

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: February 16, 2006**

**DEVELOPMENT NAME** Breydon Square Subdivision

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**LOCATION** South side of Old Shell Road, 270'± East of Wilroh Drive East

**CITY COUNCIL DISTRICT** District 7

**AREA OF PROPERTY** 3.3± acres

**CONTEMPLATED USE** 15-lot subdivision with reduced side yard setbacks and reduced lot sizes

**TIME SCHEDULE FOR DEVELOPMENT** None given

**ENGINEERING****COMMENTS**

If stormwater is discharged onto an adjacent property owner and not into a COM maintained stormwater drainage system, a hold harmless agreement for increased and/or concentrated stormwater will be required. Development 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, 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).

**FIRE DEPARTMENT****COMMENTS**

All One- or Two-Family residential developments shall comply with Appendices B, C, and D of the 2003 International Fire Code, as adopted by the City of Mobile on July 6, 2004.

**REMARKS**

The plat illustrates the proposed 3.3-acre, 15-lot subdivision, which is located on the South side of Old Shell Road, 270'± East of Wilroh

Drive East, and is in Council District 7. The site is served by public water and sanitary sewer.

The purpose of the application is to create a subdivision with 15 lots and four common areas from a metes and bounds parcel. The site excludes a portion of the parent parcel; as that exclusion was created by the present owner of the excluded parcel, it should be included in the subdivision. The site has received subdivision approval twice before: the 2004 approval expired, and the 2005 application was approved in January. This application varies from the last approval by requesting an additional four lots with reduced lot sizes, reduced setbacks, and additional common areas.

The site fronts Old Shell Road, a planned major street with a right-of-way of 120 feet. The plat illustrates a 20-foot dedication along Old Shell Road, however, the Major Street Plan calls for a 100-foot right-of-way along this portion, and all acquisitions for widening of Old Shell Road are being obtained from the North side. Therefore, dedication of additional right-of-way on the South side will not be required.

The plat also involves the creation of a new street, which shows a 50-foot right-of-way for a two-way portion, and an apparent one-way traffic circle with a 38-foot right-of-way and a common area in the center. If this is to be a one-way circle, it should be marked according to Traffic Engineering requirements. The new street must be constructed and dedicated to City Engineering standards. All common and detention areas should be labeled and accompanied by a note stating that their maintenance will be the property owners' responsibility.

Regarding the Planned Unit Development, the applicant is requesting a waiver of Section V.D.2, to allow lots as small as 4,400 square feet; and "innovative subdivision" approval to allow a reduction of the side yards to two feet on the left side, and eight feet on the right side. The applicant has not requested a waiver of the 35% maximum site coverage.

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.

As proposed, the site would exceed the density requirements of the Zoning Ordinance; the site averages 7058 per lot. While a PUD may reduce individual lot size, the overall development must maintain an average of 7200 square feet per dwelling; however, streets, traffic circles, and detention areas cannot be included in this calculation. However, the traffic circle area has a 140-foot diameter. If this were reduced to 100 feet, the development would average about 7500 square feet per dwelling and be satisfactory. The applicant should redesign the plat to include maintain the 7200 square-foot average,

excluding streets, the traffic circle, and the detention area. As the site involves the creation of several 40-foot lots, the applicant should be prepared to construct dwellings and provide the required parking within that space, and without exceeding the 35% maximum site coverage.

Regarding the reduced setbacks, these would not present adverse conditions for the interior lots, but Lots 1 and 15, which have frontage on Old Shell Road, must maintain a minimum of 20-foot setbacks from the right-of-way line. The other 25-foot setbacks are shown on the plat, as required.

**RECOMMENDATION**

Based on the preceding, it is recommended that both applications be held over to the March 2<sup>nd</sup> meeting, to allow the applicant to include the northwestern portion of the parent parcel, and to revise the plat so the site does not exceed the maximum density. Revised materials, additional lot fees, mailing fees, and labels must be received in Urban Development by February 21<sup>st</sup>.

*Revised for the March 2<sup>nd</sup> meeting:*

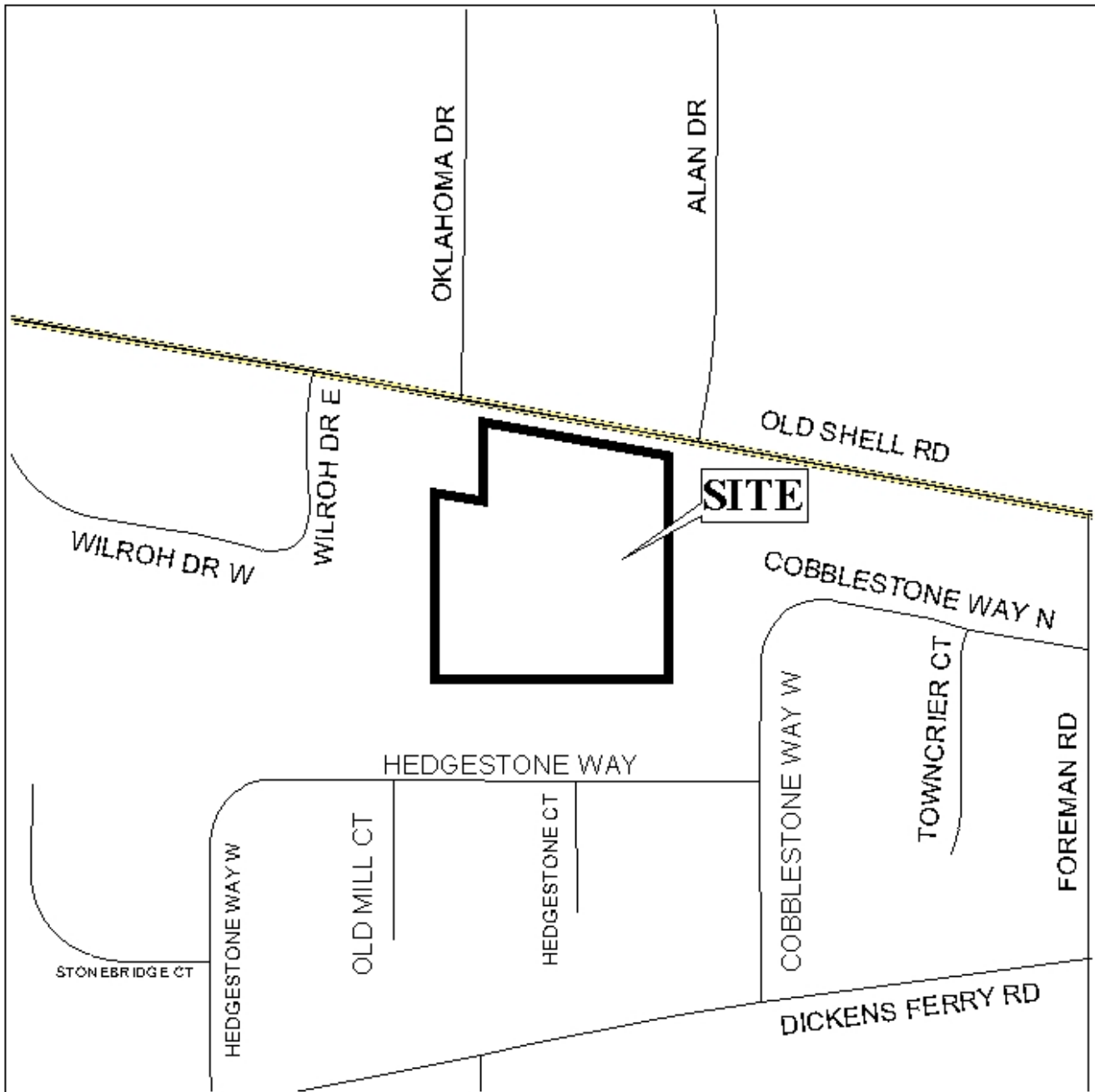
*This application was held over from the February 16<sup>th</sup> meeting to allow the applicant to submit revised materials including the remainder of the parent parcel, and illustrating lot configurations that would not exceed the maximum density allowed by the Zoning Ordinance, and to submit additional lot fees, mailing fees, and mailing labels for the newly included lot.*

*The applicant has submitted revised drawings that satisfy the density requirements of the Zoning Ordinance, but has declined to include the remainder of the parent parcel. Because the parcel has changed hands three times since the original illegal subdivision, the outparcel's inclusion will not be required. Regarding the revised site plan, the applicant will not be required to dedicate right-of-way for Old Shell Road, because right-of-way is being acquired along the Northern side of the road for this portion of Old Shell Road. Therefore, the land originally slated for dedication was included in the subdivision, and contributed to an acceptable ratio of dwellings to land area.*

*Subdivision: Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) the construction and dedication of the new streets to City Engineering standards; 2) marking of the one-way cul-de-sac street according to Traffic Engineering requirements; 3) full compliance with City Engineering comments (If stormwater is discharged onto an adjacent property owner and not into a COM maintained stormwater drainage system, a hold harmless agreement for increased and/or concentrated stormwater will be required. Development must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.); 4) the placement of a note on the final plat stating that maintenance of common and detention areas shall be property owners' responsibility; and 5) the placement of a note on the final plat stating that lots 1 and 15 are denied direct access to Old Shell Road.*

*Planned Unit Development: Based on the preceding, this application is recommended for Approval, subject to the following conditions: 1) the construction and dedication of the new streets to City Engineering standards; 2) marking of the one-way cul-de-sac street according to Traffic Engineering requirements; 3) full compliance with City Engineering comments (If stormwater is discharged onto an adjacent property owner and not into a COM maintained stormwater drainage system, a hold harmless agreement for increased and/or concentrated stormwater will be required. Development must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.); 4) denial of direct access to Old Shell Road for lots 1 and 15; and 5) full compliance with all municipal codes and ordinances.*

# LOCATOR MAP



APPLICATION NUMBER Holdover DATE March 2, 2006

APPLICANT Breydon Square

REQUEST Planned Unit Development, Subdivision



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units.

APPLICATION NUMBER Holdover DATE March 2, 2006

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REQUEST Planned Unit Development, Subdivision

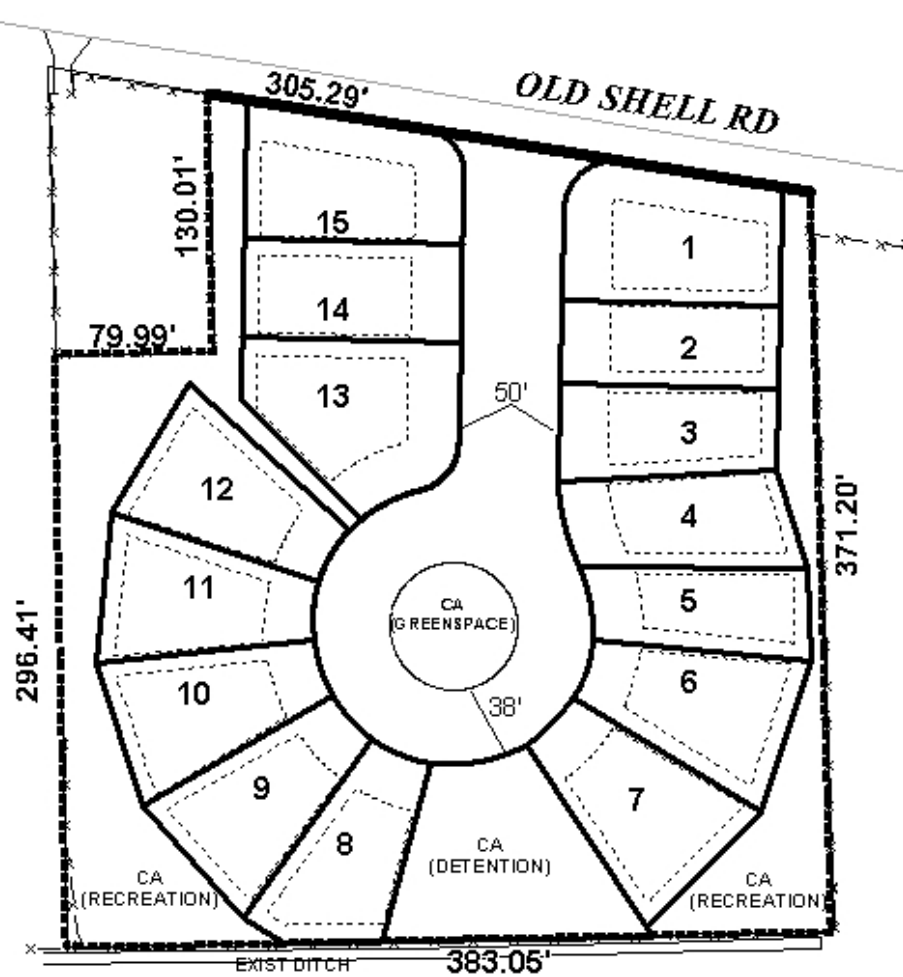
LEGEND

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

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# SITE PLAN



The site plan illustrates the proposed development

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