

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: May 20, 2010****DEVELOPMENT NAME**

Next Chapter Hillcrest

SUBDIVISION NAME

Next Chapter Hillcrest Subdivision

LOCATION208 Hillcrest Road
(West side of Hillcrest Road, 260'± South of Cedar Bend Court)**CITY COUNCIL****DISTRICT**

District 7

AREA OF PROPERTY

1 Lot / 17.1 ± acres

CONTEMPLATED USE

Planned Unit Development Approval to allow construction of four (4) apartment buildings, pool, amenities building, sand volleyball court, and office on a single building site, and Subdivision approval to create one (1) lot.

TIME SCHEDULE**FOR DEVELOPMENT**

Upon approvals.

ENGINEERING**COMMENTS**

Show Minimum Finished Floor Elevation on Plat. A flood study (A "No Rise" Certification) will be required for the construction of buildings within the flood zone. Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. Since the property is located within a special flood hazard area, elevation certificates will be required for the construction of each individual building. The construction of any new dumpster pads, car washes or trash compactors will require connection to sanitary sewer, cannot discharge to storm sewer. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. A traffic impact study was submitted for this application.

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).

Mobile Tree Commission Permit is required before removing existing trees from city right of way.

FIRE DEPARTMENT**COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

REMARKS

The applicant is seeking Planned Unit Development Approval to allow construction of four (4) apartment buildings, pool, amenities building, sand volleyball court, and office on a single building site, and Subdivision approval to create one (1) lot. 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 one legal lot of record, combining six existing legal lots of record and to create a Planned Unit Development (PUD) to allow the construction of a 159-unit apartment complex.

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 is currently zoned R-1, Single-Family Residential, which does not allow multiple-family developments. The Planning Commission heard the request for rezoning to R-3, Multiple-Family Residential District on May 6, 2010, and decided to recommend approval of the rezoning request to the City Council. As of this time, the rezoning application is still pending, and thus, any PUD approvals should be conditional upon the rezoning.

The site is currently vacant except for a concrete ditch in which flows Twelve Mile Creek. The portion of the property South of Twelve Mile Creek is proposed to remain in its current, vegetative state; while the portion of the property North of the creek is proposed to be developed into a 159-unit student apartment complex, with amenities, and 533 parking spaces. The site design appears to meet all requirements regarding parking space size and accessway widths. It should be noted that a portion of the parking and accessway is located within a recorded 25-foot "permanent spoil easement." City Engineering has indicated that locating parking and accessways in this easement should not be an issue.

With regard to access of the site, the site fronts Hillcrest Road, a major street as shown on the Major Street Plan component of the Comprehensive Plan. The required right-of-way is 100 feet. The current right-of-way of Hillcrest Road is not depicted, however, given the recent widening of Hillcrest Road to five lanes, it seems reasonable to assume that no additional right-of-way is required, and, as such, no further right-of-way should be dedicated. Further, in 2008, the daily traffic count for Hillcrest Road was 19,400 trips. Directly across Hillcrest Road from the site is an approximately 50-unit apartment complex and an approximately 125-student private elementary school.

The proposed apartment complex will add a significant amount of traffic to Hillcrest Road, with the traffic study concluding that 80% of peak morning trips from the apartment complex will be making a left-hand turn to head North to the University of South Alabama. Given the amount of traffic that the apartment complex will add to Hillcrest Road, and the close vicinity of the Montessori School and the existing complex, every effort should be made to reduce and consolidate vehicle access to Hillcrest Road from the site. As such, it would be reasonable to require alignment of the entrance to the proposed development with the entrance to the apartment complex opposite Hillcrest Road. It would also be reasonable to restrict the lot to one curb cut to Hillcrest Road, which is indeed what the PUD site plan indicates, with the size, location, and design of the curb cut to be approved by Traffic Engineering and conform to AASHTO standards.

Currently, the proposed site plan depicts the entrance approximately 90 feet South of the Northern property line. To accomplish alignment with the existing apartment complex across Hillcrest Road, the entrance should be relocated South to approximately 230 feet South of the Northern property line.

The site plan depicts a fence and gates on the East side of the development fronting Hillcrest Road. Adequate queuing space existing for vehicle stacking at the proposed gates, and, if realignment is required, adequate queuing space of at least 51 feet should be maintained. No information is given regarding the type of fence is proposed. Part of the fence is proposed to be within the 25-foot front setback. If the fence is determined by the Planning Section to obstruct line of sight, the fence must be moved behind the setback line or can be no higher than 3 feet in height.

In regards to buffers, the property across Hillcrest Road from the site is nominally zone R-1, Single-Family Residential, but is developed in a commercial manner as previously stated. On the Western edge of the property, South of Twelve Mile Creek, the property to the West is zoned and developed as Single-Family Residential. As no development is proposed South of the creek, the existing vegetation should be sufficient to provide an adequate buffer. However, should the Southern portion of the site be developed in the future, a buffer compliant with Section 64-4.D.1. of the Zoning Ordinance would be required. Elsewhere, the site is bounded by other property zoned R-3, and developed as multiple-family properties.

Five dumpsters are depicted on the site plan. The dumpster enclosures are depicted as being placed on peninsulas that jut into the parking area opposite landscaped peninsulas of the same size. This would reduce the maneuvering area for the dumpsters to 24-feet. Given that commercial dumpster garbage trucks pick up the dumpsters on their front-ends, it would appear that the location of the dumpsters may present maneuvering problems for the garbage trucks.

The site plan should be revised to depict the dumpster locations with adequate area for the trucks to maneuver.

Given the changes that should be made to the site plan, it maybe reasonable to consider a Holdover so that the applicant may address the issues noted.

Regarding the Subdivision application, the proposed lot is of adequate size and dimension to meet the requirements of Section V.D.2. of the Subdivision Regulations.

The 25-foot minimum building setback line is not depicted. As such, the Final Plat should depict the 25-foot minimum building setback line along all right-of-way. The lot area size is noted on the plat, in square feet, and this should be retained on the Final Plat, if approved.

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. As such, any required permits should be obtained prior to undertaking any land disturbing or construction activity.

A large portion of the site appears to be located within the flood plain of Twelve Mile Creek. As depicted on FEMA Flood Insurance Rate Maps, the site contains Floodway, AE, and X zones. Further, as depicted on the PUD site plan, wetlands are present on the site. The presence of floodplains and wetlands indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Holdover until the June 17, 2010, meeting, with revisions due to the Planning Section by noon on June 1, 2010, to address the following:

- 1) revision of the Final Plat to indicate the 25-foot minimum building setback line along all right-of-way;
- 2) retention on the Final Plat of the notation of the lot size area, in square feet;
- 3) provision of a note on the Final Plat stating that the lot is limited to one curb cut to Hillcrest Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) full compliance with Engineering comments: *(Show Minimum Finished Floor Elevation on Plat. A flood study [A "No Rise" Certification] will be required for the construction of buildings within the flood zone. Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. Since the property is located within a special flood hazard area, elevation certificates will be required for the construction of each individual building. The construction of any new dumpster pads, car washes or trash compactors will require connection to sanitary sewer, cannot discharge to storm sewer. Must comply*

with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit);

- 5) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species and that any required permits should be obtained prior to undertaking any land disturbing or construction activity; and
- 6) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the June 17, 2010, meeting, with revisions due to the Planning Section by noon on June 1, 2010, to address the following:

- 1) realignment of the curb cut to line-up with the curb cut for the existing apartment complex directly across Hillcrest Road from the site;
- 2) if it is determined by the Planning Section that the fence obstructs height, realignment of the fence in the front of the property to behind the 25-foot minimum building setback line or notation on the site plan stating that the fence will be no higher than 3 feet in height;
- 3) if realignment of the fence is necessary, maintaining of at least 51 feet of vehicle queuing space at the entrance gates;
- 4) revision of the site plan to depict the dumpster locations with adequate area for the garbage trucks to maneuver;
- 5) placement of a note on the site plan stating that the existing vegetation on the Western property line, South of Twelve Mile Creek will be maintained in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 6) placement of a note on the site plan stating that a Mobile Tree Commission permit is required prior to removing any existing tree from city right-of-way;
- 7) full compliance with Engineering comments: *Show Minimum Finished Floor Elevation on Plat. A flood study (A "No Rise" Certification) will be required for the construction of buildings within the flood zone. Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. Since the property is located within a special flood hazard area, elevation certificates will be required for the construction of each individual building. The construction of any new dumpster pads, car washes or trash compactors will require connection to sanitary sewer, cannot discharge to storm sewer. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit;*
- 8) placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species and that any required permits should be obtained prior to undertaking any land disturbing or construction activity; and
- 9) placement of a note on the site plan stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

Revised for the June 17, 2010 meeting

The applicant submitted a revised PUD site plan and also a revised preliminary plat in order to attempt to satisfy comments from the original report.

Regarding the realignment of the curb cut, topographical concerns, as shown on the revised PUD site plan, indicate the aligning the curb cut for the site to the curb cut for the apartment complex directly across Hillcrest Road may be impractical. As such, the applicant has depicted the curb cut being moved to the North approximately 25 feet to further distance the curb cut from the curb cuts across Hillcrest Road. Traffic Engineering has indicated that this will be acceptable.

The proposed fence has been moved and now complies with the 25-foot front setback requirement. It should be noted that the applicant's have maintained an appropriate amount of queuing space for vehicles waiting to enter the fenced area.

Regarding the buffering requirements, no note was placed on the revised site plan indicating that the existing vegetation on the Western property line, South of Twelve Mile Creek would be maintained. If the vegetation is not maintained in compliance with Section 64-4.D.1. of the Zoning Ordinance, then construction of a compliant buffer would be required in this area.

The applicant has placed a notation on the site plan stating that the dumpsters will be for "side-loading trash vehicles." A further note indicates that the refuse will be "provided by a local company" and that there will be a "3-5 yard requirement." It is assumed that this means that each dumpster will need to be 3-5 cubic yards in volume. A brief survey of companies providing commercial garbage pickup revealed that these types of side loading dumpsters are not available in the Mobile area. As such, front-loading equipment would have to be used, and the site design is not adequate for maneuvering of front-loading garbage trucks. Because of this, unless the applicant can provide documentation that side-loading equipment and service is available for 3-5 cubic yard dumpsters in the City of Mobile, the applicant will need to rearrange the site layout to account for appropriate maneuvering area for front-loading garbage trucks.

In reference to the preliminary plat, the applicant has submitted a revised plat that incorporated all of the previous comments except for City Engineering comments.

RECOMMENDATION

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

- 1) retention on the Final Plat of the 25-foot minimum building setback line along all right-of-way;
- 2) retention on the Final Plat of the notation of the lot size area, in square feet;
- 3) retention of a note on the Final Plat stating that the lot is limited to one curb cut to Hillcrest Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) full compliance with Engineering comments: (*Show Minimum Finished Floor Elevation on Plat. A flood study [A "No Rise" Certification] will be required for the construction*)

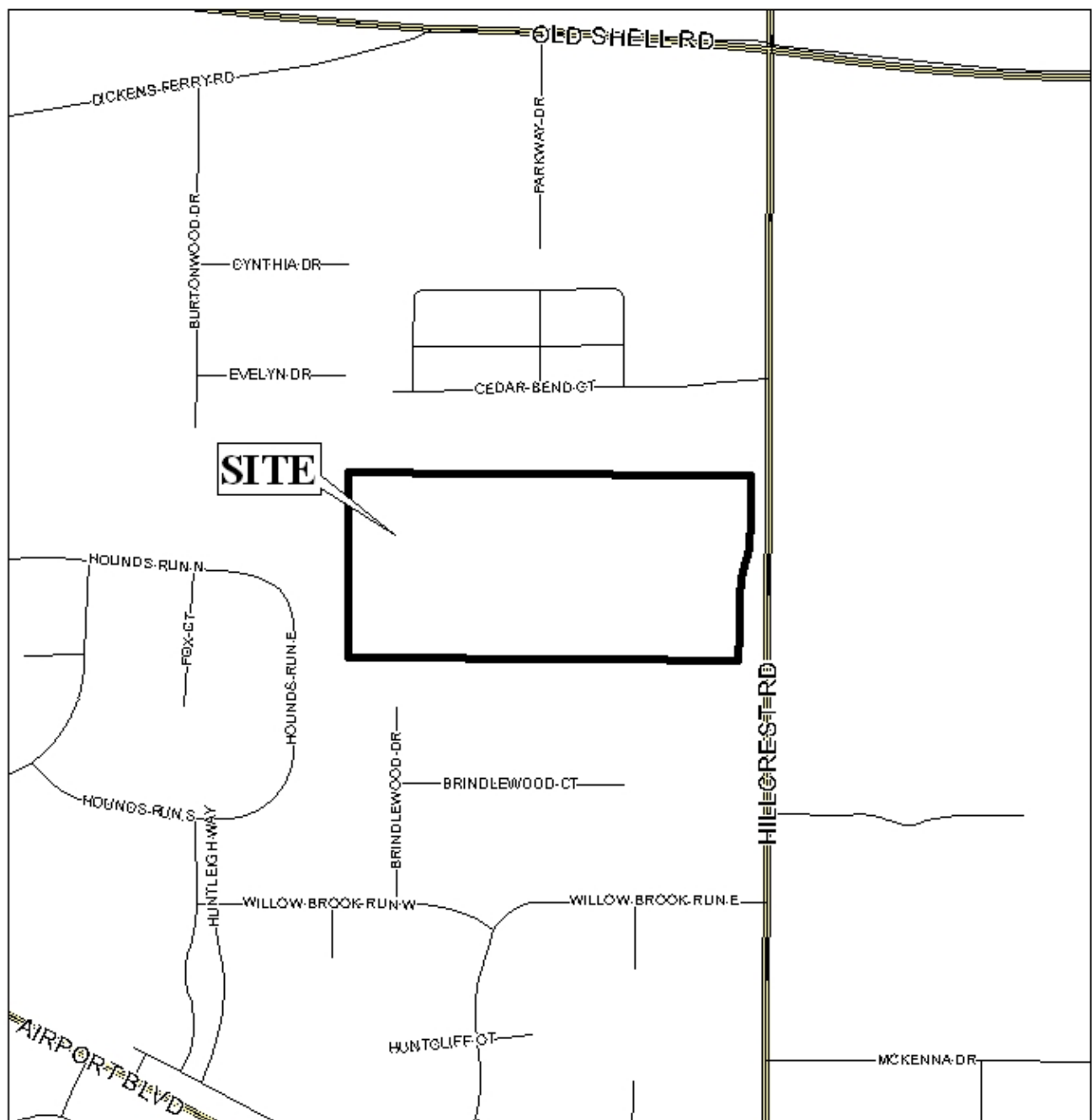
of buildings within the flood zone. Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. Since the property is located within a special flood hazard area, elevation certificates will be required for the construction of each individual building. The construction of any new dumpster pads, car washes or trash compactors will require connection to sanitary sewer, cannot discharge to storm sewer. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit);

- 5) retention of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species and that any required permits should be obtained prior to undertaking any land disturbing or construction activity; and
- 6) retention of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

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

- 1) completion of the rezoning process;
- 2) placement of a note on the site plan stating that the existing vegetation on the Western property line, South of Twelve Mile Creek will be maintained in compliance with Section 64-4.D.1. of the Zoning Ordinance, or an appropriate buffer be indicated on the site plan;
- 3) revision of the site plan to depict the dumpster locations with adequate area for front-loading garbage trucks to maneuver or provision of documentation that side-loading equipment and service is available for 3-5 cubic yard dumpsters in the City of Mobile;
- 4) full compliance with Engineering comments: *Show Minimum Finished Floor Elevation on Plat. A flood study (A "No Rise" Certification) will be required for the construction of buildings within the flood zone. Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. Since the property is located within a special flood hazard area, elevation certificates will be required for the construction of each individual building. The construction of any new dumpster pads, car washes or trash compactors will require connection to sanitary sewer, cannot discharge to storm sewer. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit;*
- 5) placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species and that any required permits should be obtained prior to undertaking any land disturbing or construction activity; and
- 6) placement of a note on the site plan stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities;
- 7) provision of 2 copies of the revised PUD plan to the Planning Section of Urban Development prior to the issuance of any permits; and
- 8) full compliance with all municipal codes and ordinances.

LOCATOR MAP



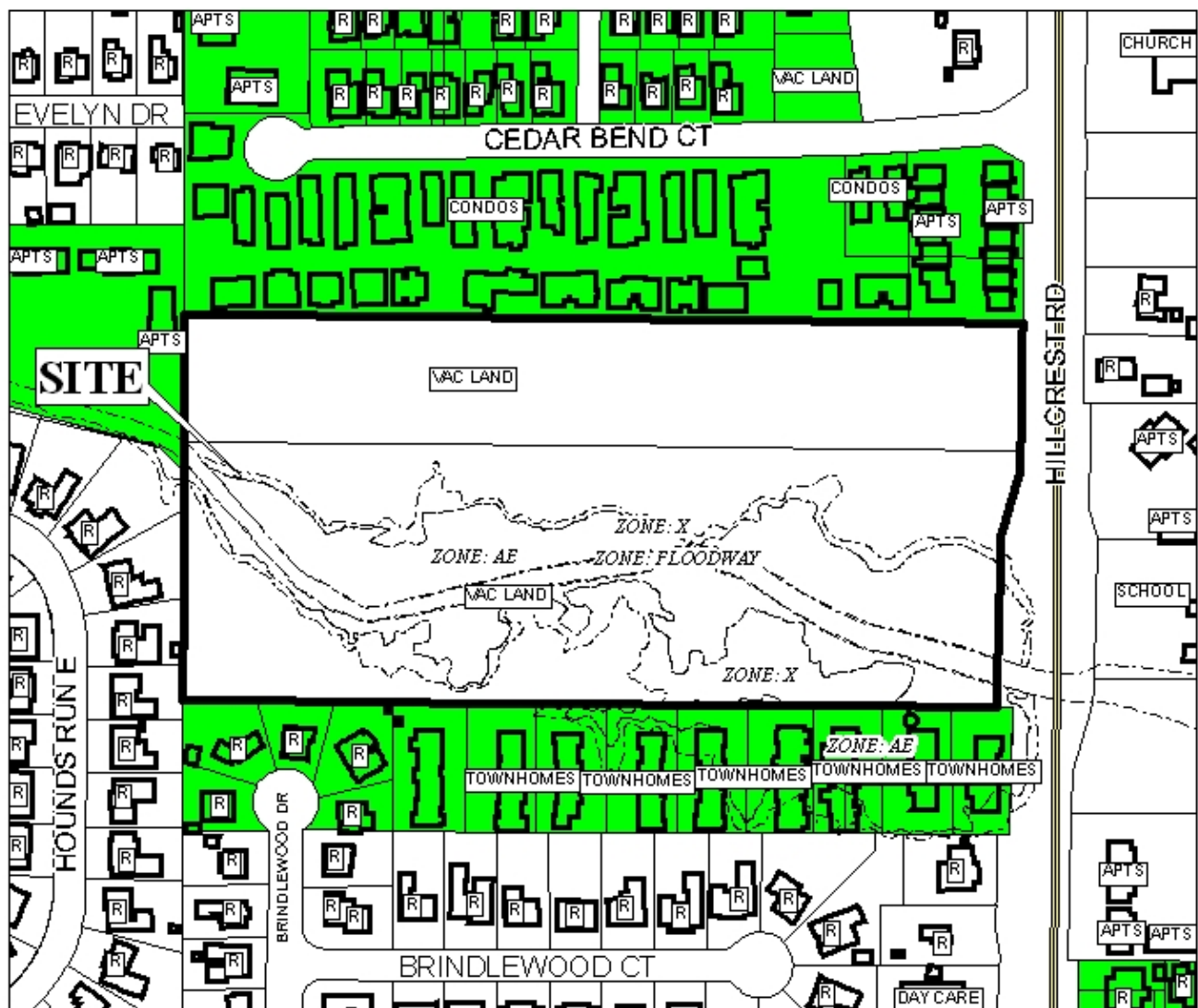
APPLICATION NUMBER 2 & 3 DATE June 17, 2010

APPLICANT Next Chapter Hillcrest Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use.
A school is located to the east of the site.

APPLICATION NUMBER 2 & 3 DATE June 17, 2010

APPLICANT Next Chapter Hillcrest Subdivision

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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use.
A school is located to the east of the site.

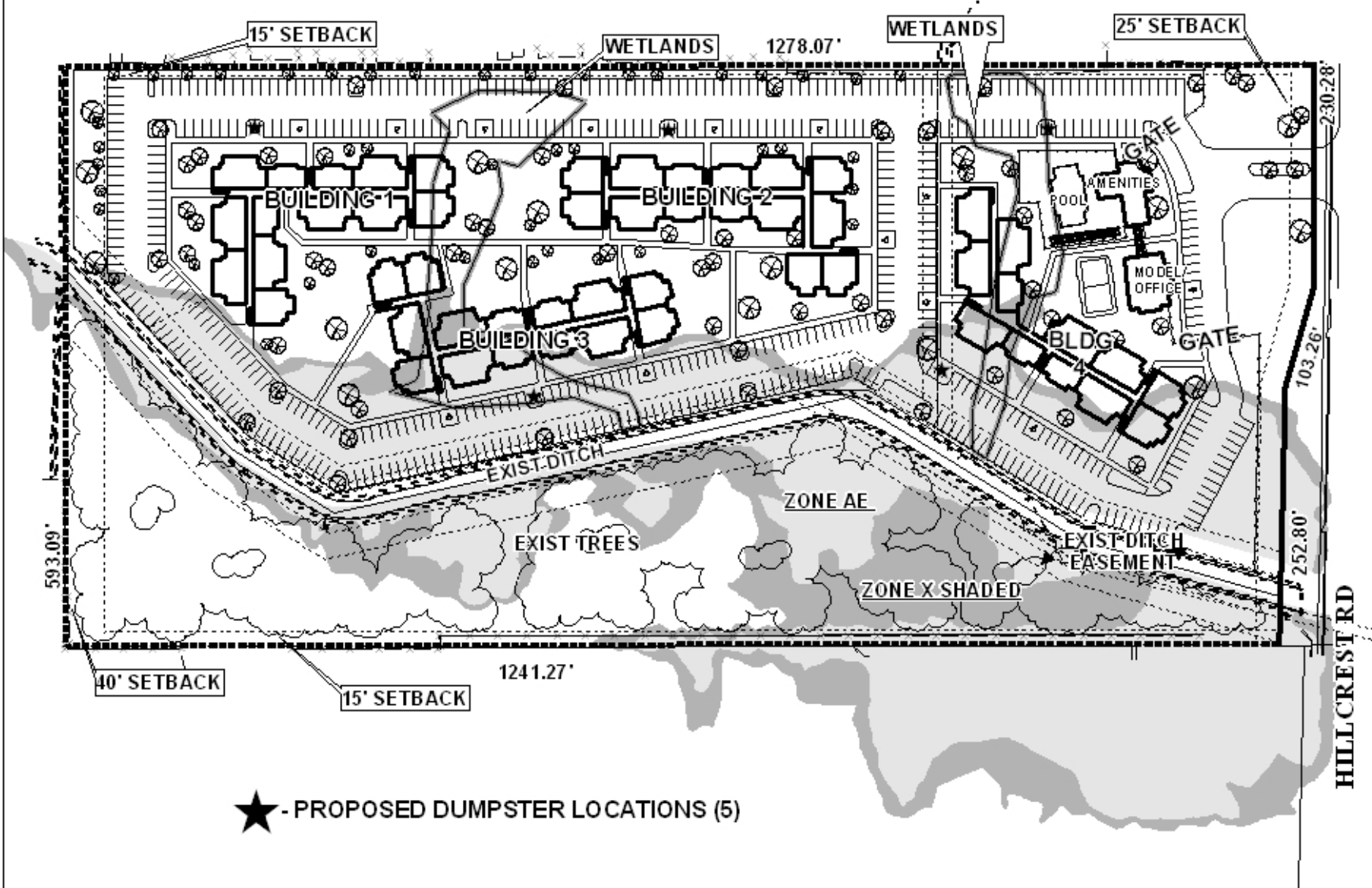
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SITE PLAN



★ - PROPOSED DUMPSTER LOCATIONS (5)

The site plan illustrates the proposed apartment complex.

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