

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: October 6, 2011**

<b><u>DEVELOPMENT NAME</u></b>	CJ Mobile Home Park
<b><u>SUBDIVISION NAME</u></b>	CJ Subdivision
<b><u>LOCATION</u></b>	5526 and 5530 Todd Acres Drive (North side of Todd Acres Drive, 5/10± mile West of Commerce Boulevard East)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>AREA OF PROPERTY</u></b>	1 Lot / 10.0 Acres ±
<b><u>CONTEMPLATED USE</u></b>	Planned Unit Development Approval to allow multiple buildings on a single building site to include 16 mobile homes, and Subdivision approval to create a single legal lot of record from two existing metes and bounds parcels.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediate.
<b><u>ENGINEERING COMMENTS</u></b>	Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. In addition to any required land disturbance permit, any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.
<b><u>URBAN FORESTRY COMMENTS</u></b>	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).
<b><u>FIRE DEPARTMENT COMMENTS</u></b>	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.

The applicant is seeking Planned Unit Development Approval to allow multiple buildings on a single building site to include 16 mobile homes, and Subdivision approval to create a single legal

lot of record from two existing metes and bounds parcels. The site is located in Council District 4, and according to the applicant is served by public water and a private septic system.

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.

The applicant wishes to add a new mobile home unit to an existing, legal nonconforming mobile home park. The applicant states that this mobile home park has existed since at least 1988; the property came into the City of Mobile in 2008. Sometime in 2007, a fire destroyed one of the mobile home units, and the unit was not replaced before annexation. In June, 2011, the applicant, without a building permit, moved a new mobile home unit onto the property, and, subsequently was unable to obtain the needed permits for utilities connections for the mobile home. The applicant was denied a permit because of the expansion of the legal, nonconforming use.

The applicants have applied for a use variance from the Board of Zoning Adjustment to allow a mobile home park in a B-5, Office-Distribution District. Several other site variances were also requested including Parking Ratio, Surfacing, Maneuvering, and Tree Planting Variances. Basically, the applicant wishes to keep the site as is and also expand the use. A Planned Unit Development application has been requested because of the multiple buildings on the site. The site does not meet the minimum standards for approval, as it includes substandard accessways, dirt and gravel surfacing, and no designated parking. As previously stated, PUD review 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.

Further, PUD review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses the location. The site is located within an established commercial park, and is abutted by commercial and light industrial uses. The surrounding property is zoned B-5, and surrounding properties are developed within those standards. While this is an existing non-conforming use, expansion of the non-conformity should not be allowed due to the use's incompatible nature with the other existing development in the area, as well as future potential commercial development.

Given the substandard widths and surfacing, as well as the general incompatibility of the use with surrounding properties, this PUD request should be denied. It should be noted that, if the PUD is denied, the use as a mobile home park can continue indefinitely as long as there is not a vacancy of two years or more. In fact, existing mobile homes on the site can be swapped out, one for one, as long as the mobile homes are of the same size or smaller. The mobile home unit which was placed on the site without a permit can remain, as long as one of the other mobile

homes on the site is removed. Denial of the PUD will not force the mobile home park to cease operations, but it will not legalize an incompatible land use either.

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.

While the proposed lot meets the minimum standards for a lot as required in the Subdivision Regulations, the creation of the proposed lot could be considered an expansion of the previously mentioned non-conforming use. As such, the subdivision request should be denied, and the mobile home park allowed to continue in a non-conforming manner.

### **RECOMMENDATION**

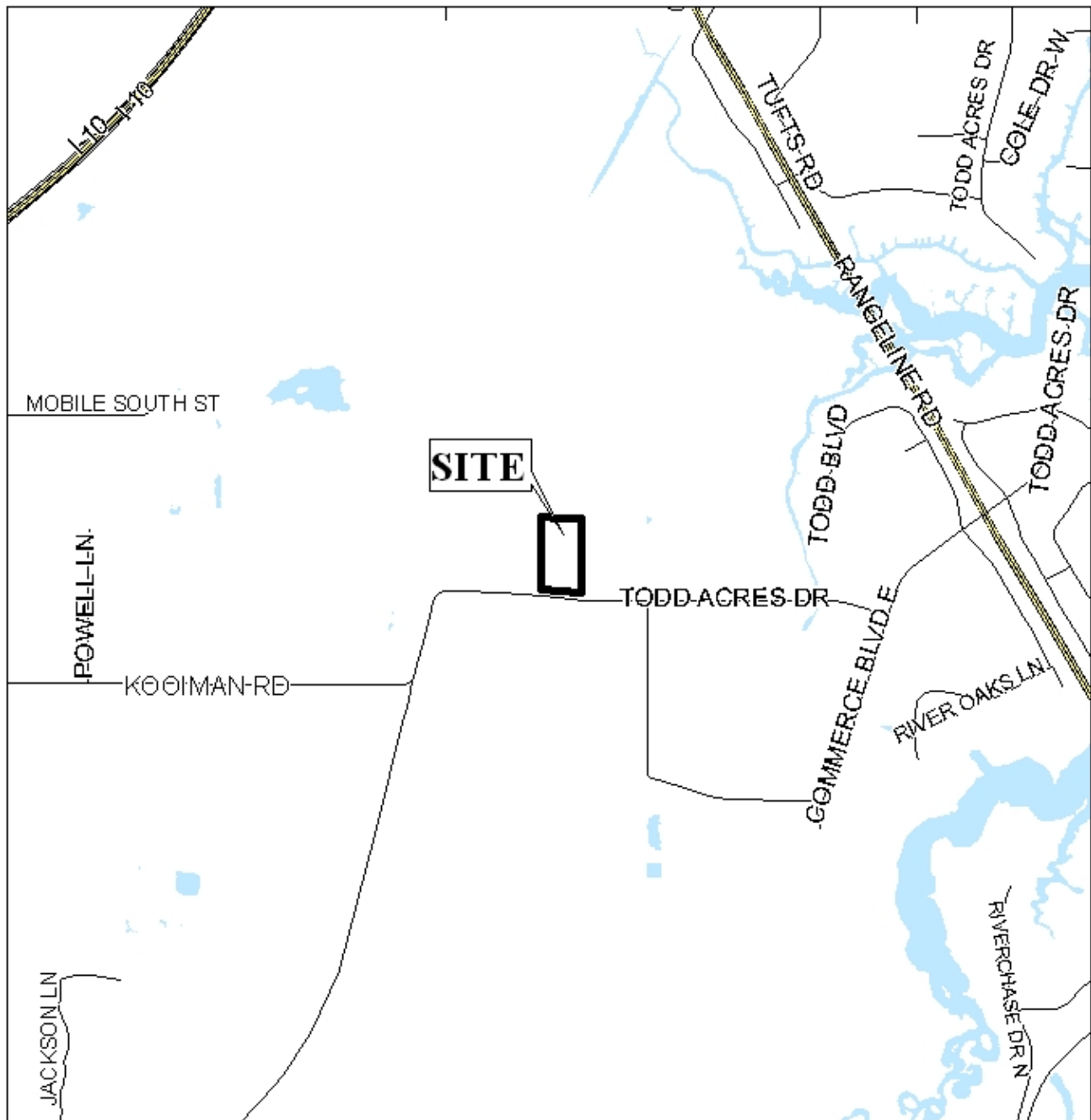
**Planned Unit Development:** Based upon the preceding, this application is recommended for denial due to the following reasons:

- 1) the use as a mobile home park is not compatible with neighboring land uses;
- 2) the layout does not provide for adequate circulation within the development, ensure adequate access for emergency vehicles, or provide protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD;
- 3) allows an incompatible non-conforming use to become a legal use.

**Subdivision:** Based upon the preceding, this application is recommended for denial for the following reasons:

- 1) the creation of a single lot would represent an increase in the non-conformity of the site.

## LOCATOR MAP



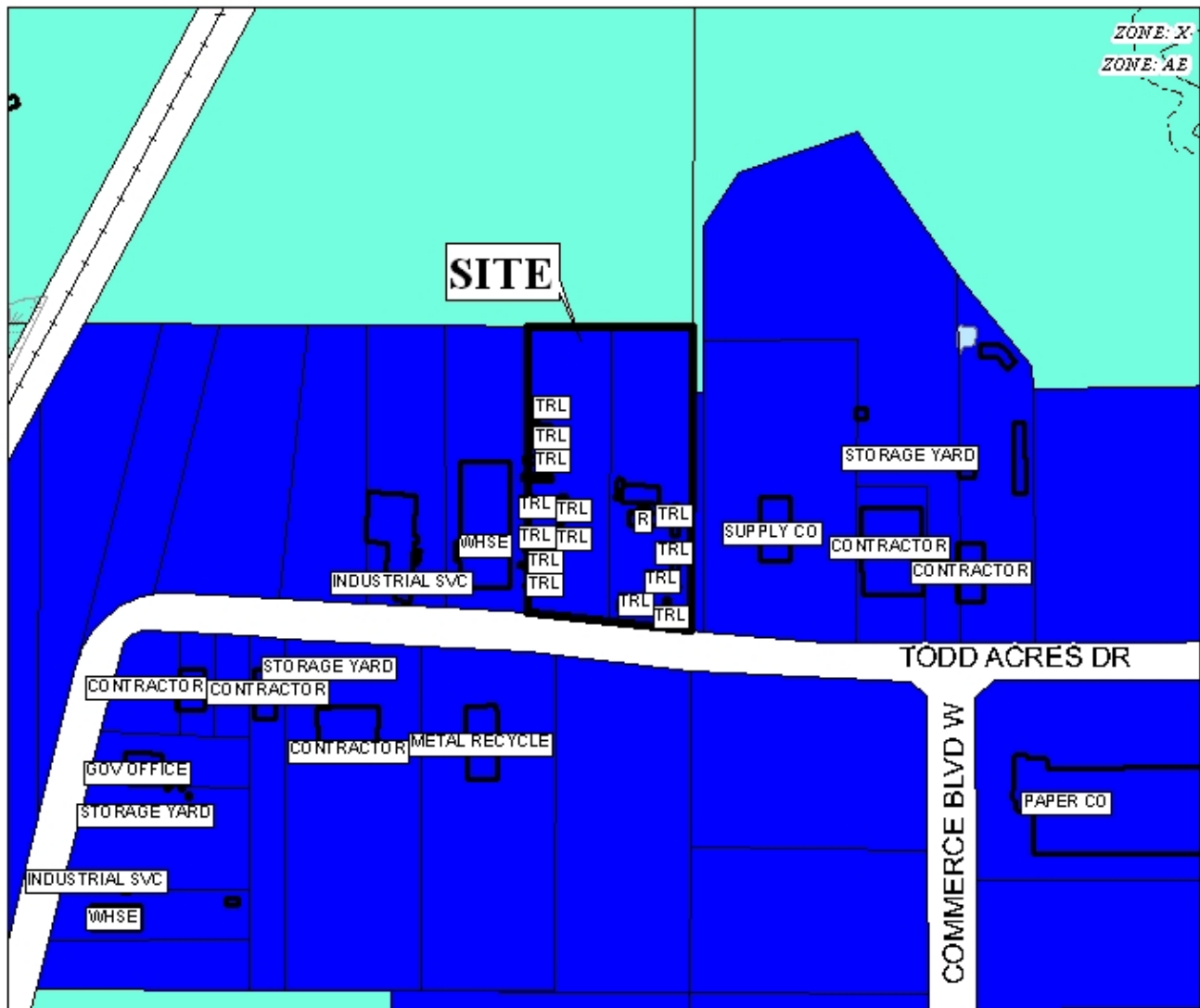
APPLICATION NUMBER 19 & 20 DATE October 6, 2011

APPLICANT CJ Subdivision

REQUEST Subdivision, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There is a supply company to the east of the site, metal recycling to the south, and a warehouse to the east.

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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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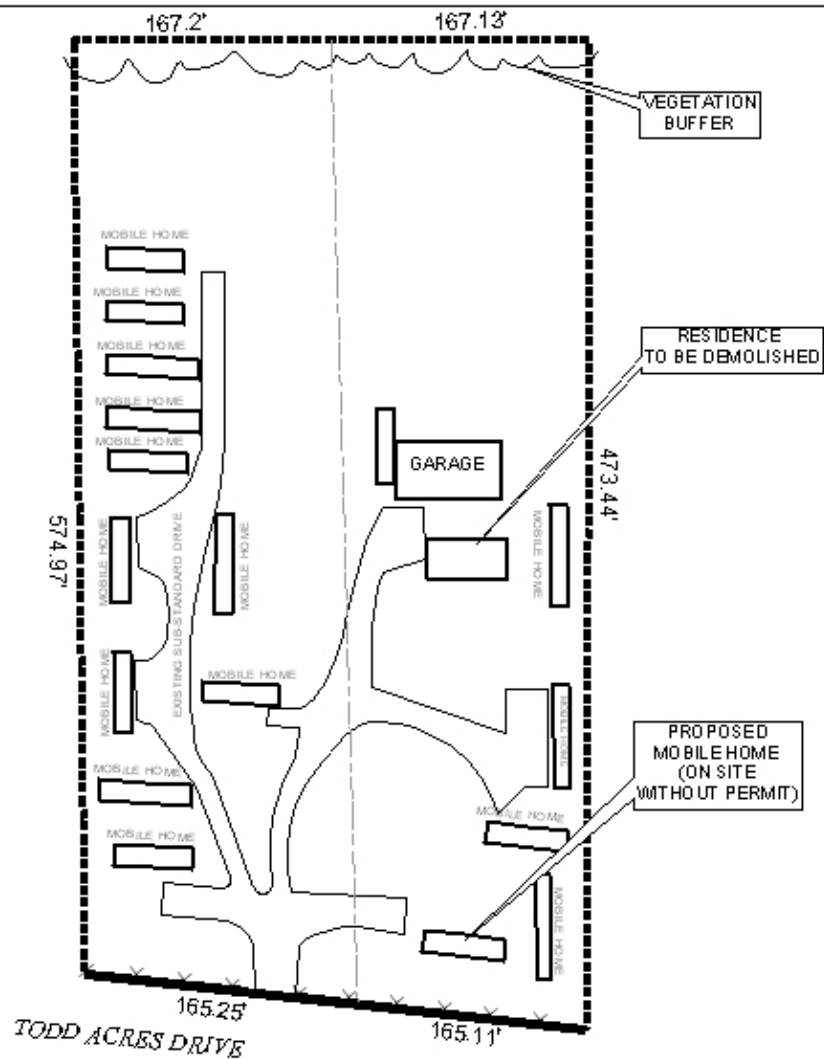
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# SITE PLAN



The site plan shows existing and proposed mobile homes, drive, and building to be demolished.

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