

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: June 3, 2010****DEVELOPMENT NAME**

Raye McKinley Subdivision

SUBDIVISION NAME

Raye McKinley Subdivision

LOCATION551 Congress Street
(Southwest corner of Congress Street and North Cedar Street)**CITY COUNCIL****DISTRICT**

District 2

AREA OF PROPERTY

3 Lots / 0.1± Acre

CONTEMPLATED USE

Planned Unit Development Approval to allow a subdivision to create lots with reduced setbacks, reduced lot widths, and reduced lot sizes. Subdivision approval to create three legal lots-of-record.

TIME SCHEDULE**FOR DEVELOPMENT**

Immediate upon approval.

ENGINEERING**COMMENTS**

Need to show limits of the flood zones as scaled from the FEMA FIRM maps dated March 17, 2010. Show Minimum Finished Floor Elevation on Plat. There is to be no fill placed within the limits of the flood plain without providing compensation. Must comply with all storm water and flood control ordinances. Must provide detention for any increase in impervious area to the site since 1984. Any work performed in the right of way will require a right of way permit. At the corner of Congress St and North Cedar St, need to dedicate to the City a minimum radius of 10' or as otherwise approved by the City Engineer.

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 must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

REMARKS

The applicant is seeking Planned Unit Development Approval to allow a subdivision to create three legal lots of record with reduced setbacks, reduced lot widths, and reduced lot sizes. The site is located in Council District 2, and according to the applicant is served by public water and sanitary sewer.

The applicant proposes to subdivide the property in order to separate ownership of the three structures currently on the property.

It should be noted that the commission heard this application at its meeting of April 15, 2010. At that time, the application was recommended for denial. The applicant requested a holdover until the May 20, 2010, meeting to be able to confer with staff about possible options. After meeting with staff, the applicant submitted a Planned Unit Development application to accompany the Subdivision application. The applicant then requested another holdover until this meeting in order for the PUD and Subdivision application to be considered concurrently.

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 / Subdivision plat will require approval 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 is zoned B-4, General Business District and is located within the Hank Aaron Loop. The two westernmost structures on the property are residential, and the easternmost structure is a commercial warehouse. The applicant stated in a meeting with staff that he currently has a tenant in one of the residential structures that wishes to purchase the residence, hence this application.

First, regarding the reduced lot widths and sizes, the widths and sizes which are shown on the site plan are not atypical for the area. Indeed there are several examples in the area of lots as small, or smaller, than the ones which are proposed. Regarding the setback issues, the structures are all existing, and no new structures are proposed. The only change would be to subdivide the property. As such, a note should be placed on the Final Plat and the site plan stating that where the building envelope encroaches into any required setback (less than 5-feet from the property line where the building does not go all the way to the property line), the building may not be expanded to further encroach into any required setback.

Regarding parking, as stated earlier, the two westernmost structures are residential dwelling units. As per Section 64-6.A.1. of the Zoning Ordinance, residential development in the Hank Aaron Loop area is exempt from parking requirements. Regarding the warehouse, the Zoning Ordinance requires one (1) space per three (3) employees. As the location has no employees, the minimum one (1) parking space would be required, and this space is currently provided. As such, the site meets minimum parking standards.

The site fronts Congress Street to the North and North Cedar Street to the East. Both streets are minor streets provided with curb and gutter, and both streets are depicted with adequate rights-of-way of 80 feet and 50 feet, respectively. No further dedication should be required except for dedication sufficient to comply with Section V.B.16. of the Subdivision Regulations regarding curb radii, and as noted in the City Engineering comments.

The 25-foot minimum building setback line is not depicted. However, B-4 Zoning Districts allow building construction up to the front property line. As such, the 25-foot minimum building line can be omitted from the Final Plat.

The lot area sizes, in square feet, are indicated on the Preliminary Plat and should be retained on the Final Plat.

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. As such, any required permits should be obtained prior to undertaking any land disturbing or construction activity.

A large portion of the site appears to be located within a flood plain. of Twelve Mile Creek. As depicted on FEMA Flood Insurance Rate Maps, the site is within the X zone. The presence of floodplains and wetlands indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

RECOMMENDATION

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

- 1) retention of the lot area size, in square feet, on the Final Plat;
- 2) placement of a note on the Final Plat stating that where the building envelope encroaches into any required setback (less than 5-feet from the property line where the building does not go all the way to the property line), the building may not be expanded to further encroach into any required setback;
- 3) dedication sufficient to comply with Section V.B.16. of the Subdivision Regulations regarding curb radii;
- 4) compliance with all Engineering comments: *(Need to show limits of the flood zones as scaled from the FEMA FIRM maps dated March 17, 2010. Show Minimum Finished Floor Elevation on Plat. There is to be no fill placed within the limits of the flood plain*

without providing compensation. Must comply with all storm water and flood control ordinances. Must provide detention for any increase in impervious area to the site since 1984. Any work performed in the right of way will require a right of way permit. At the corner of Congress St and North Cedar St, need to dedicate to the City a minimum radius of 10' or as otherwise approved by the City Engineer);

- 5) 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;
- 6) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities; and
- 7) provision of two copies of a revised Planned Unit Development site plan incorporating all of the changes to the Planned Unit Development to the Planning Section of Urban Development prior to the signing of the Final Plat.

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

- 1) retention of the lot area size, in square feet, on the site plan;
- 2) placement of a note on the site plan stating that where the building envelope encroaches into any required setback (less than 5-feet from the property line where the building does not go all the way to the property line), the building may not be expanded to further encroach into any required setback;
- 3) dedication sufficient to comply with Section V.B.16. of the Subdivision Regulations regarding curb radii;
- 4) compliance with all Engineering comments: *(Need to show limits of the flood zones as scaled from the FEMA FIRM maps dated March 17, 2010. Show Minimum Finished Floor Elevation on Plat. There is to be no fill placed within the limits of the flood plain without providing compensation. Must comply with all storm water and flood control ordinances. Must provide detention for any increase in impervious area to the site since 1984. Any work performed in the right of way will require a right of way permit. At the corner of Congress St and North Cedar St, need to dedicate to the City a minimum radius of 10' or as otherwise approved by the City Engineer);*
- 5) 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;
- 6) placement of a note on the site plan stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities;
- 7) provision of two copies of a revised site plan incorporating all of the changes above to the Planning Section of Urban Development prior to the signing of the Final Plat; and
- 8) full compliance with all municipal codes and ordinances.

LOCATOR



APPLICATION NUMBER 15 & 16 DATE June 3, 2010

APPLICANT Raye Mckinley Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

APPLICATION NUMBER 15 & 16 DATE June 3, 2010

APPLICANT Raye Mckinley Subdivision

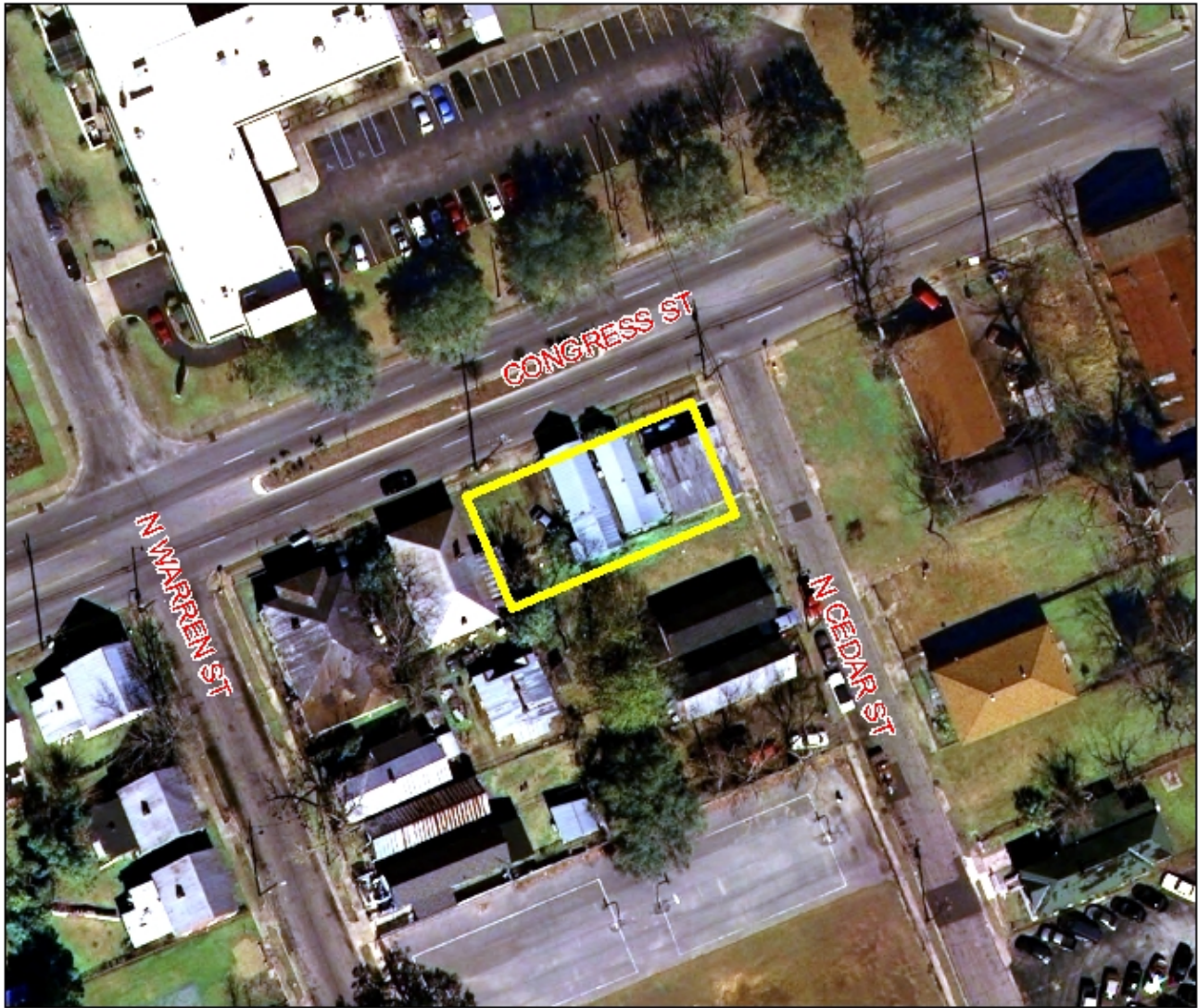
REQUEST Subdivision, Planned Unit Development

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

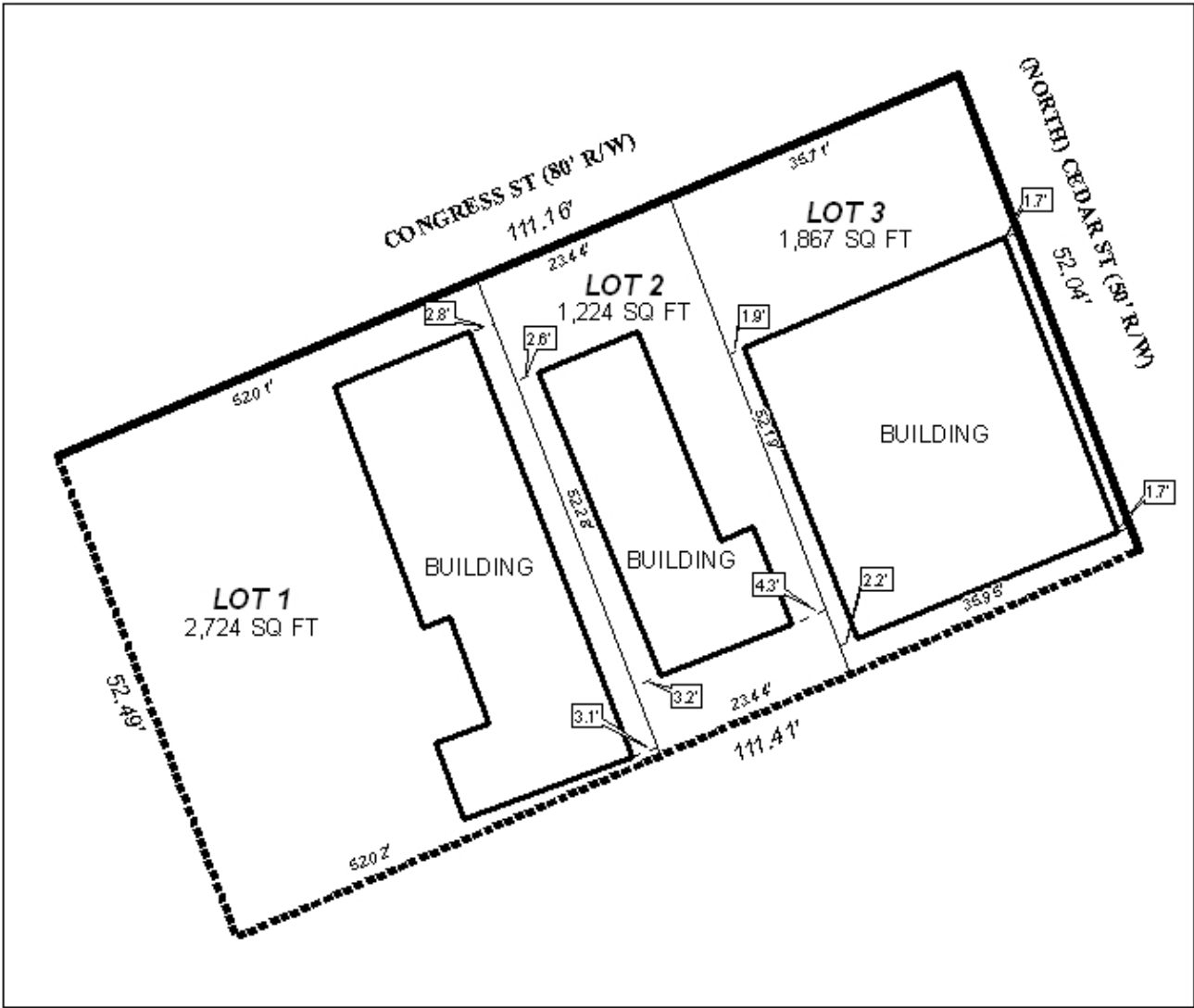
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SITE PLAN



This site plan illustrates the existing buildings and lot configuration.

APPLICATION NUMBER 15 & 16 DATE June 3, 2010 N

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