

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: February 7, 2008****DEVELOPMENT NAME**

Congress Street Subdivision

SUBDIVISION NAME

Congress Street Subdivision

LOCATION

254 Congress Street
(North side of Congress Street, 60'+ West of North
Joachim Street, extending to the West side of North
Joachim Street, 78'+ North of Congress Street).

**CITY COUNCIL
DISTRICT**

District 2

AREA OF PROPERTY

1 lot / 0.2 ± acres (Subdivision)
2 lots / 0.48 ± acres (PUD)

CONTEMPLATED USE

Planned Unit Development Approval to allow shared
access and parking between two building sites, and Subdivision approval to create 1 lot.

**TIME SCHEDULE
FOR DEVELOPMENT**

Development to begin after approval also received from the
Architectural Review Board.

**ENGINEERING
COMMENTS**

Denote entire area in AE flood zone with minimum
finished floor elevation = 13.00 on plat. All storm water must tie subsurface to City of Mobile
storm drain system including roof drains. It is the responsibility of the applicant to look up the
site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the
site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to
confirm or deny the existence of wetlands on-site. If wetlands are present, they should be
depicted on plans and/or plat, and no work/disturbance can be performed without a permit from
the Corps of Engineers. 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. Close unused curb cuts.

**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.

Revised for the February 21st meeting: Fire hydrants shall comply with Section 508.5.1 and Appendix B and C of the 2003 IFC. FDC shall be within 100 feet of fire hydrant. Sprinkler systems shall be electronically monitored per Section 903.4 thru 903.4.3 of the 2003 IFC.

REMARKS

The applicant is seeking Planned Unit Development approval to allow shared access and parking between two building sites, and Subdivision approval to create 1 lot. The site is located in Council District 2, and according to the applicant is served by public water and sanitary sewer. The site is also located within the DeTonti Square Historic District, thus approval from the Architectural Review Board will be required for any new structures, or exterior modifications to existing structures.

The purpose of this application is to create one lot, combining three existing lots, and creating a PUD that allows shared access and parking across two building sites. The applicant proposes to construct a four unit residential townhouse development on the newly created lot, and link access to and parking for the site with existing adjacent residential development, also owned by the applicant.

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 R-B, Residential-Business District, thus the multi-family residential uses are allowed by right. Furthermore, this district allows up to 75% site coverage and a 5-foot front yard setback and zero-foot side and rear yard setbacks.

The existing PUD site contains unmarked, unpaved parking serving an existing building containing residential dwelling units. No information was provided regarding the existing number of dwelling units. As the site is located within the Henry Aaron Loop, parking for the existing and proposed residential dwelling units is not required, however, 18 parking spaces are proposed.

The proposed parking area will be accessed via a one-way entrance from North Joachim Street, and will exit via a separate one-way entrance onto North Joachim Street. It appears that the entry drive will be approximately 12-feet wide, however, it appears that the exit drive will fall below this dimension. It also appears that the exit drive will share access with an adjacent structure located at the corner of Joachim and Congress Streets: this adjacent site should also be made a part of the PUD application, or shared access between these sites should be eliminated.

As the applicant is proposing a PUD, the PUD common area requirements of 700 square feet per dwelling unit shall apply. No information has been provided regarding the total number of dwelling units nor the total area of the site devoted to common area or landscaping. The site plan should be revised to include this information.

The existing lot appears to have one existing curb-cut onto North Joachim Street which will not be used for the proposed development: the existing curb-cut should therefore be removed. The proposed lot appears to have two existing curb-cuts onto Congress Street, and one existing shared curb-cut onto Joachim Street: the Congress Street curb-cuts will not be utilized for the proposed development, thus they should be removed and the area landscaped.

Regarding the proposed one-lot Subdivision, the proposed lot should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering, and in conformance to the greatest extent possible with AASHTO standards.

No dumpster is depicted on the site plan. If a dumpster is proposed, it should be depicted on the site plan, or a statement should be provided indicating that no dumpster will be included as part of the development.

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.

The entire site appears to be located within the “100-year” frequency flood zone as depicted on FEMA maps for the Mobile River and Mobile Bay, and the site may also be subject to hurricane storm surges. The presence of floodplains 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.

The application, otherwise, appears to propose a use compatible with the DeTonti Square Historic District and address the need for additional residential development within the downtown core.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Holdover until the March 6th meeting so that the applicant can submit additional information for the PUD application, and comply with the following:

- 1) Compliance with Engineering comments (*Denote entire area in AE flood zone with minimum finished floor elevation = 13.00 on plat. All storm water must tie subsurface to City of Mobile storm drain system including roof drains. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.*)

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the March 6th meeting so that the applicant can provide the following information:

- 1) Inclusion of the property located at the corner of Congress and North Joachim Street as part of the PUD (showing parking, total building area and use, footprint area, landscape area, etc), with owner approval and new labels and postage for the entire notification area to be provided to Planning by Wednesday, February 13th, or revision of the site plan to eliminate shared access between corner property and the PUD site's exit driveway;
- 2) Revision of the site plan to identify the number of dwelling units in the existing building and the proposed building;
- 3) Revision of the site plan to provide landscape area information to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations, and potentially provision of a statement about the innovative nature of the development to explain why not all of the 60% of the 12% of the required landscaping can be placed within the frontage area (if this is the case), and explaining how it will be accommodated elsewhere within the development;
- 4) Revision of the site plan to depict elimination and landscaping of any curb-cuts determined unnecessary for the development;
- 5) Revision of the site plan to depict / calculate site coverage area for any portion of the site covered by a roofed structure;
- 6) Revision of the site plan to include a statement regarding the provision of a dumpster, or placement of a note on the site plan stating that dumpsters will not be provided as part of the development;
- 7) Revision of the site plan to comply with Engineering Comments (*Denote entire area in AE flood zone with minimum finished floor elevation = 13.00 on plat. All storm water must tie subsurface to City of Mobile storm drain system including roof drains. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.*); and

- 8) Provision of five (5) copies of the revised site plan and any other supporting documentation to the Planning Section of Urban Development by Monday, February 18, 2008.

Revised for the February 21st meeting:

The applicant provided a revised site plan depicting the additional information, as requested.

The applicant will be able to comply with the overall site landscaping and common area requirements, but will need a waiver from the requirement of providing the frontage landscaping – the PUD aspect of the application allows the Planning Commission to give the applicant the flexibility to meet the landscape requirements elsewhere on the site. Due to the location in the DeTonti Square Historic District and the nature of the proposal, waiving the front landscape area requirement in lieu of meeting the overall requirements elsewhere on the site would be appropriate.

Additional discussions between staff determined that the expansion of the PUD to include the corner lot would be unnecessary if the applicant could show that the corner lot, which has an access easement to use the applicant's property, could meet its parking requirements on its own site without blocking the proposed driveway access for the applicant's development. The revised site plan provided by the applicant clearly shows that the parking area for the corner lot will not impede traffic flow on the applicant's property, within the shared access easement. Pavement markings or a sign may be necessary in the access easement area to notify people that parking in the easement is prohibited.

The 25-foot minimum building setback required by the Subdivision Regulations should be waived in favor of the 5-foot minimum building setback allowed by the R-B zoning district, per the Zoning Ordinance. The plat and PUD site plan should reflect the 5-foot minimum building setback line.

RECOMMENDATION

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

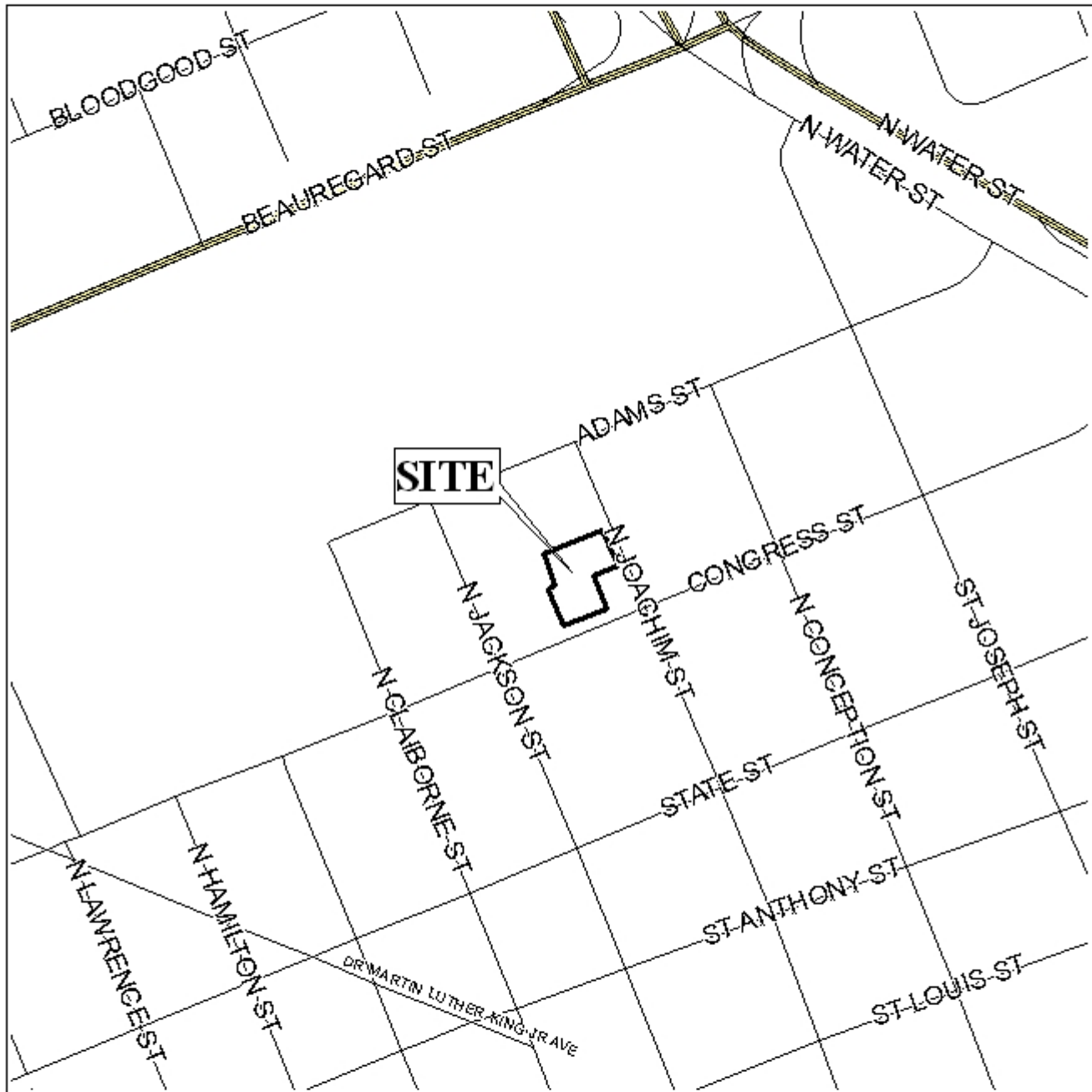
- 1) Placement of a note on the plat stating that the lot is limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering, and to comply to the greatest extent possible with AASHTO standards;
- 2) Compliance with Engineering comments (*Denote entire area in AE flood zone with minimum finished floor elevation = 13.00 on plat. All storm water must tie subsurface to City of Mobile storm drain system including roof drains. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.*);

- 3) Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
- 4) Revision of the plat to depict and label the 5-foot minimum building setback line, allowed by the zoning district, in lieu of the Subdivision Regulations setback requirement;
- 5) Labeling of the lot with its size in square feet; and
- 6) Provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of the final plat.

Planned Unit Development: Based upon the revised site plan, this application is recommended for Approval, subject to the following conditions:

- 1) Completion of the Subdivision process prior to the application for building permits;
- 2) Limited to the site plan provided, with the addition of any required trees;
- 3) Removal of any unnecessary curb-cuts, and landscaping of the areas to match adjacent right-of-way (grass sod as a minimum);
- 4) Coordination with Urban Forestry regarding compliance with the tree requirements of the Zoning Ordinance, to allow flexibility in the placement of required trees;
- 5) Depiction of the 5-foot minimum building setback line, as shown;
- 6) Compliance with Engineering Comments (*Denote entire area in AE flood zone with minimum finished floor elevation = 13.00 on plat. All storm water must tie subsurface to City of Mobile storm drain system including roof drains. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.*);
- 7) Revision of the PUD site plan to reflect condition # 4 (showing tree compliance), and provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of the final plat;
- 8) Compliance with revised Fire comments (*Fire hydrants shall comply with Section 508.5.1 and Appendix B and C of the 2003 IFC. FDC shall be within 100 feet of fire hydrant. Sprinkler systems shall be electronically monitored per Section 903.4 thru 903.4.3 of the 2003 IFC*); and
- 9) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 9 & 10 DATE February 21, 2008

APPLICANT Congress Street Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



An office is located to the east, north, and south of the site.
Apartments are to the west.

APPLICATION NUMBER 9 & 10 DATE February 21, 2008

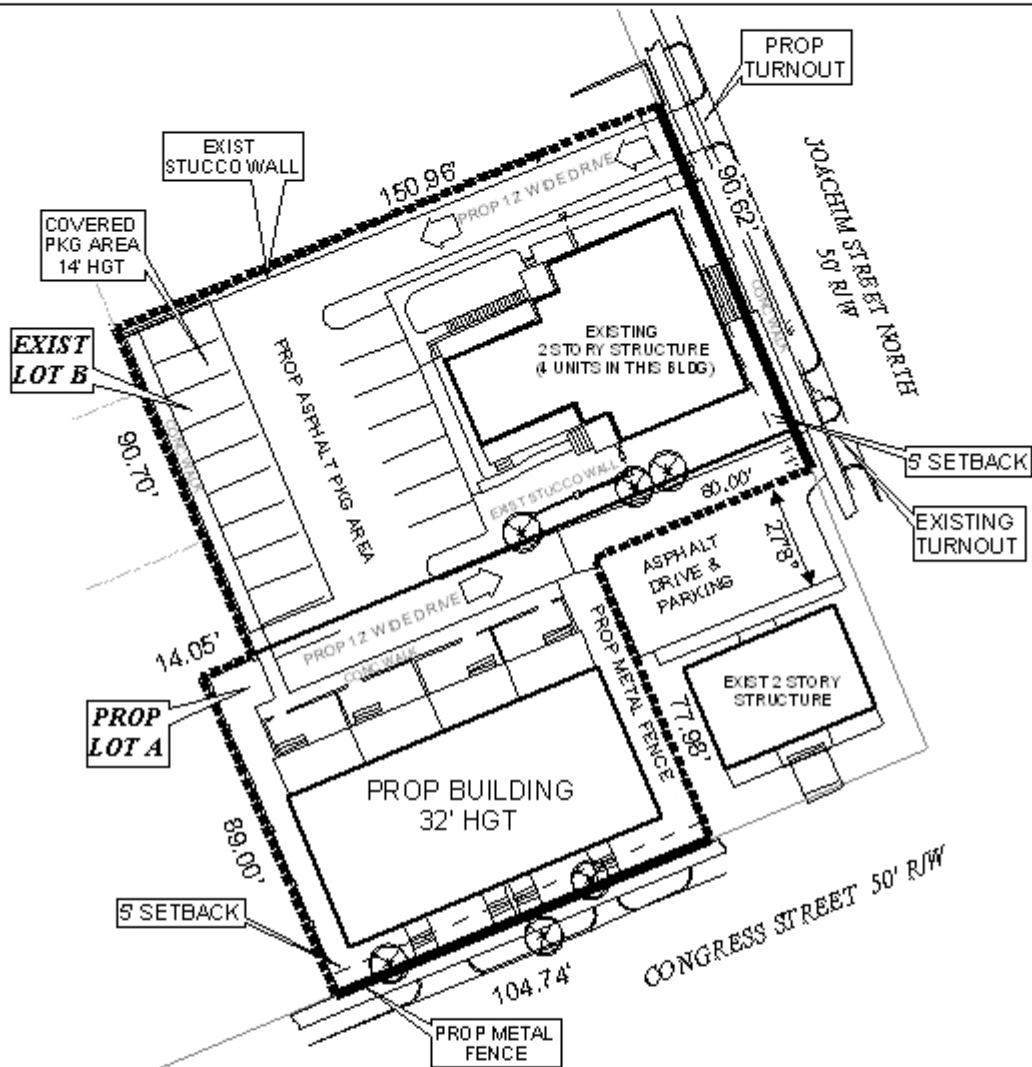
APPLICANT Congress Street Subdivision

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	NTS
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SITE PLAN



The site plan illustrates existing building, parking, turnouts, and proposed building, parking, turnout, and drive.

APPLICATION NUMBER 9 & 10 DATE February 21, 2008
 APPLICANT Congress Street Subdivision
 REQUEST Subdivision, Planned Unit Development



NTS