

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: July 11, 2013****SUBDIVISION NAME**

Northside LTD/Joint Venture Subdivision, Resubdivision of and Addition to Lot 3A

DEVELOPMENT NAME

Northside LTD/Joint Venture Subdivision, Resubdivision of and Addition to Lot 3A

LOCATION

West side of North Sage Avenue, 155'± North of Dauphin Street extending West to the North side of Dauphin Street, 199'± West of North Sage Avenue

CITY COUNCIL**DISTRICT**

District 1

AREA OF PROPERTY*Subdivision: 2-Lot/4.3± Acres**Planned Unit Development: 2-Lots/4.3± Acres***CONTEMPLATED USE**

Planned Unit Development Approval to allow shared access between two lots and Subdivision approval to create a legal lot of record from two metes and bounds parcels.

TIME SCHEDULE**FOR DEVELOPMENT**

Immediate

ENGINEERING**COMMENTS*****Subdivision***

The following comments should be addressed prior to review, acceptance and signature by the City Engineer:

1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes).
2. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045).
3. Add a note to the plat stating that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
4. Label the property corner (set or found) at the SE corner of Lot 3B.
5. Correct the distance labels shown on the eastern property line of Lot 3B.

6. Remove the existing improvements shown that are not needed for the Subdivision Plat. Some of the information shown as existing on adjacent Lots 1A and 2A do not exist, and the new Regions Bank is not shown. Also, the access drive from Sage Avenue (Lot 3A) is not shown.

Planned Unit Development

1. Add a note to the PUD drawing that states: Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. Add a note to the PUD drawing that states: Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. The existing detention facility will need to have its volume capacity and functionality verified by a licensed PE.
3. A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.
4. Must comply with the following Engineering Department Policy Letters: 1) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer system), and 2) 8-4-2004 Policy Letter (video inspection of new Storm Sewer System Piping).

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Be prepared to show how the drive-thru stack intersecting the parking lot will be controlled (signage) with the Land Disturbance permit application.

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 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.

REMARKS

The applicant is seeking Subdivision approval to create two legal lots of record from two metes and bounds parcels and a legal lot of record, and Planned Unit Development approval to allow shared access between two lots.

The subdivision site is currently a fast food restaurant, which has been operating for several years, and a vacant metes and bounds parcel that are to be combined into one legal lot of record via this subdivision application. The applicant plans to demolish the existing building and redevelop the site with a new fast food restaurant of approximately 2,694 square-feet. With regard to the proposed subdivision, the lot exceeds the minimum size requirements of the Subdivision Regulations.

Planned Unit Development review, stated in Section 64-5. of the Zoning Ordinance, 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 must be approved 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 development provides frontage on Dauphin Street, a major street, requiring 100-foot right-of-way and North Sage Avenue, a minor street, which requires 50-foot right-of-way. Both streets provide the minimum requirements of street right-of-way; therefore no dedication is required. Redevelopment of Lot 3B, initially the two metes and bounds parcels and a portion of a legal lot of record will use the existing curb cut to Dauphin Street and will provide an alternate excess point via Lot 3A. Traffic Engineering comments state “Be prepared to show how the drive-thru stack intersecting the parking lot will be controlled (signage) with the Land Disturbance permit application.”

Traffic Engineering comments states the driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. It seems the proposed development does not change the overall number or size of curb cuts to the development; however, if any changes are proposed compliance with this comment would be required.

As the site is a PUD, and new construction is proposed, compliance with the tree and landscaping requirements of the Zoning Ordinance will be required as well. Information on the site plan provides adequate area for compliance with the landscaping requirements of the Zoning Ordinance; however, information regarding compliance with the tree requirements must be submitted with the request for permits to develop the site.

The site plan illustrates the dumpster on the new building site, but does not illustrate the provision of a dumpster buffering (and the connection to sanitary sewer) and compliance with the setback requirements of 0 or 5-feet; therefore, it should be noted that ALL

dumpsters/compactors must meet the buffer and setback requirements of the Zoning Ordinance and be screened with a minimum six-foot solid privacy fence.

Lighting of the parking area and site must comply with Sections 64-4.A.8. of the Zoning Ordinance.

It should also be noted that the new sign for the proposed business must be located on private property.

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:

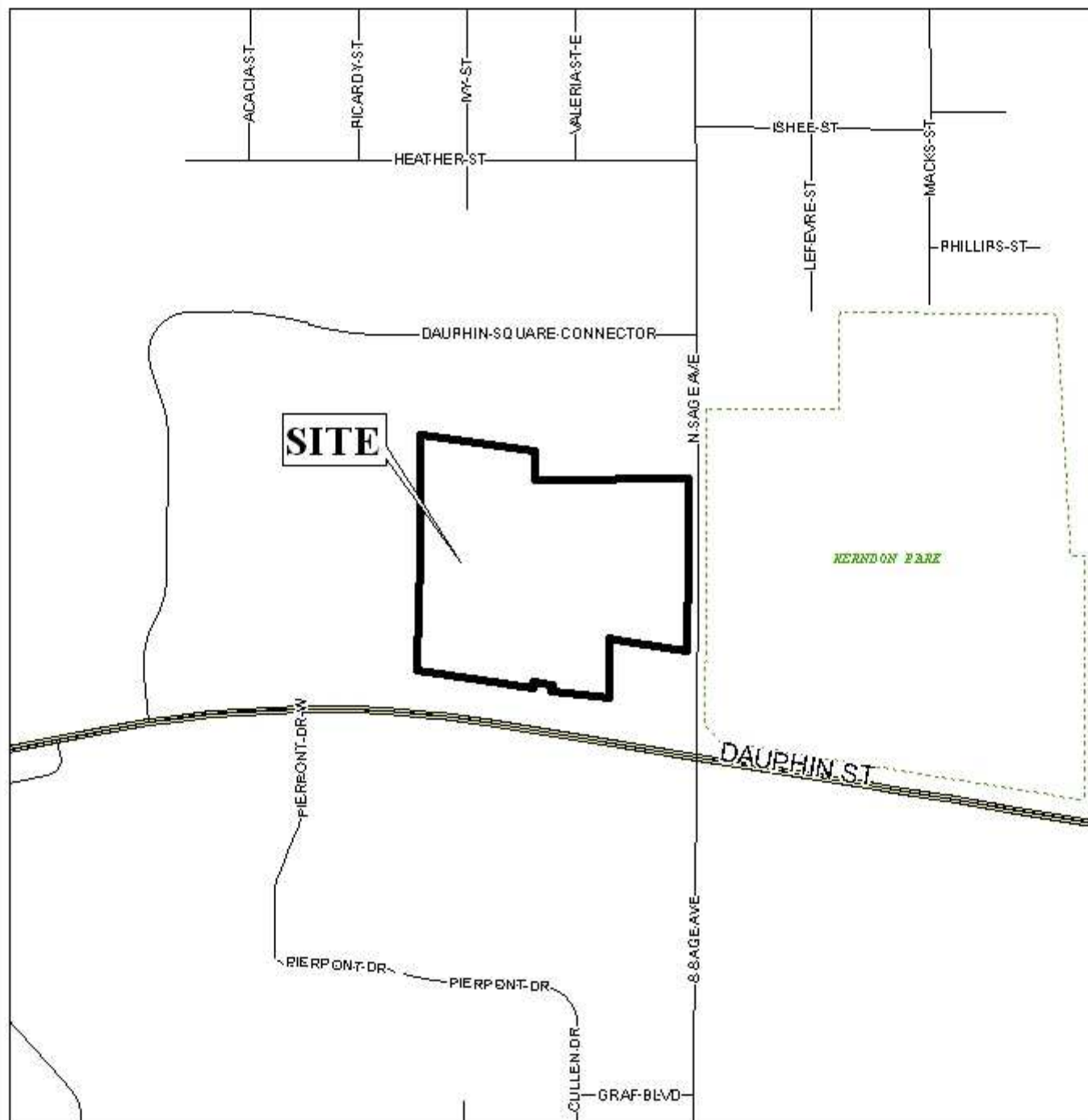
- 1) compliance with Engineering comments: *(The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). 3. Add a note to the plat stating that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 4. Label the property corner (set or found) at the SE corner of Lot 3B. 5. Correct the distance labels shown on the eastern property line of Lot 3B. 6. Remove the existing improvements shown that are not needed for the Subdivision Plat. Some of the information shown as existing on adjacent Lots 1A and 2A do not exist, and the new Regions Bank is not shown. Also, the access drive from Sage Avenue (Lot 3A) is not shown.);*
- 2) depiction and labeling of the 25--foot minimum building setback line on the Final Plat;
- 3) labeling of the lot size in square feet on the Final Plat;
- 4) 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;
- 5) compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Be prepared to show how the drive-thru stack intersecting the parking lot will be controlled (signage) with the Land Disturbance permit application.);*
- 6) compliance with Fire comments: *(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);*

- 7) submission of two copies of the revised PUD site plan prior to the signing of the Final Plat; and
- 8) recording of the Final Plat prior to any request for permits.

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 depiction of a 25-feet minimum building setback,;
- 2) compliance with Engineering comments: *(1. Add a note to the PUD drawing that states: Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing that states: Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. The existing detention facility will need to have its volume capacity and functionality verified by a licensed PE. 3. A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4. Must comply with the following Engineering Department Policy Letters: 1) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer system), and 2) 8-4-2004 Policy Letter (video inspection of new Storm Sewer System Piping.);*
- 3) revision of the site plan to depict lighting of the parking area compliance with Sections 64-4.A.8. of the Zoning Ordinance;
- 4) labeling of the lot size in square feet on the site plan;
- 5) 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;
- 6) compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Be prepared to show how the drive-thru stack intersecting the parking lot will be controlled (signage) with the Land Disturbance permit application.);*
- 7) compliance with Fire comments: *(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);* and
- 8) submission of two copies of the revised PUD site plan prior to the signing of the Final Plat.

LOCATOR MAP



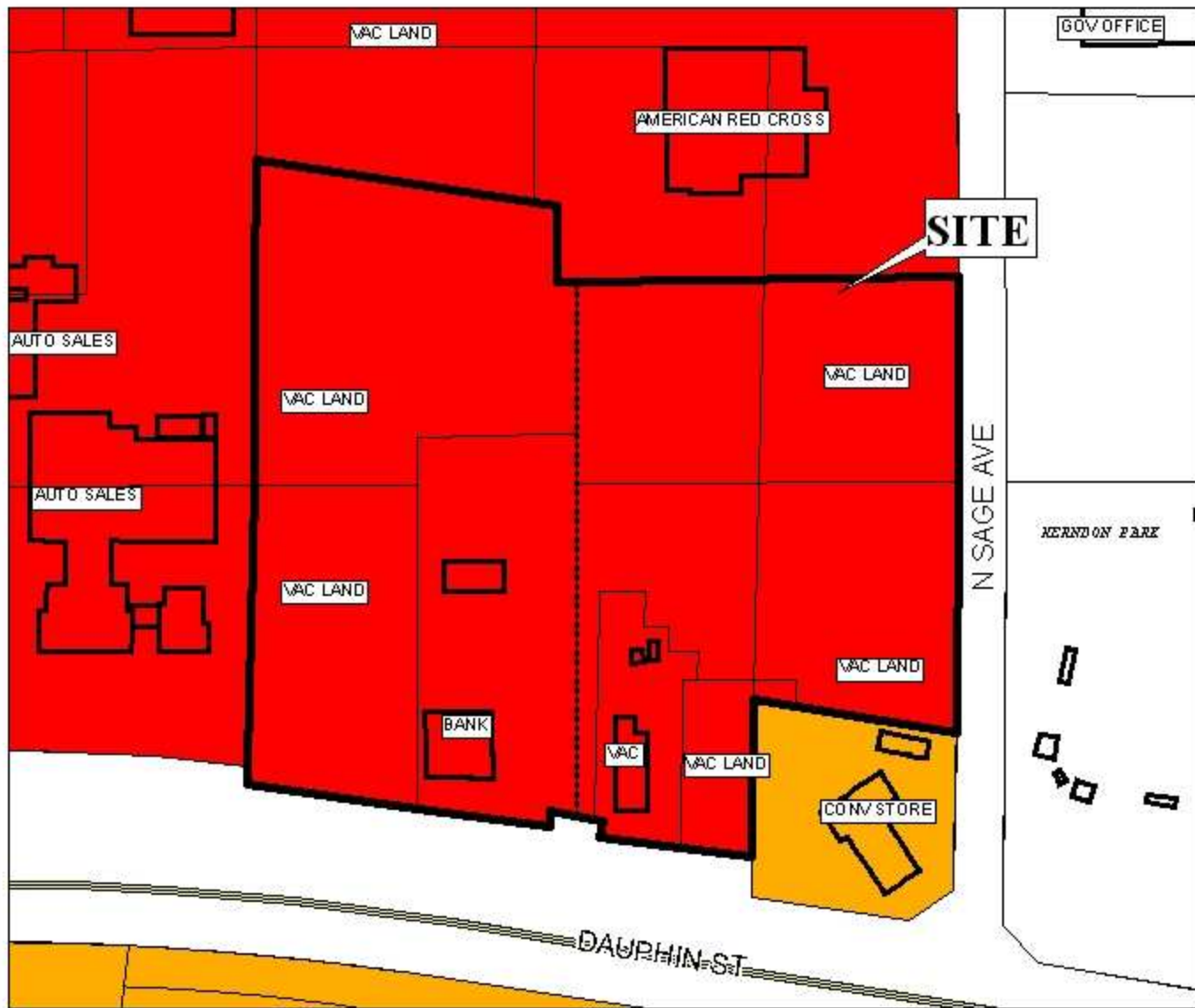
APPLICATION NUMBER 26 & 27 DATE July 11, 2013

APPLICANT Northside LTD / Joint Venture Subdivision, Resubdivision of and Addition to Lot 3A

REQUEST Subdivision, Planned Unit Development

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NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Commercial land use is located to the north and west of the site. A park is located to the east of the site.

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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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NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

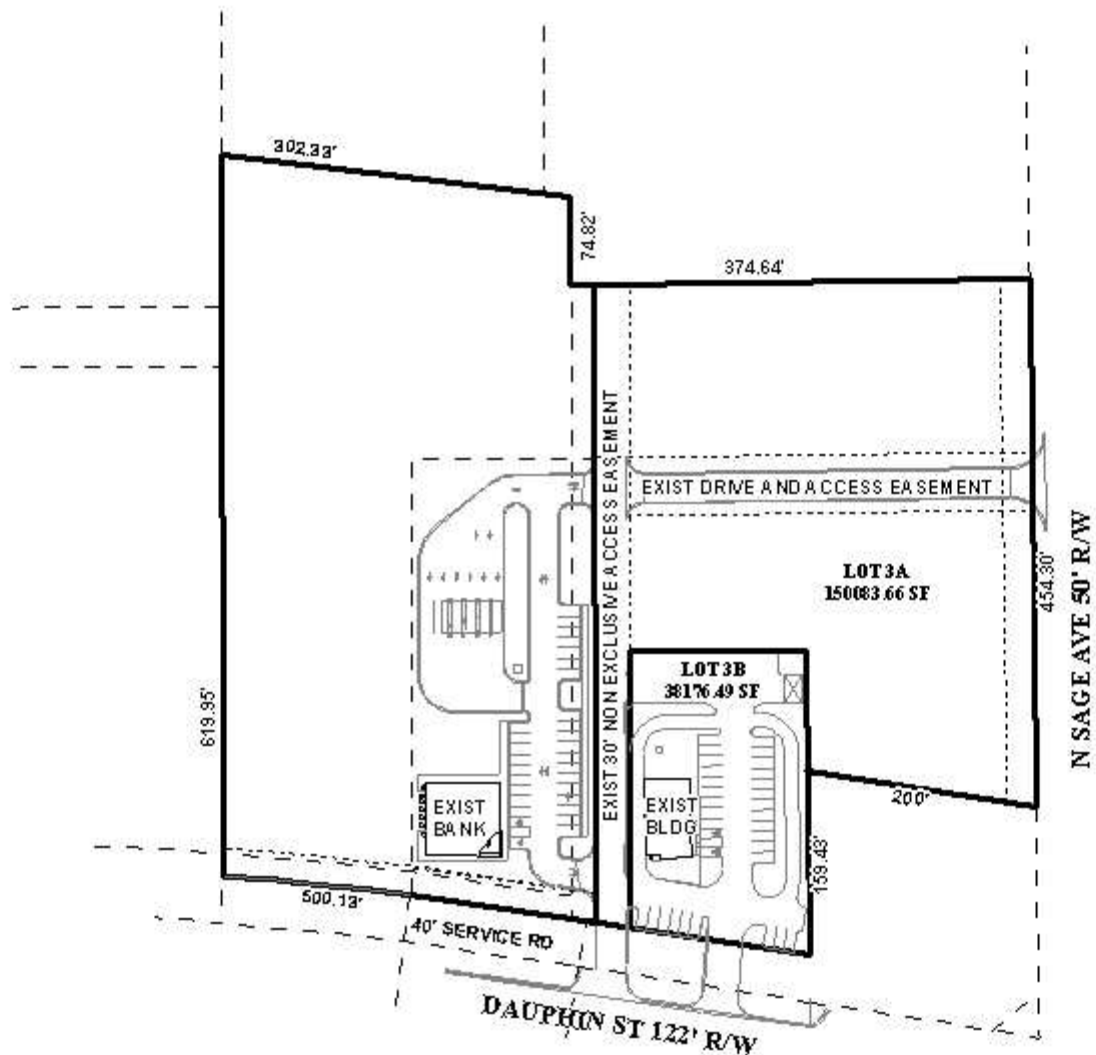


Commercial land use is located to the north and west of the site. A park is located to the east of the site.

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SITE PLAN



The site plan illustrates the existing development and proposed lot configuration.

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