

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

Date: December 17, 2020

<u>NAME</u>	Hollyhand Development, LLC
<u>SUBDIVISION NAME</u>	Maryvale Place Subdivision
<u>LOCATION</u>	1901 Hurltel Street (South side of Hurltel Street, 210'+ West of Prairie Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 3
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>PROPOSED ZONING</u>	R-3, Multi-Family Residential District
<u>REASON FOR REZONING</u>	Conditions have changed in the surrounding community and there is a critical need for new housing in the District.
<u>AREA OF PROPERTY</u>	16.8 ± Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create three (3) lots, Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access between building sites, and Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.</p> <p>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.</p>
<u>TIME SCHEDULE</u>	<p>The contemplated use of the property is for multifamily housing in one or more phases. The first phase, expected to begin construction in the fall of 2021, will consist of 92 housing units. Completion would be in early 2023. Depending upon available financing, a second phase of approximately 56 units is planned to commence in the summer of 2022.</p>

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 the Subdivision Name on the Plat.
- C. Provide a vicinity map.
- D. Provide match lines on the three (3) sheets.
- E. Show and label the “Wetland Parcel” shown on the PUD Conceptual Site Plan drawing if it is going to be a separate parcel (i.e. Common Area, etc.)
- F. Review and revise the written legal description and/or the bearing and distance labels that do not match.
- G. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- H. The PUD Conceptual Site Plan indicates that there are wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.
- I. Update NOTE #1 to show the correct flood map information. New maps went into effect on June 5, 2020.
- J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- K. Provide the Owner’s (notarized) signatures.
- L. The Applicant shall review the 1984 aerial photo (FLIGHT 27 - #77) and coordinate with the Engineering-Permitting Dept. to determine the exact amount of historical credit that the LOT will receive. Engineering-Permitting Staff will provide a note that will need to be added to the SUBDIVISION PLAT before the submittal of the Final Plat from review and signatures.
- M. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.
- N. Add a note that 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.
- O. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- P. Add a note that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.

- Q. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- R. 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 prior to obtaining any signatures. No signatures are required on the drawing.
- S. 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.

Planned Unit Development

ADD THE FOLLOWING NOTES TO THE (PUD) CONCEPTUAL 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 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.

Zoning

No comments.

TRAFFIC ENGINEERING**COMMENTS**

A traffic impact study is required for this site based on the overall density of the development. Offsite improvements may be necessary to mitigate the volume of traffic anticipated by this development. A traffic impact study must be submitted and approved prior to the Traffic Engineering Department approving building permits for this proposed development. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by Traffic Engineering and conform to AASHTO standards. 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). 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 buildings and 600' of sprinkled buildings.

REMARKS

The applicant is requesting Subdivision approval to create three (3) lots, Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access between building sites, and Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District. Multi-Family Residential developments are allowed by right in R-3, Multi-Family Residential Districts.

The site has been given a Institutional land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation includes land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, to serve the public or provide a civic use or amenity. These include major libraries, airports, public schools and public safety facilities, but exclude parks and public open space which are identified under a separate land use classification (see below). Semi-public uses such as grammar and high schools, colleges and universities, hospitals, and other major institutions that serve the public and/or operate in a public function are included. Parks and public open space are not included but have their own land use classification.

Note: Small-scale properties (less than 2 acres) accommodating subsidiary public and semi-public facilities, such as branch libraries, substations, satellite clinics, etc., may not be specifically called out in the FLUM under this land use designation, but may instead be considered part of the array of integrated complementary uses typically found in a residential neighborhood or a mixed-use center or corridor. The specific location and design of these complementary uses is subject to zoning.

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.

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.

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 if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities. PUD approvals expire within one (1) year if no permits for the development are obtained.

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.

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 provided the following narrative:

This proposed zoning change is part of the Mayor's goal to create or preserve 1,000+ affordable and workforce housing units by 2026 through a use of HUD and State funds in coordination with private partnerships. With a general shortage of affordable housing options in the City and with the anticipated demolition of public housing along the Michigan Avenue corridor, this property could allow for high quality units in an area that has seen little to no housing development for some time while replacing the existing obsolete building. The contemplated use of the property is for affordable multifamily workforce housing in one or more phases after the demolition of the Mae Eanes school. The first phase, Maryvale Place, would be located on a portion of the site closest to Hurtel Street, but with a large enough buffer so as to not be intrusive. It would consist of 92 high quality family units on approximately 8 acres (approximately 12 units per acre). Amenities would include a full-time manager, office, clubhouse, playground and picnic pavilion. The project is expected to begin construction in the fall of 2021 with completion in early 2023. Depending upon available financing, a second phase, Maryvale Village would be constructed on a rear portion of the site. The second phase, reserved for seniors, would consist of approximately 56 cottage style and multifamily units and would commence in the summer of 2022.

The applicant proposes a two-phase redevelopment of the existing Mae Eanes Middle School site. As noted in the provided narrative and site plan, phase one would consist of four (4) three-story apartment buildings located on the front portion of the site, nearer Hurtel Street, while phase two would consist of six (6) one-story apartment buildings and one (1) two-story apartment building. Each phase will have its own community building.

The site is bounded to the East by single-family and multi-family homes in R-1 and R-3 districts, to the North by a city operated facility (a former armory) in an R-1 district, and to the West and South by single-family homes in an R-1 district. It appears that the site and most of the abutting property was developed by 1960, prior to the adoption of the current zoning ordinance.

The development will require a rezoning of the property to accommodate the proposed use. The applicant notes that “conditions have changed in the surrounding community and there is a critical need for new housing in the District.” The area was initially developed around the same time as Brookley Field grew into a significant military airport. After Brookley's closure for military use, growth in the area subsided. With the opening of the Airbus-related facilities, the need for housing in the area has increased.

Phase one, designed to accommodate families, will have up to 96 units (per the site plan) on 7.6 ± acres, allocated as follows:

One bedroom:	24 units
Two bedroom:	42 units
Three bedroom:	30 units

The Zoning Ordinance requires a minimum of 144 parking spaces for 96 dwelling units, however, the applicant proposes to provide 192 parking spaces.

Phase two, designed to accommodate the elderly, will have up to 56 units on 7.6 ± acres, allocated as follows:

One bedroom:	24 units
Two bedroom:	32 units

The Zoning Ordinance requires a minimum of 84 parking spaces for 56 dwelling units, however, the applicant proposes to provide 93 parking spaces.

With each proposed phase, a segment of apartments will be designed specifically for persons with sensory and/or physical challenges. These units may include wheelchair accessible bathrooms, enhanced auditory or visual emergency alarms, and other similar improvements.

Both phases will be accessed by a single driveway entrance from Hurtel Street. No access to or from any of the abutting properties is proposed.

The three-story buildings proposed as part of phase one will be setback from the side property lines at least 85 feet, and over 140 feet from Hurtel Street. The phase one development will be additionally buffered on the east side by a common open space, between 22 and 57 feet in width, that is set aside for wetlands protection. Buildings in R-3 districts may be up to 45 feet in height (versus 35 feet in R-1, Single Family districts), thus the additional setback proposed as part of the development should mitigate any increased height.

For phase two, all buildings will be at least 40 feet from the property lines. Additionally, phase two will be additionally buffered on three sides by a common open space, between 8 and 30 feet in width, that is set aside for wetlands protection.

Common open space is required for each phase due to the fact that the applicant proposes a residential Planned Unit Development. Section 64-5.C.2.c. requires 700 square feet of open space for each dwelling unit. Phase one, with 96 units, will require at least 1.54 acres of open space, while phase two, with 56 dwelling units, will require at least 0.9 acres of open space, for a combined total of 2.4 acres. The applicant proposes 6.74 acres of open space overall. As common areas are proposed, a note should be placed on the Final Plat and site plan, if approved, stating that maintenance of the detention basin and any other common areas, are the responsibility of the subdivision's property owners.

Numerous trees are depicted as remaining on the site on the provided site plan. However, compliance with the tree and landscaping requirements of the Zoning Ordinance will be necessary. The applicant should coordinate with staff regarding compliance.

Two dumpster locations are depicted for phase one, and two additional locations for phase two. In all cases, the dumpsters are proposed to be more than 60-feet from abutting property lines. All dumpsters must comply with the enclosure and other requirements of Section 64-4.D.9. of the Zoning Ordinance.

As each phase will have more than 25 parking spaces, lighting of the parking areas must comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance.

Hurtel Street is a minor street with a 50-foot wide right-of-way, thus no dedication is required. As noted in the Traffic Engineering comments, however, a traffic impact study will be required prior to their approval of any building permits for new construction.

The applicant proposes to retain a sidewalk along Hurtel Street and will additionally construct a new sidewalk into the development. The new sidewalk will link phases one and two to the sidewalk along Hurtel Street.

The 25-foot minimum building setback line is depicted on the site plan, but is not labelled. The plat and the site plan should both include a depiction and labelling of the 25-foot minimum building setback line.

There is no indication on the site plan if a privacy fence will be provided around the perimeter of the development where it abuts single-family residences. If a fence will be provided, the site plan should be revised to depict and label the fence.

While the development is proposed to be in two phases, the applicant proposes a total of three lots. Lots one and two will accommodate the proposed development, while lot three will encompass the area set aside for wetland protection and buffers. It is recommended that lot three be labelled as “common open space.” Each lot or common area should be labelled with its size in square feet and acres. All proposed lots will have frontage onto Hurtel Street. The lot for phase two will be a flag lot, with a 50-foot wide “pole” connecting it to the street. The common area will have 37 feet of frontage on Hurtel Street. A waiver of Section V.D.1. of the Subdivision Regulations will be required to accommodate the proposed lot design.

Finally, the subdivision process should be completed prior to any request for a certificate of occupancy for any building.

RECOMMENDATION

Subdivision: With a waiver of Section V.D.1. of the Subdivision Regulations, the request is recommended for Tentative Approval, subject to the following conditions:

- 1) Revision of the plat to depict and label a 25-foot minimum building setback line from Hurtel Street for each lot where the lot is at least 60-feet in width;
- 2) Revision of the plat to label the size of each lot in square feet as well as acres;
- 3) Retention of width of the Hurtel Street right-of-way;
- 4) 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 the Subdivision Name on the Plat. C. Provide a vicinity map. D. Provide match lines on the three (3) sheets. E. Show and label the "Wetland Parcel" shown on the PUD Conceptual Site Plan drawing if it is going to be a separate parcel (i.e. Common Area, etc.) F. Review and revise the written legal description and/or the bearing and distance labels that do not match. G. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. H. The PUD Conceptual Site Plan indicates that there are wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. I. Update NOTE #1 to show the correct flood map information. New maps went into effect on June 5, 2020. J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. K. Provide the Owner's (notarized) signatures. L. The Applicant shall review the 1984 aerial photo (FLIGHT 27 - #77) and coordinate with the Engineering-Permitting Dept. to determine the exact amount of historical credit that the LOT will receive. Engineering-Permitting Staff will provide a note that will need to be added to the SUBDIVISION PLAT before the submittal of the Final Plat from review and signatures. M. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. N. Add a note that 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. O. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. P. Add a note that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. Q. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. R. 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 prior*

to obtaining any signatures. No signatures are required on the drawing. S. 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) *Compliance with Traffic Engineering comments and placement as a note on the plat (A traffic impact study is required for this site based on the overall density of the development. Offsite improvements may be necessary to mitigate the volume of traffic anticipated by this development. A traffic impact study must be submitted and approved prior to the Traffic Engineering Department approving building permits for this proposed development. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
- 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.);*
- 7) *Compliance with Fire 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 buildings and 600' of sprinkled buildings.);*
- 8) *Placement of a note on the Final Plat stating that maintenance of the detention basin and any other common areas are the responsibility of the subdivision's property owners; and*
- 9) *Completion of the subdivision process prior to any request for a certificate of occupancy for any building.*

Planned Unit Development: Staff recommends the following Findings of Fact for Approval:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it repurposes an existing developed site;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because will contain multiple buildings across multiple sites;
- c. the proposal promotes the objective of Efficient land use (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 redevelopment), because it will reuse an existing developed site;

- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because land will be set aside to protect existing wetlands;
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because a large portion of the site will remain greenspace;
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the site will utilize access to existing infrastructure.

The approval should be subject to the following conditions:

- 1) Revision of the site plan or narrative to reflect the maximum number of proposed dwelling units for phase one (not to exceed 96);
- 2) Revision of the site plan to depict and label any proposed buffer fencing;
- 3) Revision of the site plan to depict and label a 25-foot minimum building setback line from Hurtel Street for each lot where the lot is at least 60-feet in width;
- 4) Revision of the site to provide the size of each lot in square feet as well as acres;
- 5) Parking lot lighting to comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 6) Dumpster location and screening to comply with Section 64-4.D.9. of the Zoning Ordinance;
- 7) Application to coordinate with staff regarding compliance with the Section 64-4.E. of the Zoning Ordinance (tree and landscaping requirements);
- 8) Placement of a note on the site plan stating that maintenance of the detention basin and any other common areas are the responsibility of the subdivision's property owners;
- 9) Compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE (PUD) CONCEPTUAL 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 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.);

- 10) *Compliance with Traffic Engineering comments (A traffic impact study is required for this site based on the overall density of the development. Offsite improvements may be necessary to mitigate the volume of traffic anticipated by this development. A traffic impact study must be submitted and approved prior to the Traffic Engineering Department approving building permits for this proposed development. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
- 11) *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.);*
- 12) *Compliance with Fire 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 buildings and 600' of sprinkled buildings.);*
- 13) *Provision of a revised PUD site plan prior to any request for permits for vertical construction;*
- 14) *Completion of the subdivision process prior to any request for a certificate of occupancy for any building; and*
- 15) *Full compliance with all other municipal codes and ordinances.*

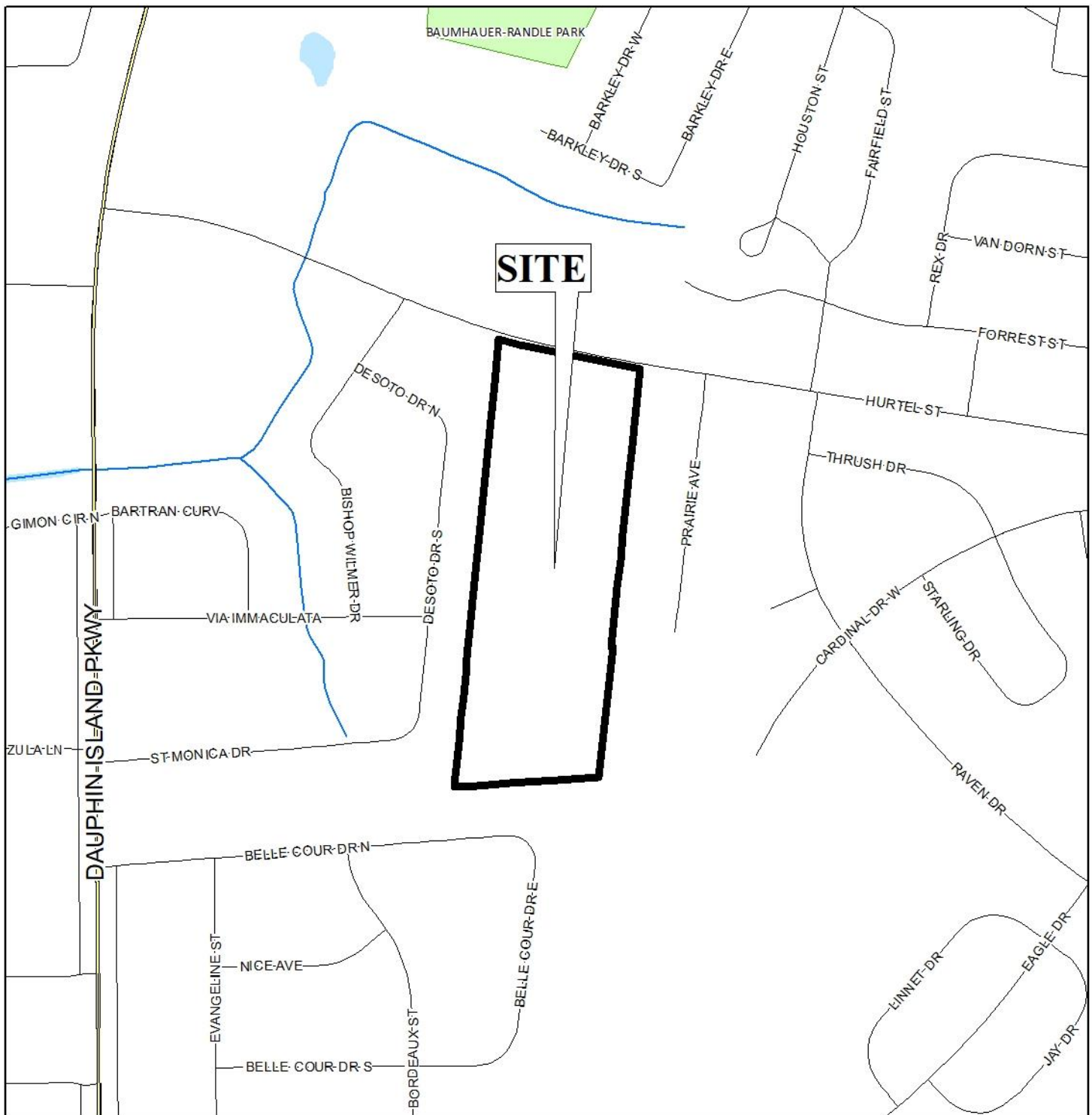
Rezoning: Based upon the preceding, staff finds that the following condition(s) prevail to support the rezoning request:

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

As such, staff recommends Approval of the rezoning request, subject to the following conditions:

- 1) Completion of the subdivision process; and
- 2) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 10 DATE December 17, 2020

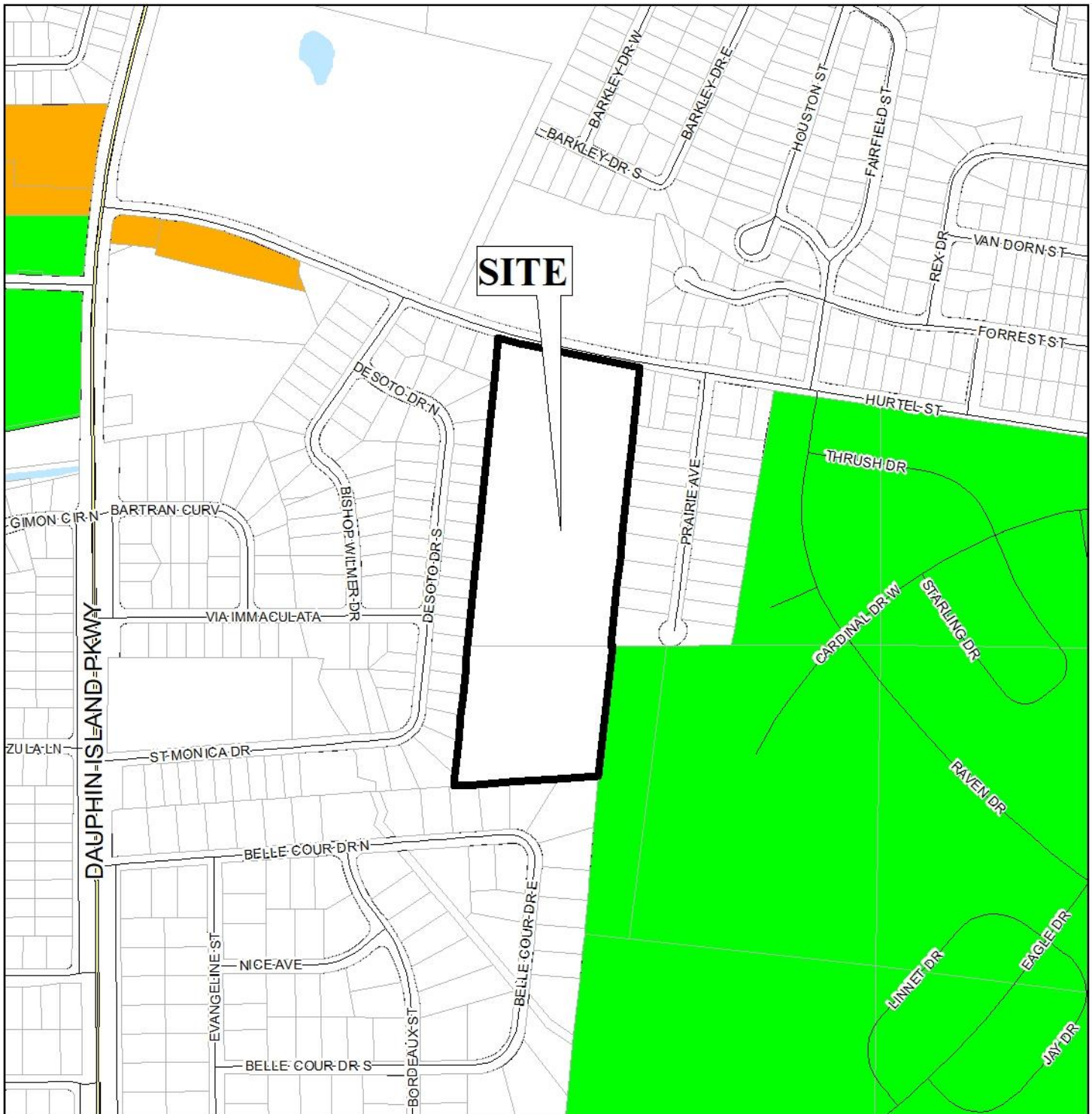
APPLICANT Maryvale Place Subdivision

REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-3



NTS

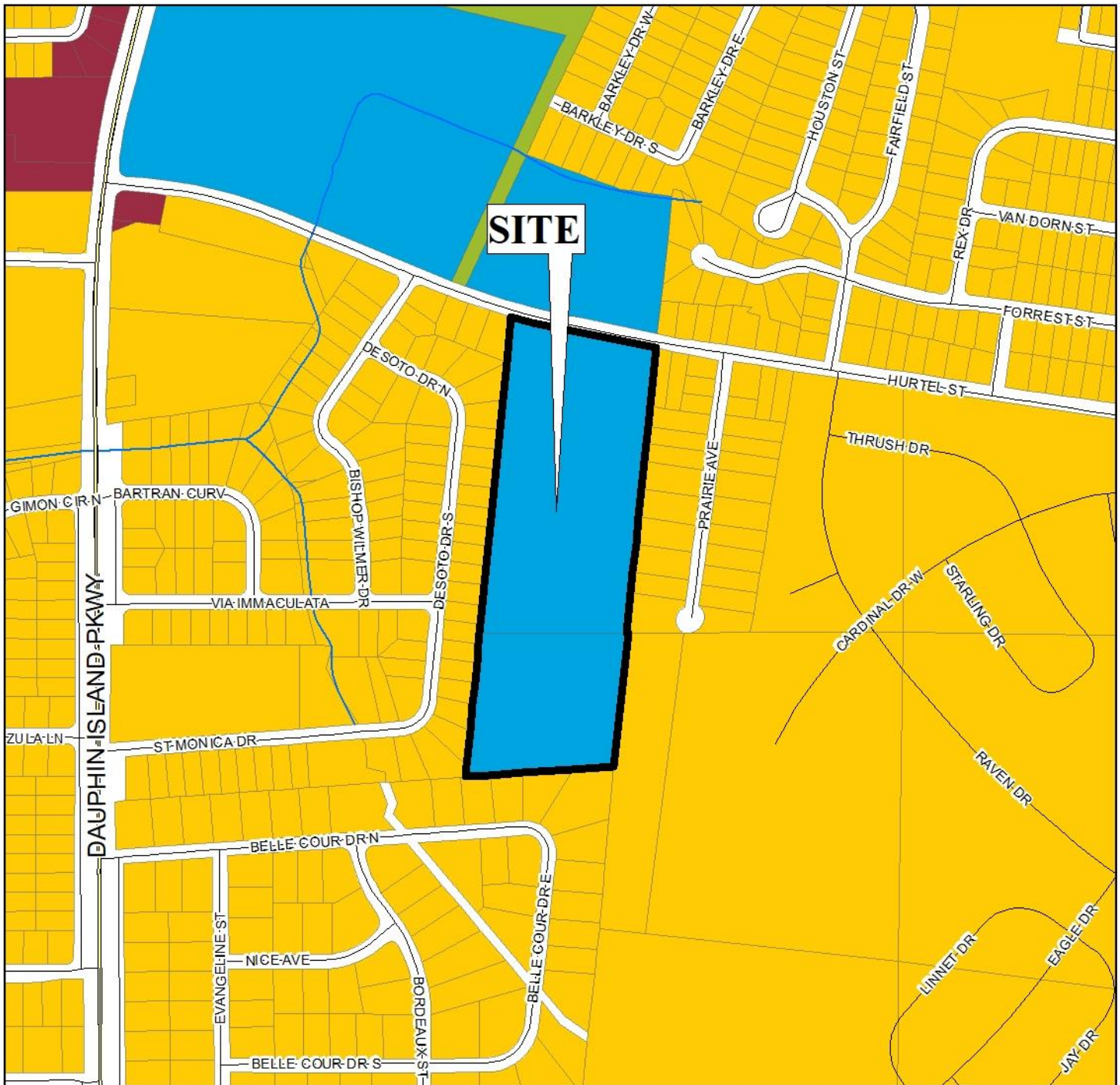
LOCATOR ZONING MAP



APPLICATION NUMBER 10 DATE December 17, 2020
APPLICANT Maryvale Place Subdivision
REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-3



FLUM LOCATOR MAP



APPLICATION NUMBER 10 DATE December 17, 2020

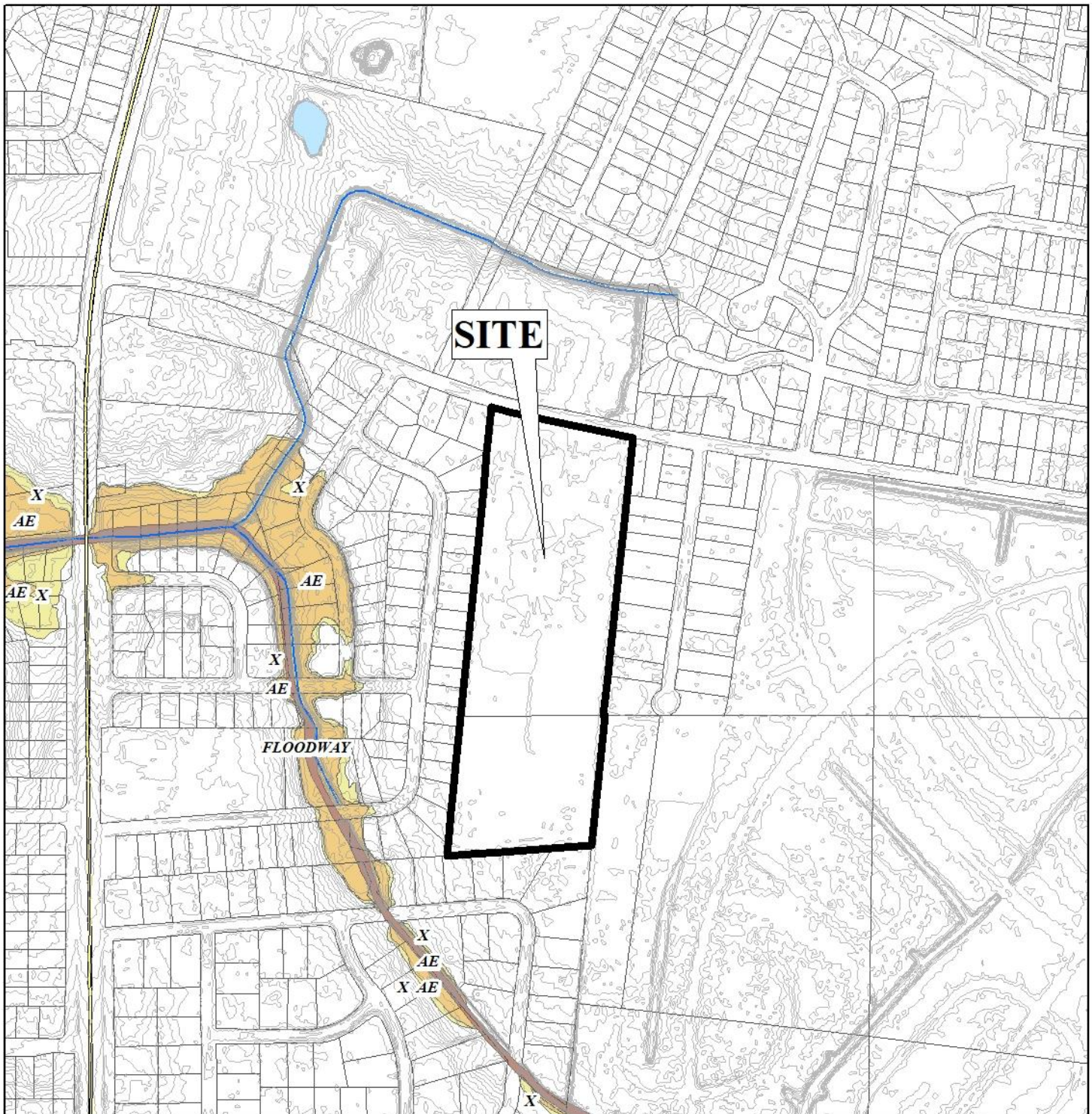
APPLICANT Maryvale Place Subdivision

REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-3

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



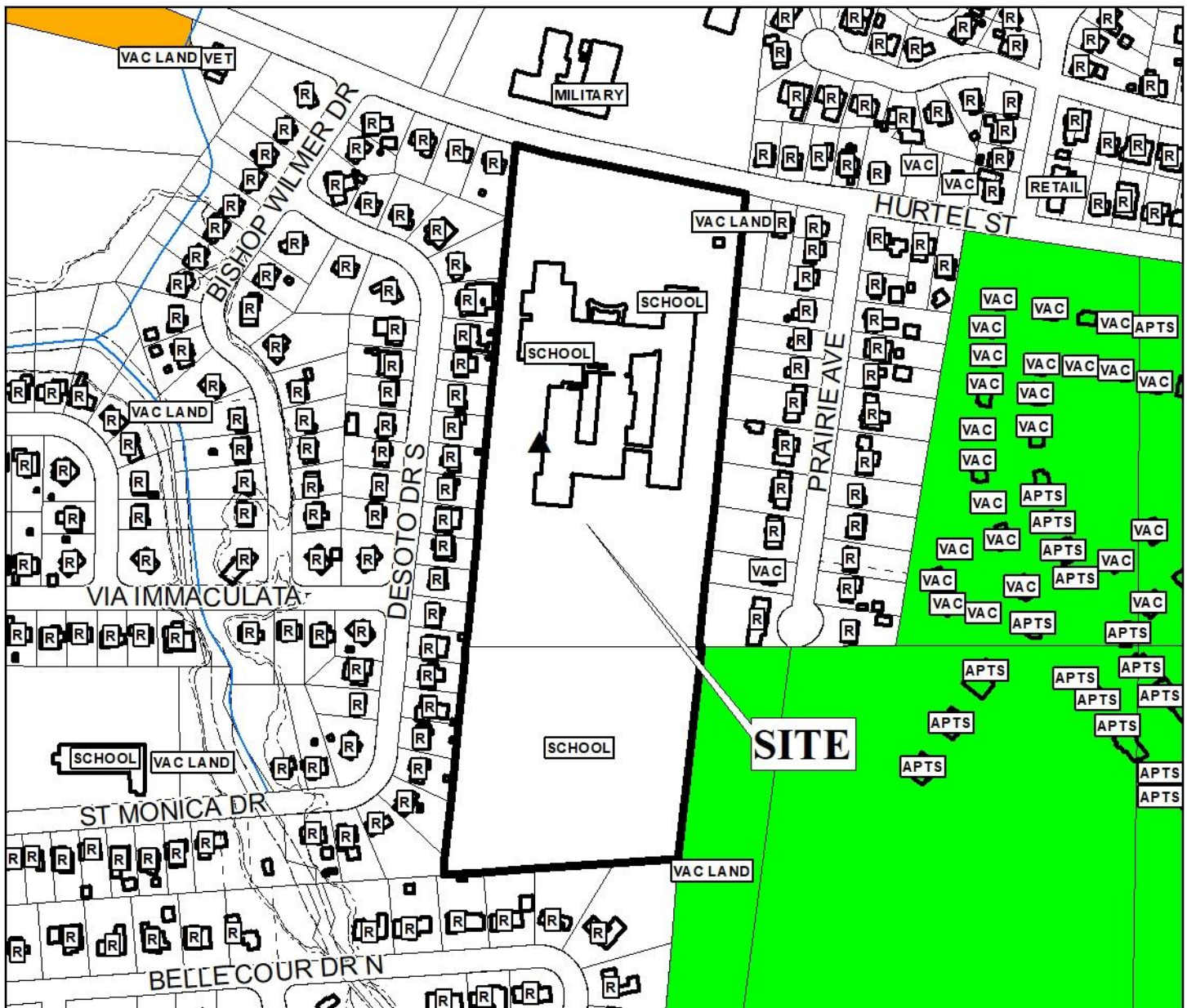
APPLICATION NUMBER 10 DATE December 17, 2020

APPLICANT Maryvale Place Subdivision

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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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, vacant land and governemnt sites.

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SITE PLAN



The site plan illustrates proposed parcels, buildings, common areas, and parking. As well as an access easement and setback.

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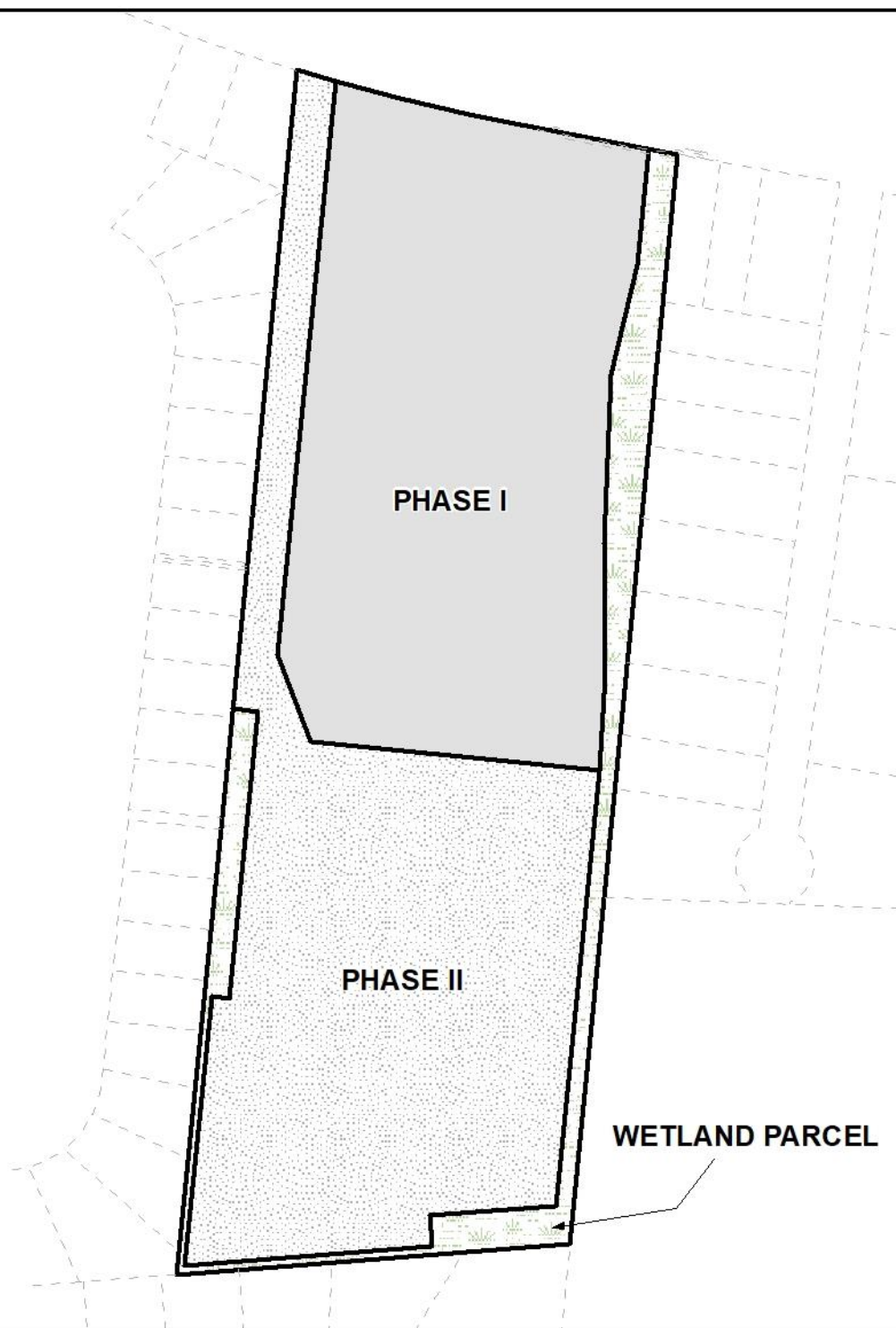
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NTS

DETAIL SITE PLAN



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