

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

Tuthill Gates Subdivision, Resubdivision of

SUBDIVISION NAME

Tuthill Gates Subdivision, Resubdivision of

LOCATION3671 Hayfield Place
(Northeast corner of Spring Hill Avenue and Tuthill Lane,
extending to the South side of Hayfield Place)**CITY COUNCIL****DISTRICT**

District 7

AREA OF PROPERTY

8 Lots / 2.6 ± acres

CONTEMPLATED USE

Planned Unit Development Approval to allow a private street and gated subdivision with reduced front, side and rear yard setbacks, and increased site coverage in a proposed single family subdivision, and Subdivision approval to create 8 lots from 9 existing lots.

TIME SCHEDULE**FOR DEVELOPMENT**

None provided

ENGINEERING**COMMENTS**

Setbacks shall not include drainage easements, structures are prohibited within drainage easements. Reduction in size of any drainage easements are not allowed. Any new wall or fence proposed within a drainage easement will require Engineering, ROW and Zoning approvals. 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. 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.

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).

Preservation status is to be given to the 48" Live Oak Tree located on private easement in front of Lot B. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

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 private street and gated subdivision with reduced front, side and rear yard setbacks, and increased site coverage in a proposed single family subdivision, and Subdivision approval to create 8 lots from 9 existing 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 subdivide 9 existing lots to create 8 lots, within an undeveloped private street subdivision approved by the Planning Commission at its April 1, 1999 meeting. As reduced setbacks and increased site coverage are proposed, a PUD application is also required.

The applicant specifically requests a 10-foot setback where the lots abut adjacent streets, and requests 5-foot side yard setbacks within the development. A building setback ranging from 5 to 10 feet is proposed along the proposed 50-foot wide private road easement. The applicant additionally requests that the maximum site coverage be increased from 35% (allowed by right in R-1) to 45%.

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 currently has a gated private street, masonry walls along Spring Hill Avenue and a portion of Hayfield Place, and a mixture of metal picket and chain link fencing around the remainder of the site. Aerial photos indicate that a structure still exists on Lot 9 (proposed Lot H).

Spring Hill Avenue is a proposed major street, while Tuthill Lane and Hayfield Place are minor streets. Any required dedications were obtained when the site was originally subdivided.

As the site was previously approved for a 9 lot subdivision, a reduction in the number of lots should not be of great concern: lots will either be of the previously approved size or larger. All proposed lots will meet the minimum lot size of 7,200 square feet, exclusive of the private road easement.

The proposed private road and gate are constructed. As a gated private road development, compliance with Section VIII.E. of the Subdivision Regulations will be required.

Regarding the reduced front yard setbacks, typically a 25-foot front yard setback is required along all street frontages, however a 10-foot setback is being requested. The previously approved subdivision for the site required a 20-foot setback along Spring Hill Avenue, and a 25-foot setback from Tuthill Lane and Hayfield Place. Other homes along Hayfield Place appear to meet the minimum 25-foot setback, however, none of the lots within the development will have direct access to Hayfield Place, relying instead on a private street internal to the development: the abutting public streets will be the “backyards” of the homes built as part of the proposed development. As that portion of the site abutting Hayfield Place to the East is constrained by a 20-foot drainage easement, and as Spring Hill Avenue is a proposed major street, and Tuthill Lane a minor street with a substandard right-of-way, it is recommended that all setbacks from adjacent public streets be a minimum of 20-feet, requiring a waiver of Section V.D.9. of the Subdivision Regulations. Furthermore, a 20-foot setback would be more in keeping with the existing development on Hayfield Place.

The side yard setbacks internal to the development are proposed to be 5 feet, instead of the typically required minimum of 8 feet. This request only appears to create a concern as it relates to an existing drainage easement between Lots C and D: in this case, the minimum side yard setback for Lot D adjacent to the easement should match the easement line (10 feet), so that there is no confusion regarding where a structure can be built.

The proposed building setback from the private street easement ranges from 5 feet at the hammerhead turn-around, to 10 feet along the main portion of the private street. As the lots actually go to the centerline of the private street easement, the proposed minimum building setbacks appear to be adequate to ensure the function of the private street and necessary utilities.

Regarding the increased building site coverage to 45%, the existing storm water system on site must be confirmed to be able to handle additional runoff that may be generated by increased building site coverage. While the proposed lots will exceed minimum size standards, it is not uncommon for the developers to request increased site coverage as part of a PUD application. The smallest proposed lot will be 12,500 square feet, of which the applicant states that its net buildable area will be 7,000 square feet (less setbacks and easements): the maximum ground floor building site coverage for this lot would go from 4,375 square feet (35%) to 5,625 square feet. Since, in the case of this development, the applicant proposes that the private road easement is part of the lot size, it would appear that an increase in building site coverage to 45% may not be necessary.

Regarding road access for the lots, all lots should be denied direct access to Tuthill Lane and Spring Hill Avenue, and only allowed access to Hayfield Place via the private road.

As a private street development, the City of Mobile will not provide garbage service directly to each lot. The applicant should ensure that adequate garbage service is provided.

It appears that a portion of the existing masonry wall for the site is within the right-of-way for Hayfield Place and Tuthill Lane. Also, it appears that there is an existing fence within the Tuthill Lane right-of-way. Any walls or fences within the public right-of-way must be removed, or a non-utility right-of-way use agreement must be completed by the applicant and approved by the City of Mobile. No new walls or fences are depicted, however, any new walls or fences must meet all required setbacks, be properly permitted, and must comply with any limitations as it relates to placement within drainage easements: new walls or fences above 3 feet in height cannot be built within any required setbacks from public streets.

Finally, 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: With a waiver of Section V.D.9. of the Subdivision Regulations, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Compliance with Engineering comments (*Setbacks shall not include drainage easements, structures are prohibited within drainage easements. Reduction in size of any drainage easements are not allowed. Any new wall or fence proposed within a drainage easement will require Engineering, ROW and Zoning approvals. 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. 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.*);
- 2) Compliance with Urban Forestry comments, and placement of those comments as a note on the final 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). Preservation status is to be given to the 48" Live Oak Tree located on private easement in front of Lot B. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*);
- 3) Placement of a note on the final plat stating that compliance with Section VIII.E. of the Subdivision Regulations will be required due to the private gated street;
- 4) Depiction of a 20-foot setback where each lot abuts a public street;
- 5) Depiction of a 10-foot side yard setback for Lot D, where there is an existing drainage easement on the North side of the lot;
- 6) Depiction of all other internal side yard (5 feet) and private street minimum building setbacks (5 to 10 feet) as proposed;
- 7) Placement of a note on the final plat stating that all lots are denied direct access to Spring Hill Avenue, Tuthill Lane and Hayfield Place, and that access shall only be to Hayfield Place via the proposed private street easement;
- 8) Placement of a note on the plat stating that the site is limited to an approved Planned Unit Development;

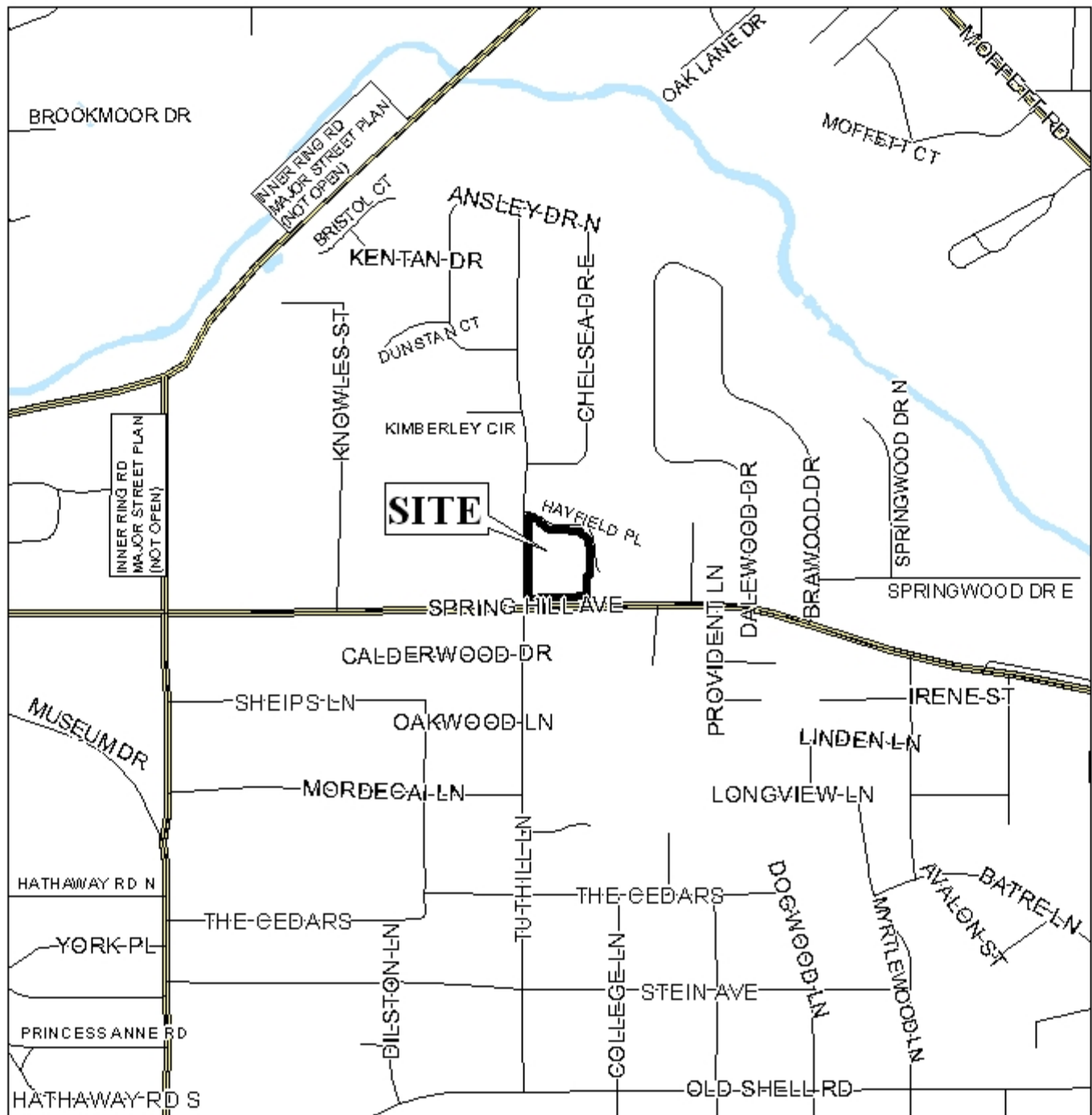
- 9) Completion of a non-utility right-of-way use agreement for any existing walls or fences that will remain which are located in the public right-of-way or in a drainage easement, prior to the issuance of a certificate of occupancy for any new residence;
- 10) Placement of a note on the final plat 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;
- 11) Provision of a revised PUD site plan prior to the signing of the final plat; and
- 12) Full compliance with all other municipal codes and ordinances.

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

- 1) Placement of a note on the site plan stating that the maximum building site coverage is limited to 35%;
- 2) Any new walls or fences to comply with all setbacks requirements, as well as any other municipal codes and ordinances;
- 3) Compliance with Engineering comments (*Setbacks shall not include drainage easements, structures are prohibited within drainage easements. Reduction in size of any drainage easements are not allowed. Any new wall or fence proposed within a drainage easement will require Engineering, ROW and Zoning approvals. 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. 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.*);
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- 8) Depiction of all other internal side yard (5 feet) and private street minimum building setbacks (5 to 10 feet) as proposed;
- 9) Placement of a note on the site plan stating that all lots are denied direct access to Spring Hill Avenue, Tuthill Lane and Hayfield Place, and that access shall only be to Hayfield Place via the proposed private street easement;
- 10) Placement of a note on the site plan stating that the site is limited to an approved Planned Unit Development;
- 11) Completion of a non-utility right-of-way use agreement for any existing walls or fences that will remain which are located in the public right-of-way or in a drainage easement, prior to the issuance of a certificate of occupancy for any new residence;
- 12) 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;

- 13) Provision of a revised PUD site plan prior to the signing of the final plat; and
- 14) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 21 & 22 DATE January 6, 2011

APPLICANT Tuthill Gates Subdivision, Resubdivision of

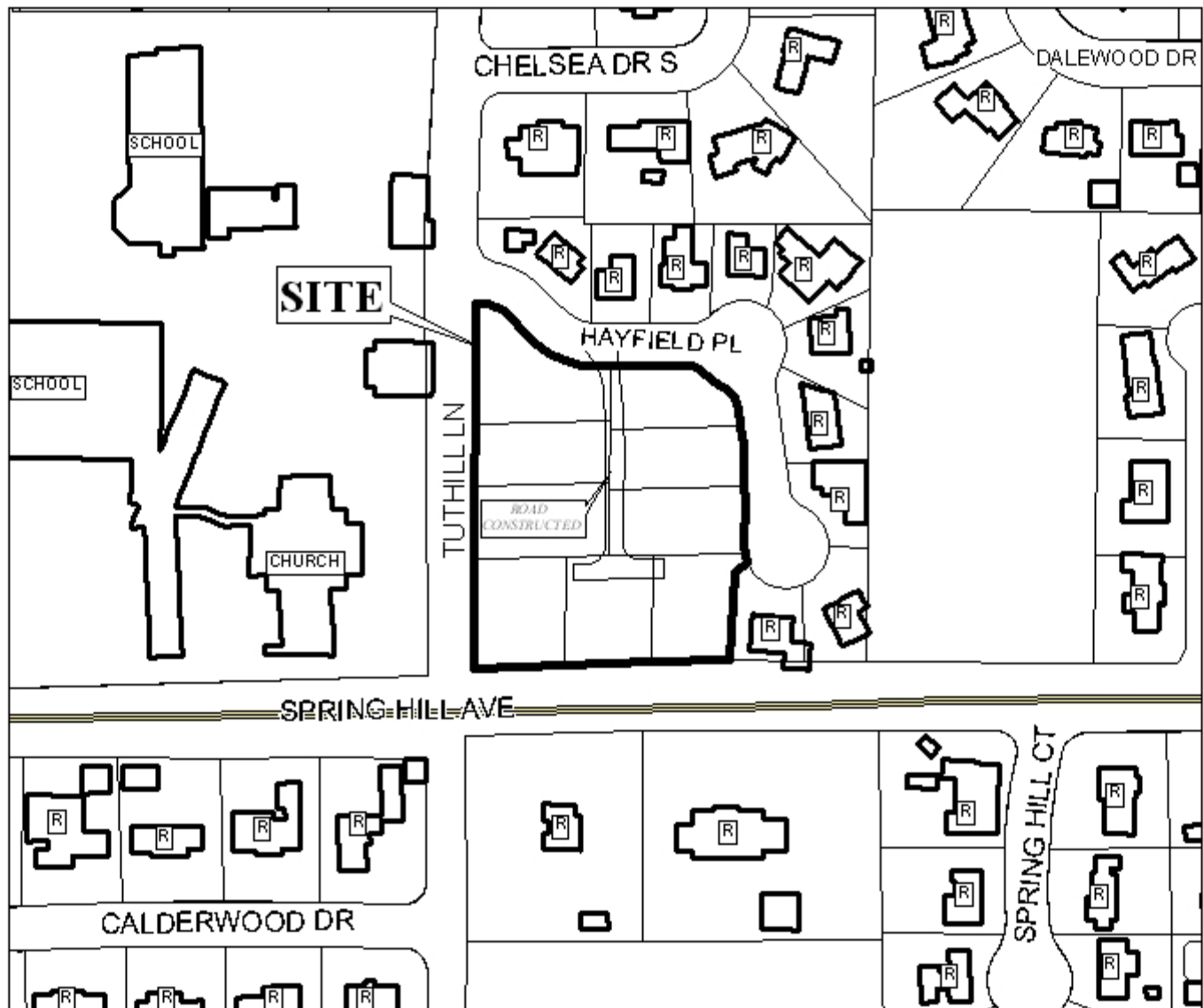
REQUEST Subdivision, Planned Unit Development

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units to the north, east, and south, and a church and school to the west.

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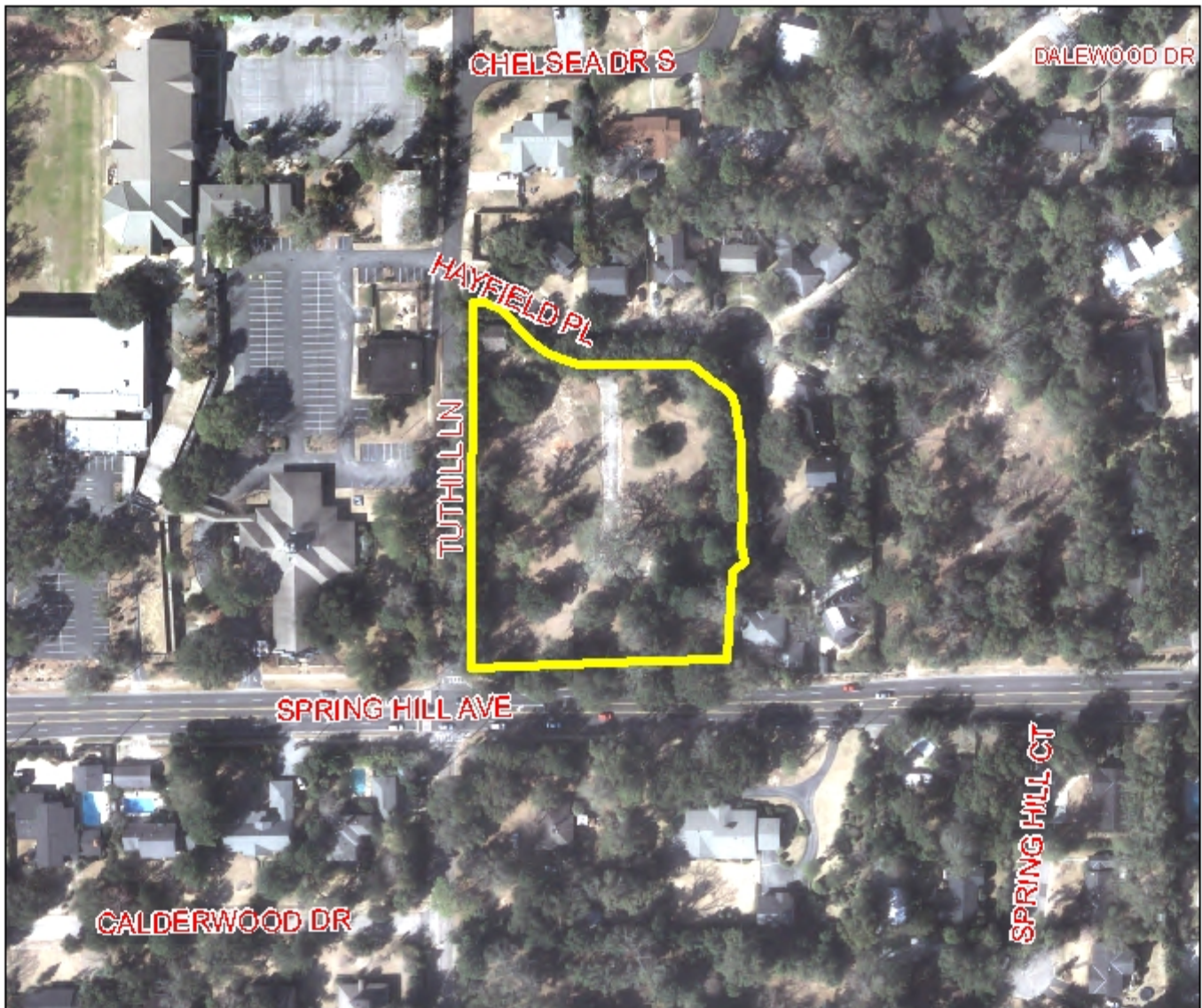
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LEGEND

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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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

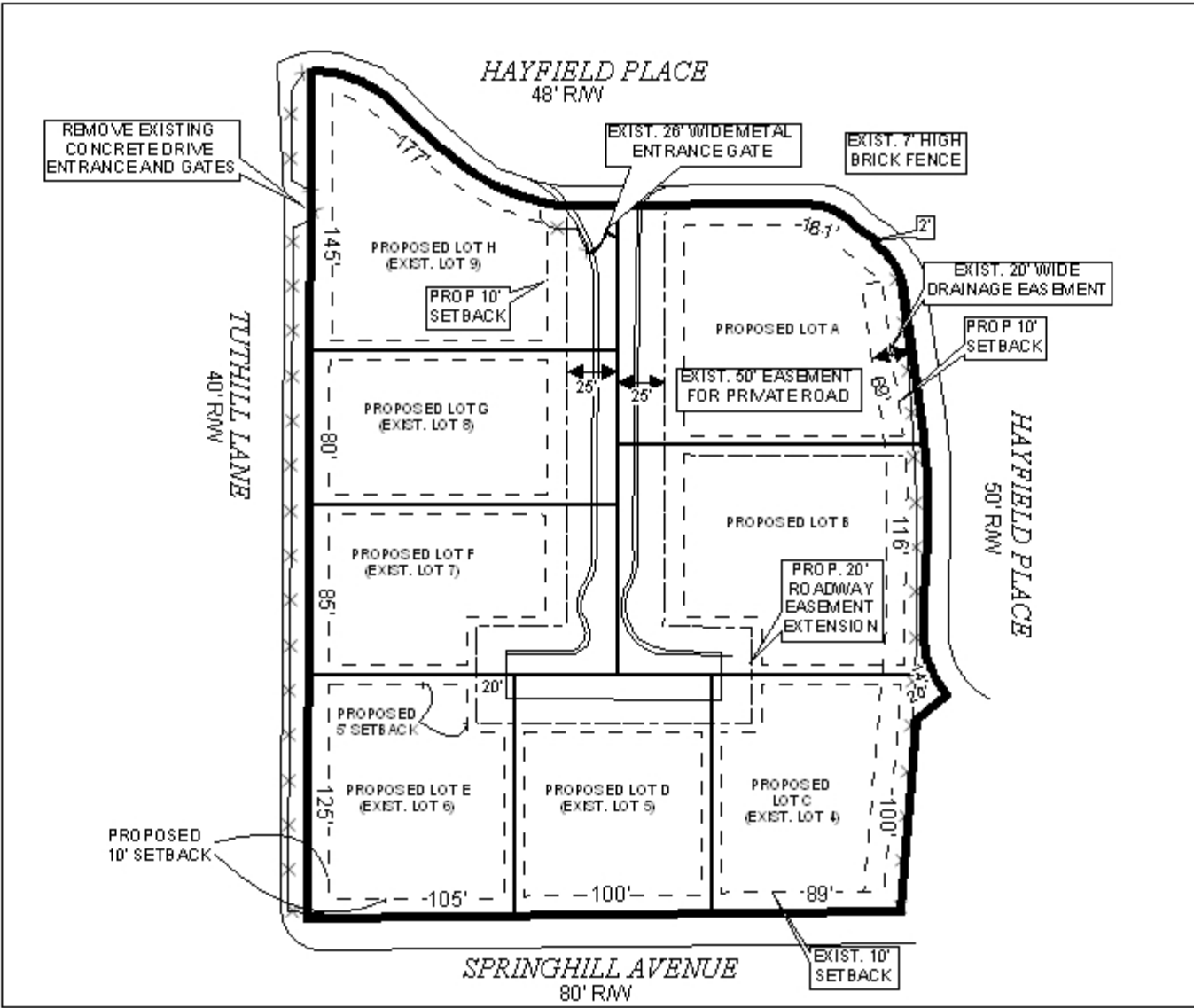


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SITE PLAN



The site plan illustrates the proposed lot configuration, easements, and setbacks.

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