ZONING AMENDMENT STAFF REPORT Date: June 4, 2020

NAME The Preserve at Milkhouse Creek

LOCATION East terminus of Blue Ridge Boulevard, extending to the West terminus of Old Dobbin Drive North, the West terminus of Harness Way, the North terminus of Creekline Drive, and the North terminus of Valleydale Drive.

CITY COUNCIL DISTRICT District 6

PRESENT ZONING R-1, Single-Family Residential District, R-2, Two-Family Residential District, and B-1, Buffer Business District

PROPOSED ZONING R-1, Single-Family Residential District

AREA OF PROPERTY 83.9± Acres

CONTEMPLATED USE Rezoning from R-1, Single-Family Residential District, R-2, Two-Family Residential District, and B-1, Buffer Business District, to R-1, Single-Family Residential District.

It should be noted 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.

TIME SCHEDULE FOR DEVELOPMENT None given.

ENGINEERING COMMENTS No comments.

TRAFFIC ENGINEERING COMMENTS Each lot is limited to one curb cut per street frontage. Size, location and design of curb cuts 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 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 rezoning from R-1, Single-Family Residential District, R-2, Two-Family Residential District, and B-1, Buffer Business District, to R-1, Single-Family Residential District.

The site has been given a Low Density Residential land use designation per the Future Land Use Plan and Map, adopted by the Planning Commission at its May 18, 2017 meeting. 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 acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should also 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.

Section 64-9. of the Zoning Ordinance states that 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.

The subject site was originally assigned an R-A, Residential-Agricultural District classification with the adoption of the current Zoning Ordinance in 1967. In 1980, most of the site was rezoned from R-A to R-2, and a small area was rezoned from R-A to R-1. In 1988, a small area was rezoned from R-1 to B-1. Although an application for such has not been submitted, the applicant proposes to develop a single-family residential subdivision on the site. The rezoning is necessary to eliminate split zoning within the subdivision and to unify the site coverage, setback and use allowances.

The applicant states the following:

INTRODUCTION/SUMMARY

This narrative is provided in support of the proposed Preserve at Milkhouse Creek subdivision, a 124 lot, single-family subdivision, pursuant to City of Mobile, Zoning ordinance No. 80-057, May 16, 1967, substantially as enacted with the exception of § 64-10.E. In support of this development, all of the following approvals are being sought.

Approval type Rezoning

Approval Authority City Council

Applicable Regulation City of Mobile Zoning ordinance No. 80-057, may 16, 1967, substantially as enacted with the exception of § 64-10.E

Summary The proposed property is currently split zoned with B-1, R-1 and R-2. The owner is applying for a rezone of all listed parcels to R-1, which will allow for a uniform zoning within the proposed single-family subdivision.

PRESENT AND PROPOSED ZONING

Tax Parcel No.	***Current Zoning***	***Proposed Zoning***
R023303053000001.042	*B-1*	*R-1*
R023303054001030.02	*Split Zoned R-1 & R-2*	*R-1*
R023303053000007	*Split Zoned R-1 & R-2*	*R-1*
R023303082000001	*Split Zoned R-1 & R-2*	*R-1*
R023303081003046	*Split Zoned R-1 & R-2*	*R-1*
R023303053000007.013	*R-2*	*R-1*
R023303054001030	*R-2*	*R-1*

PROPERTY LOCATION

Property is located between the Carriage Hills subdivision and Charleston Oaks subdivision. Milkhouse Creek runs along the western boundary with Old Dobbin Drive accessing the northern portion and Valley Dale Drive accessing the southern portion.

SITE DESCRIPTION

The proposed project request to rezone 83.9 acres of property that is located within the City limits of Mobile. The property is currently split zoned B-1, R-1, and R-2. This rezone request will rezone the 83.9 acres to a uniform zoning of R-1 that will allow for a 124-lot single-family subdivision development.

The property had a wetlands delineation performed by EcoSolutions back in 2018. The report indicates the site has approximately 35 acres of jurisdictional wetlands located on the property.

EXISTING CONDITIONS/STRUCTURES

The 83.9 acre property that is being requested for rezoning is currently woods and has some wetland areas along the creek banks. The site has roughly 70' of relief as it slopes from the existing Carriage Hills subdivision west down to Milkhouse Creek. The wetlands delineation of the site indicates that there are protected features located on the property along creek banks. There are existing stormwater and sanitary sewer structures conveying runoff and sewage from the adjacent developed public right-of-ways across the subject property, which will be rerouted and design included in the subdivision construction plans to be submitted during the preliminary plat subdivision process with the City of Mobile.

PROPERTY BACKGROUND

The current property owner purchased the property back in 2017. The property carried the split zonings of B-1, R-1, and R-2 at the time of purchase. The property has remained vacant since that period and to our knowledge has not been proposed for development until this request.

TIME SCHEDULE

The proposed subdivision is scheduled to be constructed in three phases, with each phase buildout being roughly separated by 1.5 to 2 years. Future economic activity will determine lot consumption which will ultimately control the timing of each phase of this subdivision. The anticipated lot count for each phase is as follows: Phase 1 – 51 lots, Phase 2 – 31lots, and Phase 3 – 42 lots.

The subject site is undeveloped and is surrounded for the most part by R-1 zoning used as single-family residential subdivisions. Adjacent to the Southwest portion of the site is R-2 zoning, some of which is vacant and some of which is used as a single-family residential subdivision. A table of lot sizes provided with the proposed subdivision indicates that all lots would exceed the minimum 7,200 square feet required by the Zoning Ordinance. Therefore, the proposed R-1 zoning classification would be appropriate.

The applicant has illustrated that the proposed subdivision of land into building sites makes reclassification of the land necessary and desirable. Also, an R-1, Single-Family Residential District classification would be consistent with the Low Density Residential use designation of the Future Land Use Plan and Map for Mobile.

RECOMMENDATION

Based upon the preceding, staff finds that the following conditions prevail to support the rezoning request:

i. Subdivision of land. The subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.

The Approval should be subject to the following conditions:

1) full compliance with all municipal codes and ordinances.

Revised for the June 4th meeting:

This application was heldover from the April 16th meeting at the applicant's request. The engineer for the applicant met with the neighborhood to discuss the application; otherwise, there is no revised information or addition information provided, and as such the original recommendation would stand.

RECOMMENDATION

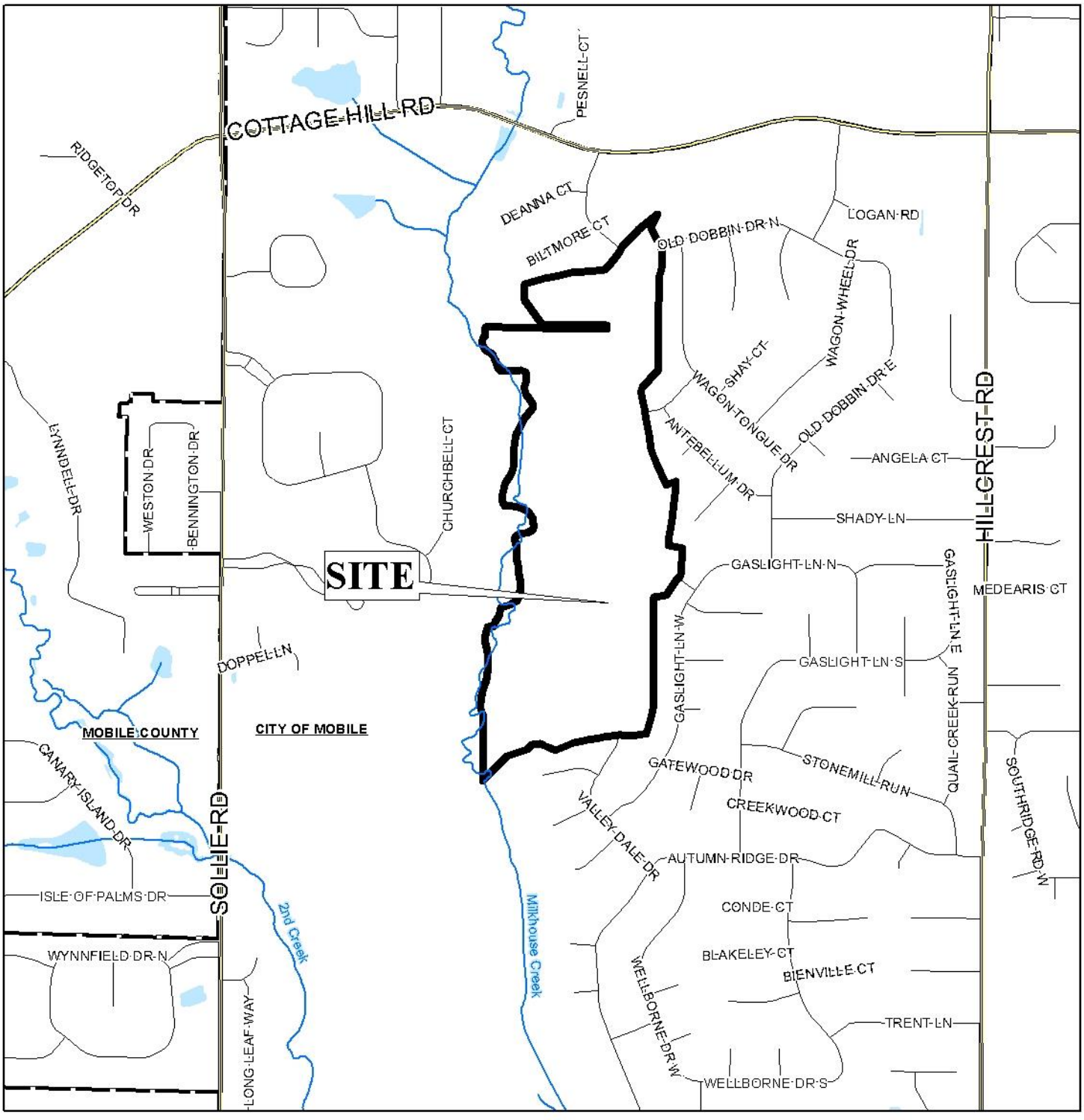
Based upon the preceding, staff finds that the following conditions prevail to support the rezoning request:

i. Subdivision of land. The subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.

The Approval is subject to the following conditions:

1) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 2 DATE June 4, 2020

APPLICANT The Preserve at Milkhouse Creek

REQUEST Rezoning from R-1, R-2 and B-1 to R-1

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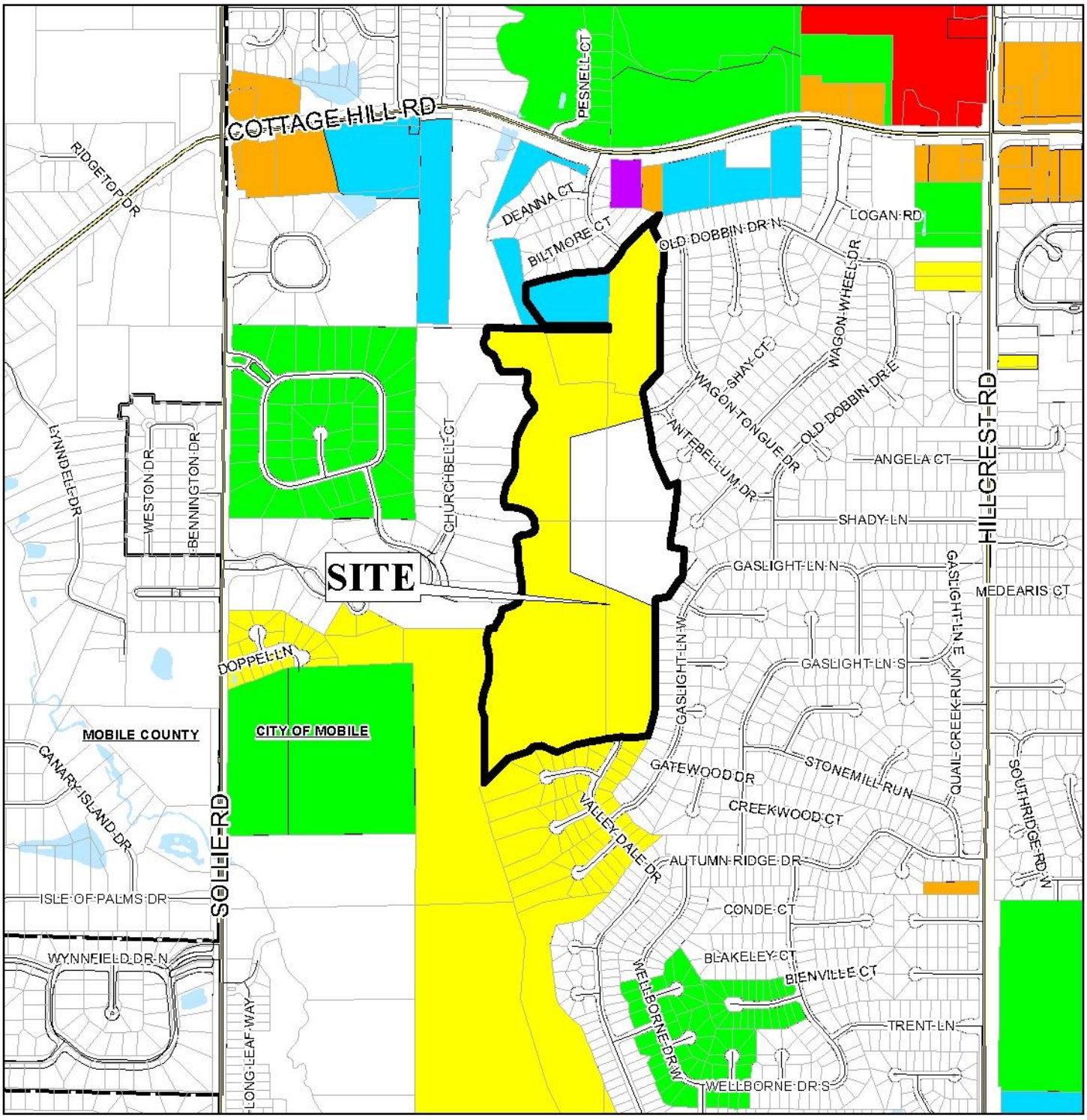
LOCATOR ZONING MAP



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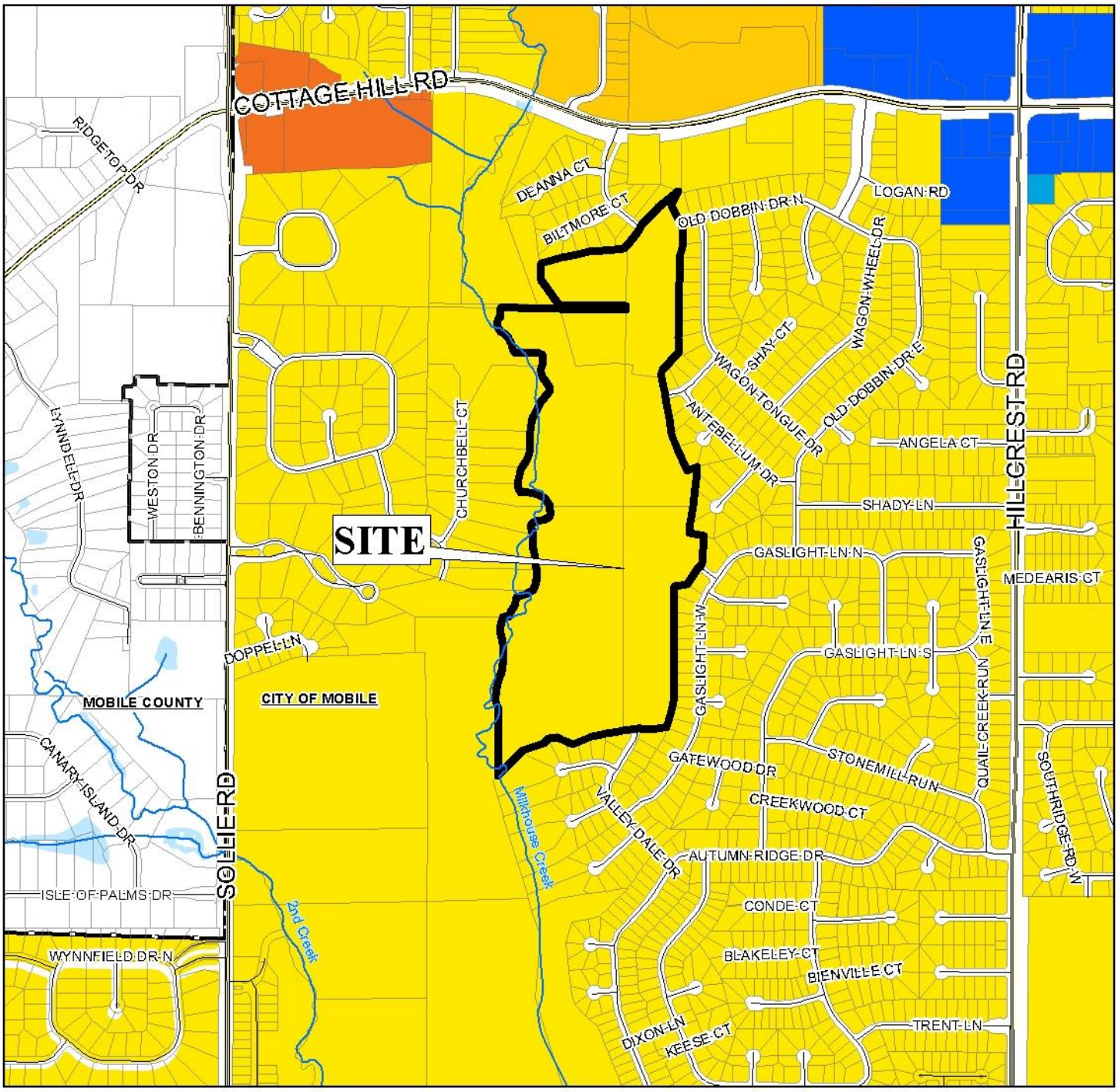
NTS

FLUM LOCATOR MAP



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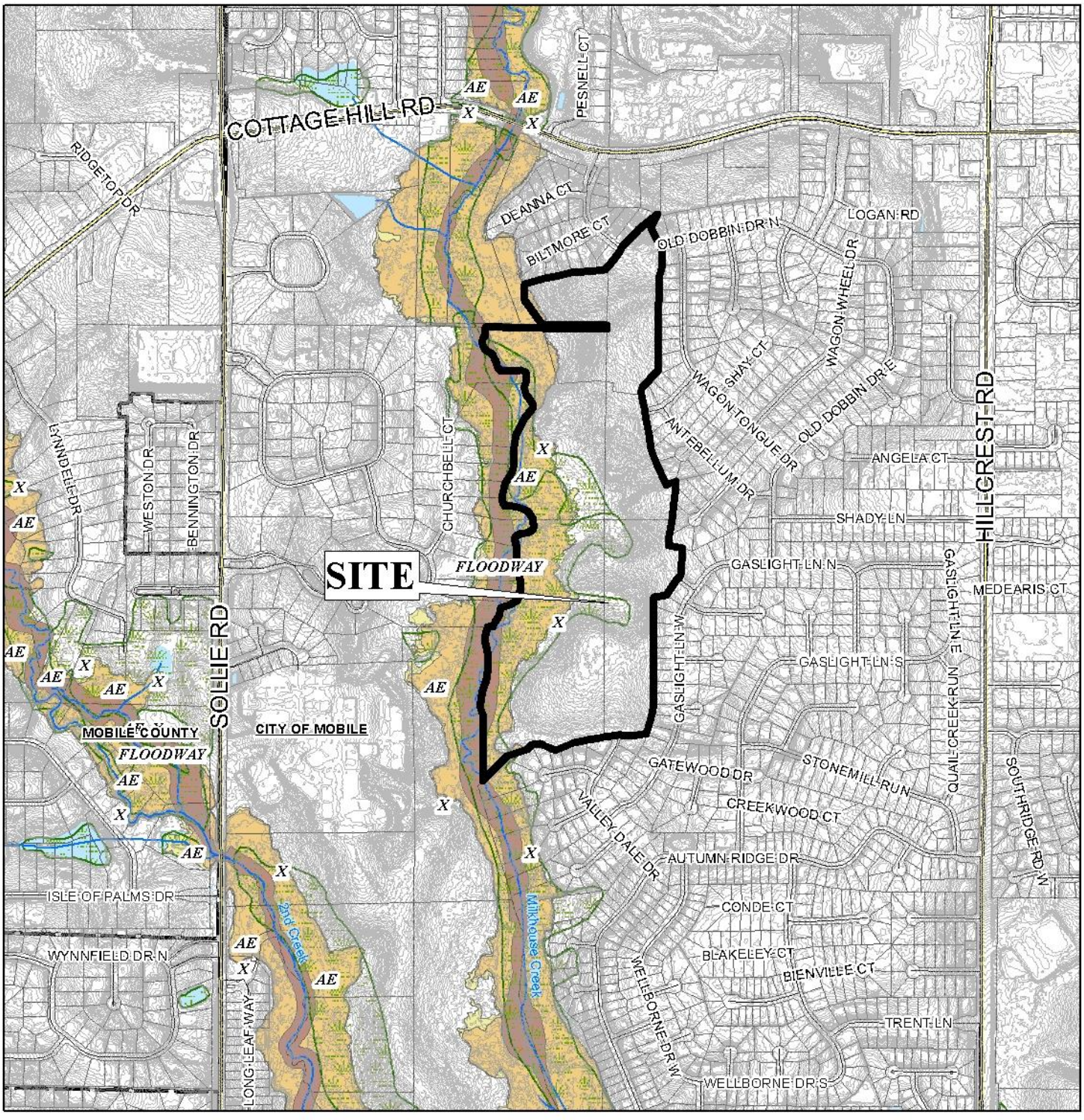
Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	

N

NTS

ENVIRONMENTAL LOCATOR MAP



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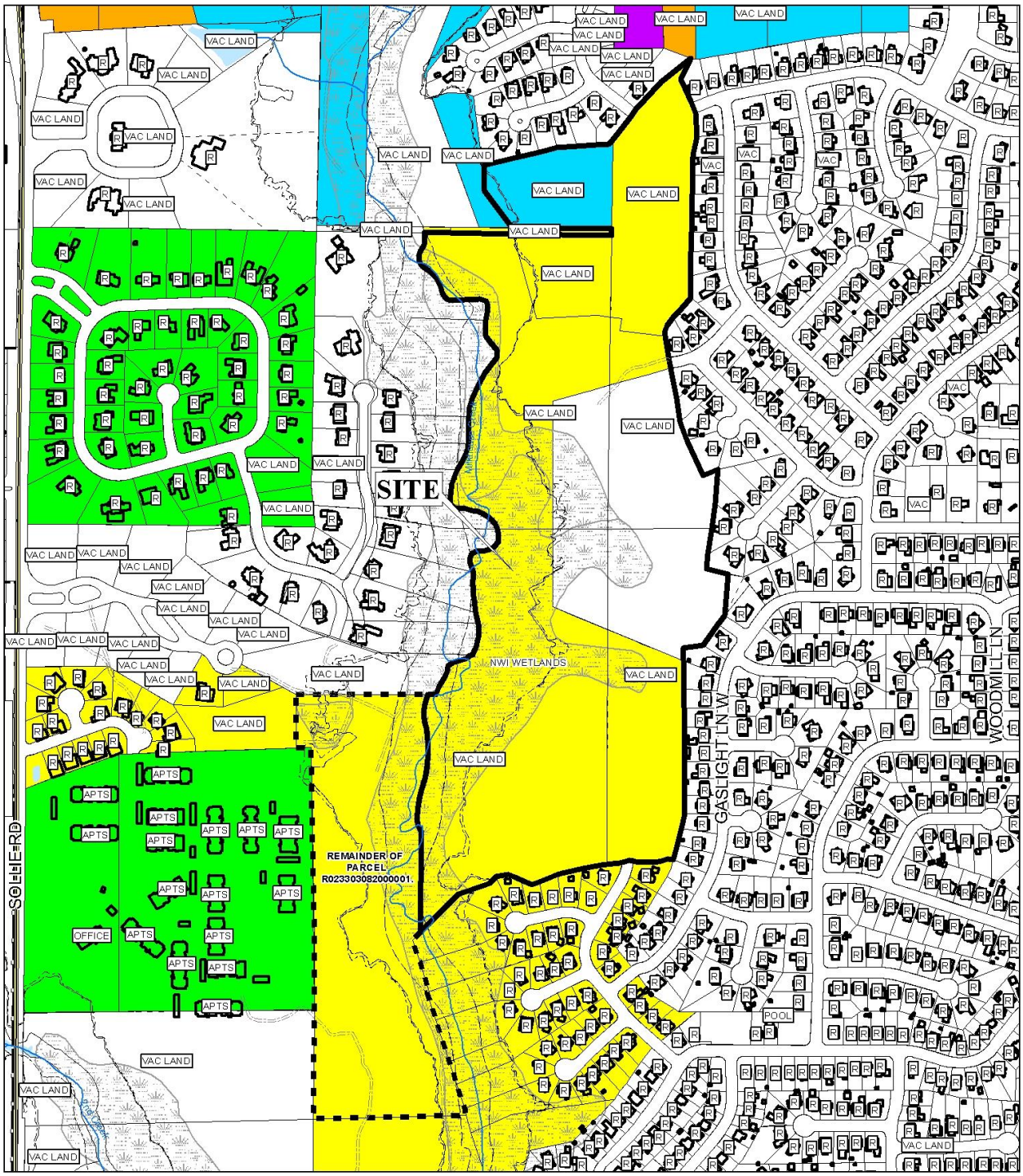
NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 2 DATE June 4, 2020

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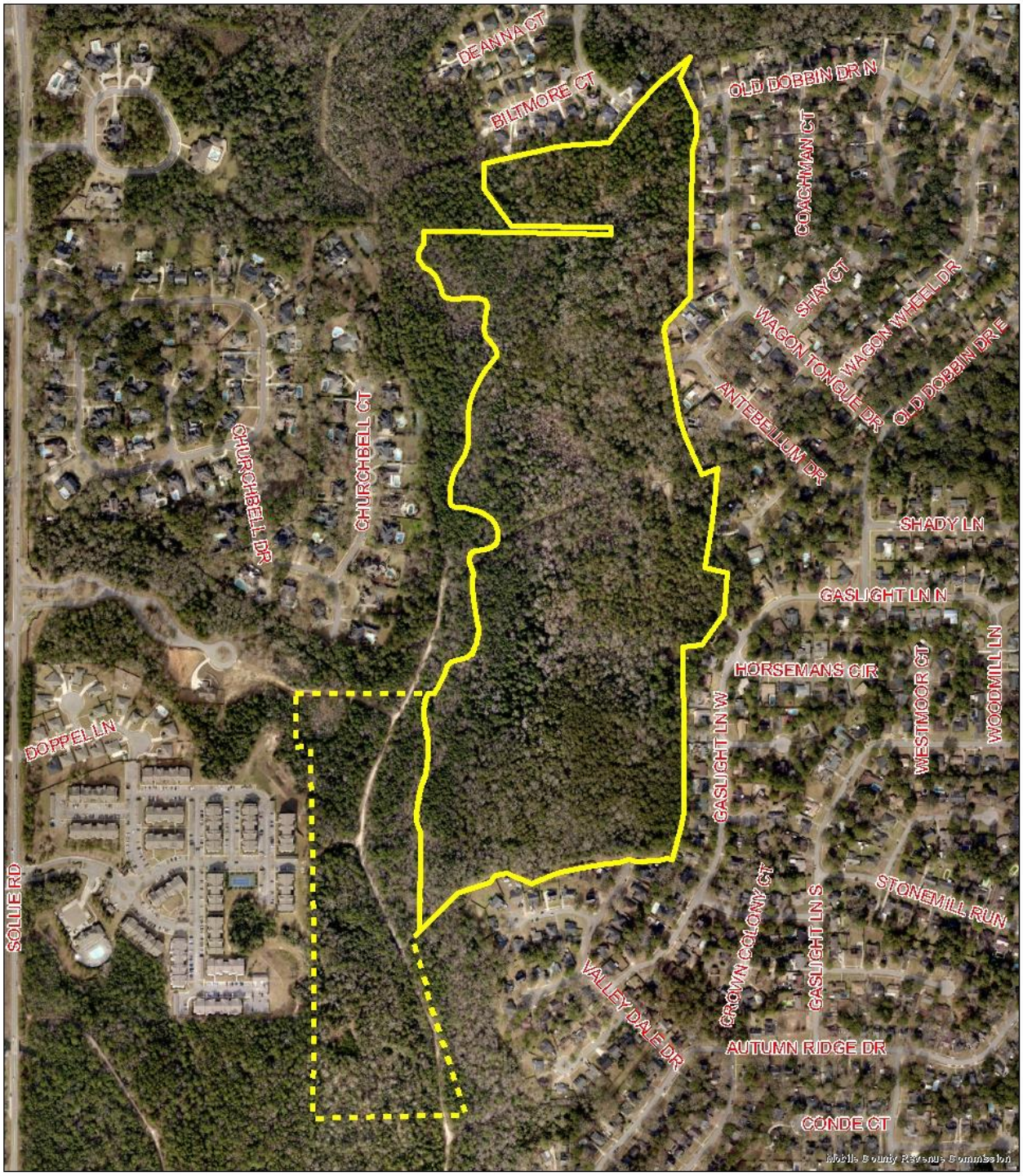
REQUEST Rezoning from R-1, R-2 and B-1 to R-1

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

N

NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL



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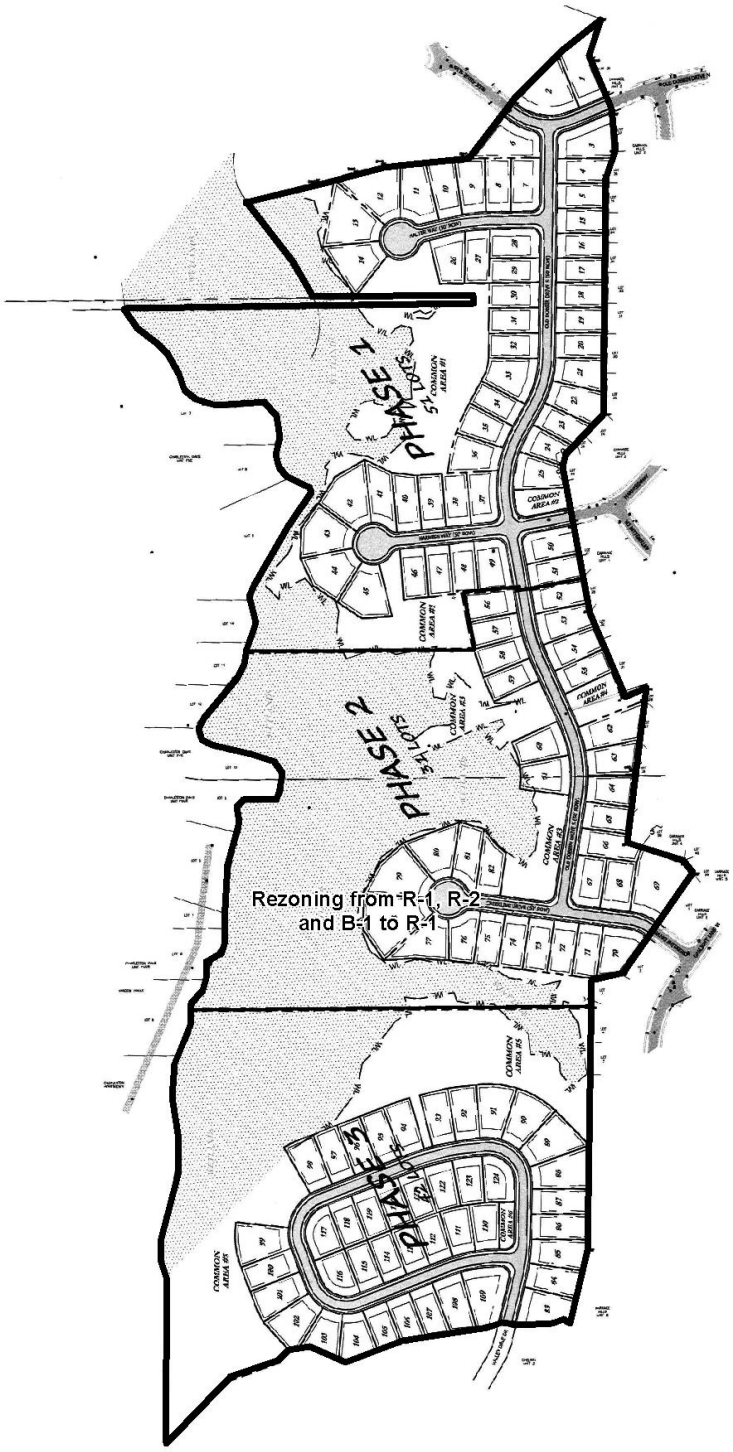
NTS

SITE PLAN



The site plan illustrates the property earea for proposed rezoning.

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