

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT, &  
ZONING AMENDMENT STAFF REPORT****Date: November 5, 2020****APPLICANT NAME**

Gulf States Engineering, Inc.

**SUBDIVISION NAME**

The Hive Subdivision

**LOCATION**5377 Moffett Road  
(South side of Moffett Road, at the North terminus of  
McIntyre Drive).**CITY COUNCIL  
DISTRICT**

Council District 7

**PRESENT ZONING**

R-1, Single-Family Residential District

**PROPOSED ZONING**

B-1, Buffer Business District

**AREA OF PROPERTY**

1 Lot/ 3.2± Acres

**CONTEMPLATED USE**

Subdivision Approval to create one (1) lot of record from a single metes-and-bounds parcel; *Planned Unit Development approval to allow multiple buildings on a single building site*; and Rezoning from R-1, Single-Family Residential District to B-1, Buffer Business District.

**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.**

**ENGINEERING  
COMMENTS**

**Subdivision: FINAL PLAT COMMENTS** (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Provide reference, on the map and the description, to a monumented corner.
- C. Provide and label the monument set or found at each subdivision corner, including the POC.
- D. Provide a written legal description and matching bearing and distance labels for the proposed subdivision.

- E. Provide the missing portion of the subdivision boundary line on the south line.
- F. Label each Tract as a LOT (LOT 1, LOT A, etc.)
- G. Show and label each and every Right-Of-Way and easement, including drainage easements
- H. Provide the Owner's (notarized) signatures.
- I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #69) PARCEL A will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: PARCEL A – NONE.
- J. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.
- K. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.

**Rezoning:**

- 1. 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 Permitting 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).
- 2. 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.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

*Revised for the February 18, 2021 meeting:*

***Planned Unit Development:***

1. *Due to the proposed development, the property may need to be assigned a different permit address for each separate building. Please contact the Engineering Department (Anthony Morris 208-6216, or Steve Smith 208-7135) to discuss the options.*
2. ***ADD THE FOLLOWING NOTES TO THE 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 Permitting 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**

Moffett Road (US Highway 98) is an ALDOT maintained roadway. There should be a clear understanding of what type of access will be allowed to Moffett Road if there is a possibility that a driveway onto McIntyre Drive could have limited use. Lot is limited to no more than one curb cut per street frontage with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

*Revised for the February 18, 2021 meeting:*

*If the commission considers denying access to McIntyre Drive, the applicant should have a clear understanding of what type of access will be allowed to Moffett Road if there is a possibility that turn restrictions may be imposed. Moffett Road (US Highway 98) is an ALDOT maintained roadway. The proposed driveway on the site plan does not seem to meet the access management standards that ALDOT requires on this roadway.*

*Lot is limited to no more than one curb cut per street frontage with size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, should 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

## **TIME SCHEDULE FOR DEVELOPMENT**

Begin March 2021

## **REMARKS**

The applicant is requesting Subdivision Approval to create one (1) lot of record from a single metes-and-bounds parcel; and Rezoning from R-1, Single-Family Residential District to B-1, Buffer Business District.

The site had a variance approved by the Board of Zoning Adjustment in 1989 to allow an antique/handicraft shop in half of a residence. That dwelling is still located on the property but has been vacant for an extended period of time. The applicant now wishes to rezone the property to accommodate a multi-family development with eight (8) buildings containing 32 dwelling units, an office building, a laundry/gym facility, and a pool.

The site has been given a Mixed Commercial Corridor (MCC) and a Low Density Residential (LDR) land use designation, per the recently 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 land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

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.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

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.

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 applicant proposes to create one (1) lot of record from a single metes-and-bounds parcel. The lot size is depicted in square feet and acres on the plat and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size should be retained in square feet and acres on the Final Plat.

The site has frontage along Moffett Road and McIntyre Drive. Moffett Road is a major street, depicted as having a compliant existing right-of-way of 100-feet, making no dedication necessary. McIntyre Drive dead-ends into the "rear" of the property; while it is not depicted on the preliminary plat, it is a minor street with curb and gutter, and therefore should have a 50-foot wide right-of-way. If approved, the Final Plat should be revised to label the rights-of-way for both street frontages.

The preliminary plat does not illustrate the 25' minimum building setback lines from either frontage. If approved, the plat should be revised to depict the 25' minimum building setback lines on both frontages.

The site appears to have one (1) existing curb-cut to Moffett Road. The applicant is requesting a curb-cut each to Moffett Road and McIntyre Road. If approved, the Final Plat should include Traffic Engineering comments regarding access to the site.

The applicant states the following to address the rational for the zoning request:

***Project Description:***

*Our client proposes to create an eight-building small community of apartment homes within the property currently addressed as 5377 Moffett Road. Each of these buildings will be limited to 2 stories and contain 4 apartments each. In addition, this small neighborhood will be served by an office, a laundry facility, a gym and a pool. The project is slated to begin in March of 2021 and is projected to be completed by March of 2022.*

***Plan Consistency Analysis:***

*“The Hive” will be located along one of Mobile’s main transportation corridors, it’s occupants will be both served by and nurture the future use plan of this area which is expected to be a Mixed Commercial Corridor. This development will seek to embrace the natural beauty of it’s current location by preserving as many of the existing trees as possible, reducing noise and visual impact to better integrate with its existing residential neighbors.*

The site is bounded on all sides by R-1, Single-Family Residential District on all sides, except for a property immediately to the North zoned B-2, Neighborhood Business District. That B-2 property was rezoned in 1993 with the condition that the site be brought into full compliance with Zoning Ordinance requirements.

The applicant is proposing 32 dwelling units in eight (8) buildings on a site that the Zoning Ordinance would potentially allow up to a maximum of 88 dwelling units if compliance with requirements such as parking, open space, etc are met. It should be noted that the development, as proposed, will require a Planned Unit Development to be approved to allow multiple buildings on a single building site.

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 application as submitted does not indicate which of the four previously referenced conditions justify this rezoning request. A holdover to provide the justification for rezoning would allow for the submission of the required PUD application for the proposed site plan as well..

**RECOMMENDATION**

**Subdivision:** Based upon the preceding, the application is recommended for Tentative Approval, subject to the following:

- 1) retention of the lot sizes in square feet and acres;
- 2) revision of the Final Plat to label McIntyre Road and its right-of-way width;
- 3) revision of the plat to depict the 25' minimum building setback lines along both street frontages;
- 4) full compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner, including the POC. D. Provide a written legal description and matching bearing and distance labels for the proposed subdivision. E. Provide the missing portion of the subdivision boundary line on the south line. F. Label each Tract as a LOT (LOT 1, LOT A, etc.) G. Show and label each and every Right-Of-Way and easement, including drainage easements H. Provide the Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #69) PARCEL A will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: PARCEL A – NONE. J. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. K. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 5) placement of a note on the site plan stating the following Traffic Engineering comments: (Moffett Road (US Highway 98) is an ALDOT maintained roadway. There should be a clear understanding of what type of access will be allowed to Moffett Road if there is a possibility that a driveway onto McIntyre Drive could have limited use. Lot is limited to no more than one curb cut per street frontage with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 6) 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
- 7) compliance with 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)).

**Rezoning:** Based upon the preceding, this application is recommended for holdover until the Commission's December 17<sup>th</sup> meeting to allow the applicant to submit a Planned Unit Development application, as well as a justification for rezoning as stipulated in 64-9 of the Zoning Ordinance.

***Revised for the December 17, 2020 meeting:***

*This application was heldover by the Commission at its November 5, 2020 meeting to allow the applicant to:*

- 1) Meet with the neighbors to discuss the proposed development;*
- 2) Apply for a Planned Unit Development for the December 17<sup>th</sup> application deadline (November 23<sup>rd</sup>); and*
- 3) Submit the requested justification for rezoning as stipulated in 64-9 of the Zoning Ordinance.*

*The applicant has requested a holdover to the February 18, 2021 meeting.*

***Revised for the February 18, 2021 meeting:***

*This application was heldover at the applicant's request at the December 17, 2020 meeting. The applicant has submitted the requested Planned Unit Development application. No information was provided regarding a meeting with neighbors, but the applicant did provide a justification for the rezoning.*

*In regards to the proposed rezoning, the applicant states:*

*"The Hive" property is currently zoned R-1, Single Family Residential. The Owner of the property wishes to build a 32-unit apartment home community. This type of development is not allowed in the current zoning. The future land use for this property is Mixed Commercial Corridor. The adjacent parcel to the northwest and a couple parcels beyond that along Moffett Road are already zoned B-2. The request for B-1, Buffer Business zoning provides a transition between residential and commercial zoning. The addition of apartment homes will add a housing option along the corridor other than single family homes. The planned units are designed with the use of green energy (solar) and "smart" technology. This request is made under condition d. of Section 64-9.A.1. of the Zoning Ordinance, the subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.*

*While the applicant has submitted a subdivision application in conjunction with the rezoning application, condition 4, "the subdivision of land into building sites makes reclassification of the*



*land necessary and desirable” generally refers to instances where a proposed Subdivision would result in a split-zoned lot, which is not the case with this site.*

*It should further be noted that the proposed use of apartments is allowed by-right in R-3, Multiple Family Residential District, which would prevent other commercial uses of the property that may create increased neighborhood concern. Therefore, if the Planning Commission is inclined to approve the rezoning application, R-3 may be a more appropriate district than B-1.*

*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.*

*Regarding the PUD application, the applicant states:*

*Our client proposes to create an eight-building small community of apartment homes within the property currently addressed as 5377 Moffett Road. Each of these buildings will be limited to 2 stories and contain 4 apartments each. In addition, this small neighborhood will be served by an office, a laundry facility, a gym and a pool. The project is slated to begin in March of 2021 and is projected to be completed by March of 2022.*

*The site plan depicts 64 parking spaces, when 54 are required for the 32 proposed dwelling units and 1,662± square foot square foot office building. As the site will have more than 25 parking spaces, a photometric site plan will be required at the time of permitting. The site plan has the parking calculations incorrect, and should be revised, if approved. It should also be noted that it appears that two (2) parking spaces are depicted as being located in front of dumpsters. If approved, any dumpsters on the property should be located in such a way that any garbage truck maneuvering will not conflict with parking spaces.*

*Because the site is adjacent to residentially zoned property, a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance should be provided, if approved. The site plan submitted depicts a "10' ornamental fence" around the entire perimeter of the site. If approved, the applicant should coordinate with staff to make sure that the fence proposed meets the minimum screening intent of the Zoning Ordinance.*

*The site plan shows compliance with tree planting, landscape area, and open space requirements. As the City is looking closely at the spacing of heritage overstory tree plantings to provide a more favorable growth space, the applicant should coordinate with staff on the location of heritage trees at the time of permitting, if approved.*

*It should be noted that the site plan has a few minor corrections that must be made. First, the site plan incorrectly identifies the side and rear setbacks for the property as being eight (8) feet, when it should be ten (10) feet where adjacent to residential, and five (5) feet where adjacent to commercial. Also, there is a note stating "max building height: 25'-9""", which seems to be the height of the proposed structures, rather than the maximum building height allowed in either a B-1 or R-3 district. If approved, the note should be revised to state "Max proposed building height".*

*The site plan and subdivision plat indicate that there is to be no access to McIntyre Drive. If approved, these notes should be retained.*

*A sidewalk is depicted along Moffett Road, and should be provided along McIntyre Road as well, if approved.*

### **RECOMMENDATION**

***Subdivision:*** *Based upon the preceding, the application is recommended for Tentative Approval, subject to the following:*

- 1) retention of the lot sizes in square feet and acres;*
- 2) revision of the Final Plat to label McIntyre Road and its right-of-way width;*
- 3) retention of the note stating there will be no access to McIntyre Drive;*
- 4) retention of the 25' minimum building setback lines along both street frontages;*
- 5) removal of the zoning district from the Final Plat;*
- 6) full compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner, including the POC. D. Provide a written legal description and matching bearing and distance labels for the proposed subdivision. E. Provide the missing portion of the subdivision boundary line on the south line. F. Label each Tract as a LOT (LOT 1, LOT A, etc.) G. Show and label each and every Right-Of-Way and easement, including drainage easements H. Provide the Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on*

the 1984 aerial photo (FLIGHT 21 - #69) PARCEL A will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: PARCEL A – NONE. J. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. K. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

- 7) placement of a note on the site plan stating the following Traffic Engineering comments: (Moffett Road (US Highway 98) is an ALDOT maintained roadway. There should be a clear understanding of what type of access will be allowed to Moffett Road if there is a possibility that a driveway onto McIntyre Drive could have limited use. Lot is limited to no more than one curb cut per street frontage with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 8) 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
- 9) compliance with 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)).

**Planned Unit Development:** Based upon the preceding, staff recommends the PUD for Denial due to the following:

- 1) Denial of the rezoning application makes the PUD moot.

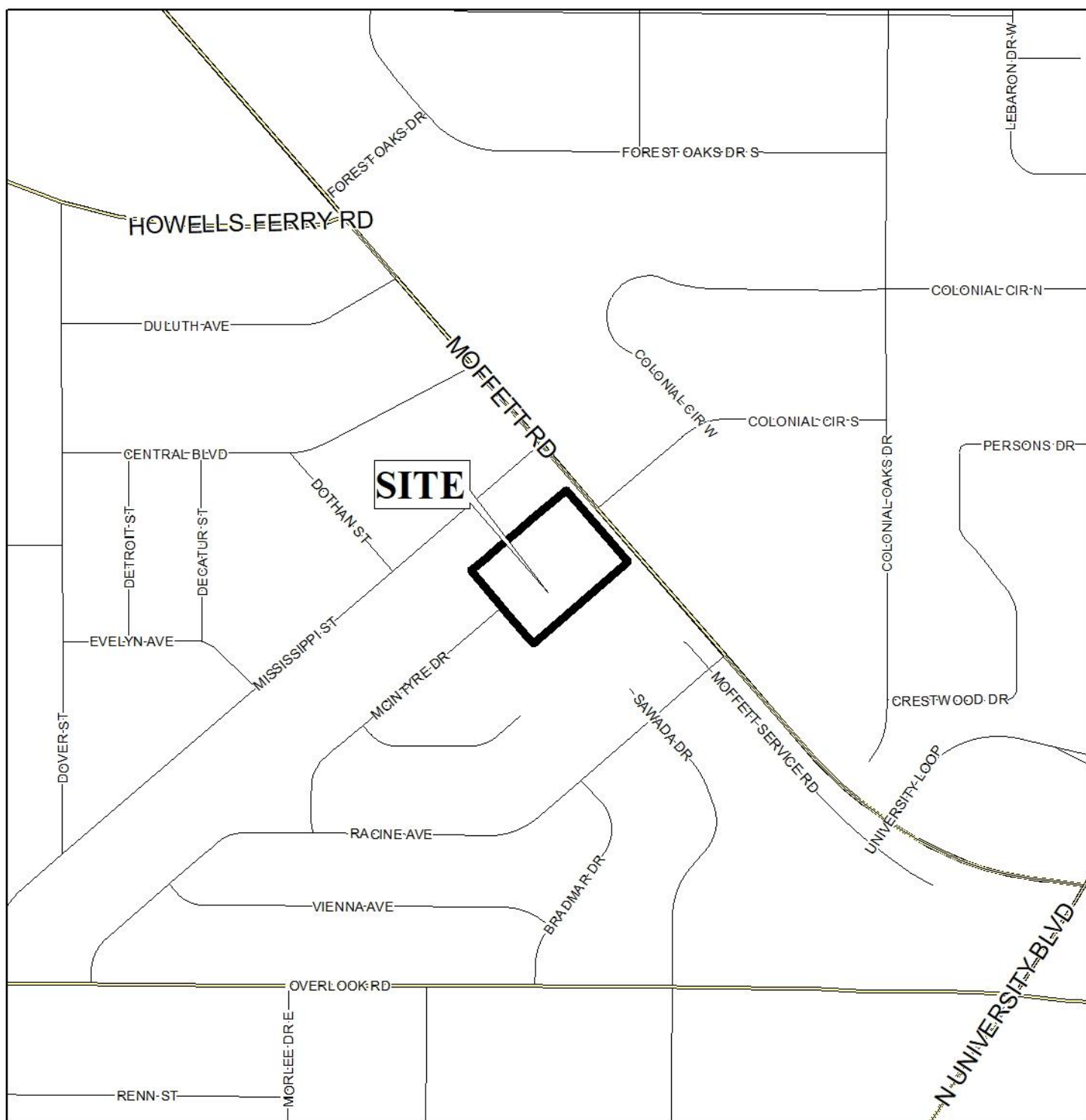
**Rezoning:** Based upon the preceding, staff finds that the applicant has **not** shown that any of the following conditions prevail to support the rezoning request:

- i. Error. There is a manifest error in the chapter;
- ii. Change in conditions. Changed or changing conditions in a particular area, or in the planning region generally, make a change in the chapter necessary and desirable;
- iii. Increase in need for sites for business or industry. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district; or

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

*As such, staff recommends Denial of the rezoning request.*

# LOCATOR MAP



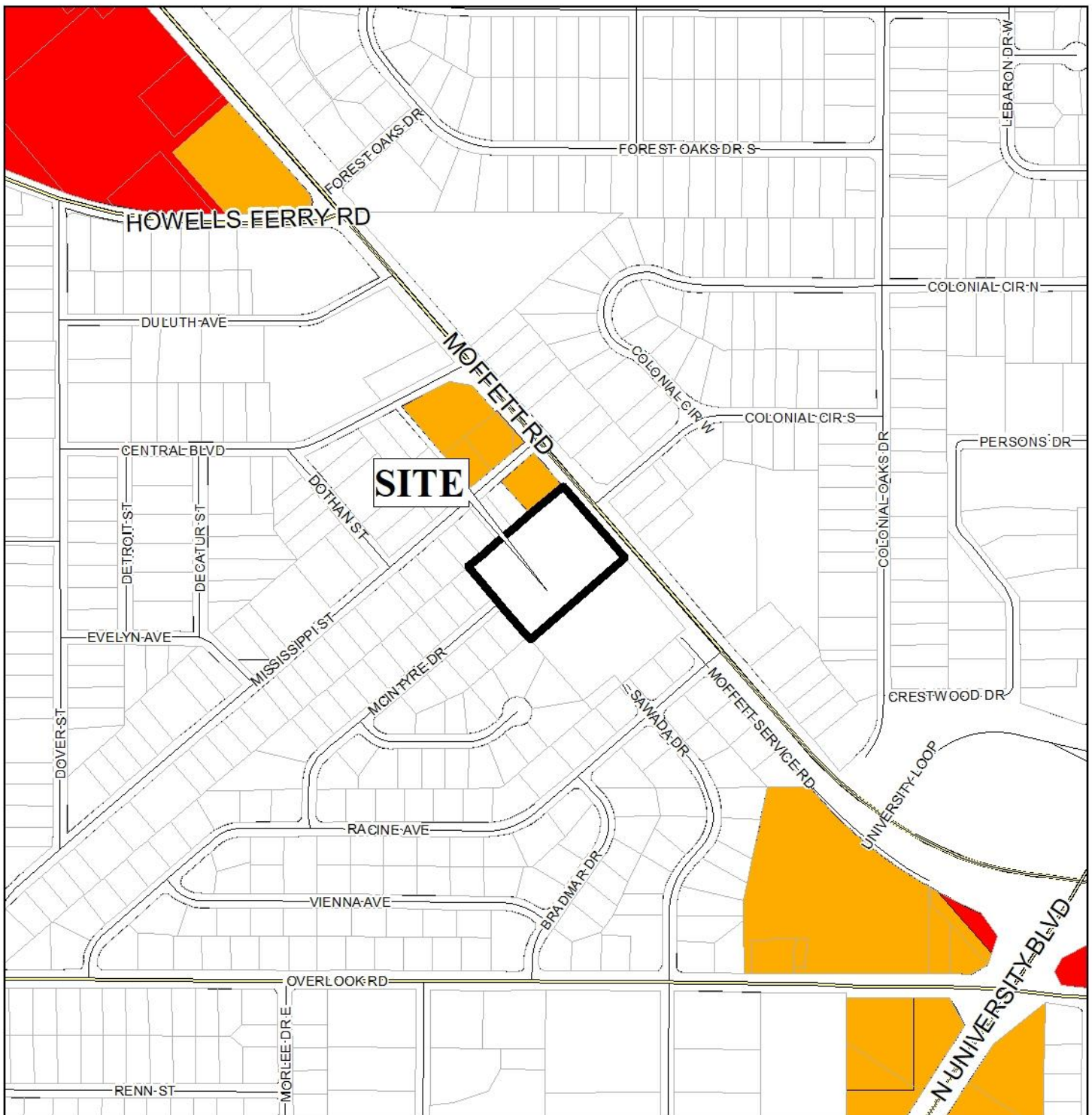
APPLICATION NUMBER 7 DATE February 18, 2021

APPLICANT The Hive Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-1



# LOCATOR ZONING MAP



APPLICATION NUMBER 7 DATE February 18, 2021

APPLICANT The Hive Subdivision

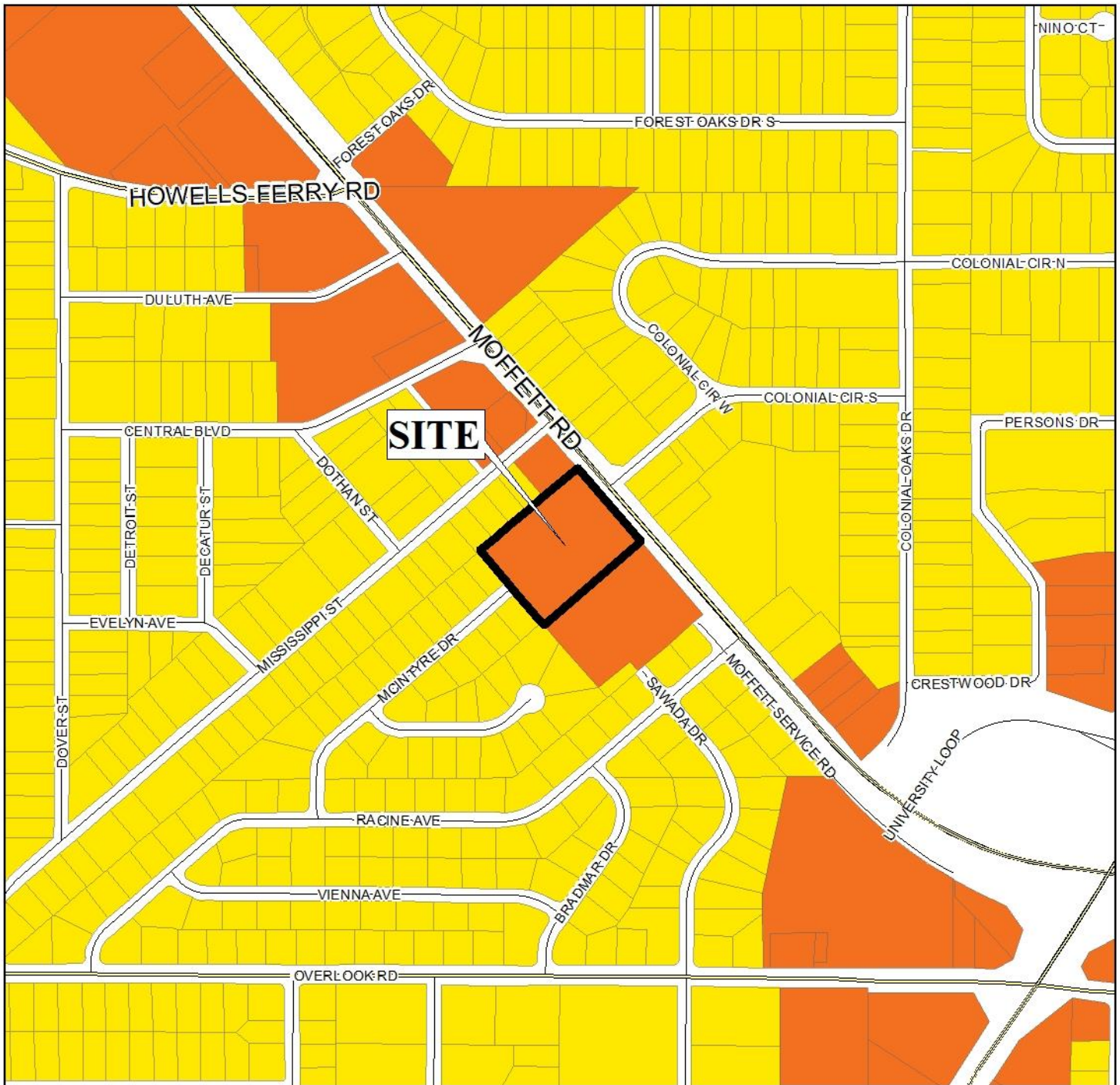
REQUEST Subdivision, PUD, Rezoning from R-1 to B-1



NTS



# FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE February 18, 2021

APPLICANT The Hive Subdivision

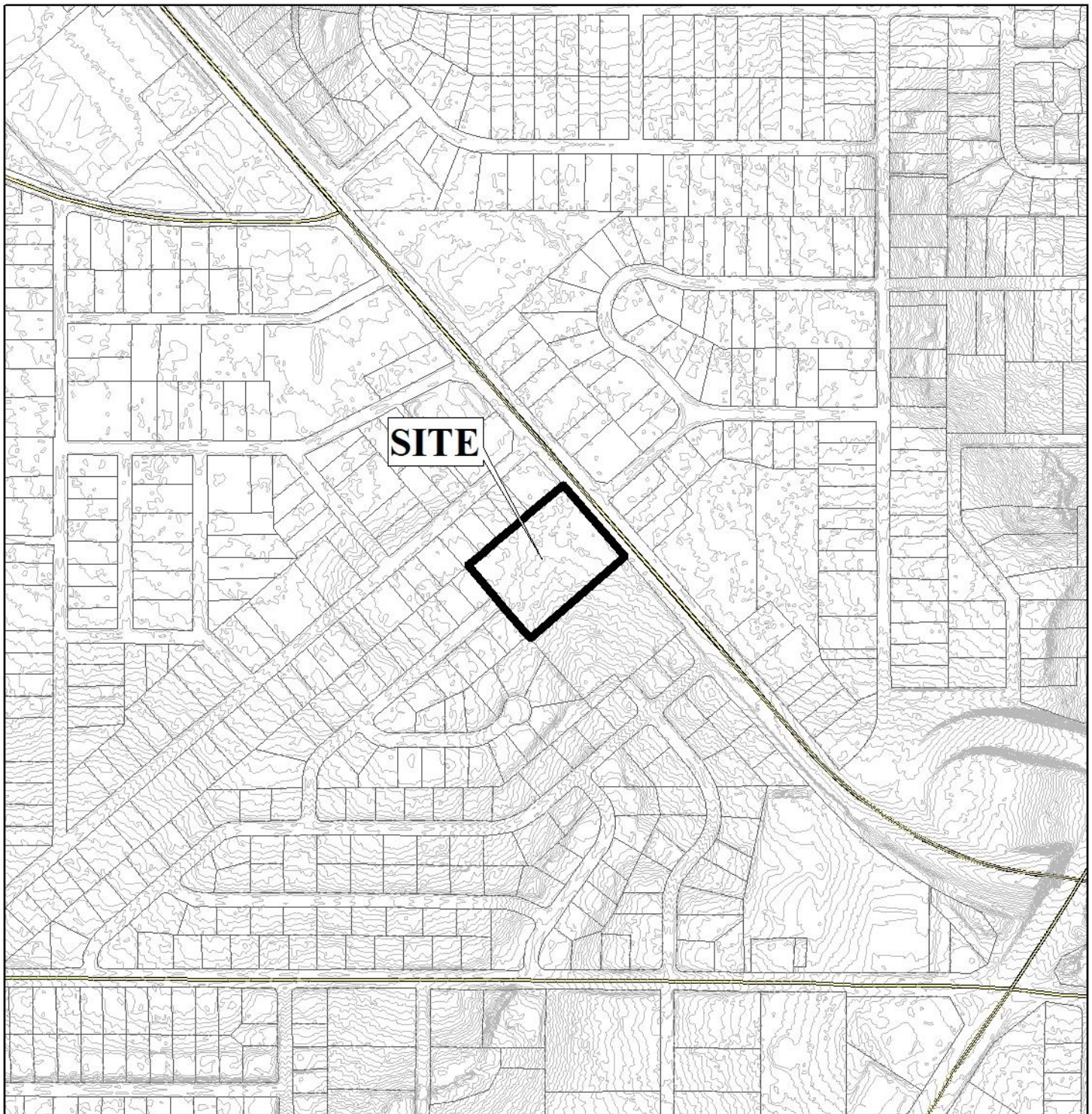
REQUEST Subdivision, PUD, Rezoning from R-1 to B-1

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 7 DATE February 18, 2021

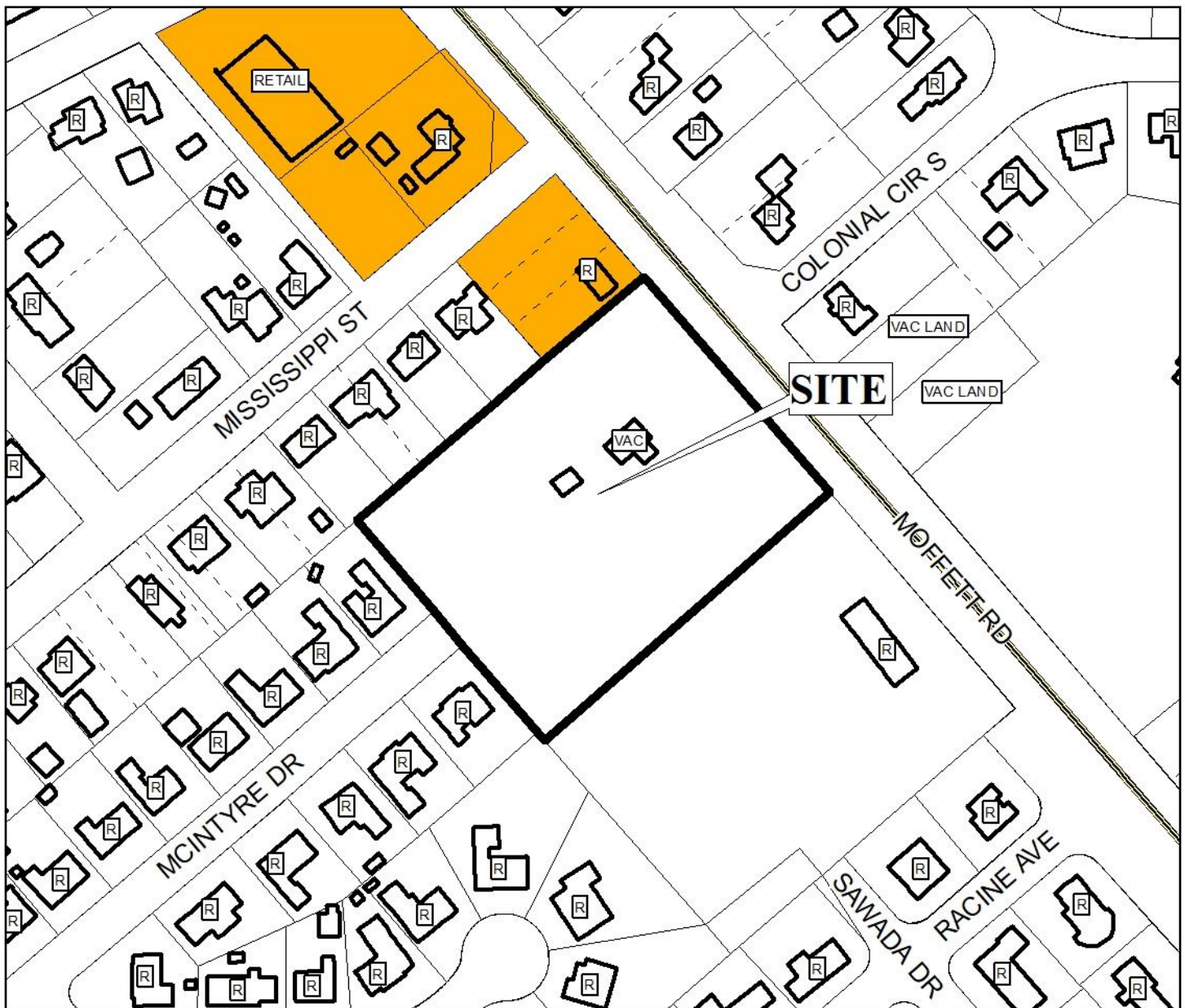
APPLICANT The Hive Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-1





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units, commercial units and vacant land.

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APPLICANT The Hive Subdivision

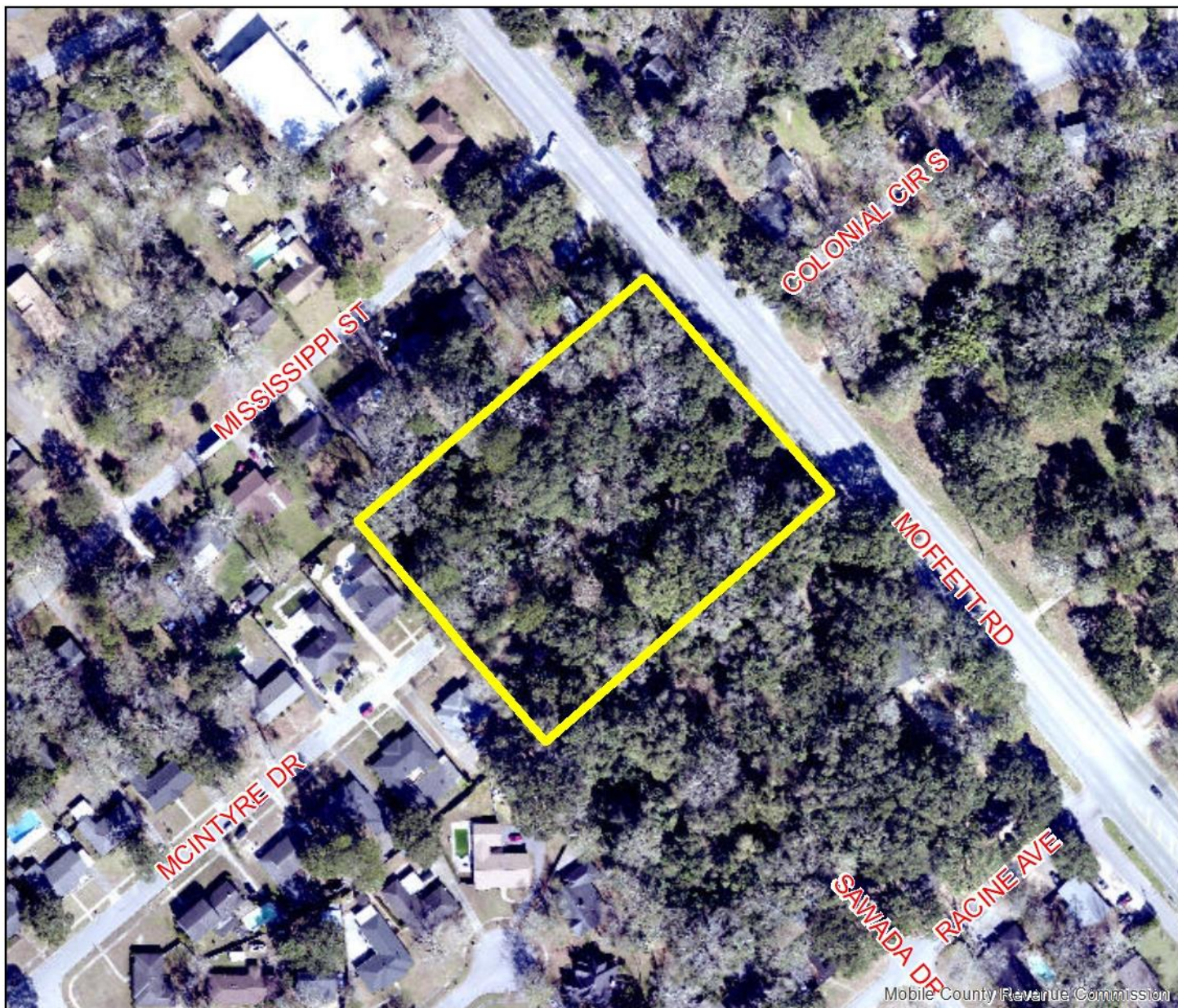
REQUEST Subdivision, PUD, Rezoning from R-1 to B-1

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





# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units, commercial units and vacant land.

APPLICATION NUMBER 7 DATE February 18, 2021

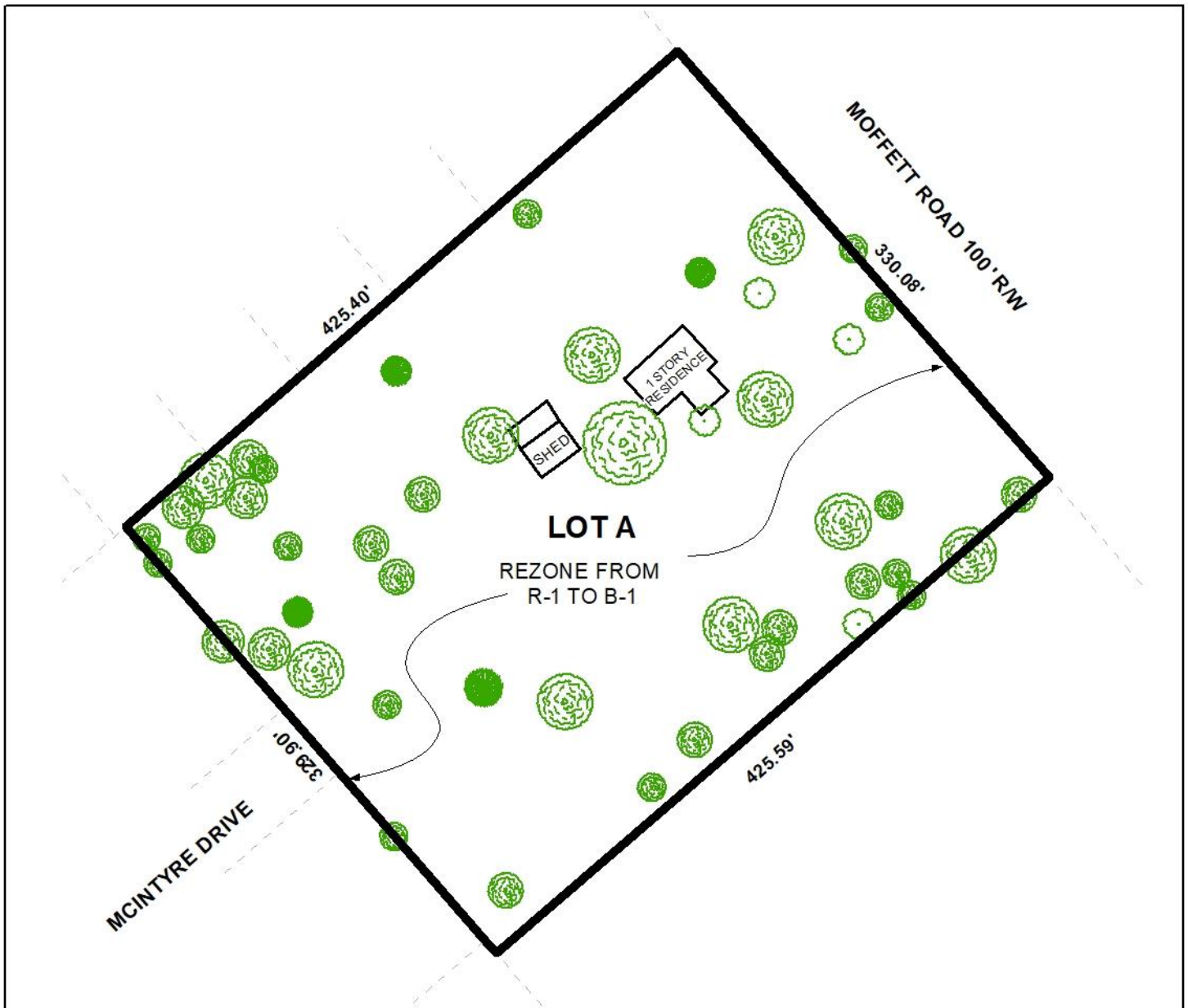
APPLICANT The Hive Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-1





# SITE PLAN



The site plan illustrates existing buildings, and existing and proposed zoning.

APPLICATION NUMBER 7 DATE February 18, 2021

APPLICANT The Hive Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-1



# SITE PLAN



The site plan illustrates proposed buildings, parking and retention ponds.

APPLICATION NUMBER 7 DATE February 18, 2021

APPLICANT The Hive Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-1



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