



**Agenda Item #: 6**  
**MOD-002607-2023**

View additional details on this proposal and all application materials using the following link:

[\*\*Applicant Materials for Consideration – PUD Modification\*\*](#)

**DETAILS**

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**Location:**

186 Stanton Road

**Applicant / Agent (as applicable):**

RGH Stanton, LLC (Stephen Howle, Agent)

**Property Owner:**

RGH Stanton, LLC

**Current Zoning:**

B-1, Buffer Business Urban District

**Future Land Use:**

Mixed Density Residential

**Applicable Codes, Policies, and Plans:**

- Unified Development Code (UDC)
- Map for Mobile Comprehensive Plan

**Schedule for Development:**

- Not Applicable

**Proposal:**

- Modification to vacate a previously approved Planned Unit Development

**Commission Considerations:**

- Modification to vacate a previously approved Planned Unit Development


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# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential areas.

APPLICATION NUMBER <u>        6        </u> DATE <u>September 7, 2023</u>	 NTS
APPLICANT <u>        RGH Stanton, LLC (Stephen Howle, Agent)        </u>	
REQUEST <u>                                PUD Modification                                </u>	

## SITE HISTORY

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Rezoning of a majority of the property from R-1, Single-Family Residential District, to B-1, Buffer Business District was adopted by City Council at its May 6, 1975 meeting, subject to various conditions regarding future development of the site. The property was not developed. At its October 7, 1980 meeting the City Council adopted rezoning of the entirety of the property before the Planning Commission today from R-1 to B-1, subject to a Planned Building Group approval and approval from the Corps of Engineers for dredging operations associated with nearby Three Mile Creek. The property was again not developed, but the site retained its B-1 zoning classification.

More recently, the site was the subject of Subdivision approval in 2013 and again in 2016. At its March 17, 2022 meeting the Planning Commission approved a Planned Unit Development (PUD) to allow multiple buildings on a single building site to facilitate development of the property as an apartment complex. At its July 21, 2022 meeting the Planning Commission approved an amendment to the previously approved PUD to comply with the Fire Department's site access requirements. To-date, the site remains undeveloped.

The site has not been the subject of any Board of Adjustment cases.

## STAFF COMMENTS

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### Planning Comments:

The applicant seeks to vacate a previously approved PUD. Under the previous Zoning Ordinance, PUDs expired if, after one (1) year from the date of approval, no associated development permits were obtained. However, Article 5 Section 64-5-8.A.2. of the Unified Development Code (UDC) extends the expiration of all unexpired PUDs approved prior to March 1, 2023 to two (2) years if no associated development permits have been obtained. As such, under the UDC, the PUD overlaying the site expires on March 1, 2025 if no associated development permits are obtained.

Previously approved PUDs where development has commenced or was completed prior to March 1, 2023 require any modifications to be reviewed by the Planning and Zoning Department. Major PUD modifications require Planning Commission review and City Council approval. The applicant contends that with the adoption of the UDC, the design of the development no longer requires PUD approval, and it should therefore not be subject to further review and approval of any modifications.

The previously approved PUD was required to allow multiple buildings on a single building site. Under the UDC, multiple buildings are permitted on a single building site without special approval as long as their combined footprint does not exceed the maximum site coverage allowed, as provided in Article 2 with respect to the underlying zoning district. In a B-1, Buffer Business Urban District, the maximum site coverage permitted by right is 45%. In reviewing conceptual plans and plans previously approved by the Planning Commission, it is unclear if the proposed development will comply with this requirement. As such, the applicant should be mindful that if the request to vacate the PUD is approved, any previous waivers granting flexibility in the design of the development will no longer apply, and the development must fully comply with the UDC.



## PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS

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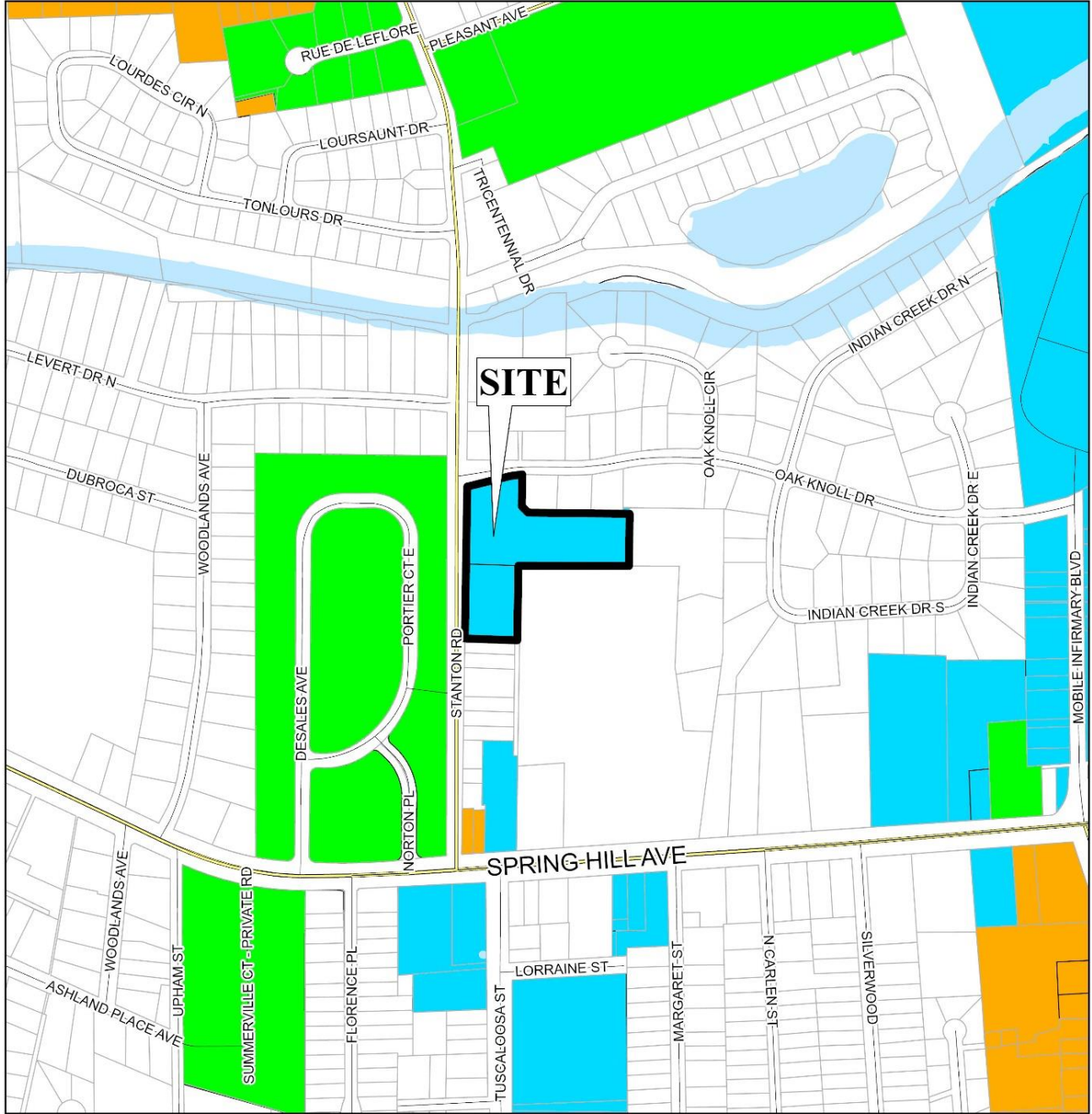
### **Standard of Review:**

As the existing PUD was approved by the Planning Commission only, and as the applicant is requesting to vacate the previously approved PUD (required due to multiple buildings on a single site) and fully comply with the Unified Development Code (which allows multiple buildings subject to full compliance with the UDC), the approval of the Planning Commission only is required. If there is an appeal of the Commission's decision, it would be to the City Council.

### **Consideration:**

Based on the preceding, the Planning Commission must decide whether to either approve or deny the vacation of the previously approved Planned Unit Development.

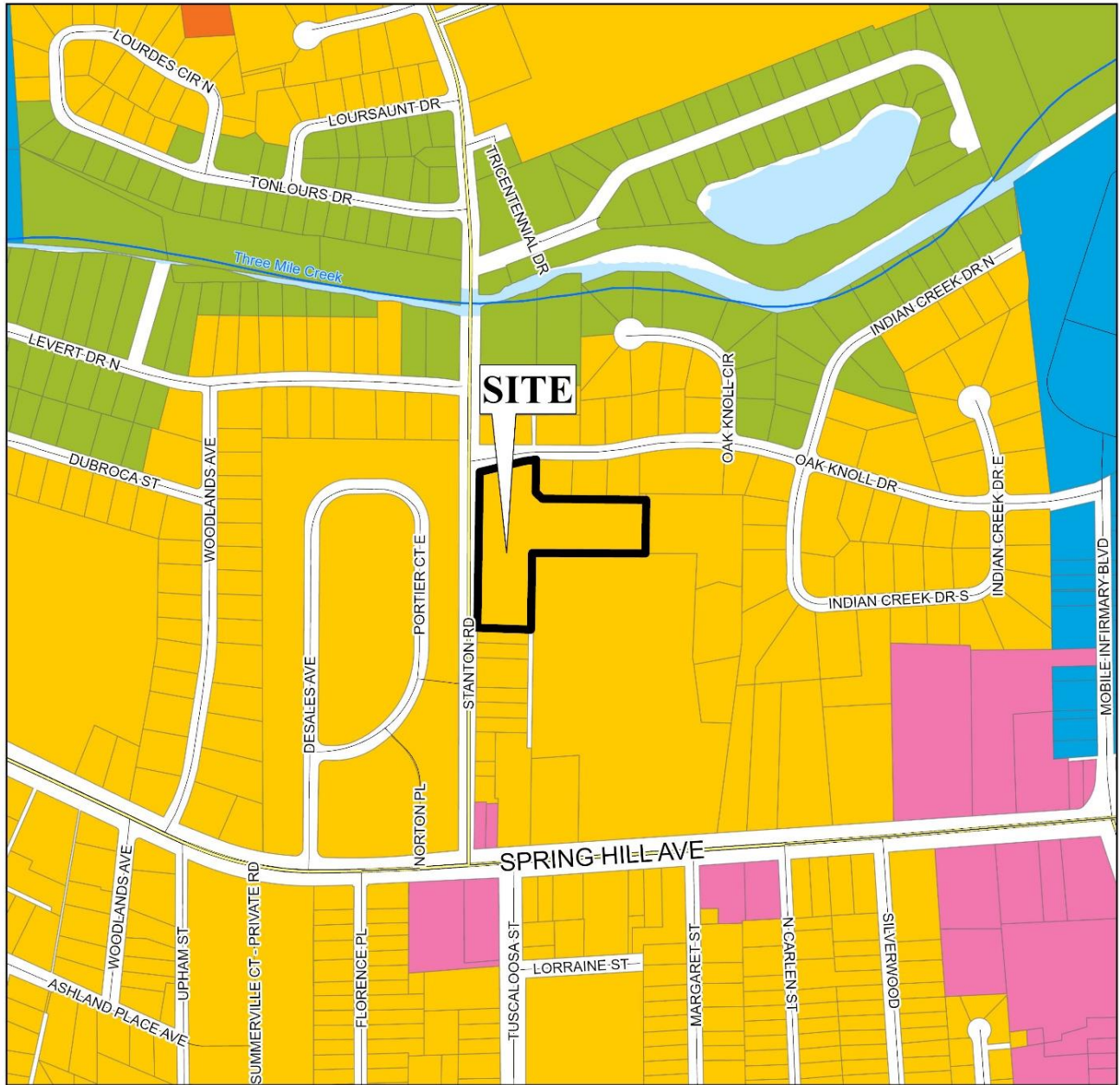
# LOCATOR ZONING MAP



APPLICATION NUMBER <u>        6        </u>	DATE <u>September 7, 2023</u>
APPLICANT <u>        RGH Stanton, LLC (Stephen Howle, Agent)        </u>	
REQUEST <u>        PUD Modification        </u>	



# FLUM LOCATOR MAP



APPLICATION NUMBER 6 DATE September 7, 2023

APPLICANT RGH Stanton, LLC (Stephen Howle, Agent)

REQUEST PUD Modification

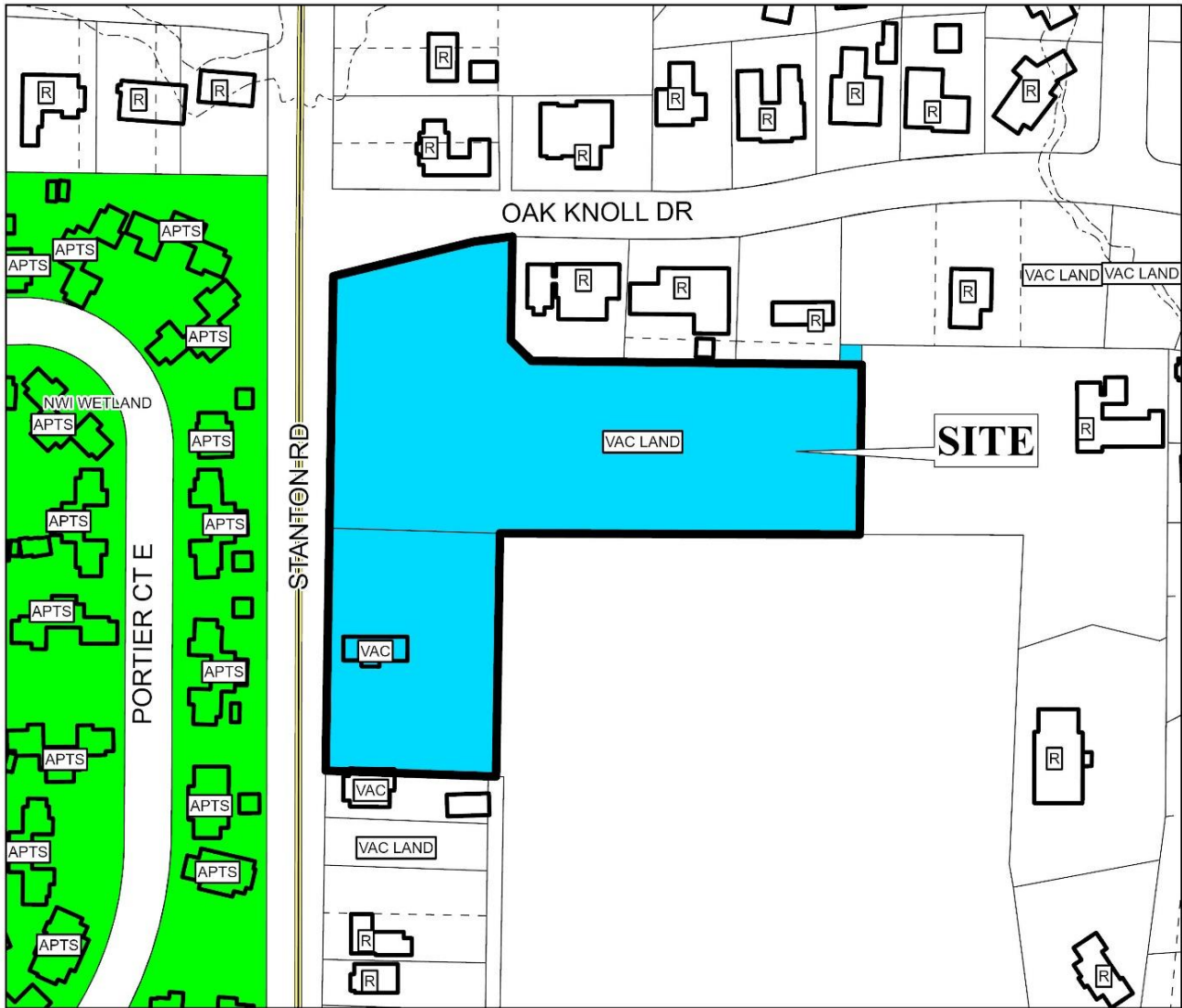
- |                                                                                                                                                 |                                                                                                                                                          |                                                                                                                                           |                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:15px; height:10px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:15px; height:10px; background-color:brown; border:1px solid black;"></span> Downtown Waterfront  | <span style="display:inline-block; width:15px; height:10px; background-color:lightgreen; border:1px solid black;"></span> Parks & Open Space |
| <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:15px; height:10px; background-color:blue; border:1px solid black;"></span> Neighborhood Center - Suburban       | <span style="display:inline-block; width:15px; height:10px; background-color:lightpurple; border:1px solid black;"></span> Light Industry | <span style="display:inline-block; width:15px; height:10px; background-color:teal; border:1px solid black;"></span> Water Dependent          |
| <span style="display:inline-block; width:15px; height:10px; background-color:pink; border:1px solid black;"></span> Downtown                    | <span style="display:inline-block; width:15px; height:10px; background-color:lightpink; border:1px solid black;"></span> Traditional Corridor            | <span style="display:inline-block; width:15px; height:10px; background-color:darkpurple; border:1px solid black;"></span> Heavy Industry  |                                                                                                                                              |
| <span style="display:inline-block; width:15px; height:10px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Commercial Corridor          | <span style="display:inline-block; width:15px; height:10px; background-color:cyan; border:1px solid black;"></span> Institutional         |                                                                                                                                              |




NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential areas.

APPLICATION NUMBER <u>6</u> DATE <u>September 7, 2023</u>		 NTS																												
APPLICANT <u>RGH Stanton, LLC (Stephen Howle, Agent)</u>																														
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<table border="0" style="width: 100%; font-size: small;"> <tr> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; border: 1px solid black;"></span> R-A</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #00FF00; border: 1px solid black;"></span> R-3</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #00BFFF; border: 1px solid black;"></span> B-1</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFA500; border: 1px solid black;"></span> B-2</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #0000FF; border: 1px solid black;"></span> B-5</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; border: 1px solid black;"></span> ML</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #D3D3D3; border: 1px solid black;"></span> I-2</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #C8E6C9; border: 1px solid black;"></span> OPEN</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFB6C1; border: 1px solid black;"></span> T-3</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #483D8B; border: 1px solid black;"></span> T-5.2</td> </tr> <tr> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFFFFF; border: 1px solid black;"></span> R-1</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FF69B4; border: 1px solid black;"></span> R-B</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #D2B48C; border: 1px solid black;"></span> T-B</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FF0000; border: 1px solid black;"></span> B-3</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid black;"></span> CW</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #008080; border: 1px solid black;"></span> MH</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #3CB371; border: 1px solid black;"></span> PD</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFDAB9; border: 1px solid black;"></span> SD</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #DDA0DD; border: 1px solid black;"></span> T-4</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #4B0082; border: 1px solid black;"></span> T-6</td> </tr> <tr> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFFF00; border: 1px solid black;"></span> R-2</td> <td><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFA07A; border: 1px solid black;"></span> H-B</td> <td><span style="display: inline-block; 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ZONING DISTRICT CORRESPONDENCE MATRIX		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A												<input type="checkbox"/>		
ONE-FAMILY RESIDENCE	R-1	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
TWO-FAMILY RESIDENCE	R-2	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
MULTIPLE-FAMILY	R-3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	
RESIDENTIAL-BUSINESS	R-B		<input type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
TRANSITIONAL-BUSINESS	T-B		<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input type="checkbox"/>		
HISTORIC BUSINESS	H-B			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
VILLAGE CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. GENERAL	TCD					<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-6			<input checked="" type="checkbox"/>									<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.1			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.2			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-4			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-3			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	SD-WH									<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
DOWNTOWN DEV. DD	SD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
BUFFER BUSINESS	B-1		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
NEIGH. BUSINESS	B-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
LIMITED BUSINESS	LB-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
COMMUNITY BUSINESS	B-3				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
GEN. BUSINESS	B-4			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OFFICE-DISTRIBUTION	B-5								<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
LIGHT INDUSTRY	I-1									<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEAVY INDUSTRY	I-2										<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Zoning District Correspondence Matrix**

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)



## MIXED DENSITY RESIDENTIAL (MxDR)

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 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.