

ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT

Date: August 16, 2007

<u>NAME</u>	T. G. Properties, LLC
<u>SUBDIVISION NAME</u>	Gardens at Old Shell Road Subdivision
<u>LOCATION</u>	Southeast corner of Old shell Road and Shepards Lane
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>PROPOSED ZONING</u>	R-3, Multi-Family Residential
<u>AREA OF PROPERTY</u>	1 Lot/ 1.2± Acres
<u>CONTEMPLATED USE</u>	<p>Rezoning from R-1, Single-Family Residential, to R-3, Multi-Family Residential, to allow a two-building, 14-unit residential condominium complex, Planned Unit Development Approval to allow two buildings on a single building site, and Subdivision of a metes and bounds parcel into one lot.</p> <p>It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.</p>
<u>TIME SCHEDULE</u>	Within six months

ENGINEERING
COMMENTS

Verify that the capacity of the downstream drainage system has the capacity to handle additional runoff from the development, per the Storm Water Ordinance. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. .

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).

FIRE DEPARTMENT**COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code.

REMARKS

The applicant is requesting rezoning from R-1, Single-Family Residential, to R-3, Multi-Family Residential to allow a 14-unit residential condominium complex, Planned Unit Development Approval to allow two buildings on a single building site, and Subdivision to create a legal lot of record from a metes and bounds parcel.

The site, which is undeveloped, is bounded to the South by single-family homes in an existing R-1, Single-Family Residential District, to the West by nonconforming commercial uses in an R-1 district, to the North by R-1, and to the East by R-2, Two-Family Residential district (Fielding Place).

The site fronts onto Old Shell Road, a minor street with adequate right-of-way. The western boundary of the site fronts Shepards Lane, a minor street with adequate right-of-way.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

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 site is depicted as residential uses on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The applicant's accompanying Subdivision and PUD applications necessitates the rezoning in order to allow the density of the development (14-units).

The applicant is proposing a 14-unit condominium complex with two three-story buildings, containing 7 units each, each unit provides a two-car garage on the first floor.

Access to the proposed condominium development will be via a one-way driveway from Shepards Lane and exiting to Old Shell Road via a one-way driveway.

Access management is a concern due to the location of the proposed site in close proximity to an unusual intersection (Old Shell Road/Bit & Spur road/Shepards Lane), and the traffic volume along Old Shell Road during peak hours. The location of the proposed development and the proposed location of the entrance/exit into the proposed condominium complex raise concerns of conflicts relating to turning movements; therefore, the volume of traffic generated by the condominium complex, and the nature of Old Shell Road at this location should not be an issue. The design of the entrance into and separate exit for the proposed condominium complex is mindful of the traffic situation along this corridor.

The applicant is proposing a "single-family" PUD residential development, and consequently, PUD landscape area requirements apply. Section 64-5.C.2. of the Zoning Ordinance requires 700 square feet of open space per dwelling unit, which cannot include streets, drainage ways, parking areas, service areas and land covered by buildings. Furthermore, compliance with the tree and landscaping requirements of the Zoning Ordinance will be required due to the proposed R-3 zoning of the site. Information on the site plan indicates that adequate area will be available for compliance with the landscaping requirements of the Zoning Ordinance. Additional information regarding compliance with the tree requirements must be submitted with the request for permits to develop the site.

The site abuts R-1, Single-Family Residential to the South; therefore, the site should be required to provide a minimum 6-foot high wooden fence.

RECOMMENDATION

Rezoning: The rezoning request is recommended for Approval, subject to the following conditions:

- 1) the provision of an 8-foot high wooden privacy fence; and
- 2) full compliance with all municipal codes and ordinances.

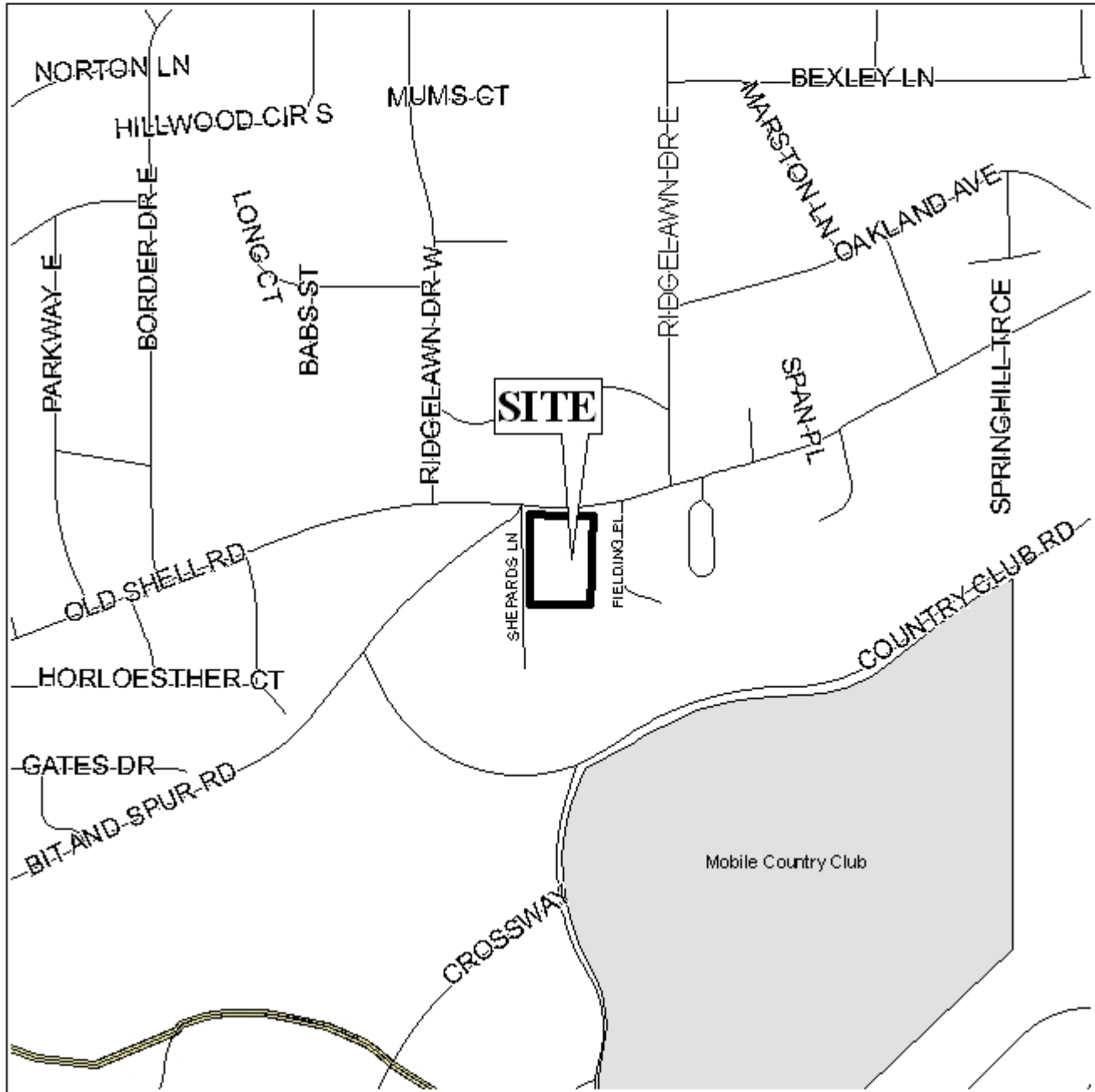
Planned Unit Development: The PUD request is recommended for Approval, subject to the following conditions:

- 1) placement of a note on the site plan stating that PUD approval is site plan specific, and that any changes to the site plan, including the existing health center facility, will require a new application to the Planning Commission;
- 2) revision of the site plan to depict parking area buffering in compliance with Section 64-4.A.3.i. of the Zoning Ordinance, where the proposed parking lot abuts or is across the street from residential zoning districts;
- 3) revision of the site plan to place the requirements of Section 64-6.A.3.c., *Lighting*, as a note on the site plan: *"If parking areas contain ten (10) or more cars, lighting shall be provided and maintained during their operation, and shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic."*
- 4) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance;
- 5) revision of the site plan to depict a storm water detention area for the proposed parking area, if required;
- 6) revision of the site plan for the proposed parking area to depict complete removal of any existing, unused curb-cuts, and provision of appropriate landscaping for those areas; and
- 7) full compliance with all other municipal codes and ordinances.

Subdivision: The Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) placement of a note on the final plat stating that the lot is limited to one, one-way curb-cut onto Shepards Lane and one, one-way curb cut onto Old Shell Road, with the size, design and location to be approved by Traffic Engineering, and in conformance with AASHTO standards; and
- 2) revision of the plat to label the lot with its size in square feet.

LOCATOR MAP



APPLICATION NUMBER 29 & 30 & 31 DATE August 16, 2007

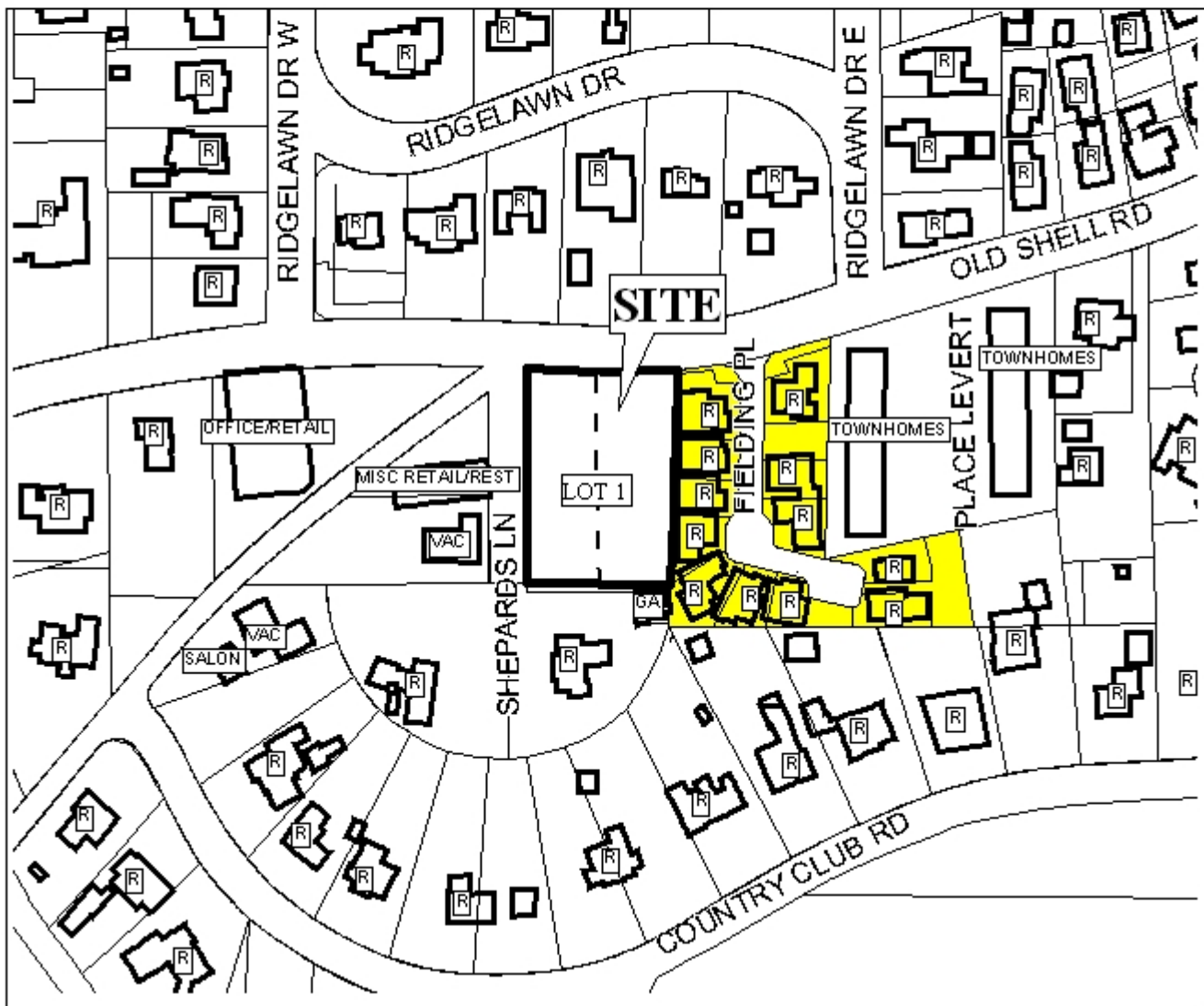
APPLICANT T.G. Properties LLC

REQUEST Subdivision, Rezoning from R-1 to R-3, PUD



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Offices, retail, a vacant building, and salon are to the west of the site and single family residential units are surrounding the site.

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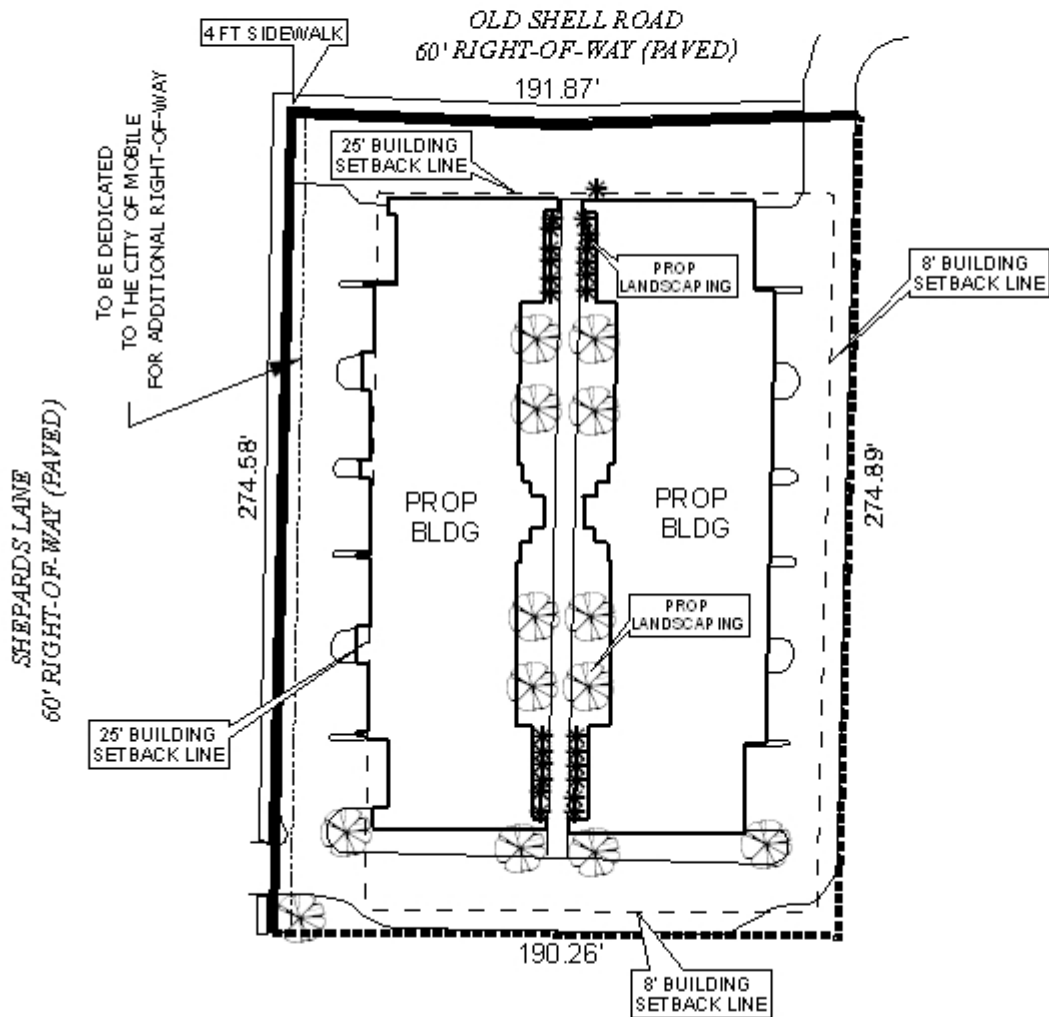
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LEGEND

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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 NTS

SITE PLAN



The site plan illustrates proposed buildings, setbacks, and area to be dedicated to the city for additional right-of-way.

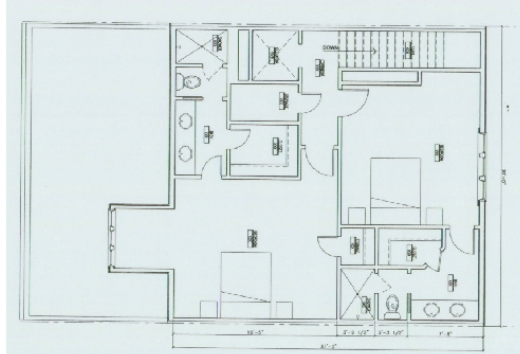
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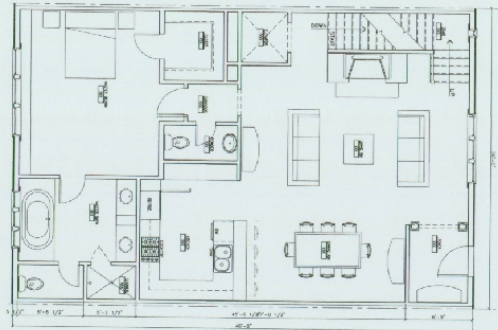
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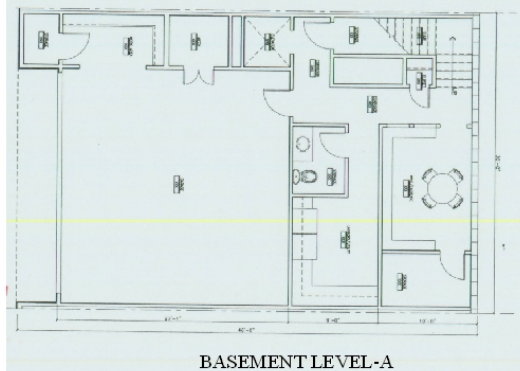
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TYPICAL FLOOR PLAN DETAIL

SECOND LEVEL-A



FIRST LEVEL-A



BASEMENT LEVEL-A

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