

**REZONING, PUD &
SUBDIVISION STAFF REPORT**

Date: November 2, 2006

APPLICANT NAME Rick Twilley

DEVELOPMENT NAME Resubdivision of a Portion of Block 9, Pinehurst

SUBDIVISION NAME Pinehurst, Delaney’s Addition to Spring Hill,
Resubdivision of a Portion of Block 9

LOCATION North side of Howard Street (unopened right-of-way, to be vacated), extending From Louise Avenue to Schaub Avenue.

CITY COUNCIL DISTRICT District 6

PRESENT ZONING B-3, Community Business

PROPOSED ZONING R-1, Single-Family Residential

AREA OF PROPERTY 2.0± acres 16 Lots

CONTEMPLATED USE Residential subdivision with reduced lot sizes and widths, reduced building setbacks, and increased site coverage.

TIME SCHEDULE FOR DEVELOPMENT Immediately upon approvals

ENGINEERING COMMENTS All storm water must be collected on-site with detention provided and tied subsurface to the City of Mobile storm drainage system. 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. 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). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

REMARKS

The applicant is requesting rezoning, Planned Unit Development Approval and Subdivision Approval to allow development of the site as a 16 lot residential subdivision, with reduced lot sizes and widths, reduced setbacks and increased site coverage. The subdivision is required to reconfigure the existing lot layout; PUD approval is required to allow reduced lot sizes and widths, reduced site setbacks, and increased site coverage; and, rezoning is required because the site is currently zoned B-3, which does not allow single-family dwellings.

This area is shown on the General Land Use component of the Comprehensive Plan as commercial. 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.

Louise Avenue 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.

There are several issues that relate to the proposed development that must be considered. As proposed the average lot will be 43.12' x 122.42', approximately 5,280 sq.ft., which is considerably less than required for R-1, Single-Family Residential density and less than required by the subdivision regulations. While the subdivision regulations allow for reduced lot sizes for innovative subdivisions, such as a zero lot line or patio home development, generally those lots are at least 6,000 sq.ft. each, unless compensating open space is provided.

The plat indicates that the unopened right-of-way for Howard Street is to be vacated. If vacated after approval and recording of the final plat, Lots 8 and 9 will be increased to 68' in width and will provide a 25' sideyard setback along the adjacent residential properties. If the plat were to be reconfigured, incorporating the proposed vacated right-of-way and reducing the development to 14 lots, the lot sizes would then be 52.13' x 122.42', 6380 sq.ft., which would be comparable with lots in the surrounding area, and would be four more lots than the existing configuration allows.

Another issue is that the commercial development to the North was not required to resubdivide when it was developed many years ago. As the development and subdivision names indicate, the development before the Commission is for a Portion of Block 9. The remaining portions of Block 9 are part of that commercial development. While this issue may not necessarily impede the proposed development, it is an issue that should be addressed.

Comments from the City Engineering Department indicate that on site detention will be required. The plat submitted does not reflect any detention facilities, nor does it allow area for any to be provided.

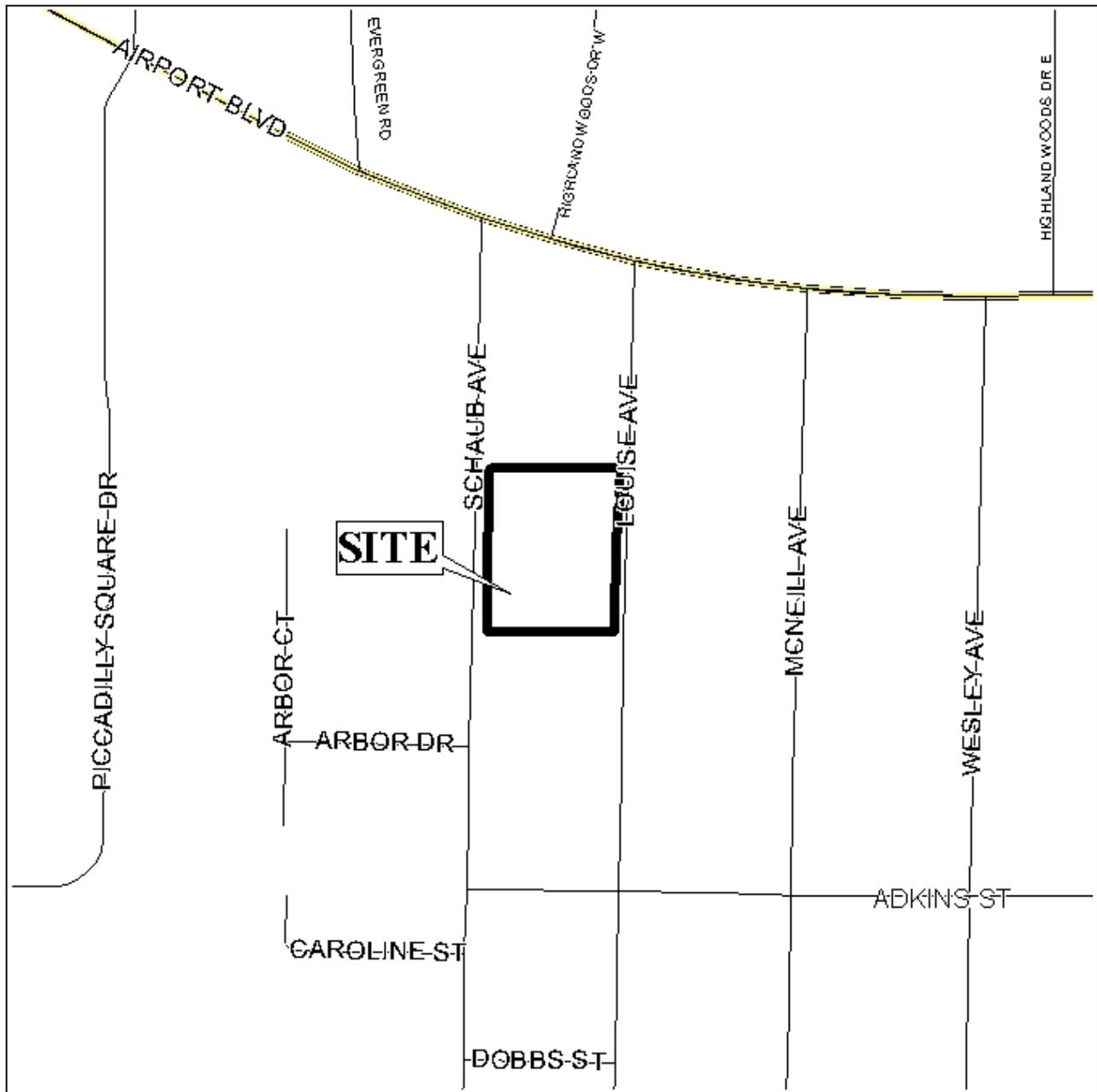
RECOMMENDATION

Rezoning: Based on the preceding, the application is recommended for holdover until the December 7 meeting to allow the applicant to submit revised plans incorporating the proposed vacated right-of-way and reducing the development to 14 lots

Planned Unit Development: Based on the preceding, the application is recommended for holdover until the December 7 meeting to allow the applicant to submit revised plans incorporating the proposed vacated right-of-way and reducing the development to 14 lots

Subdivision: Based on the preceding, the application is recommended for holdover until the December 7 meeting to allow the applicant to submit revised plans incorporating the proposed vacated right-of-way and reducing the development to 14 lots

LOCATOR MAP



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REQUEST Subdivision, Planned Unit Development, Rezoning from B-3 to R-1



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the south of the site.
Commercial sites and a church are located to the north of the site.

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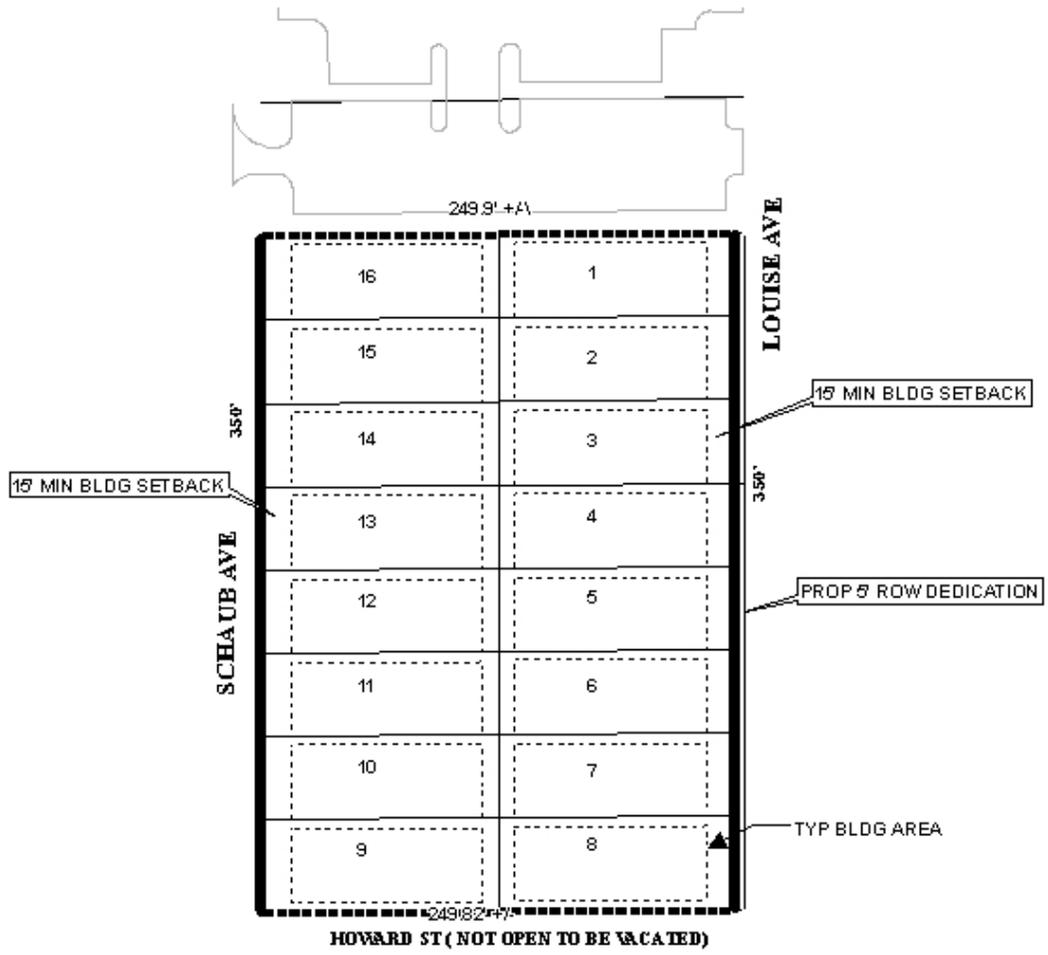
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LEGEND R-1 R-2 R-3 R-A R-B H-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2 N



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SITE PLAN



The site plan illustrates the proposed development

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