

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: August 2, 2007****DEVELOPMENT NAME**

Pesnell Subdivision, Resubdivision of Lot 1

SUBDIVISION NAME

Pesnell Subdivision, Resubdivision of Lot 1

LOCATION2260 Pesnell Court
(Northwest corner of Pesnell Court and Cottage Hill Road)**CITY COUNCIL
DISTRICT**

District 6

AREA OF PROPERTY

1 Lot / 6.0± Acres

CONTEMPLATED USE

Subdivision and Planned Unit Development Approval to amend a previously approved Subdivision and Planned Unit Development Approval to allow multiple buildings on a single building site.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

All existing drainage easements should be shown on the preliminary plat and the COM Engineering Department will require that drainage easements accurately encompass any drainage way that accepts public stormwater. Placement of a note on the site plan and final plat stating that maintenance of common and detention areas will be property owners' responsibility. No fill in the flood plain without a flood study. Show minimum finished floor elevation on all structures in the flood plain. 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 stormwater 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, with local amendments, and the 2003 International Existing Building Code.

REMARKS

The applicant is seeking Subdivision and Planned Unit Development approval, to amend earlier approvals and allow a reduced front yard setback.

The existing 6.0± acre, 1-lot subdivision fronts Cottage Hill Road, a major street as illustrated on the Major Street Component of the Comprehensive Plan which has 100-feet of right-of-way and Pesnell Court, a minor street with 50-feet of right-of-way; both streets meet the minimum requirements for right-of-way.

Subdivision, Planned Unit Development, Rezoning to R-3, Multi-Family and Planning Approval were originally approved to allow a domiciliary, apartments and townhouses.

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.

The existing location of the two structures as surveyed is not consistent with previous approvals granted by the Planning Commission. The single issue regarding this application is that the existing structures were constructed within the front setback along Pesnell Court, and are not according to the approved subdivision plat and approved Planned Unit Development. The applicant states that this error was caused by the initial street layout; as the engineer chose to move the street westward some 10-feet to allow the topography on the east side of Pesnell Court to be more conducive for senior citizens who reside there, and simply did not adjust the building location.

It is illustrated by the survey, the structures were built within the front setback and it would seem the equitable solution is to change the front setback to allow the two structures to remain. However, the plat should be revised to place the 18-foot front yard setback only where these two structures are built along Pesnell Court.

It should be noted that the applicant be advised to ensure any future construction be located properly.

RECOMMENDATION

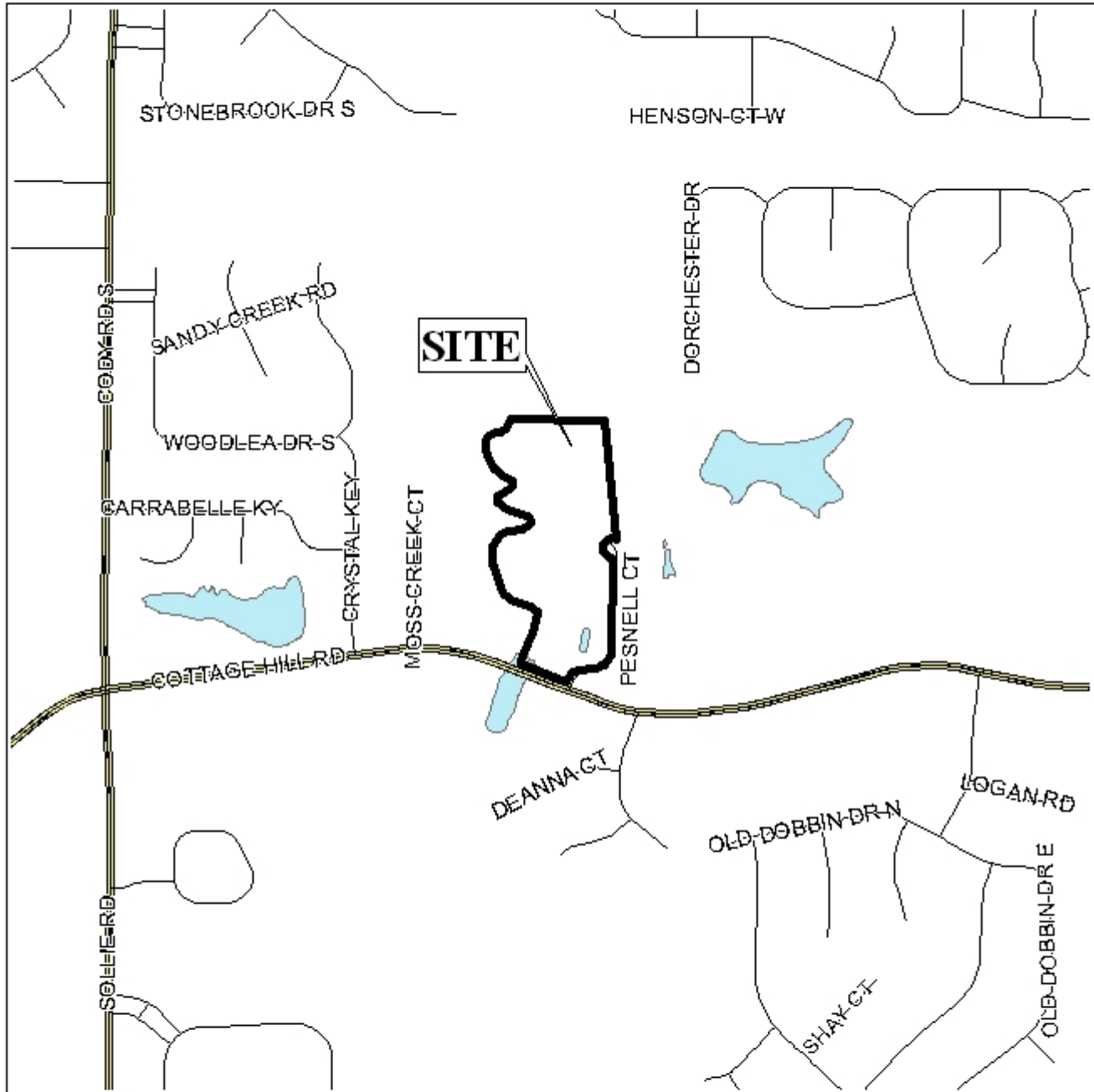
Subdivision: Based on the preceding, this application is recommended for Tentative Approval, subject to the following condition:

- 1) that the front setback be adjusted on the Final Plat allowing an 18-foot minimum building setback along Pesnell Court only where the two existing structures are located and 25-foot minimum building setback along the remaining frontage.

Planned Unit Development: Based on the preceding, this application is recommended for Tentative Approval, subject to the following condition:

- 1) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 23 & 24 DATE August 2, 2007

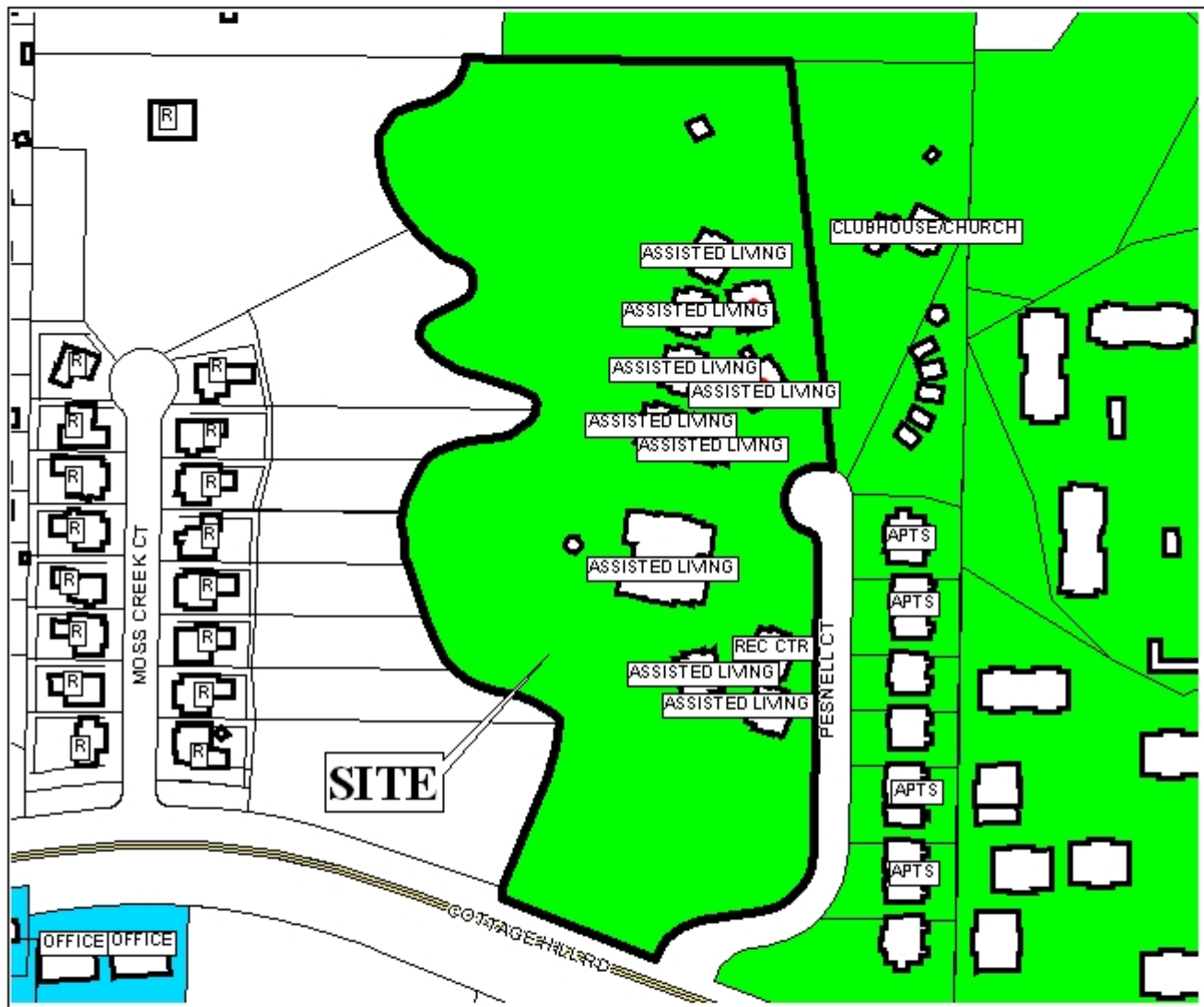
APPLICANT Resubdivision of Lot 1, Pesnell Subdivision

REQUEST Subdivision, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

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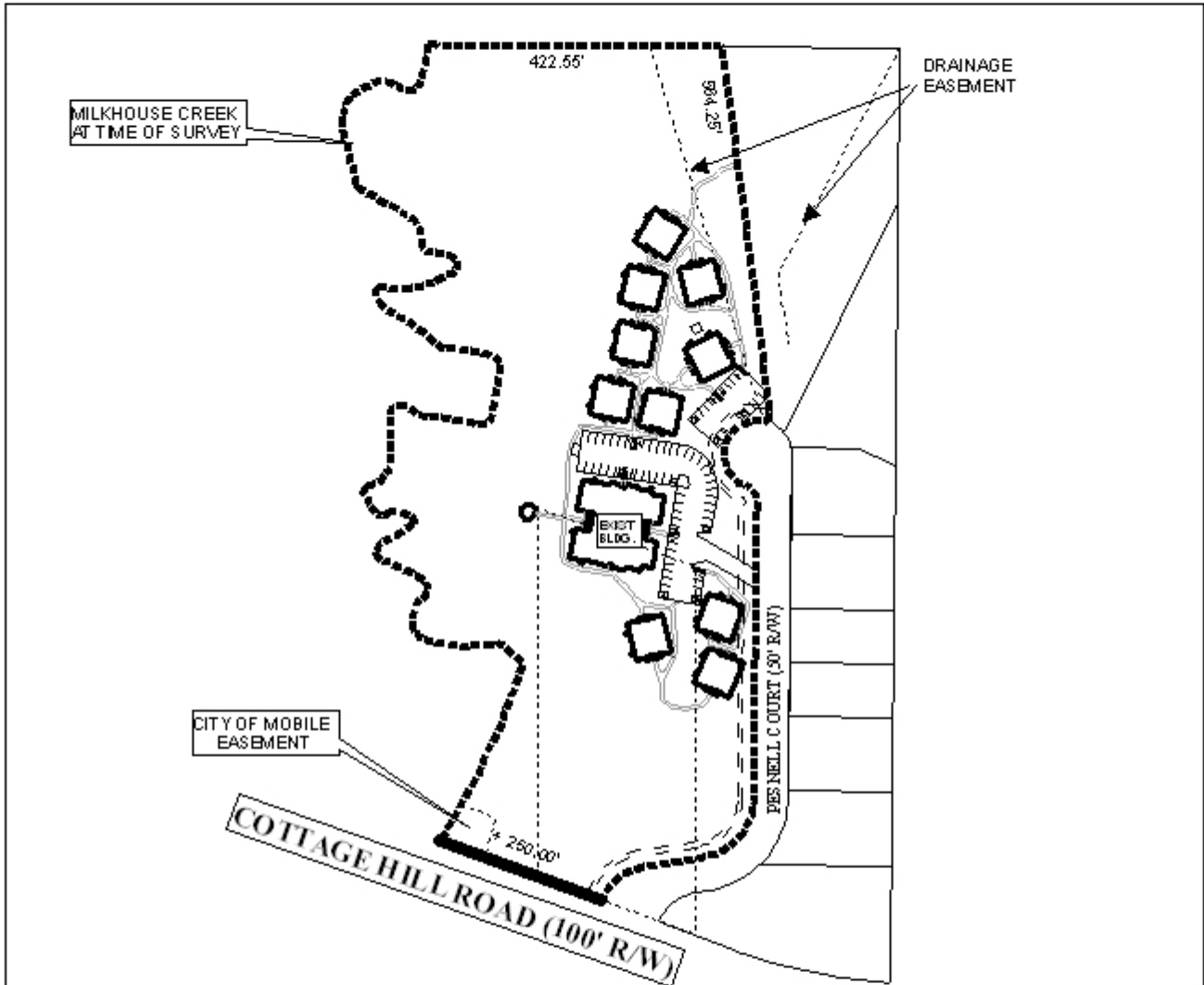
APPLICANT Resubdivision of Lot 1, Pesnell Subdivision

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LEGEND

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|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|
| 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 |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|

SITE PLAN



This site illustrates existing buildings and parking area.
All buildings shown have a land use classification of assisted living.

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