

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: January 29, 2010****DEVELOPMENT NAME**

Oakland Avenue Subdivision, Cornell Addition

SUBDIVISION NAME

Oakland Avenue Subdivision, Cornell Addition

LOCATION22 Oakland Avenue
North side of Oakland Avenue, 430'± East of Marston
Lane**CITY COUNCIL****DISTRICT**

District 7

AREA OF PROPERTY

4 Lots / 1.2 ± acres (Subdivision)

CONTEMPLATED USE

Planned Unit Development Approval to allow reduced lot sizes and reduced setbacks in an R-1, Single-Family Residential District, and Subdivision approval to create 4 lots.

TIME SCHEDULE**FOR DEVELOPMENT**

None given.

ENGINEERING**COMMENTS**

Prior to plat approval, documentation shall be provided to the City Engineering Department clearly showing that there has not been an increase in impervious area in excess of 4,000 square feet since 1984, or a land disturbance permit will be required and detention must be provided. Any proposed construction that will result in an increase in impervious area in excess of 4,000 square feet will require a land disturbance and will require detention. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

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 reduced lot sizes and reduced setbacks in an R-1, Single-Family Residential District, and Subdivision approval to create 4 lots. The site is located in Council District 7, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create four lots from two parcels, and creating a PUD that allows reduced setbacks and reduced lot sizes. No new construction is proposed by the applicant at this time.

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 currently developed with a two residences, out buildings, a tennis court and a pool. The two residences are on separate parcels, however it appears that the parcels were separated in 1979 without going through the Subdivision process.

The site has frontage onto Oakland Avenue on the South, and Bexley Lane to the North. Both streets are minor streets, however, Bexley Lane has a substandard right-of-way along its entire length adjacent to the site. The applicant proposes to dedicate right-of-way along proposed Lots 2 and 3, but due to existing development on proposed Lot 1, requests that dedication not be required: instead a building setback line accommodating proposed dedication is depicted. It should be noted that new construction on Lot 1 will not be possible without variances due to the minimum building setback line.

The site is zoned R-1, Single-Family Residential District, thus use of each lot would be limited to one single-family dwelling. The proposal will create a legal lot for each existing dwelling, and create two additional lots for future residential use. Three of the four lots will comply with width and lot size requirements of the Subdivision Regulations, however, proposed Lot 1 will only be 3976 square feet in size. Furthermore, the existing residence on Lot 1, and an existing shed on proposed Lot 4, will not comply with Zoning Ordinance required rear-yard setbacks from the proposed common lot line, hence the need for the PUD. When all lots are considered, there is more than adequate area for four lots, but the proposed lot lines to accommodate the existing conditions result in one lot falling below the minimum size requirements of the Subdivision Regulations. Staff believes that a PUD locking all proposed lots together will be sufficient to

address lot size and setback requirements. All new development must comply with standard setbacks for R-1 sites.

The PUD site plan should be revised to label the setbacks for the existing residence on Lot 1, and any existing sheds on any of the other proposed lots which are less than 8-feet from a lot line. Setback labeling is of critical importance for Lot 1, as it appears that a lot line is being placed less than 1 foot from the existing dwelling: the exact distance should be identified.

Access management is a concern due to the substandard pavement widths typical in this section of Mobile, and around this site. As both Lots 1 and 4 are developed, they should be limited to their two (2) existing curb-cuts each. Proposed Lots 2 and 3, which are not yet developed with residences, should be limited to one (1) curb-cut each. The size, design and location of any curb-cut must be approved by Traffic Engineering and be designed in conformance to the greatest extent possible with AASHTO standards.

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.

RECOMMENDATION

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

- 1) Compliance with Engineering comments (*Prior to plat approval, documentation shall be provided to the City Engineering Department clearly showing that there has not been an increase in impervious area in excess of 4,000 square feet since 1984, or a land disturbance permit will be required and detention must be provided. Any proposed construction that will result in an increase in impervious area in excess of 4,000 square feet will require a land disturbance and will require detention. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.*)
- 2) Dedication of right-of-way along Bexley Lane, as shown on the preliminary plat;
- 3) Depiction of the minimum building setback line, as shown on the preliminary plat;
- 4) Placement of a note on the final plat stating that Lots 1 and 4 are limited to their two (2) existing curb-cuts each, that Lots 2 and 3 are limited to one (1) curb-cut each, and that size, design and location of any curb-cut must be approved by Traffic Engineering and be designed in conformance to the greatest extent possible with AASHTO standards;
- 5) Placement of Urban Forestry comments as a note on the plat (*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) Placement of a note on the final plat/site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities; and
- 7) Provision of two (2) copies of the revised PUD site plan 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) Revision of the site plan to depict minimum setbacks for the existing dwelling on Lot 1 from the front, side and rear property lines;
- 2) Revision of the site plan to depict minimum setbacks for all other structures to remain on the site that are less than 8 feet from a lot line;
- 3) Placement of a note on the site plan stating that all new development must comply with R-1, Single-Family District setback requirements;
- 4) Compliance with Engineering comments (*Prior to plat approval, documentation shall be provided to the City Engineering Department clearly showing that there has not been an increase in impervious area in excess of 4,000 square feet since 1984, or a land disturbance permit will be required and detention must be provided. Any proposed construction that will result in an increase in impervious area in excess of 4,000 square feet will require a land disturbance and will require detention. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.*)
- 5) Dedication of right-of-way along Bexley Lane, as shown on the site plan;
- 6) Depiction of the minimum building setback line, as shown on the site plan;
- 7) Placement of a note on the site plan stating that Lots 1 and 4 are limited to their two (2) existing curb-cuts each, that Lots 2 and 3 are limited to one (1) curb-cut each, and that size, design and location of any curb-cut must be approved by Traffic Engineering and be designed in conformance to the greatest extent possible with AASHTO standards;
- 8) Placement of Urban Forestry comments as a note on the site plan (*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).*);
- 9) Placement of a note on the final plat/site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 10) Full compliance with all other municipal codes and ordinances; and
- 11) Provision of two (2) copies of the revised PUD site plan prior to the signing of the final plat.