

**REZONING, PUD &  
SUBDIVISION STAFF REPORT**

**Date: December 4, 2008**

**APPLICANT NAME**

Elite Homes, Inc.

**DEVELOPMENT NAME**

Pinehurst, Delany's Addition to Springhill, Block 10, Resubdivision of and Addition to Lots 9, 10, and 11

**SUBDIVISION NAME**

Pinehurst, Delany's Addition to Springhill, Block 10, Resubdivision of and Addition to Lots 9, 10, and 11

**LOCATION**

Northeast corner of Louise Avenue and Howard Street (unopened public right-of-way, to be vacated).

**CITY COUNCIL  
DISTRICT**

District 6

**PRESENT ZONING**

R-1, Single-Family Residential

**PROPOSED ZONING**

R-2, Two-Family Residential

**AREA OF PROPERTY**

0.6± acres / 4 Lots

**CONTEMPLATED USE**

The applicant is requesting Subdivision approval to resubdivide and add to three existing lots of record; Planned Unit Development Approval to allow reduced lot sizes and widths, reduced front and side yard setbacks, and increased site coverage in a single-family residential subdivision; and Rezoning from R-1, Single-Family Residential District, to R-2, Two-Family Residential District, to allow a single-family residential patio home subdivision.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate

**ENGINEERING  
COMMENTS**

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. For each individual lot, must provide detention for any impervious area added in excess of 4,000 square feet.

**TRAFFIC ENGINEERING**

**COMMENTS**

Driveway number, sizes, 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). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

**REMARKS**

The applicant is requesting Subdivision approval to resubdivide and add to three existing lots of record; Planned Unit Development Approval to allow reduced lot sizes and widths, reduced front and side yard setbacks, and increased site coverage in a single-family residential subdivision; and Rezoning from R-1, Single-Family Residential District, to R-2, Two-Family Residential District, to allow a single-family residential patio home subdivision.

This area is shown on the General Land Use component of the Comprehensive Plan as residential. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request and the appropriateness and compatibility of the proposed use and zoning classification.

In 2006, the property directly across Louise Avenue, to the West (St. Francis Place Subdivision), was approved for a rezoning from B-3, Community Business District to R-2, Two-Family Residential to allow the construction of single-family homes. In addition, a Planned Unit Development and Subdivision were also approved. Then recently (July 2008), when the right-of-way for that section of Howard Street was vacated, the applicant amended the Subdivision and PUD to add 5 additional feet along the Southern end of the development. This application today is intended to mirror that previous development. However, the section of Howard Street near the subject development has not yet been vacated, which should be addressed prior to signing the final plat.

While the Zoning Ordinance allows for reduced lot sizes for innovative subdivisions, such as a zero lot line or patio home development, generally sufficient open space shall be provided to justify the reduction of the building site. With that said, it should be noted that two of the proposed lots are 5,800 square feet (which includes vacation of Howard Street right-of-way), with no provision for open space. However, as already mentioned, this proposal is very similar to the previously approved subdivision across Louise Avenue (St. Francis Place).

To the West, the site fronts Louise Avenue, which has an existing right-of-way of 40'. The minimum right-of-way required would be 50' for curb and gutter and 60' for non

curb and gutter construction. The plat indicates dedication to provide 25' from centerline.

As a means of access management, a note should be placed on the final plat stating that all lots are limited to one curb cut each with the sizes, locations, and designs to be approved by Traffic Engineering and conform to AASHTO standards.

As illustrated on the plat, the applicant has requested reduced side yard setbacks. The applicant has also requested maximum site coverage of 40%, though it isn't depicted on the plat. The plat and site plan should be revised to clearly label the maximum site coverage of 40%, in addition to the required setbacks for each lot.

It should be noted that while the subdivision is proposed as a zero-lot line subdivision, any air conditioning unit over 3' in height will still be required to meet the setbacks.

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:** Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) completion of the rezoning process prior to signing the final plat;
- 2) completion of the right-of-way vacation process, for Howard Street, prior to signing the final plat;
- 3) placement of a note on the site plan stating that each lot is limited to one curb cut, with the size, design and location to be approved by Traffic Engineering and in conformance with AASHTO standards;
- 4) labeling of the lots with their maximum site coverage (40%), or the provision of a table with the same information;
- 5) placement of a note on the plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 6) submission of a revised PUD site plan to the Planning Section of Urban Development prior to signing the final plat.

**Planned Unit Development:** Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) completion of the Subdivision process prior to the issuance of any permits or land disturbance activities;

- 2) completion of the right-of-way vacation process, for Howard Street, prior to the issuance of any permits or land disturbance activities;
- 3) placement of a note on the site plan stating that each lot is limited to one curb cut, with the size, design and location to be approved by Traffic Engineering and in conformance with AASHTO standards;
- 4) labeling of the lots with their maximum site coverage (40%), or the provision of a table with the same information;
- 5) placement of a note on the site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 6) submission of a revised PUD site plan to the Planning Section of Urban Development prior to signing the final plat.

**Rezoning:** Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) completion of the Subdivision process;
- 2) rezoning limited to an approved Planned Unit Development; and
- 3) completion of the right-of-way vacation process for Howard Street.

# LOCATOR MAP



APPLICATION NUMBER 32, 33, 34 DATE December 4, 2008

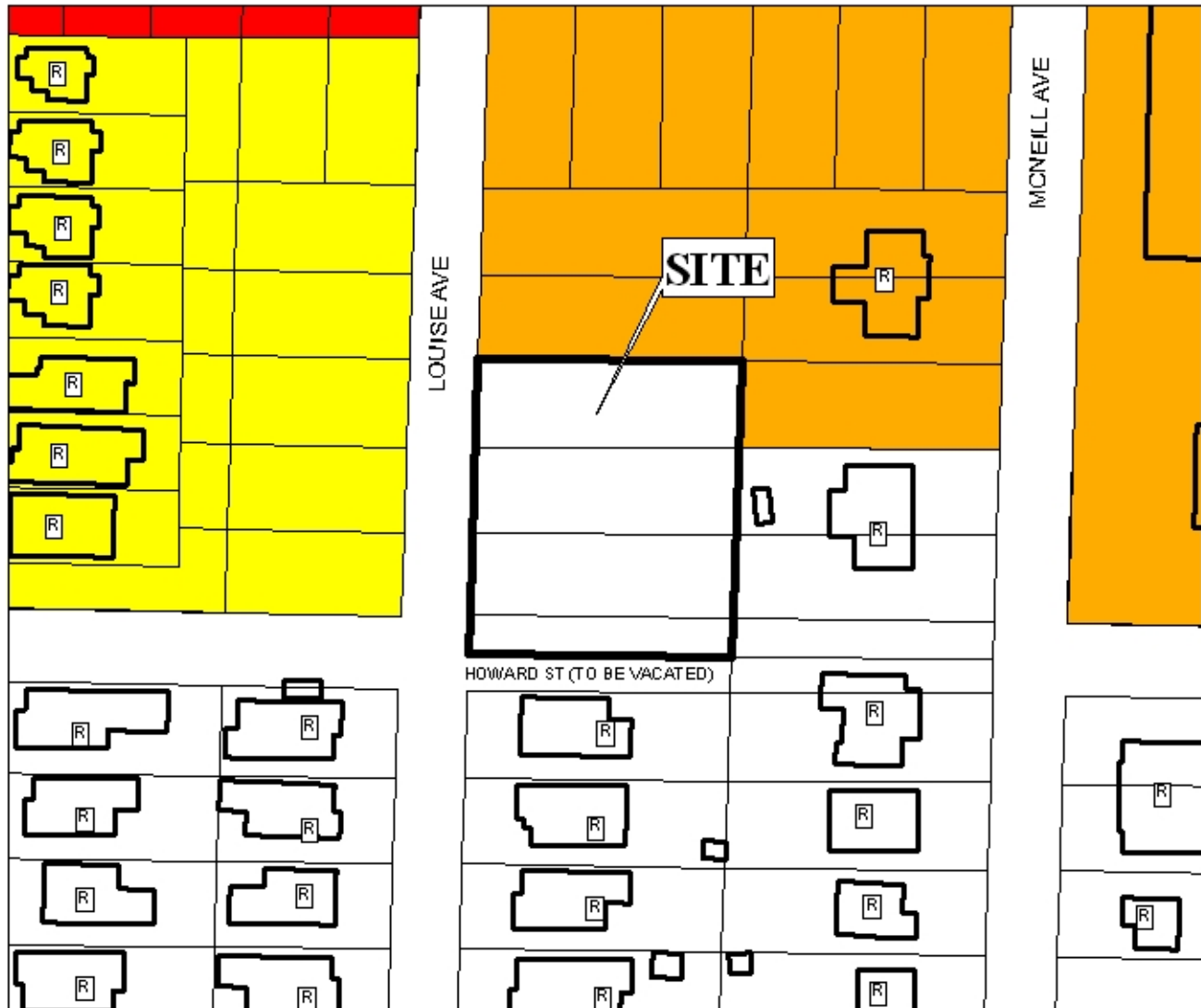
Pinehurst Subdivision, Delaney's Addition to Springhill,

APPLICANT Block 10, Resubdivision of and Addition to Lots 9, 10, and 11

REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-2



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use with commercial land use to the north.

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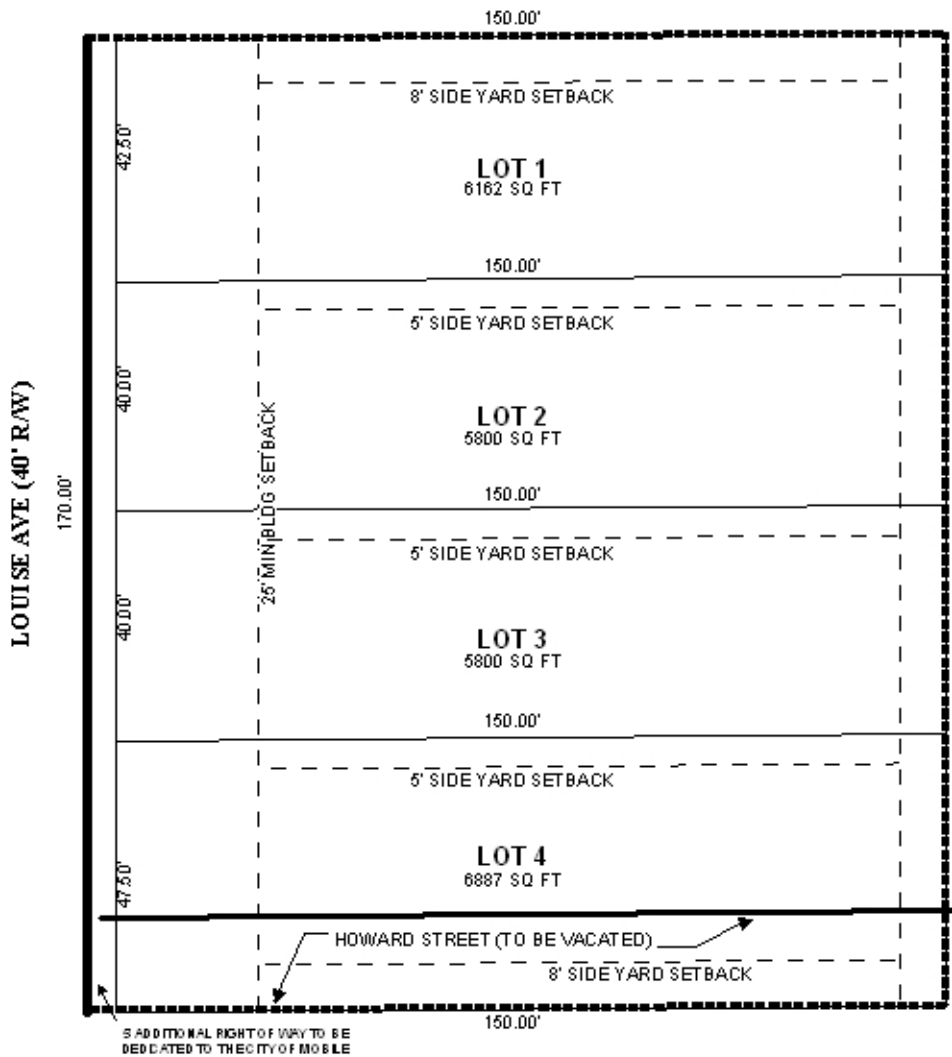
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LEGEND 

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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N  
NTS

# SITE PLAN



This site plan illustrates proposed lot configuration.

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