

**ZONING AMENDMENT,**  
**PLANNED UNIT DEVELOPMENT &**  
**SUBDIVISION STAFF REPORT**

**Date: September 20, 2007**

<b><u>NAME</u></b>	Crossroads, LLC
<b><u>SUBDIVISION NAME</u></b>	UNO Subdivision
<b><u>LOCATION</u></b>	East side of Sollie Road, 800'± South of Shadow Creek Drive
<b><u>CITY COUNCIL DISTRICT</u></b>	District 6
<b><u>PRESENT ZONING</u></b>	B-2, Neighborhood Business and R-3, Multi-Family Residential
<b><u>PROPOSED ZONING</u></b>	R-3, Multi-Family Residential
<b><u>AREA OF PROPERTY</u></b>	1 Lot/34.4± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Subdivision approval to create a legal lot from a metes and bounds parcel, Rezoning from B-2, Neighborhood Business and R-3, Multi-Family Residential district, to R-3, Multi-Family Residential to eliminate split zoning in a one lot subdivision to allow a 384-unit residential apartment complex and Planned Unit Development Approval to allow a 20-building, 384-unit apartment complex on a single building site.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediately

**ENGINEERING**  
**COMMENTS**

In the area shown as future development, no fill allowed in special flood hazard area without flood study. 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. 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. Development will be required to provide an impact study.

### **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**

Subdivisions which include new cul-de-sacs longer than 150 feet must comply with the design requirements of Appendix D of the 2003 International Fire Code, as adopted by the City of Mobile. For new cul-de-sacs longer than 750 feet in length, the preliminary plat must include the location of fire hydrants on the preliminary plat, or must provide an intermediate turn-around that complies with Appendix D.

### **REMARKS**

The applicant is requesting Rezoning, from R-3, Multi-Family Residential and B-2, Neighborhood Business, to R-3, Multi-Family Residential district, to allow a residential apartment complex, and Planned Unit Development Approval to allow a 20-building, 384-unit residential apartment complex on a single building site. Residential apartments are allowed by right in R-3, Multi-Family Residential Districts. The applicant proposes to create a 34.4± acre, one lot subdivision from portion of a metes and bounds parcel. The remainder which is larger than 20 acres is labeled Future Development.

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.

The site is depicted as residential 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. However, the entire metes and bounds parcel 317± acres were rezoned B-2, Neighborhood Business (9.4

+acres), R-3, Multi-Family Residential (25.2+acres) and R-2, Two-Family Residential (283.1+acres) in 1980. The concept at the time was a Planned Unit Development (PUD) to include commercial (B-2) development along Sollie Road, with higher density (R-2 and R-3) residential to the East and North.

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 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 concerning the PUD is currently undeveloped and zoned R-3, Multi-Family Residential; and B-2, Neighborhood Business. The applicant proposes to develop this site to accommodate a 20-building, 384-unit apartment complex. The site plan depicts “building footprints” that will be separated from each other by a minimum of 30-feet, with the maximum separation of 110-feet, and all “building footprints” will be a minimum of 210-feet from the front property line, 30-feet from the side property lines, and at least 60-feet from rear property line. The applicant proposes the change in zoning for the site from B-2, Neighborhood Business and R-3, Multi-Family Residential to R-3, Multi-Family Residential.

The apartment complex proposed would not exceed the maximum density allowed within R-3, Multi-Family districts, which equates to approximately 28-units per acre. The Zoning Ordinance requires a minimum gross site area of 584,000 square feet (13.4+acres) for 384 dwelling units in an R-3 district, which equates to an average gross site area of 1,515 square feet per dwelling unit. Moreover, the proposed density of 3,924 square feet per dwelling unit for the development is approximately only *one third* of the density allowed in R-3, Multi-Family districts.

The site as proposed would be surrounded to the North and East by undeveloped land within an R-2 district. An R-1 district (Failing Leaf Subdivision) is located adjacent to the South.

The site fronts Sollie Road, a major street as illustrated on the Major Street Plan, which is illustrated on the preliminary plat as variable right-of-way; therefore, the dedication of right-of-way sufficient to provide 50-feet as measured from the centerline of Sollie Road, should be required.

As the site has extensive frontage, on a major street (Sollie Road), the development should provide more than one curb-cut onto Sollie Road. The size, design and location of all curb-cuts must be approved by the Traffic Engineering Department. As stated in Traffic Engineering comments, the development should provide a traffic impact study prior to the approval and locations of the allowed curb cuts to Sollie Road.

The site plan does not indicate the location of a stormwater detention basin, which may be required for the site due to new construction. A stormwater detention basin, sized to meet the requirements of the City's Storm Water Drainage Ordinance, must be indicated on the site plan if it is required. A note should be placed on the site plan, if approved, stating that maintenance of the detention basin common area, and any other common areas, are the responsibility of the development's property owners.

The proximity to Floodways and 100-year flood zones and the illustration that the site contains 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.

The applicant states that market demand has created economic growth within the city limits that has caused a greater need for higher levels of land utilization for "highest and best" uses. The applicant additionally the property is situated in one of the fastest growing areas within the City of Mobile. It should be noted the proposed zoning change would actually change a commercial zoning district to multi-residential. Additionally, the Charleston Oaks Subdivision, Units 1-3 are zoned R-3, Multi-Family Residential.

Section 64-3.A.5. of the Zoning Ordinance recommends that new R-3 districts be a minimum of 4-acres in size. The site in question exceeds the minimum requirements, the site as proposed is approximately 34 acres  $\pm$  in size. Moreover, a large portion of the site is already zoned R-3, thus this application includes a parcel zoned B-2, neighborhood Business.

As previously stated, the applicant is seeking rezoning in order to develop a 20-building, 384-unit apartment complex on a single lot. Furthermore, the proposed PUD will limit the maximum development of the site in a manner that makes the proposal more compatible with single-family residential uses within the vicinity. Approval of the rezoning can be made contingent upon an approved PUD, which would assure that the property is not developed other than as proposed without future public hearings.

Conceptually, the development depicted on the proposed site/layout plan will minimize impacts to the potential residential and/or commercial development, especially with future development along Sollie Road. It should be noted, however, that there is no indication on the site plan regarding the perimeter treatment of the property; specifically if a fence and/or landscape buffer will be provided to minimize impacts to adjacent lower-density residential development to the North, East and South. A privacy fence and landscape buffer is recommended for development along these property lines. The applicant does illustrate an iron fence with brick columns along the Sollie Road frontage. Furthermore, generalized landscaping proposed for the development is

depicted on the site plan, with the understanding that the final landscape plan will be more detailed and require approval by the Urban Forester.

The vehicular circulation depicts a 24-foot wide parking and maneuvering areas. The site would access Sollie Road and does illustrate a two-way, entrance with a landscaped median. However, depending on the Fire Department apparatus movement, the site may require two separate entrances. It should be noted that sidewalks are not illustrated, and would be required as this is developed.

Finally, the minimum building setback line required in Section V.D.9. of the Subdivision Regulations is not shown for the overall lot, but would be required on the Final Plat.

**RECOMMENDATION**

**Rezoning:** Based upon the preceding, this request is recommended for Holdover until the October 18<sup>th</sup> meeting to allow the applicant to provide by September 27<sup>th</sup>:

- 1) the submittal of the completed traffic impact study as required by Traffic Engineering;
- 2) depiction of the location of the dumpsters; and
- 3) the illustration of the buffering along the sides and rear of the development.

**Planned Unit Development:** Based upon the preceding, this request is recommended for Holdover until the October 18<sup>th</sup> meeting to allow the applicant to provide by September 27<sup>th</sup>:

- 1) the submittal of the completed traffic impact study as required by Traffic Engineering;
- 2) depiction of the location of the dumpsters; and
- 3) the illustration of the buffering along the sides and rear of the development.

**Subdivision:** Based upon the preceding, this request is recommended for Holdover until the October 18<sup>th</sup> meeting to allow the applicant to provide by September 27<sup>th</sup>:

- 1) depiction of the 25-foot minimum building setback line;
- 2) the submittal of the completed traffic impact study as required by Traffic Engineering;
- 3) depiction of the location of the dumpsters; and
- 4) the illustration of the buffering along the sides and rear of the development.

***Revised for the October 18<sup>th</sup> meeting:***

*A revised set of site plans and a revised subdivision plat were submitted, in response to the staff comments; however, the revised preliminary plat illustrates an additional 16 lots with the provided second access proposed through the 16 single family lots. The site plan also shows the second access from the apartment complex is gated to a public right-of-way.*

*A primary concern of the application is related to one curb-cut onto Sollie Road and the traffic generation proposed by this development. The applicant has redesigned the site to create a*

*second access point from the apartment development to a new street. The site plan also illustrates the creation a 16 additional lots along this new street. As designed, it seems that Sollie Road will be the primary entrance as illustrated on the site plan, thereby creating a second access point via the new street from the north. It should be noted that the access point from the new street illustrates a private entry gate; therefore, the gate should be moved to comply with the three vehicle stand-off as required by the Zoning Ordinance.*

*A point of concern is the location of the trash compactor, which should be moved to a more central location and/or further away from the adjacent single-family residential district.*

*The applicant is preparing a traffic impact study, per the request of Traffic Engineering. Staff received the traffic study on October 11<sup>th</sup> and did not have ample time to review the traffic study.*

**RECOMMENDATION**

***Rezoning:*** *Based upon the preceding, this request is recommended for Holdover until the November 1<sup>st</sup> meeting to allow the staff time to review the traffic study:*

- 1) completion of the Traffic Impact Study, and acceptance of the study by Traffic Engineering; and*
- 2) full compliance with all municipal codes and ordinances.*

***Planned Unit Development:*** *Based upon the preceding, this request is recommended for Holdover until the November 1<sup>st</sup> meeting to allow the staff time to review the traffic study:*

- 1) limited to the revised site plan, including the relocation of the trash compactor to a more central location and/or further away from the adjacent single-family residential development and any changes to the site plan will require new PUD applications to amend the existing PUD;*
- 2) completion of the Traffic Impact Study, and acceptance of the study by Traffic Engineering; and*
- 3) full compliance with all municipal codes and ordinances.*

***Subdivision:*** *The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:*

- 1) depiction of the 25-foot minimum building setback line;*
- 2) the completed traffic impact study approved by Traffic Engineering;*
- 3) the illustration of the buffering along the sides and rear of the development;*
- 4) completion of the rezoning process prior to recording of the Final Plat; and*
- 5) the placement of a note on the Final Plat, limiting the development to two curb cuts, with the size, design and location to be approved by Traffic Engineering.*

