

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: August 15, 2019****DEVELOPMENT NAME** Dawson Apartments**LOCATION** 94 East Drive
(West side of East Drive, 660' ± South of Old Shell Road).**CITY COUNCIL
DISTRICT** District 6**AREA OF PROPERTY** 1 Lots / 1.03 ± acres**CONTEMPLATED USE** Planned Unit Development Approval to fulfill a condition of the rezoning amendment that the plot plan be approved by the Planning Commission as a Planned Unit Development.**TIME SCHEDULE
FOR DEVELOPMENT** Beginning: September 2019
Completion: January 2020**ENGINEERING
COMMENTS**

1. Revise the name of the SITE PLAN to read PUD SITE PLAN.
2. ADD THE FOLLOWING NOTES TO THE SITE PLAN (PUD SITE PLAN):
 - a. 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).
 - b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
 - c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
 - d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed

- and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
 - f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Site is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).

REMARKS

The applicant is requesting Planned Unit Development Approval to fulfill a condition of the rezoning amendment that the plot plan be approved by the Planning Commission as a Planned Unit Development. The site is located in Council District 6, and according to the applicant is served by public water and sanitary sewer.

The site has been given a Mixed Density Residential (MxDr) land use designation, per the adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential (LDR) areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map 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, where applicable, the zoning classification.

PUD 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.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The applicant states:

“This application is for a one phase development located at 94 East Drive in Mobile. East drive is located on the south side of Old Shell Road opposite the Mitchel Center and the University of South Alabama. The property is currently zoned as R-3. This project consists of building a new 10,377 square foot apartment building with 14 units and 32 parking spaces. There is only a single curb cut proposed for this project. The site is zoned as R-3, Multiple Family Residential, and the intended use for this site is allowed under the current zoning. A plan consistency analysis was performed based on the Map for

Mobile; Framework for Growth and this project is consistent with the zoning requirements of this district. The design associated with this project meets the standards of R-3 regarding setbacks, building/parking requirements, landscaping, and pedestrian circulation.”

The City of Mobile Planning Commission approved a Rezoning application for the subject site from R-1, Single Family Residential to R-3, Multiple Family Residential at its August 6, 1981 meeting. The zoning amendment was later adopted by the City Council on November 10, 1981 with the following conditions: “(1) *Plot plan be approved by the Planning Commission as a Planned Unit Development.* (2) *Six (6) foot screen fence be erected and maintained on west property line.*”

The applicant has provided property information in the form of a table. The lot size information has been provided in square feet and in acres. This information should be retained on future plans.

The preliminary drawing illustrates a three-story 10,377 square foot apartment building. The submitted narrative states that the proposed building will have 14 dwelling units. However, based upon calculations provided, it appears there are 14 units proposed on each floor. This would result in 42 units. According to Section 64-3.C.3.b., density requirements are:

Building site area.

| | <i>Square feet</i> |
|--------------------------------------|--------------------|
| <i>First two dwelling units</i> | <i>8,000</i> |
| <i>Each additional dwelling unit</i> | <i>1,500</i> |

Staff has calculated approximately 45,200 square feet for the site area. Therefore based on the following calculation, a maximum of 26 units will be allowed at this location.

The narrative states 34 parking spaces are proposed, while 49 parking spaces are shown to the PUD site plan. According to Section 64-6.A.6. of the Zoning Ordinance, one (1) space per bedroom, plus ten (10) percent of the total amount of spaces, is required. Therefore, the PUD site plan provides an accurate number of parking spaces.

The development proposes one 24’ wide curb cut to East Drive. The 25-foot minimum building setback line is depicted along East Drive and should be retained on future plans. The side yard setbacks are illustrated as 8’ on each side. According to Section 64-3.C.3. of the Zoning Ordinance, side yard setbacks for a property zoned R-3, Multiple-Family Residential must be a sum of 20’ with a minimum of 8’ on one side. An 8’ setback is illustrated in the rear.

A 6’ fence is illustrated along the northern property line. No fence is proposed on the West property line, but is a condition of the rezoning.

A dumpster and enclosure are depicted on the PUD site plan; however, no details have been provided about dimensions or connectivity to sanity sewer.

Existing trees are shown on the PUD side plan, but no tree planting and landscape calculations were provided.

RECOMMENDATION

Based on the preceding, staff recommends a Holdover to the September 19, 2019 meeting to allow the applicant to address the following:

- 1) Revision of the plan to comply with the density requirements of Section 64-3.C.3.b.;
- 2) Illustration of the fence on the West property line as required in the rezoning amendment;
- 3) Clarification of reduced side yard setbacks if proposed; and
- 4) Revision of site plan, narrative, and property information to address all deficiencies and inconsistencies.

Revised for September 19th meeting:

The application was heldover to allow the applicant the opportunity to address the items listed above. The Planning & Zoning Department has not received any revised documents or plans.

Based on upon the preceding, the application is recommended for denial based on the following findings of fact:

- a) The site plan as submitted is inconsistent and appears to propose 42 dwelling units, exceeding the maximum number of dwelling units allowed on the site;*
- b) The site plan does not illustrate the required fence along the west property line as required by the Zoning Ordinance amendment; and*
- c) The site plans does not illustrate how compliance with required landscaping and tree plantings will be provided.*

Revised for October 3rd meeting:

The application was heldover to allow the staff an opportunity to review the revised site plan and offer remarks.

The revised plan, in conjunction with the comments offered by the applicant at the Planning Commission's September 19th meeting provide some clarity regarding the number of units and bedrooms proposed for the development. The single building will have 12-one bedroom units on the first floor, and six two-bedroom units per floor, on the second and third floors. Please note, that the second building illustrated on the original plan was deleted. The revised plan illustrates 24 total apartments, which complies with the density requirements of R-3 zoning.

The site will consist of 36 bedrooms and as the site is located near the University of South Alabama, the parking requirements are based on the number of bedrooms. Section 64-6.A.6. of the Zoning Ordinance requires, one (1) space per bedroom, plus ten (10) percent of the total amount of spaces for a total of 40 parking spaces; 50 parking spaces are provided.

While the site provides required landscaping, staff has concerns regarding required tree plantings; specifically, adequate room for required trees to thrive. However, the area between the building and parking spaces can be modified to provide more unpaved space and thus more room for required tree plantings.

Based on upon the preceding, the application is recommended for approval with the following findings of fact:

- a) the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the development will put into use an existing vacant property in an existing developed area; and*
- b) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because it is utilizing a site that is already developed and already served with public infrastructure.*

The recommendation for approval is subject to the following conditions:

- 1) the site plan as submitted, which may be revised only to comply with the below conditions;*
- 2) Compliance with City Engineering Comments: “A. 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). B. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. C. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. D. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. E. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.*

F. The proposed development must comply with all Engineering Department design requirements and Policy Letters.”;

- 3) *Compliance with Traffic Engineering comments:* “Site is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.”;
- 4) *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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.”; and
- 5) *Full compliance with all municipal codes and ordinances.*

LOCATOR MAP



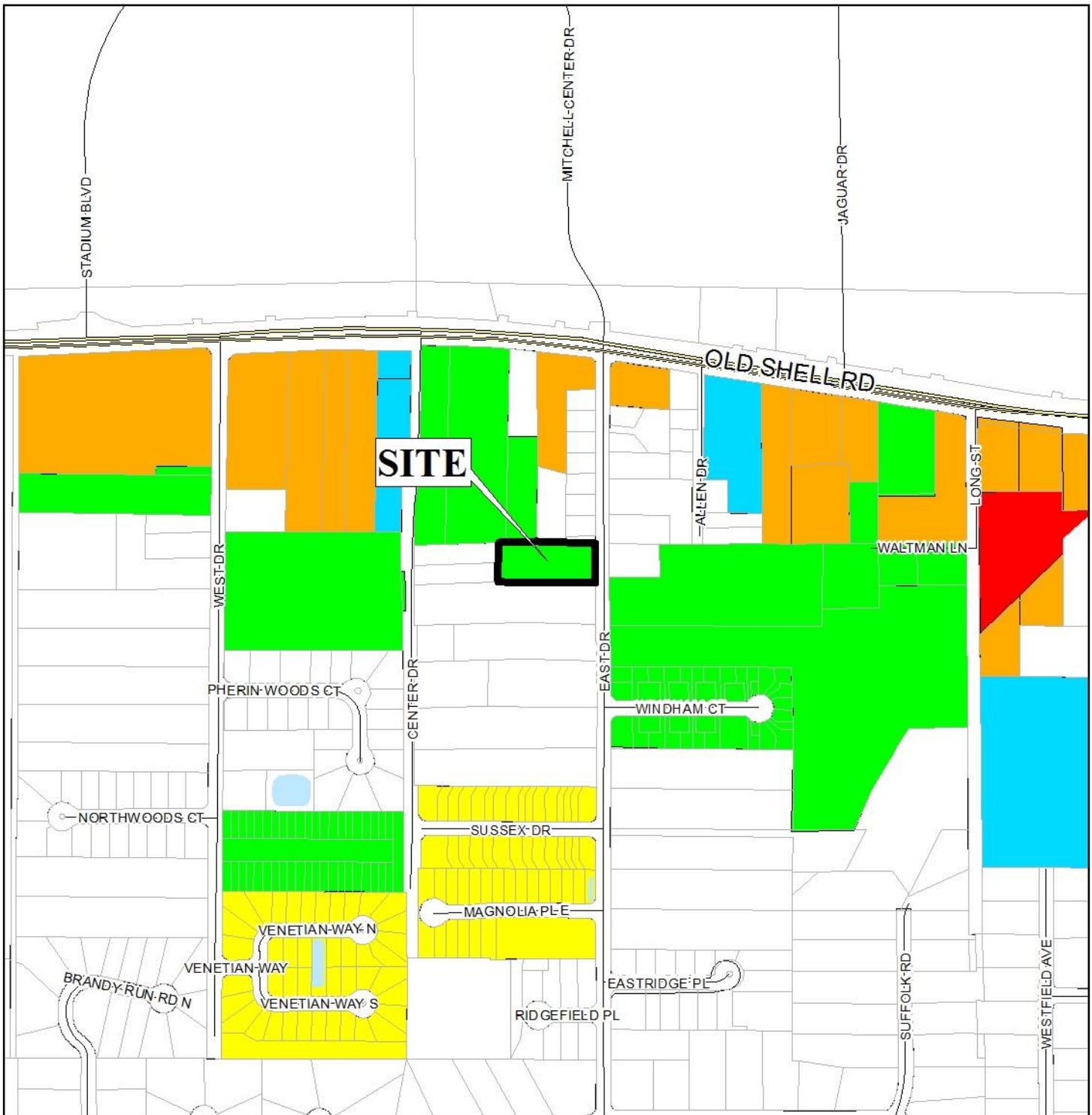
APPLICATION NUMBER 2 DATE October 3 2019

APPLICANT Dawson Apartments

REQUEST Planned Unit Development



LOCATOR ZONING MAP



APPLICATION NUMBER 2 DATE October 3 2019

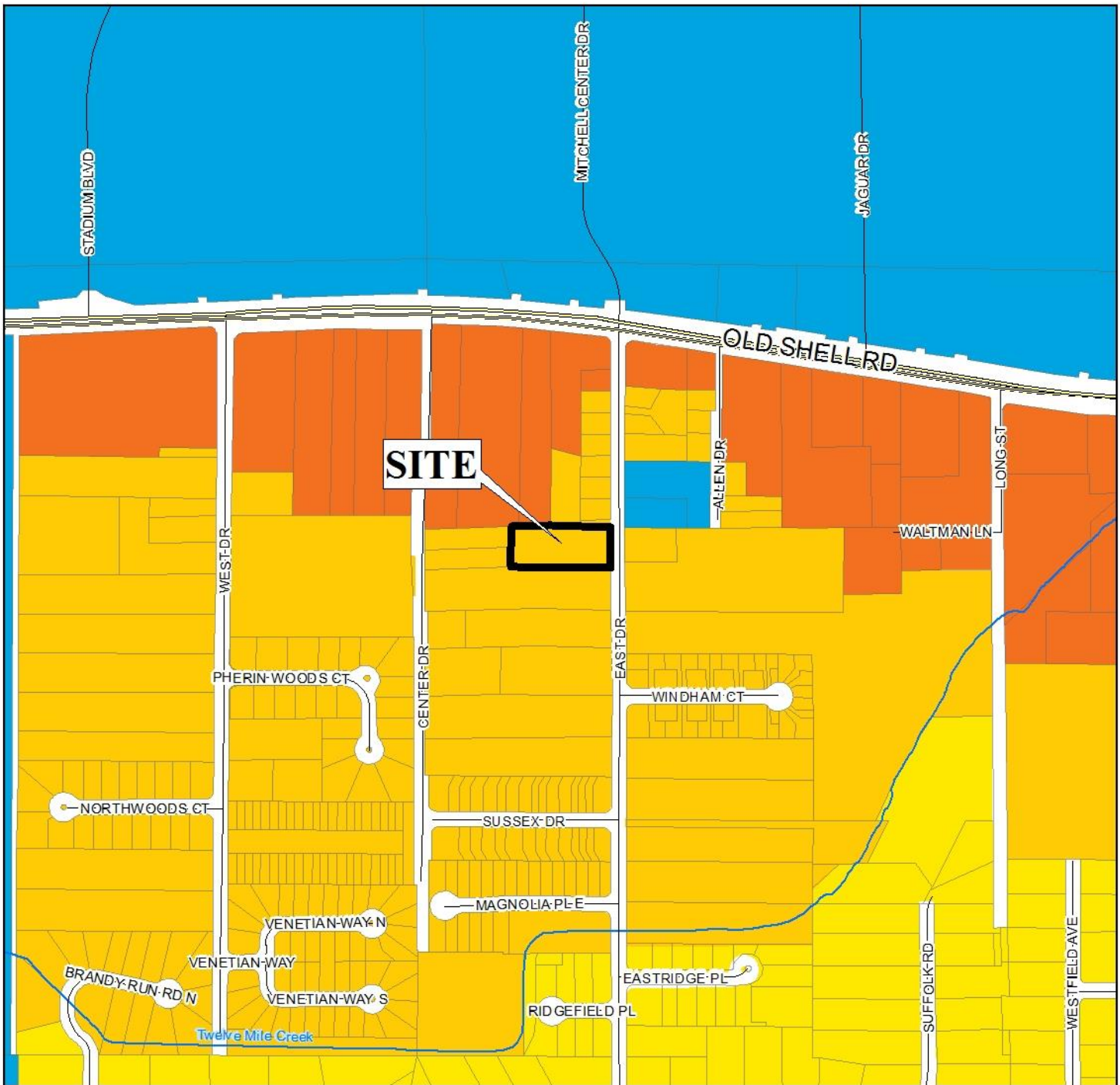
APPLICANT Dawson Apartments

REQUEST Planned Unit Development



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 2 DATE October 3 2019

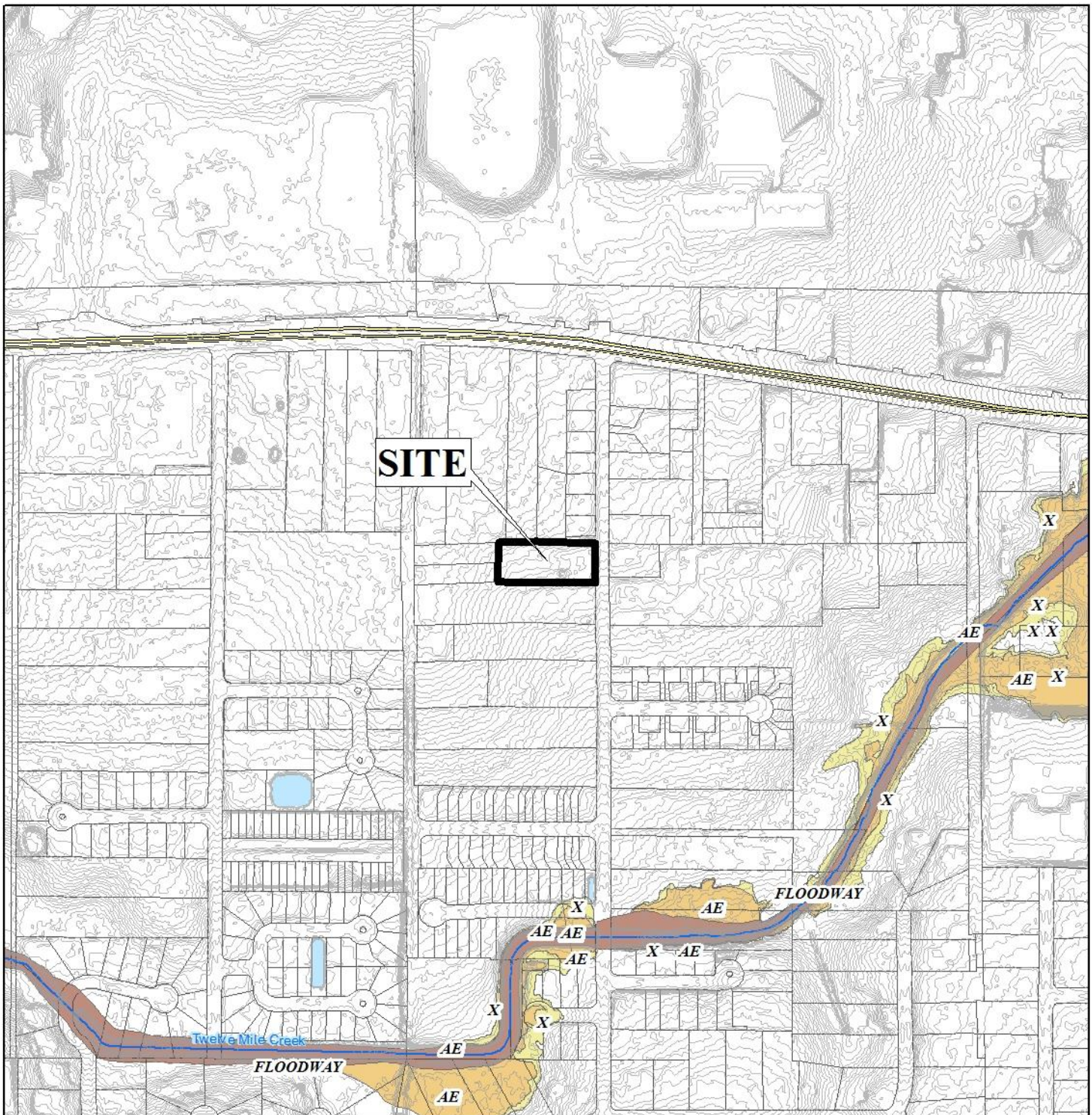
APPLICANT Dawson Apartments

REQUEST Planned Unit Development

| | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 2 DATE October 3 2019

APPLICANT Dawson Apartments

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 2 DATE October 3 2019

APPLICANT Dawson Apartments

REQUEST Planned Unit Development

| | | | | | | | |
|-----|-----|------|-----|-----|------|-------|------|
| R-A | R-3 | T-B | B-2 | B-5 | MUN | SD-WH | T5.1 |
| R-1 | R-B | B-1 | B-3 | I-1 | OPEN | T3 | T5.2 |
| R-2 | H-B | LB-2 | B-4 | I-2 | SD | T4 | T6 |



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER 2 DATE October 3 2019

APPLICANT Dawson Apartments

REQUEST Planned Unit Development



NTS

