

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: June 21, 2018**

<b><u>DEVELOPMENT NAME</u></b>	Garden Trace Subdivision, Resubdivision of Lots 7 & 8
<b><u>SUBDIVISION NAME</u></b>	Garden Trace Subdivision, Resubdivision of Lots 7 & 8
<b><u>LOCATION</u></b>	7 Garden Trace (East terminus of Garden Trace)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 7
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District.
<b><u>AREA OF PROPERTY</u></b>	2 Lots / 2.6± Acres
<b><u>CONTEMPLATED USE</u></b>	Subdivision Approval to adjust an interior lot line between two (2) legal lots of record and Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a private street subdivision.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Not provided.

**ENGINEERING****COMMENTS**

**Subdivision:** FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or 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. Label the ROW as "PRIVATE".
- C. Provide and label the monument set or found at each subdivision corner.
- D. Revise the signature block from "CITY OF MOBILE ENGINEERING" to "CITY ENGINEER".
- E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- F. Provide the Surveyor's Certificate and Signature.
- G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- H. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.

- I. 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.
- J. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- K. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- L. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

**Planned Unit Development:** ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

1. Any work performed in the existing City drainage easement 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. 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.
3. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer.
4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. 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 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.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**TRAFFIC ENGINEERING****COMMENTS**

All access for the development shall be limited to Tuthill Lane via the private street Garden Trace.

**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 2015-116 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).

**MAWSS COMMENTS**

No comments.

**REMARKS**

The applicant is seeking Subdivision Approval to adjust an interior lot line between two (2) legal lots of record and Planned Unit Development (PUD) Approval to amend a previously approved PUD to allow a private street subdivision.

The site was originally the subject of Subdivision and PUD Approvals at the September 15, 2011 meeting of the Planning Commission to allow a nine-lot, private street residential subdivision. Most recently, at its March 7, 2013 meeting, the site received PUD Approval to amend the previously approved PUD to allow the construction of a gate to the private street. The applicant is now requesting to adjust an interior lot line between two (2) of the previously approved lots. No other changes are proposed to the previously approved layout of the development, but PUDs are site-plan specific, therefore Planning Commission Approval is required to amend the previously approved PUD site plan to accommodate the revised Subdivision plat.

Based upon recent Planned Unit Development cases, all property owners within the PUD must consent to the amendment of the PUD. Thus, this request should be heldover until such consent documentation is received by the Planning & Zoning Department.

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.

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.

As mentioned, PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The site has been given a **Low Density Residential** 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.

The Low Density Residential 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 Low Density Residential districts is residential development where 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.)

Low Density Residential 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, bike-able 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 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.

The preliminary plat and PUD site plan illustrate that the subject Lots, Lot 7A and Lot 8A, each have frontage on Garden Trace, a private street with a recorded 50' right-of-way width. Lot 8A also has frontage along the unopened right-of-way of the proposed Irene Street, also labeled as Provident Lane, the width of which is recorded as 33'. The right-of-way width along the unopened right-of-way of Irene Street is appropriately labeled on the plat and PUD site plan, but the right-of-way along Garden Trace is only illustrated on the PUD site plan. As such, if approved, revision of the plat to illustrate dedication sufficient to provide at least 25' from the centerline of Garden Trace should be required.

It should be noted that the PUD site plan also illustrates that Lots 1 and 5 have frontage along Tuthill Lane, a minor street without curb and gutter requiring a 60' right-of-way width; and, that Lot 4 has frontage along the unopened right-of-way of the proposed College Lane, the width of which is 33'. Adequate right-of-way is illustrated along the proposed College Lane, but the site plan illustrates a 45' right-of-way width along Tuthill Lane. Previous Subdivision and PUD Approvals only required dedication to provide 25' from the centerline of Tuthill Lane and, as such, if approved, the PUD site plan should be revised to illustrate this requirement.

Previous subdivision of the lots did not limit the amount of curb cuts permitted along Garden Trace, but a note on the plat states the size, design and location of all new curb cuts is to be approved by Traffic Engineering and conform to AASHTO standards. As such, retention of this note should be required on the Final Plat, if approved. This note should also be provided on the PUD site plan, if approved, with the exception of Lot 5, which was previously allowed two (2) curb cuts.

In coordination with previous Subdivision and PUD Approvals, an additional note should be placed on the PUD site plan stating Lot 1 is denied access to Tuthill Lane and that Lot 4 is denied access to College Lane.

The lots meet the minimum size requirements for lots with access to public water and sanitary sewer systems and are appropriately labeled in square feet and acres on the plat and the PUD site plan. This information should be retained on both plat and PUD site plan, if approved, adjusted for any required dedication; or, the provision of a table on the Final Plat and PUD site plan providing the same information may suffice.

A portion of the 25' minimum building setback line is illustrated along Garden Trace, but not along the unopened right-of-way of Irene Street. While the building setback line along the unopened Irene Street right-of-way was not a requirement of the previous subdivision of the site, it was a requirement along Garden Trace. As such, revision of the plat and PUD site plan to illustrate the 25' minimum building setback line along the entirety of each lot's frontage on Garden Trace should be required, if approved.

Multiple easements are illustrated on the plat, including: 15' drainage easements along the East property line of each lot; 15' utility easements along the South property line of Lot 7A and along the North property line of Lot 8A; 7.5' utility easements along the North property line of Lot 7A and along the South property line of Lot 8A; a 15' utility easement along the frontage of Lot 7A; a 20'± drainage easement extending from the West property line of Lot 7A to the East property

line of Lot 8A; and common area easements to the West of Lot 7A, and between Lots 7A and 8A. As such, if approved, a note should be placed on the Final Plat stating no structures shall be constructed in any easement.

The PUD site plan illustrates the aforementioned easements, as well as: 15' utility easements along the North property lines of Lots 1-6; 20' utility easements along the South property lines of Lots 1-4; a 15' utility easement along the South property line of Lot 5; a 10' drainage easement along the South property line of Lot 6; 15' utility easements along the West property lines of Lots 1 and 5; a 15' utility easement along the East property line of Lot 4; and 7.5' drainage and utility easements between Lots 1 and 2, between Lots 2 and 3, between Lots 3 and 4, and between Lots 5 and 6; and a common area easement to the East of Lot 6. As such, if approved, a note should be placed on a revised site plan stating no structures shall be constructed in any easement.

A note has been placed on the plat stating that the maintenance of all common areas and common area easements, including detention ponds, is the responsibility of the property owners and not the City of Mobile. This note should be retained on the Final Plat, if approved. If approved this note should also be placed on a revised PUD site plan.

No additional changes are proposed to either the Subdivision of Lots 7A and 8A, or to the layout of the previously approved PUD, which includes: illustration of revised 10' side yard setbacks and 15' rear yard setbacks; the provision of a table indicating Lots 1-4 have a 50% maximum building site coverage, and Lots 5-9 have a 35% maximum building site coverage; and, that a gate restricting access to the private Garden Trace is located 60' from Tuthill Lane to provide adequate queuing space from the right-of-way. It should be noted, however, that the table providing maximum site coverages should be revised to indicate that, in addition to Lots 5, 6, and 9, Lots 7A and 8A have a 35% maximum building coverage since Lots 7 and 8 will be renamed as a result of the Subdivision request.

A note on the previously approved Subdivision plat stated that sidewalks would be required along all street frontages at the time of development. In coordination with the previous Subdivision Approval this note should be provided on the Final Plat, as well as on the PUD site plan, if approved.

It should be noted that the City does not provide garbage and/or trash services to properties located on a private road or street. As such, garbage and/or trash service(s) are the responsibility of the property owners.

Finally, while the private Garden Trace is already developed, a note should nevertheless be provided on both the Final Plat and PUD site plan, if approved, stating that the maintenance of the private street and all common areas are the responsibility of the property owners. An additional note should be placed on the Final Plat and the PUD site plan stating that, if the private street is not maintained to City standards inasmuch as it could ultimately be dedicated for public use and maintenance, then 100 percent of the cost of the improvements required to do so shall be assessed to the property owners at the time the private street is dedicated.

**RECOMMENDATION**

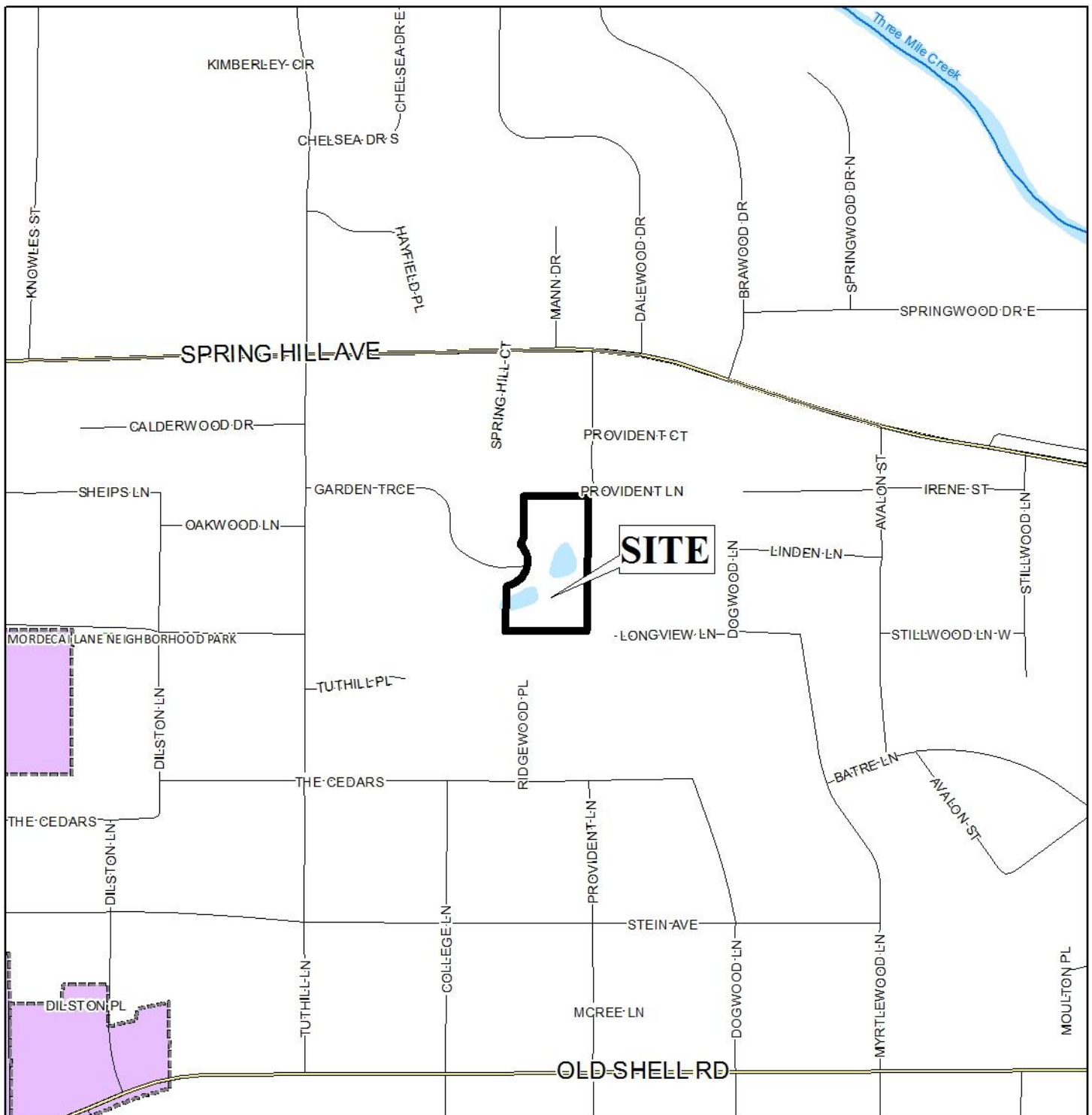
**Subdivision:** The application is recommended for Holdover until the August 2, 2018 meeting with revisions to be submitted by July 16<sup>th</sup> to address the following:

- 1) Authorization from all property owners in the original PUD, including additional labels and fees as appropriate.

**Planned Unit Development:** The application is recommended for Holdover until the August 2, 2018 meeting with revisions to be submitted by July 16<sup>th</sup> to address the following:

- 1) Authorization from all property owners in the original PUD, including additional labels and fees as appropriate.

# LOCATOR MAP

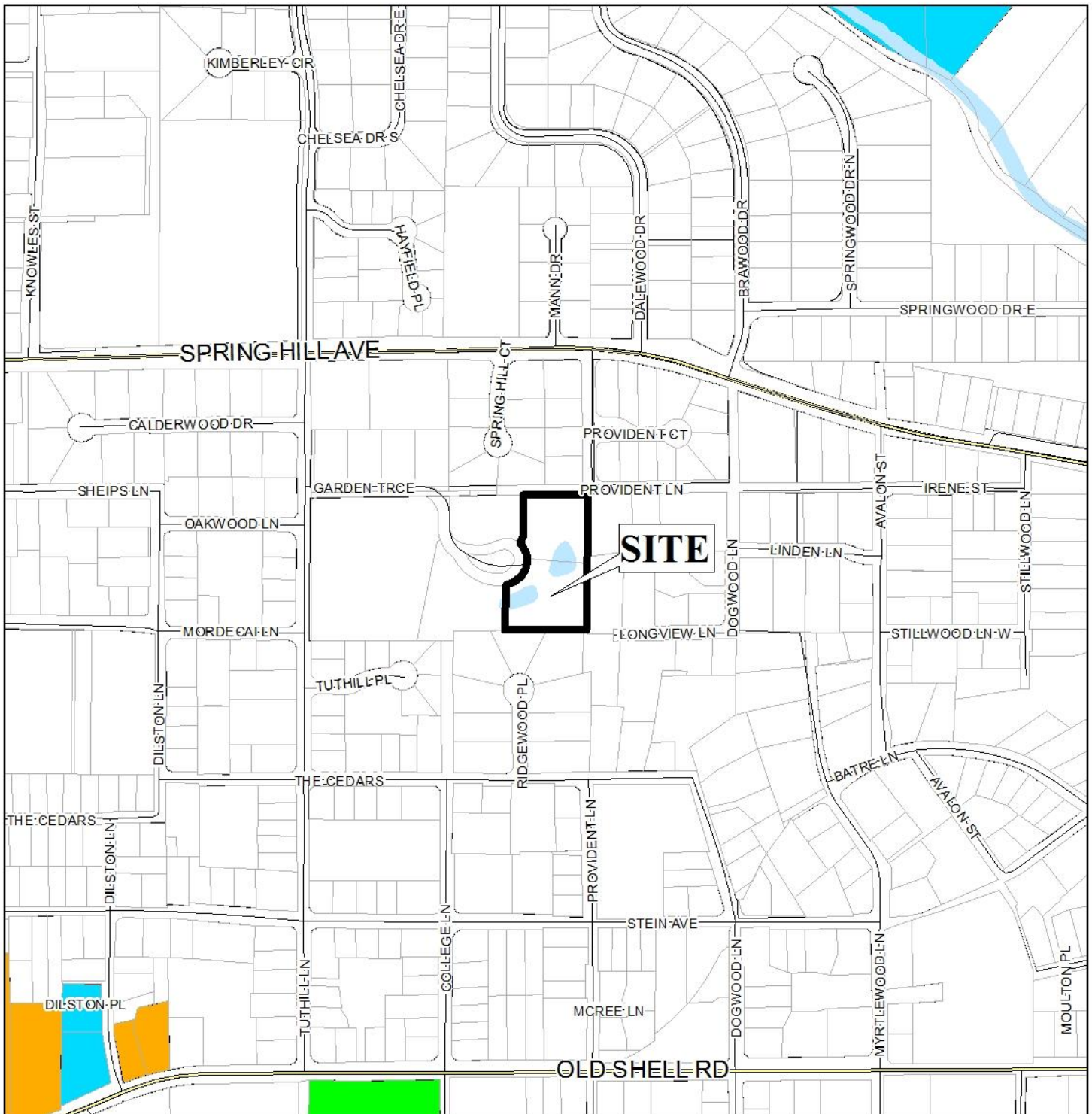


APPLICATION NUMBER 15 DATE June 21, 2018  
 APPLICANT Garden Trace Subdivision, Resubdivision of Lots 7 & 8  
 REQUEST Subdivision, Planned Unit Development





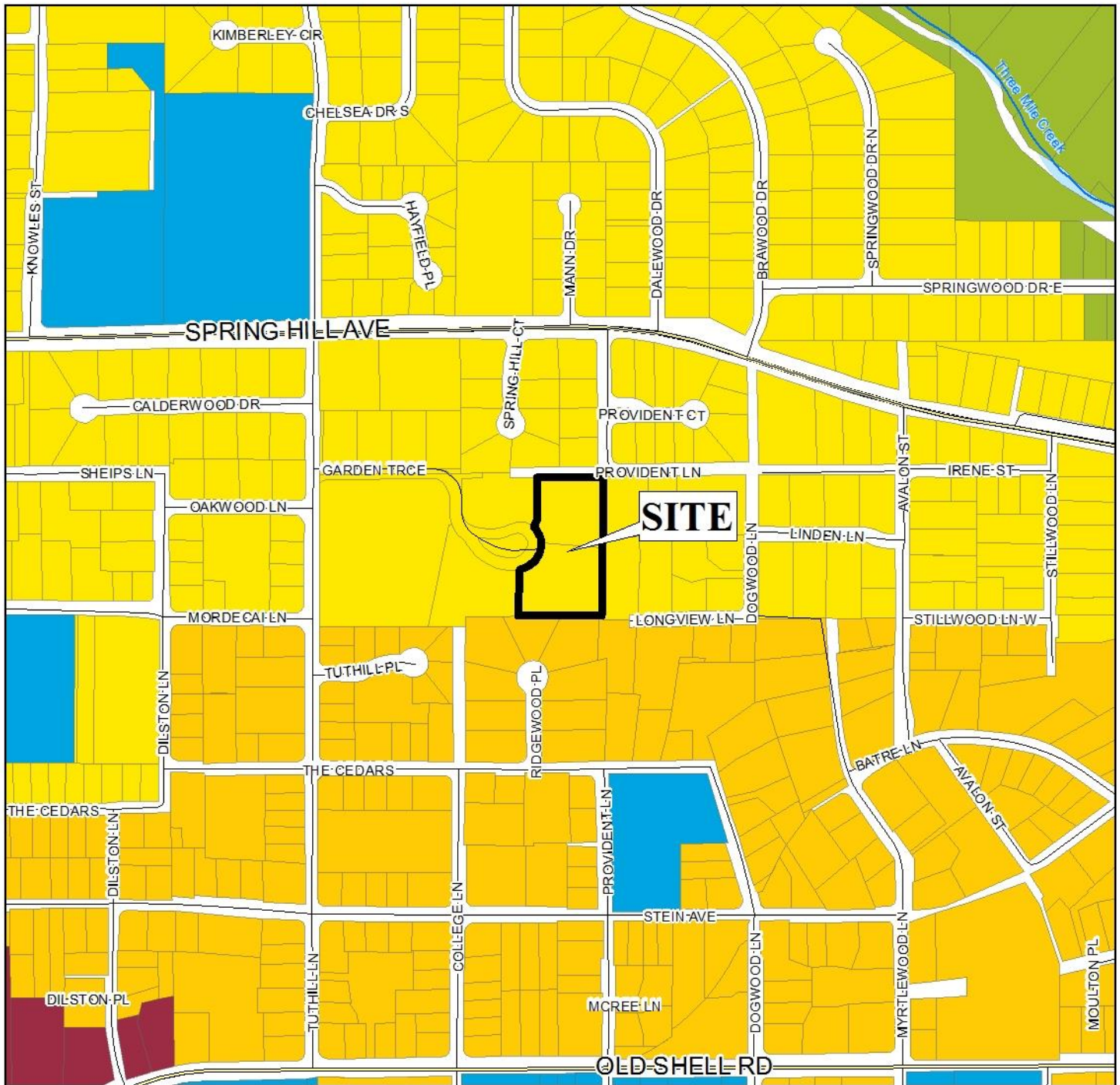
# LOCATOR ZONING MAP



APPLICATION NUMBER 15 DATE June 21, 2018  
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 REQUEST Subdivision, Planned Unit Development



# FLUM LOCATOR MAP



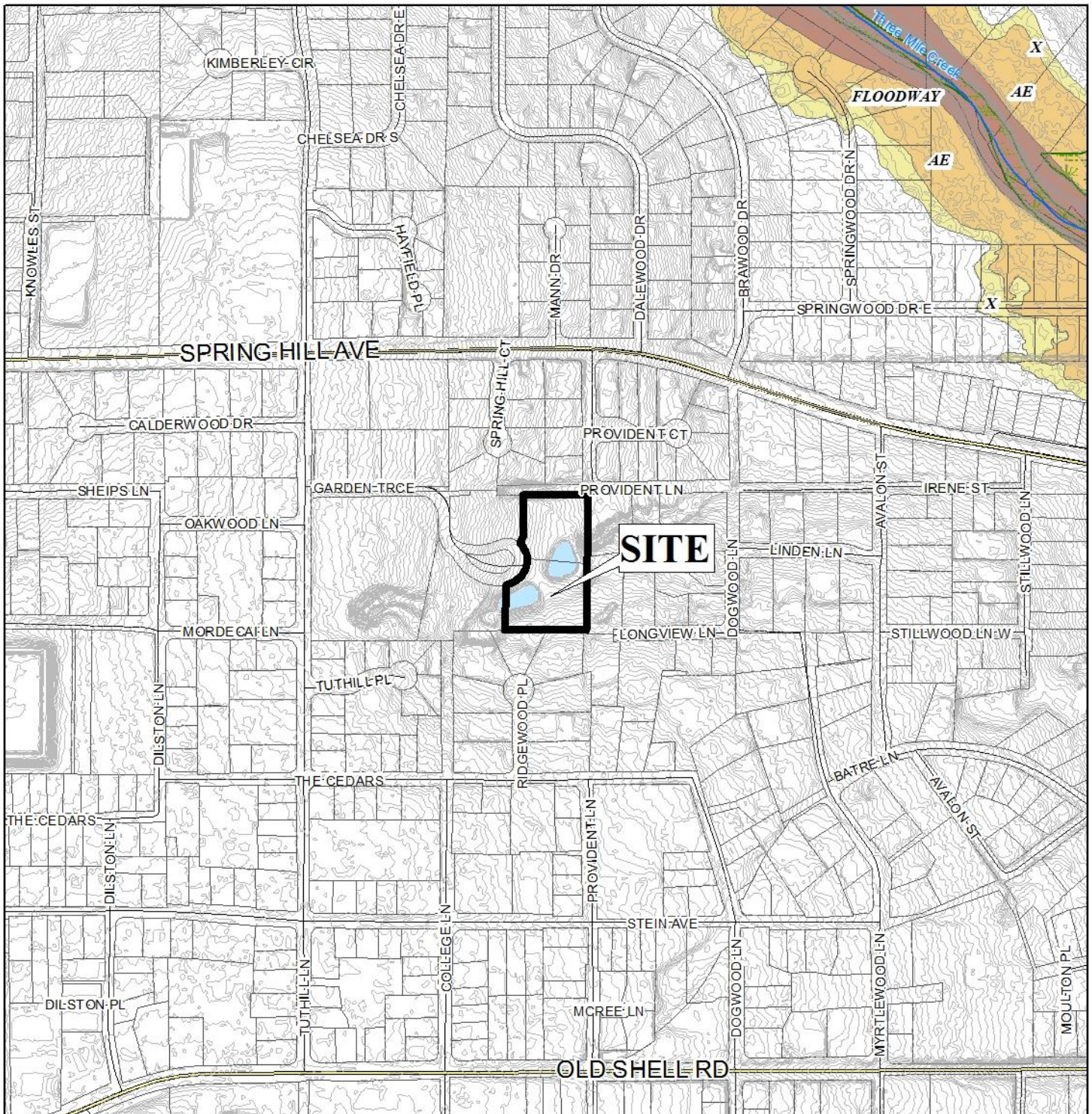
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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





# ENVIRONMENTAL LOCATOR MAP

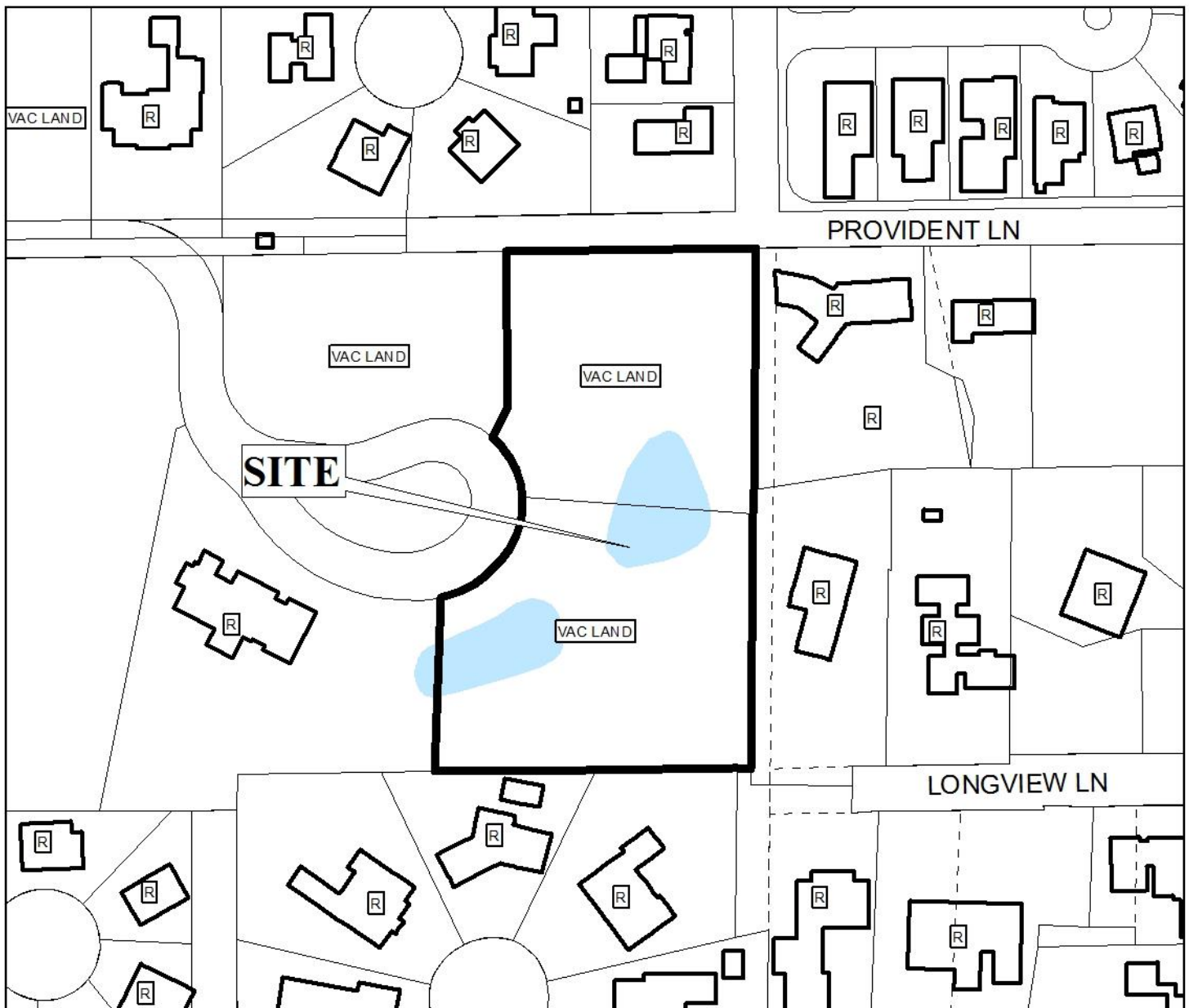


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 REQUEST Subdivision, Planned Unit Development





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



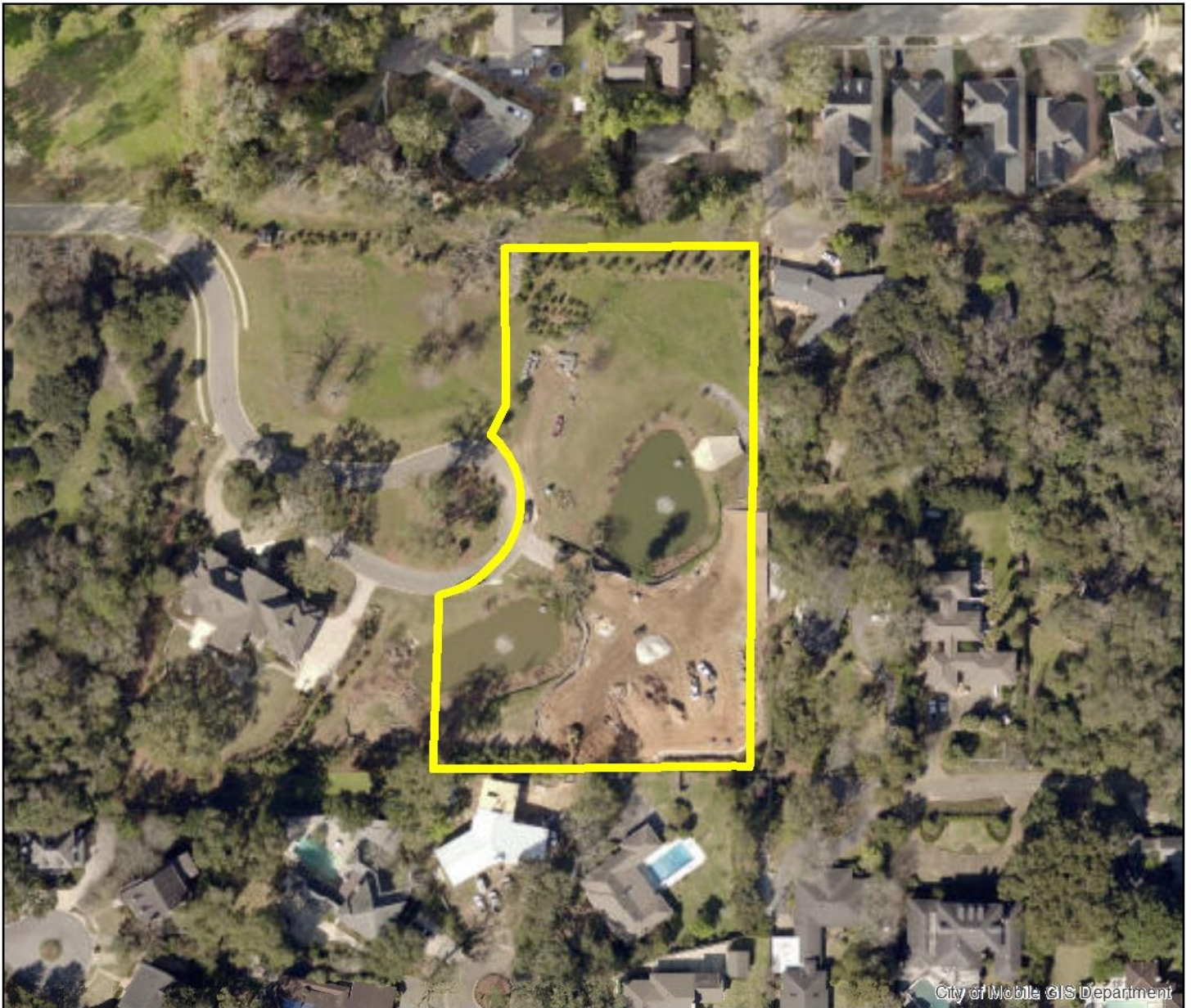
The site is surrounded by single family residential units.

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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 AERIAL



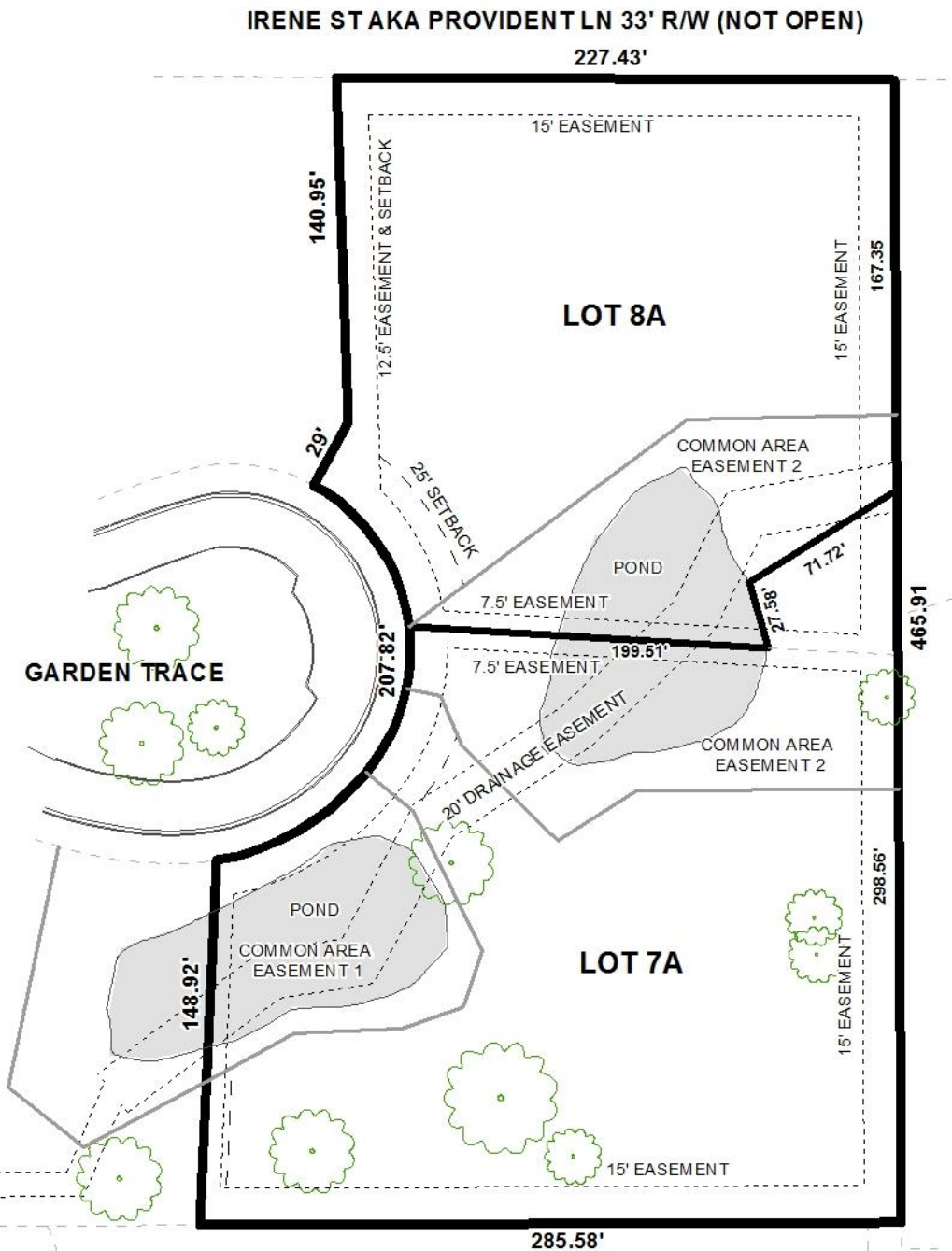
The site is surrounded by single family residential units.

APPLICATION NUMBER <u>15</u>	DATE <u>June 21, 2018</u>
APPLICANT <u>Garden Trace Subdivision, Resubdivision of Lots 7 &amp; 8</u>	
REQUEST <u>Subdivision, Planned Unit Development</u>	





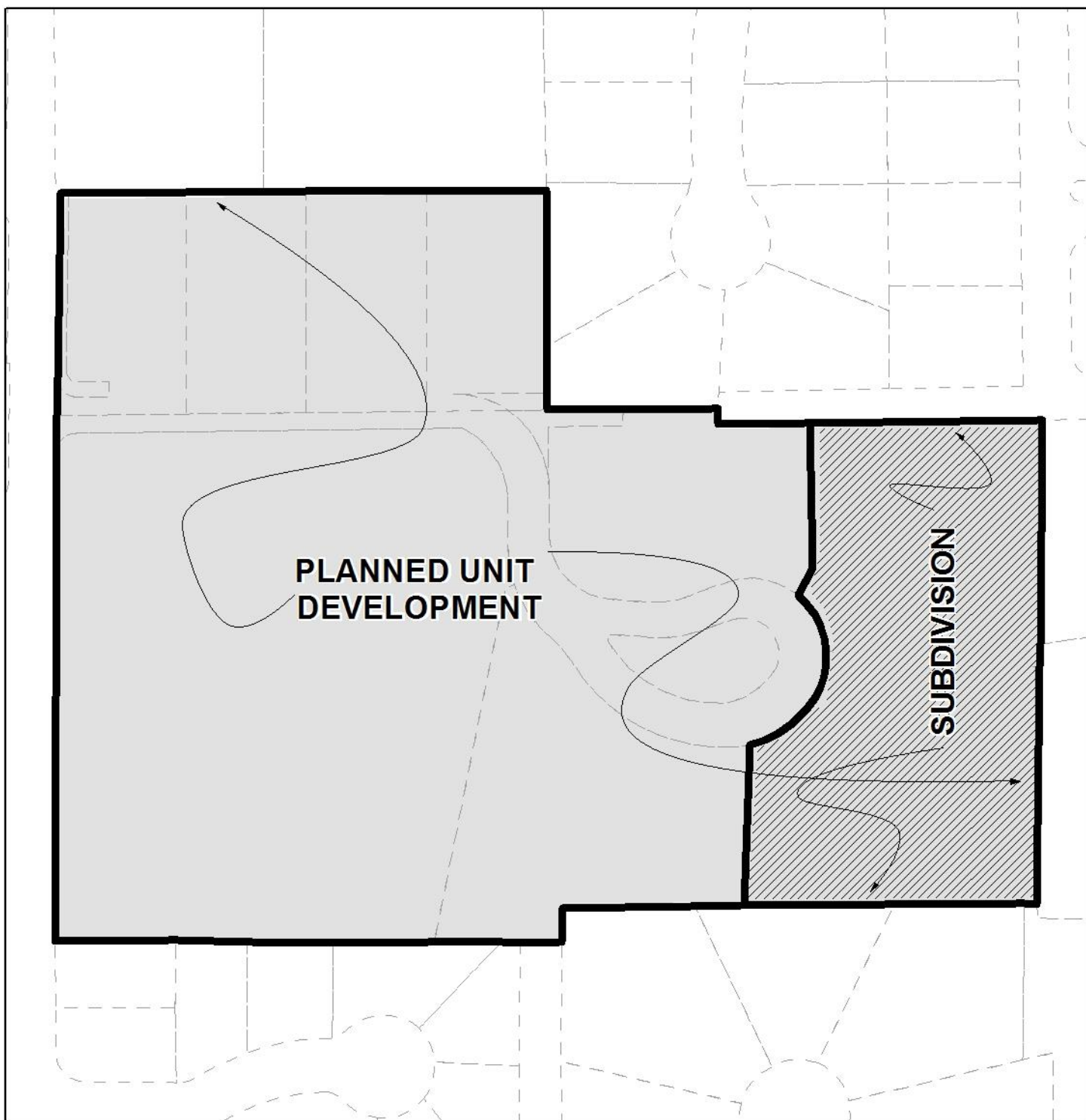
# SITE PLAN



APPLICATION NUMBER 15 DATE June 21, 2018  
 APPLICANT Garden Trace Subdivision, Resubdivision of Lots 7 & 8  
 REQUEST Subdivision, Planned Unit Development



## DETAIL SITE PLAN



APPLICATION NUMBER 15 DATE June 21, 2018  
APPLICANT Garden Trace Subdivision, Resubdivision of Lots 7 & 8  
REQUEST Subdivision, Planned Unit Development

