

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: October 3, 2013**

<b><u>NAME</u></b>	Tuthill Square Subdivision, Hunter Addition to
<b><u>SUBDIVISION NAME</u></b>	Tuthill Square Subdivision, Hunter Addition to
<b><u>LOCATION</u></b>	4058 Old Shell Road (North side of Old Shell Road, 135'± West of Tuthill Lane, extending North to Stein Street)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 7
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District
<b><u>AREA OF PROPERTY</u></b>	3.6± Acres
<b><u>TIME SCHEDULE</u></b>	Immediately

**ENGINEERING****COMMENTS**

**Subdivision:** The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). c. Add a signature block and signature for the Owner (notarized), Planning Commission and Traffic Engineer. d. Provide a signature block for the City Engineer and the County Engineer. e. Provide and label the monument set or found at each subdivision corner. f. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) would be required prior to the issuance of a permit for any land disturbance activity. g. Add a note to the Plat 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).

**Planned Unit Development:** 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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permit s are required for this proposed project. 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. 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. Must comply with all Engineering Department Policy Letters: 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System), 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping), and 3-18-2004 Policy Letter (Additional subdivision street requirements).

## **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 Three 84” Live Oak Trees and One 60” Live Oak Tree located on proposed Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

## **MAWSS COMMENTS**

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

## **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 Planned Unit Development Approval to allow two residences on a single building site, and Subdivision approval to create five legal lots of record. 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 create five legal lots of record from four metes and bounds parcels, and creating a PUD to allow two residences on a single building site. The overall site is currently occupied by three residences, a pool house, and a barn, with one of the residences currently located on an interior property line in an R-1, Single-Family Residential District. The proposed layout would result in Lot 1 containing a single residence and the pool house, Lot 2 containing the barn, Lot 4 containing two residences, and Lots 3 and 5 being undeveloped.

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 under consideration was a legal lot created by a Planning Commission approved subdivision, the plat of which was recorded in May 2000. In 2006, the owner of the legal lot deeded interests to his children, creating the parcels which compose the application at hand.

All of the proposed lots exceed the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the Final Plat should retain the lot sizes in square feet and acres.

The preliminary plat illustrates the 25' minimum building setback along all street frontages, however one of the existing residences on the proposed Lot 4 is almost entirely within this setback, and comes as close as 7.5'± to the front property line. It appears that there are several structures in the area that may be within the 25' minimum setback line, however; none to this great of an extent. Planned Unit Developments have some flexibility in allowing reduced setbacks for a site, and upon review of City of Mobile aerial photography, it appears the encroaching structure has been in its current location since at least 1984. If approved, a note should be placed on the Final Plat that no future structures or building expansion will be allowed in the 25' minimum building setback.

The site fronts onto both Old Shell Road and Stein Avenue. Old Shell Road is a minor street, and should therefore have a right-of-way of 50'. The preliminary plat illustrates a varying right-of-way, therefore dedication should be made to provide 25' from the centerline if necessary. Stein Avenue is a minor street with ribbon curb and gutter, and is illustrated as having a compliant 50' right-of-way, making no dedications necessary.

It should be noted that most of the proposed lots, with the exception of Lot 5, have shared access with other lots, with Lots 2 and 5 not having any existing curb cuts. As a means of access management, Lots 1, 3, and 4 should be limited to existing curb cuts, and Lot 2 should be limited to one curb cut to Stein Avenue and Lot 5 should be limited to one curb cut to Old Shell Road, with the size, design, and location to be approved by Traffic Engineering and to comply with AASHTO standards.

Urban Forestry has requested that preservation status is to be given to the Three 84" Live Oak Trees and One 60" Live Oak Tree located on proposed Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. If approved, a note should be placed on the Final Plat indicating this.

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.

It should be noted that the Subdivision approval granted in February 2000 required the submission of non-conforming information regarding the three dwellings units on the proposed lot: such information was provided. The application at hand will create two Zoning Ordinance violations, 1) the proposed Lot 2 will have an accessory structure, a barn, without a primary dwelling unit, and 2) the proposed Lot 4 will contain two dwelling units.

### **RECOMMENDATION**

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

- 1) retention of the lot sizes in square feet and acres;
- 2) dedication to provide 25' from the centerline along Old Shell Road;
- 3) retention of the 25' minimum building setback line along all street frontages;
- 4) placement of a note stating that no additional structures will be allowed to be constructed within the 25' minimum building setback line;
- 5) placement of a note stating that Lots 1, 3, and 4 are limited to existing curb cuts; Lot 2 is limited to one curb cut to Stein Avenue; and Lot 5 is limited to one curb cut to Old Shell Road;
- 6) compliance with 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.);
- 7) placement of a note stating preservation status is to be given to the Three 84" Live Oak Trees and One 60" Live Oak Tree located on proposed Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger;
- 8) compliance with Engineering comments, *(The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). c. Add a signature block and signature for the Owner (notarized), Planning Commission and Traffic Engineer. d. Provide a signature block for the City Engineer and the County Engineer. e. Provide and label the monument set or found at each subdivision corner. f. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) would be required prior to the issuance of a permit for any*

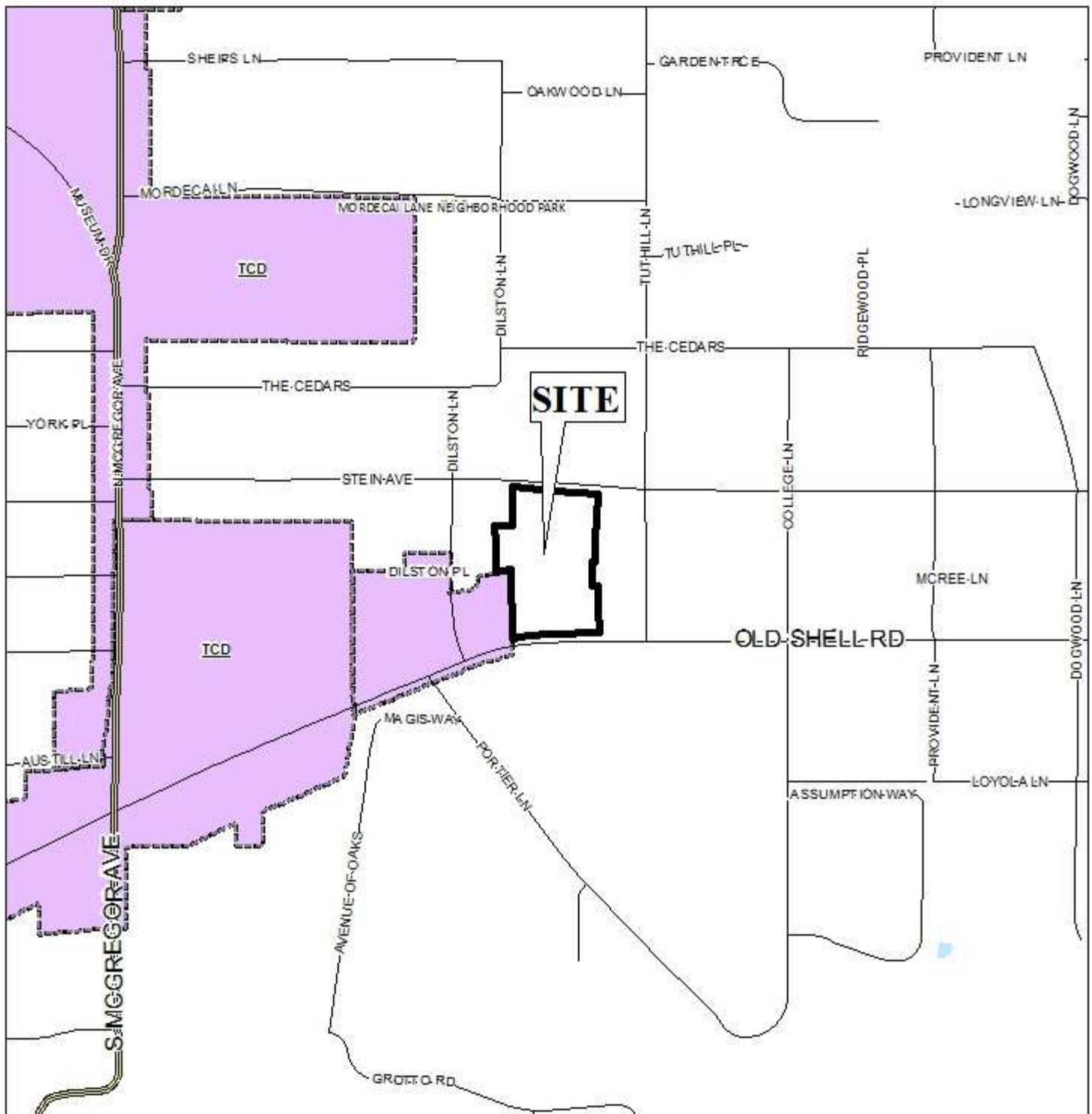
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- 9) Submission of two (2) copies of the revised Planned Unit Development site plan prior to the signing of the Final Plat; and
- 10) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

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

- 1) compliance with Engineering comments (*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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permit s are required for this proposed project. 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. 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. Must comply with all Engineering Department Policy Letters: 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System), 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping), and 3-18-2004 Policy Letter (Additional subdivision street requirements);*
- 2) compliance with 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 Three 84” Live Oak Trees and One 60” Live Oak Tree located on proposed Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 3) compliance with 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.);
- 4) submission of two (2) revised copies of the site plan; and
- 5) completion of the Subdivision process.

# LOCATOR MAP



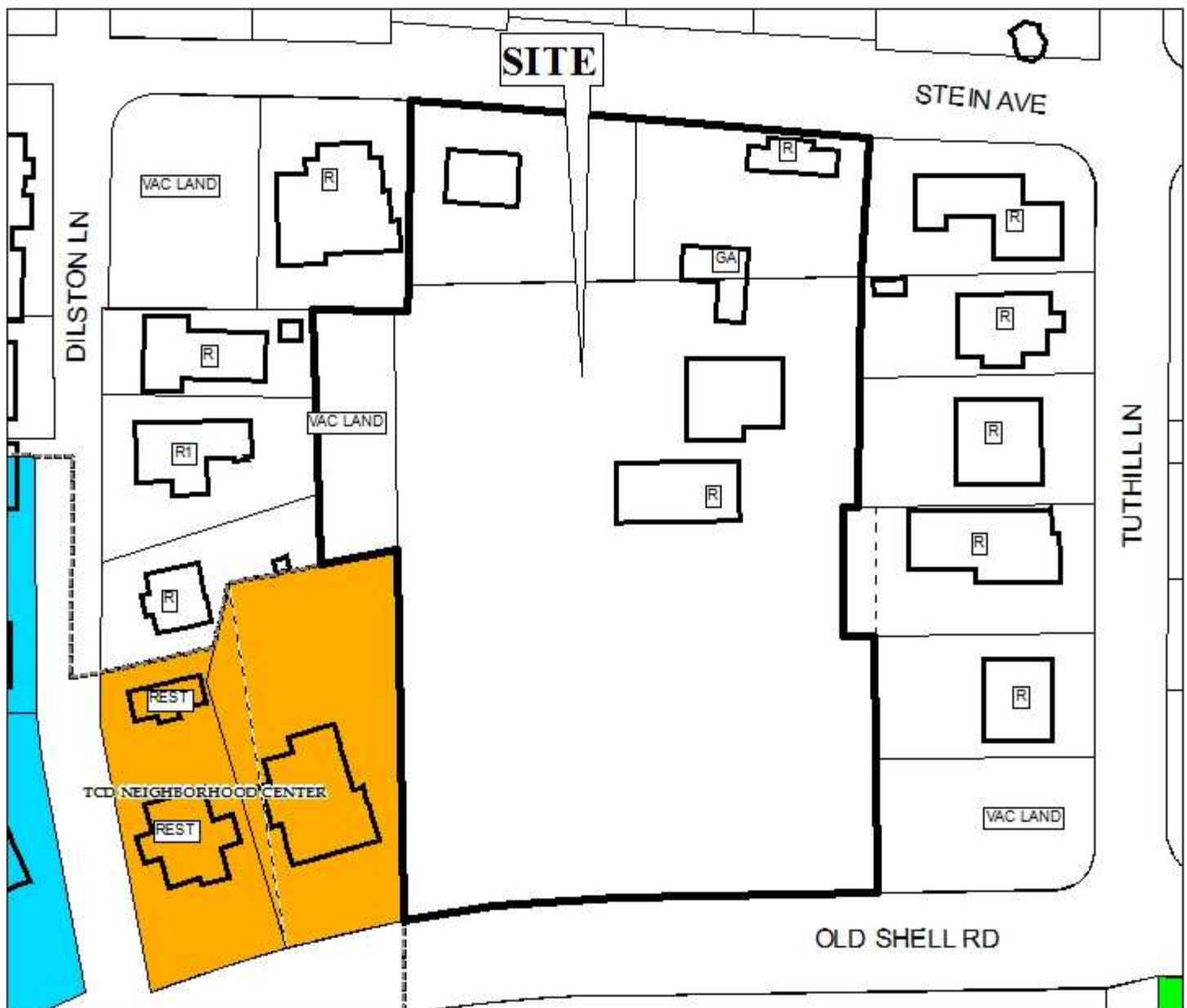
APPLICATION NUMBER 44 & 45 DATE October 3, 2013

APPLICANT Tuthill Square Subdivision, Hunter Addition to

REQUEST Subdivision, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential, and commercial land use units.

APPLICATION NUMBER 44 & 45 DATE October 3, 2013

APPLICANT Tuthill Square Subdivision, Hunter Addition to

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





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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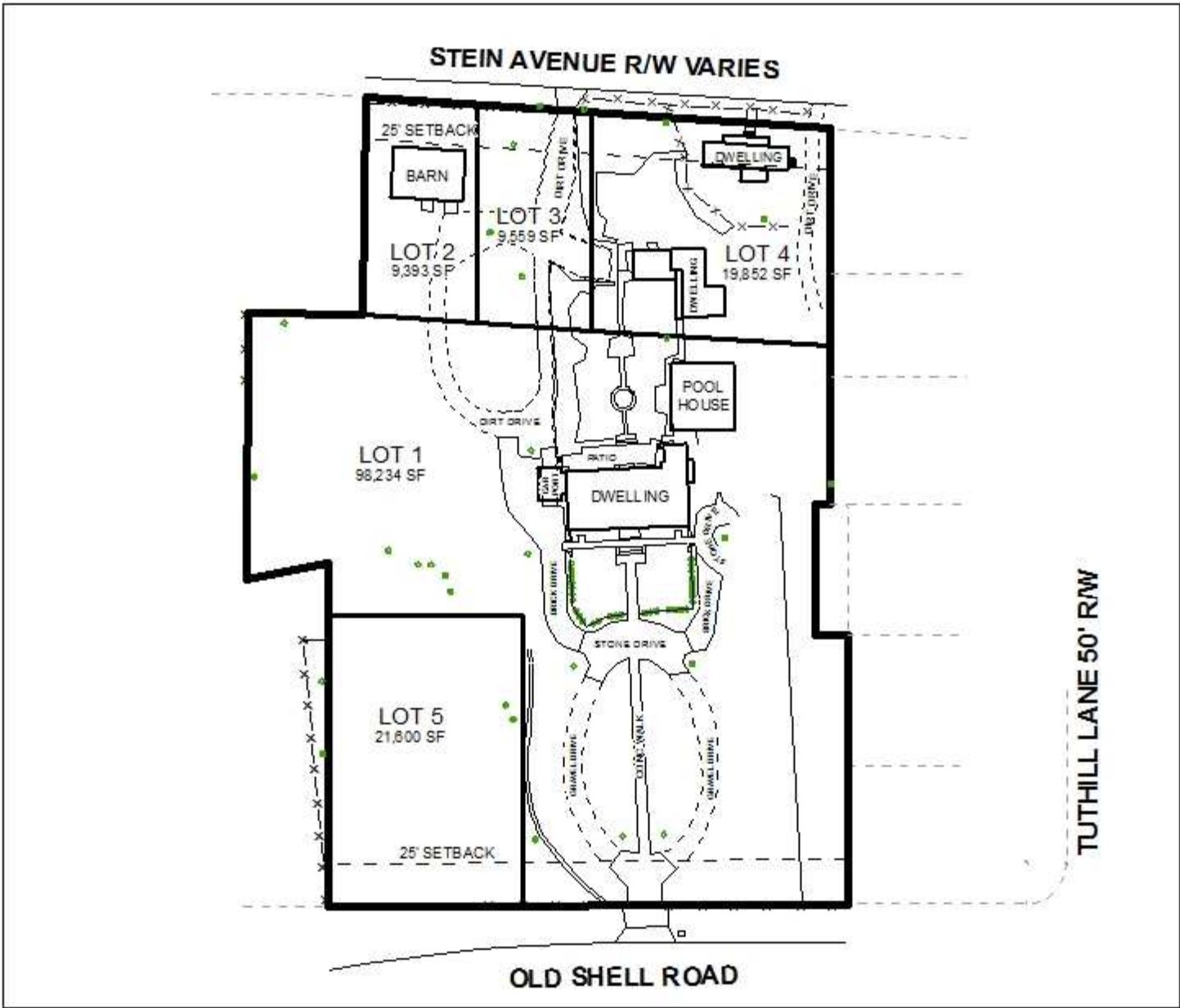
LEGEND 

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





## SITE PLAN



















The site plan illustrates the proposed lots, buildings, setbacks, and drives.

APPLICATION NUMBER 44 & 45 DATE October 3, 2013

















APPLICANT Tuthill Square Subdivision, Hunter Addition to

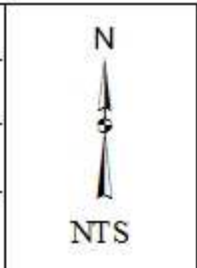
REQUEST Subdivision, Planned Unit Development

LEGEND

															
R-1	R-2	R-3	R-4	R-5	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	

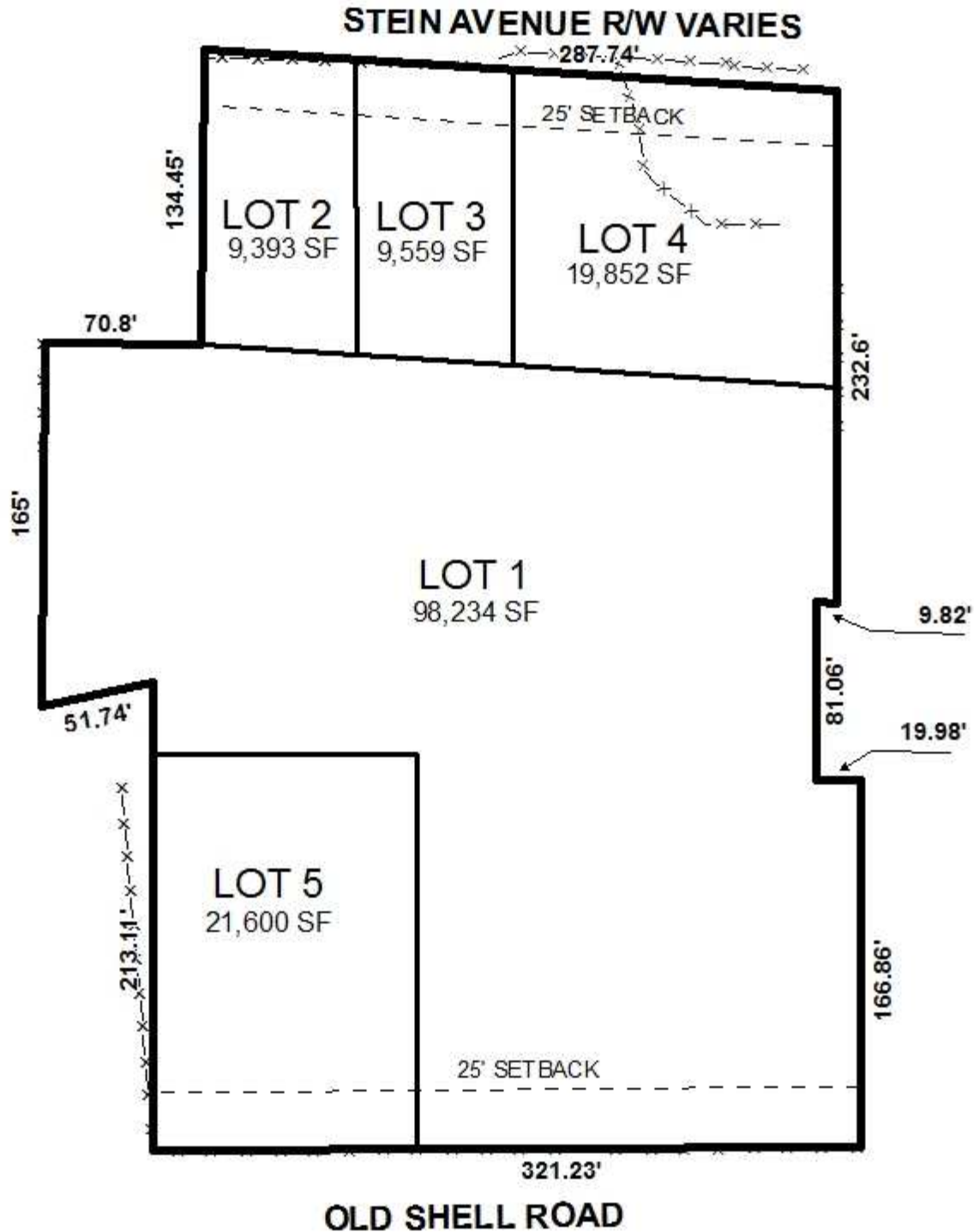
LEGEND

															
R-1	R-2	R-3	R-4	R-5	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	



NTS

## DETAIL SITE PLAN



APPLICATION NUMBER 44 & 45 DATE October 3, 2013

APPLICANT Tuthill Square Subdivision, Hunter Addition to

REQUEST Subdivision, Planned Unit Development

