5
<b><u>PRESENT ZONING</u></b>	R-1, Single Family Residential District.
<b><u>AREA OF PROPERTY</u></b>	1 Lot / 0.6± Acres
<b><u>CONTEMPLATED USE</u></b>	Subdivision approval to create one legal lot of record from two legal lots of record; and Planned Unit Development approval to allow reduced side yard setbacks.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	None given.
<b><u>ENGINEERING COMMENTS</u></b>	<b>Subdivision:</b> The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: <ul style="list-style-type: none"><li>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.</li><li>B. 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.</li><li>C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.</li><li>D. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature.</li><li>E. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.</li></ul>

**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 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. 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.
5. The proposed development must comply with all Engineering Department design requirements and 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).

**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). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).

**MAWSS COMMENTS**

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

**REMARKS**

The applicant is requesting Planned Unit Development approval to allow reduced side yard setbacks, and Subdivision approval to create one (1) lot in an R-1, Single Family Residential District to allow reduced yard setbacks.

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.

It is very important to note that the PUD reviews are site plan specific; therefore *any* future changes to the overall site plan must be submitted for PUD review. Additionally, if the site plan is changed from what is approved by the Planning Commission, a new application for PUD application will be required.

The applicants desire to construct a new addition and carport onto their existing residence. The applicants propose to remove an existing shed located to the North side of the site in order to construct the addition. If the PUD request is approved, a demolition permit will need to be obtained before the shed can be removed.

It should also be mentioned that the existing shed as well as an existing playhouse are sited within the minimum rear and side yard setbacks for an R-1, Single Family Residential District. The applicants should be made aware that they must obtain permits before erecting any other accessory structures in the future.

The proposed addition appears to be compliant as it relates to site coverage and setbacks; however, the site plan does not indicate the size and height of the new HVAC condensing units and generators which are proposed for placement within the side yard setbacks on both sides of the house. The site plan should be revised to indicate the height and size of the mechanical units. According to Section 64-4.D.11 of the Zoning Ordinance, mechanical equipment is not allowed to be located within the minimum side yard setback if the height exceeds three feet. If the mechanical units and generators are in fact over three feet they will not be permitted to be sited within eight feet of the side yard setback, and the site plan would need to be revised to relocate the HVAC equipment and generators to a compliant location.

The applicants are also requesting to reduce the minimum side yard setback limitation from 12 feet to eight feet in order to construct a carport on the South side of the residence. According to the Zoning Ordinance, a minimum side yard setback of 12 feet is required for this site since the setback on the north side of the property meets the minimum eight foot requirement. It should be noted, that these standards were set in place to protect the residential character of the developed

areas, to encourage a suitable neighborhood environment for family life, and to preserve the openness of the areas by requiring certain minimum yard and area criterion to be met.

It can be said that the site plan could be redesigned in such a manner as to reduce the footprint and/or siting of the carport in order to have both the addition and the carport in compliance with the minimum setback requirements as mandated by the Zoning Ordinance; however, other properties within the area have received approval for similar reductions in setbacks. For instance, a property located on the west side of Lakewood Drive North, received approval from the Board of Zoning Adjustment October 4, 1999 meeting to allow the construction of a storage unit within three feet of the South property line and within four feet of the North property line to provide a combined side yard total of seven feet. Also, at the May 3, 1982 Board of Zoning Adjustment meeting, a property located just south of the subject site received approval to reduce side yard and rear yard setbacks to allow the construction of a greenhouse, garage, and storage unit. As similar requests have been approved within this area, approval may be considered suitable in this situation.

In addition to reducing side yard setbacks, the applicants also desire to subdivide two legal lots of record into one lot.

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 plat illustrates the proposed 1-lot subdivision which is sited on the East side of Lakewood Drive East within Council District 5. The applicant states that the subdivision is served by city water and sanitary sewer systems.

The site is located on Lakewood Drive East, a minor street with curb and gutter. The right-of-way width for Lakewood Drive East meets the minimum requirements as illustrated on the plat, and should be retained on the Final Plat, if approved.

The 25 foot minimum building setback line is also depicted, and if approved, should be retained on the Final Plat.

As a means of access management, a note should be placed on the Final Plat stating that the lot is limited to the two existing curb cuts, with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards.

The proposed lot size is provided in both square feet and in acres, and should be retained on the Final Plat, if approved.

**RECOMMENDATION**

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

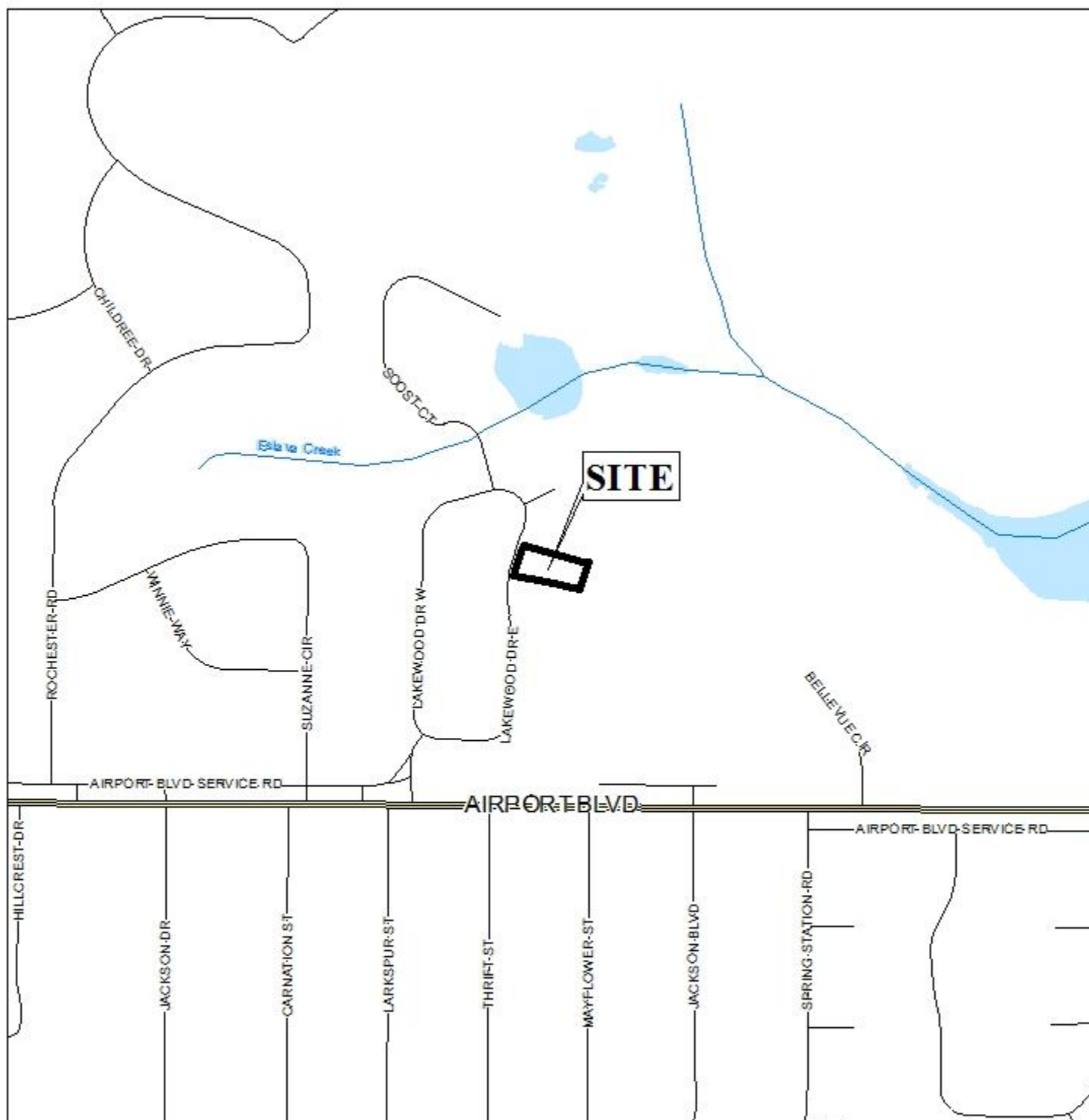
- 1) Retention of the right-of-way width for Lakewood Drive East;
- 2) Retention of the 25 foot minimum building setback line;
- 3) Placement of a note on the Final Plat stating that the lot is limited to the two existing curb cuts, with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) Retention of the lot size in both square feet and acres;
- 5) 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 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. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. E. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 6) Subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) 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).];*
- 8) Subject to the 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). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).];*
- 9) Subject to MAWSS comments: *(MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.); and*
- 10) Submission and approval of two (2) copies of revised PUD site plans prior to signing the Final Plat.

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

- 1) Obtainment of a demolition permit before removing the shed;

- 2) Revision of the site plan to indicate the height and size of the HVAC equipment and generators, and their relocation if the mechanical units exceed three feet;
- 3) Subject to the 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, 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 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. 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.];*
- 4) Subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 5) 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).];*
- 6) Subject to the 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). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).);*
- 7) Submission and approval of two (2) copies of a revised site plan prior to signing the Final Plat; and
- 8) Full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 13 DATE July 9, 2015

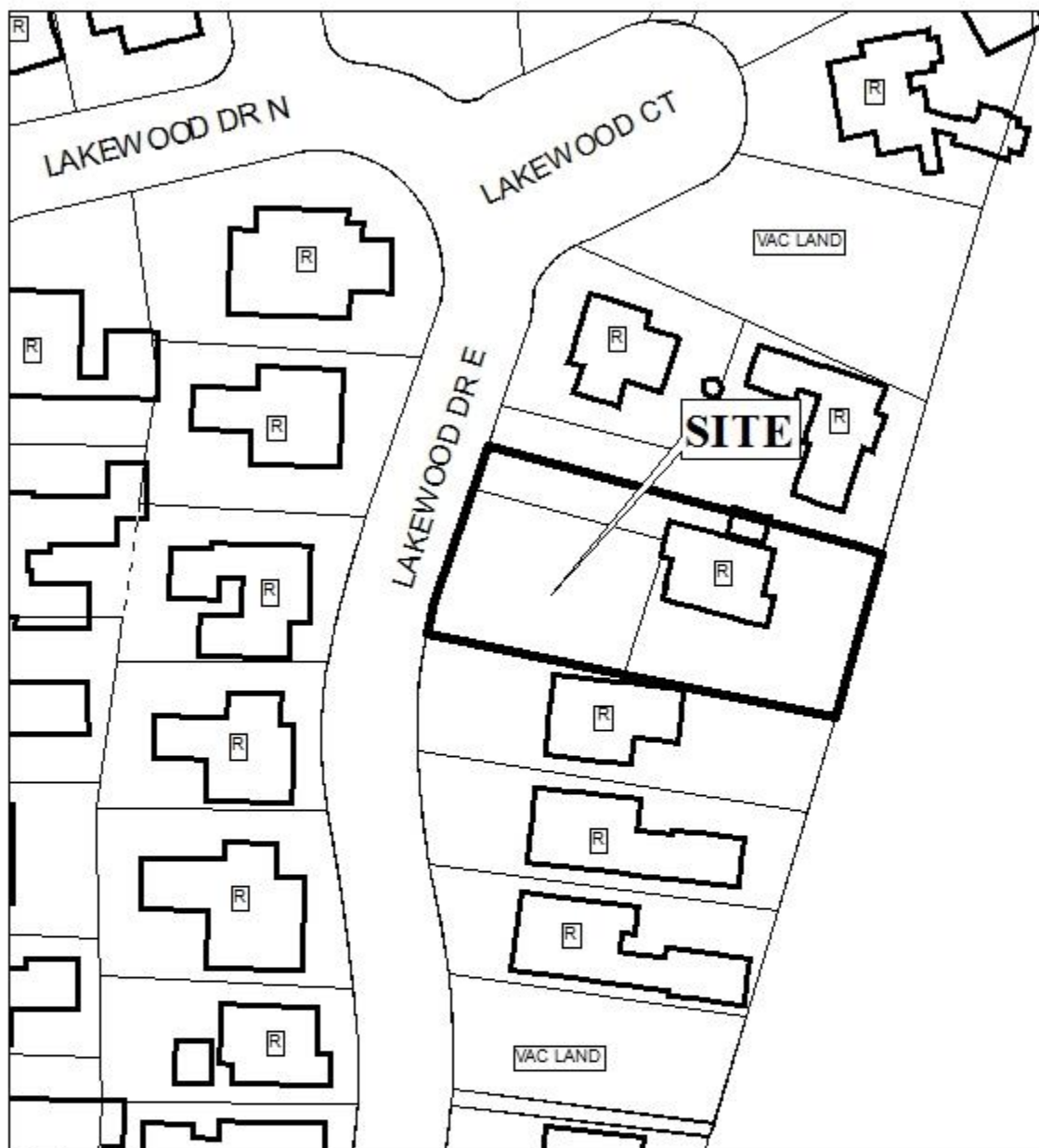
APPLICANT McConnell Subdivision

REQUEST Subdivision, Planned Unit Development



# PLANNING COMMISSION

## VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 13 DATE July 9, 2015

APPLICANT McConnell 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 units.

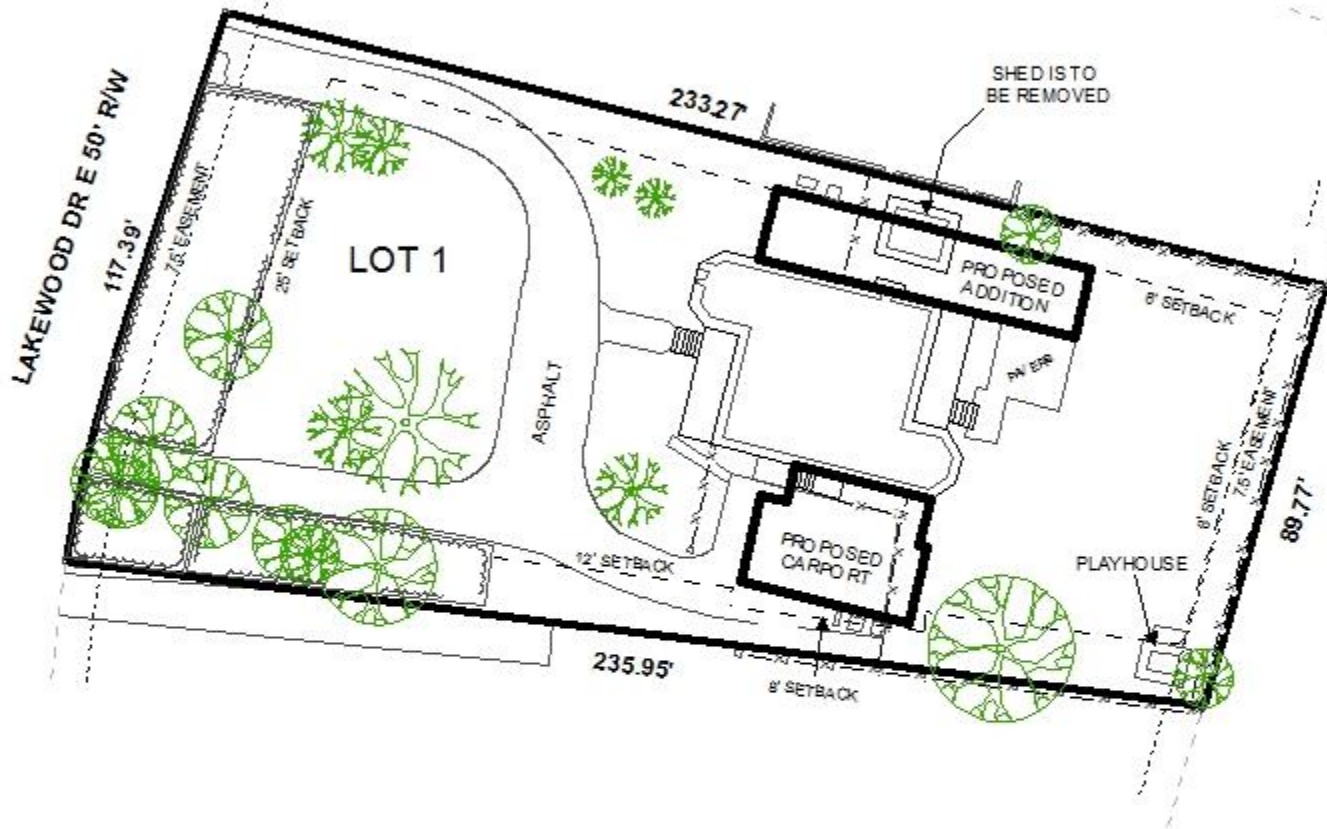
APPLICATION NUMBER 13 DATE July 9, 2015

APPLICANT McConnell Subdivision

REQUEST Subdivision, Planned Unit Development



# SITE PLAN



The site plan illustrates the proposed addition, carport, setbacks, easements, and trees.

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APPLICANT McConnell Subdivision

REQUEST Subdivision, Planned Unit Development

