

PLANNED UNIT DEVELOPMENT**Date: May 4, 2017****DEVELOPMENT NAME**

Sarah & Michael Stashak

LOCATION2165 & 2167 Old Shell Road
(South side of Old Shell Road, at the Southern terminus of
Frazier Court)**CITY COUNCIL
DISTRICT**

Council District 1

PRESENT ZONING

R-2, Two Family Residential District (rezoning pending)

AREA OF PROPERTY

1 Lots/1.0± Acre

CONTEMPLATED USEPlanned Unit Development to amend a previously approved
Planned Unit Development to allow multiple buildings with
shared access and parking on a single building site.**TIME SCHEDULE
FOR DEVELOPMENT**

None provided

**ENGINEERING
COMMENTS**The proposed western entrance curb cut will need to be
revised to allow existing access to LOT 14 to the west.**ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:**

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 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, paving, and all above ground structures, 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. 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.

5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Lot 1 is limited to two curb cuts to Old Shell Road with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. New required 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).

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 to amend a previously approved Planned Unit Development to allow multiple buildings with shared access and parking on a single building site.

The site was the subject of Subdivision, Planned Unit Development, and Rezoning applications at the March 23, 2017 Planning Commission meeting to create a single legal lot of record, rezone the property from R-1, Single-Family Residential District to R-2, Two Family Residential District, and allow said property to be developed with seven townhomes. There was a call for public hearing by the City Council on the rezoning at its April 18, 2017 meeting, with the public hearing to be on the City Council's May 16, 2017 agenda to be finalized. The applicant now wishes to revise the Planned Unit Development approval to allow the construction of five townhomes instead of seven. The applicant was also granted approval of a reduced setback along Old Shell Road, which they are no longer requesting due to the reduction of the number of proposed structures on the lot.

The applicant states:

Project Description:

We are seeking to design and build 5 residential townhomes at 2165 and 2167 Old Shell Road. We relocated to Mobile from Atlanta in the summer of 2016. In researching the real estate market for ourselves as well as for family members, we realized that there are few options in the Midtown Mobile area for higher-end, or updated townhomes.

We are seeking to rezone the subject properties from R-1 to R-2. We targeted these properties for our proposed project in part because they are adjacent to a commercial

property that is zoned B-2 and nearby to a subdivision that has already been rezoned to R-2 and developed.

Our target residents are empty nesters or families who desire a lower maintenance residence. Key attributes of our proposed project:

- Master bedroom on the main floor*
- More of an open-concept floor plan*
- Attached 2-car garages that are not visible from the road*
- 2 bedrooms and 2 bathrooms upstairs with additional flex space*
- 10' ceilings downstairs, 9' ceilings upstairs*
- Gracious porches*
- Ample green space*

We are soon-to-be residents of Midtown ourselves, and we appreciate the charm, history and character of the neighborhood. Our project seeks to preserve these attributes and bring a new housing option to Midtown. We are using a well-regarded architect out of Atlanta, GA (Greg Busch – www.gregbusch.com). We specifically chose Greg due to his respect for adhering to the character of a neighborhood. We are aware of the aesthetic requirements including preserving green space and the tree canopy, as well as designing a building and using building materials that are appropriate for the neighborhood. In addition, we are working closely with a talented team of partners in Mobile on a variety of issues including construction, financing, engineering, landscaping, marketing/sales and legal.

As you may recall, the project was approved (subdivision, PUD and recommended for rezoning approval) at the 3/23/17 Planning Commission meeting. Subsequent to that meeting, a neighbor to the project appealed the PUD. After further discussions with appellant and other neighbors, we reduced the density of the project from 7 townhomes to 5. In addition, this revised plan is in compliance with all setback requirements (we are no longer requesting a reduced front yard setback).

In making these changes, not only are we demonstrating to neighbors that we are flexible in our approach, but we also have increased greenspace and increased the parking ratio (previously our plan had 14 parking spaces for 7 units; we now propose 15 parking spaces for 5 units). In addition, our initial application requested a rezoning to R-3, and based on feedback from the Planning Commission and their recommendation in the affirmative, we are now seeking R-2 zoning for the project.

We believe that we have adequately addressed the vast majority of concerns raised by neighbors about our project and look forward to another opportunity to engage with the Planning Commission.

Plan Consistency Analysis:

We strongly believe that our proposed project at 2165-2167 Old Shell fits seamlessly with the foundational values laid out in the Map for Mobile.

Specifically:

- 1. Strong neighborhoods with:** › *Unique identity and sense of place* › *A mix of housing types that provide for residents' diverse needs* › *Community amenities within walkable distances*

We are aiming to add to the already vibrant Midtown area. Our proposed project is across the street from historic Ashland Place and will be designed to keep with the aesthetic of the neighborhood. Importantly, there are very few multi-family housing options in Midtown of this kind. Our target market is empty nesters looking to downsize from a larger residence where more maintenance may be required. However, we may ultimately appeal to a wide variety of homeowners seeking elegant, new construction, in the Midtown area that requires minimal maintenance. Further, with Publix under construction we envision residents walking and/or biking to the shopping center, nearby restaurants and shops. Our project is already walking distance to restaurants and other commercial businesses at the nearby intersection of Old Shell Rd. and Upham St.

- 2. Functional roadway corridors with:** › *An attractive and welcoming public realm* › *Safe accommodations for people and vehicles* › *A variety of thriving businesses that support a robust economy*

Our project should not have a meaningful impact on roadway corridors.

- 3. Strategic infill and redevelopment with:** › *A mix of uses that serve the needs of the community* › *A focus on vacant properties and blighted areas* › *Concentrated activity that creates vibrancy*

Our project fits squarely with this objective. We are seeking to combine a currently empty lot that abuts a commercial building (AT&T office building) with a neighboring property whereby the neighbor is seeking to downsize her current residence. In combining the two lots, we will have a nearly one acre property that will be the perfect setting for our tasteful townhomes. The two story townhomes will have 3BR and 3.5 BA will average just under 3,000 square feet. It is a top priority for us to preserve a large greenspace in the center courtyard.

- 4. A connected community with:** › *Ease of mobility for pedestrians, automobiles, and bicyclists* › *Safe and appealing transportation options* › *Access to businesses, parks and open spaces, cultural amenities, and other destinations*

Located on Old Shell Rd., residents would have nearby public transportation options with businesses nearby. We believe that many Mobilians are feeling the pull toward downtown and the significant redevelopment that is occurring. This Midtown location will give residents the combined benefits of neighborhood living and convenient access to downtown. As mentioned above, we also envision residents walking and biking to the nearby Publix development that is under construction. In addition, if we draw the market that we expect (empty nesters), they will also have easy access to the nearby USA and Mobile Infirmary healthcare systems.

- 5. High quality design of the built environment with:** › *An attractive and distinctive streetscape and public realm* › *Maintenance of existing private property to minimize degradation and blight* › *New private property development that is distinguishing yet in keeping with City and neighborhood character*

We are homeowners ourselves in nearby Ashland Place, and we have an affinity for older homes. However, many people enjoy the character of an older home, but not the upkeep required. Our townhomes are fully designed to fit with the existing character of the neighborhood, and we will use modern, lower-maintenance materials (brick/stucco/etc.) that are historically appropriate for our finishes to ensure that the project fits seamlessly with the neighborhood. We specifically selected our architect (Greg Busch www.gregbusch.com) due to his affinity for historical and neighborhood appropriateness.

- 6. A strong downtown with:** › *A greater intensity of uses and activities* › *Pedestrian-friendly streets and interesting restaurants and entertainment options* › *Accommodations for tourists as well as those who live and work in Mobile*

While our project is not in the downtown area, one of the reasons we specifically chose the site was for its proximity to downtown Mobile. We are strong proponents of the vision for development downtown and believe that more and more residents will choose to live/work in the vibrant Midtown/Downtown areas.

- 7. Greater opportunities to enjoy natural and recreational assets with:** › *Quality parks and open spaces* › *Appropriate and inviting development at key waterfront and riverfront locations* › *Proximity and connections to residential and commercial areas*

Our project should get residents of Mobile in closer proximity to some of the parks and waterfront locations that Mobile has to offer.

Zoning Application Statement:

The zoning ordinance states that an amendment is to be made only when one or more of 4 specific conditions prevail. Condition No. 2: "changes in conditions in a particular area make a change in the ordinance necessary and desirable" prevails relative to the subject property for which this Zoning Change request is being made.

We are seeking to rezone 4 single family residential lots from R-1 to R-2 and then construct 5 high-end residential townhomes. Three of the 4 existing lots have been vacant for at least 20 years and the 4th lot is occupied by an aging dwelling. The property located immediately to the east is zoned B-2 and is occupied by a utility company building and 0.5 acre concrete parking lot. The property located immediately to the west is zoned R-1. The next property to the west is zoned R-2 and is occupied by the nicely developed Ashland Park neighborhood.

The subject properties were targeted for this proposed project in part because they are adjacent to a commercial property that is zoned B-2 and nearby to a subdivision that has already been rezoned to R-2 and developed. Given the presence of B-2 zoning to the east and R-2 zoning to the west, it is evident that this particular area along Old Shell Road has experience a change in conditions and character since the time it was originally developed for single family residential use. The fact that 3 of the 4 lots have been vacant for at least 20 years is a strong indication that single family lot re-development is not likely to occur in this particular area.

The existing R-1 zoned property to the south of the subject property and to the north across Old Shell Road is full developed and stable. We do not anticipate that rezoning the subject property to R-3 will have an adverse effect on surrounding land uses or properties. The proposed R-2 zoned multi-family townhome development will provide the perfect transition zoning and usage between the existing B-2 zoned property and the existing R-2 zoned property.

Planned Unit Development:

The townhome condominiums will be sold to individual owners. A Condominium Owners Association will be established and will be responsible for property management and maintenance.

As mentioned previously, the applicant is reducing the number of proposed structures from seven to five, and is no longer requesting a reduced setback along Old Shell Road.

The site plan submitted depicts side and rear yard setbacks of 10'. The site plan provided also illustrates the required 6' high privacy fence (reduced to 3' within the front 25') adjacent to residential properties. It should be noted that while the site plan depicts compliance with residential buffer requirements in the provision of a 10' buffer and privacy fence along the Eastern property line, the adjacent property is zoned B-2, Neighborhood Business District, and therefore would not be required by the Zoning Ordinance.

According to the Map for Mobile, the site is located within a Traditional Corridor. The intent for Traditional Corridors is:

- Emphasize retaining historic buildings and creating appropriate, denser infill development
- Encourage mixed housing types including small multi-family structures along the corridor
- Retail and neighborhood services at intersections
- Combine and close driveways to create a continuous pedestrian friendly environment
- Auto, bicycle, transit and pedestrian traffic are accommodated
- More dense mixed-use development to include neighborhood services and residential above retail

The proposed development does meet the intents of the Map for Mobile in this area as the proposed development will create mixed housing types with multi-family housing along the corridor.

The site plan submitted indicates that 15 parking spaces will be provided (8 are required); with 10 parking spaces being provided in garages.

A note on the site plan states that the site will use private garbage pick-up rather than utilize a dumpster. If approved, this note should be retained on the site plan.

The site plan provided does illustrate full compliance with tree planting and landscape requirements, with several trees to be preserved on site.

It should be noted that the site plan depicts 42" high "ornamental fencing" to be provided along Old Shell Road. Placement should be coordinated through Traffic Engineering to insure there are no line of sight issues which will impact traffic.

It should be noted that the proposed curb radius for the Western driveway is illustrated, and it appears that associated curbing in the right-of-way may impact access to the existing driveway at 2169 Old Shell Road. Due to this potentially undesirable situation, the proposed curb cut may need to be redesigned or to be coordinated with Traffic Engineering and Right-of-Way.

RECOMMENDATION

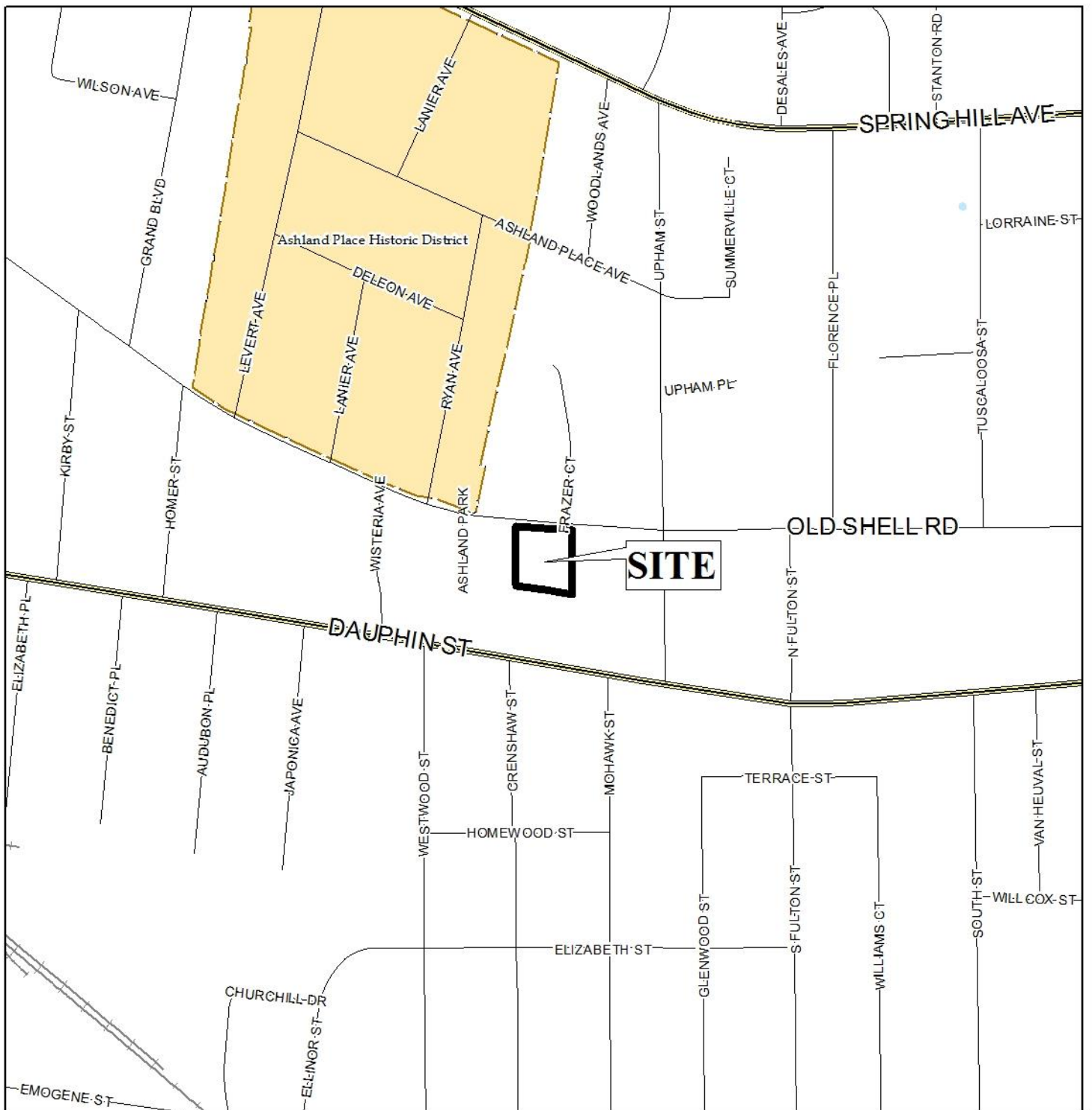
The request is recommended for Approval, subject to the following conditions:

- 1) coordination with Traffic Engineering and Right-of-Way regarding the design of the Western curb cut;
- 2) retention of the 10' setback where the site abuts R-1, Single-Family Residential District;
- 3) retention of the 6' high wooden privacy fence, and coordination with Traffic Engineering for any proposed fencing within the 25' setback to ensure adequate visibility at both on and offsite driveways;
- 4) retention of the note stating that private garbage pick up will be utilized;
- 5) retention of full compliance with landscape area and tree planting requirements;
- 6) compliance with Engineering Department comments (*The proposed western entrance curb cut will need to be revised to allow existing access to LOT 14 to the west. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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 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, paving, and all above ground structures, 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. 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 7) *compliance with Traffic Engineering comments (Lot 1 is limited to two curb cuts to Old Shell Road with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. New required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance);*
- 8) *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);*
- 9) *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); and*
- 10) *submittal of two revised site plans to the Planning & Zoning Department prior to the signing of the Final Plat.*

LOCATOR MAP



APPLICATION NUMBER 9 DATE May 4, 2017

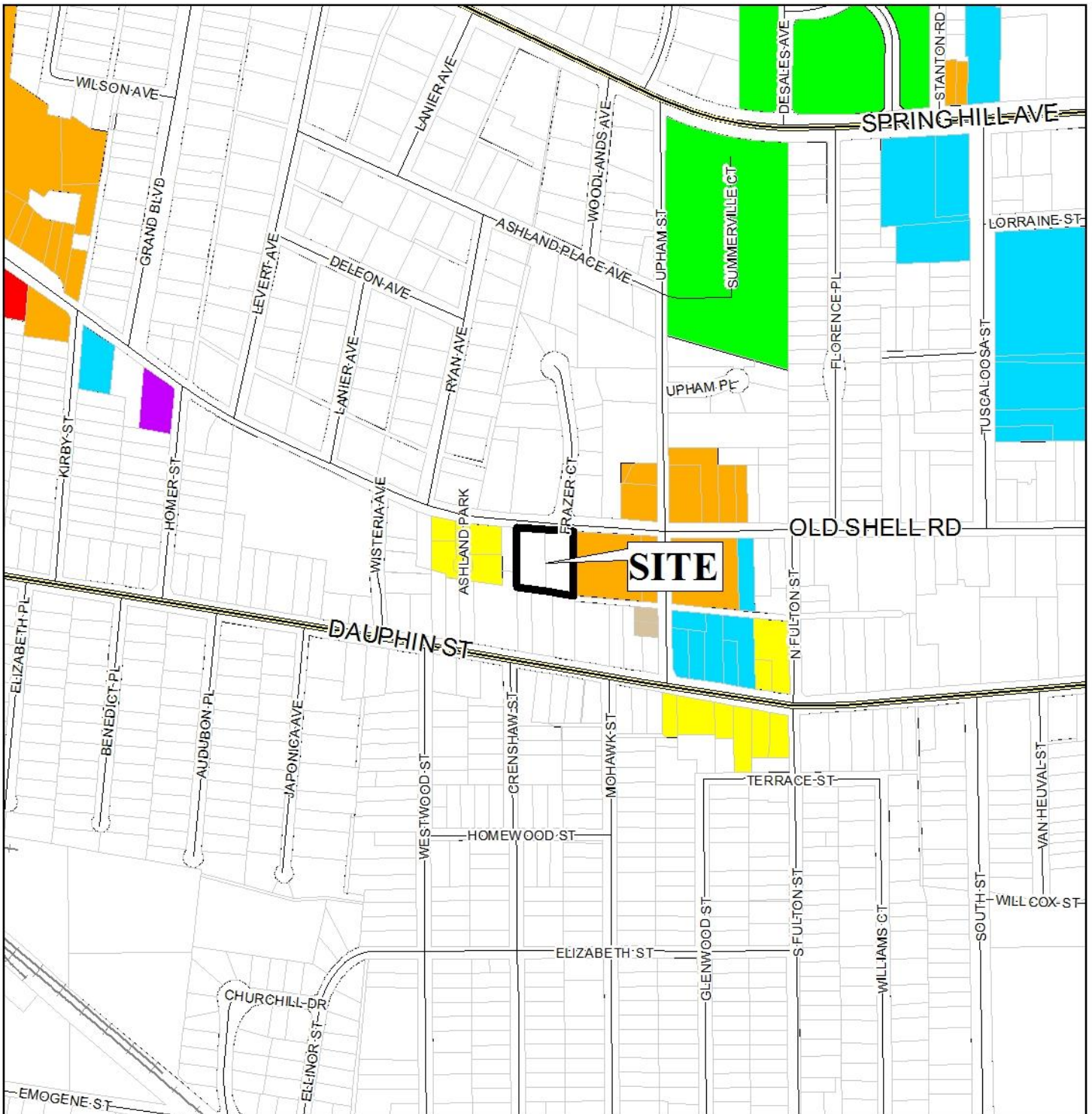
APPLICANT Sarah & Michael Stashak

REQUEST Planned Unit Development



NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE May 4, 2017

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REQUEST Planned Unit Development



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Commercial units lie to the east.

APPLICATION NUMBER 9 DATE May 4, 2017

APPLICANT Sarah & Michael Stashak

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. Commercial units lie to the east.

APPLICATION NUMBER 9 DATE May 4, 2017

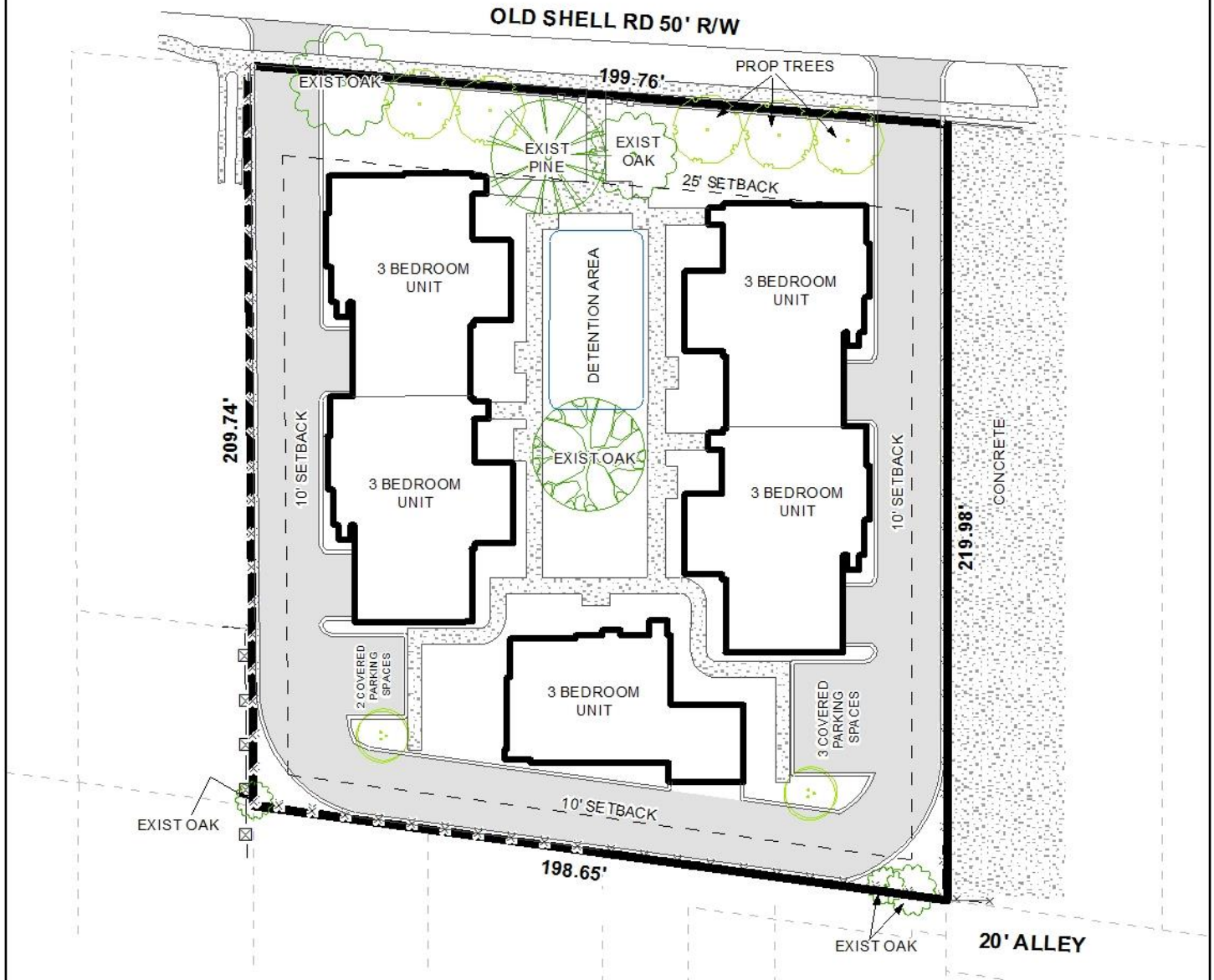
APPLICANT Sarah & Michael Stashak

REQUEST Planned Unit Development



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SITE PLAN



The site plan illustrates the proposed buildings, proposed trees, exist trees, and setbacks.

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