

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: May 2, 2013****DEVELOPMENT NAME**

Bonnie Wells

LOCATION1416 Azalea Road
(West side of Azalea Road, 315'± North of Halls Mill Road)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

B-1, Buffer Business District

AREA OF PROPERTY

1 Lot / 2.2 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow multiple buildings on a single building site.

**TIME SCHEDULE
FOR DEVELOPMENT**

Developed

**ENGINEERING
COMMENTS**

1. Any work, including grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping performed in the existing Azalea Road ROW will require a City of Mobile ROW Permit. The City ROW permit may be obtained 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. Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
3. Part of this parcel appears to be located within an AE and an X-shaded flood zone. The location of the flood zone and Minimum Finished Floor Elevation (MFFE) must be shown and labeled on the plat and PUD plan.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering, and conform to AASHTO standards. The driveway width is substandard for two-way traffic and should be widened to twenty-four feet with 20 foot radii. All of the

parallel parking spaces are substandard and need to be revised. The spaces between Buildings B and C should be eliminated as there is not an aisle to allow maneuvering. Three of the spaces in front of Building A do not have sufficient aisle width for 90 degree parking and should be eliminated.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Planned Unit Development approval to allow multiple buildings on a single building site.

The applicant is attempting to bring the site into compliance with Zoning Ordinance requirements as it relates to multiple dwelling units on a single site. The site came to the attention of the Urban Development Department in 2007. Subsequent complaints resulted in violations identified regarding Electrical, Plumbing, Zoning, Building and Fire Code compliance. An on-site court hearing was held in March 2009 regarding the numerous violations with the property. As of 2013, it appears that there remain many unresolved issues, including Zoning Ordinance compliance.

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.

The property was purchased by the current owner in September 1992, according to the deed. It appears that at some point the legal lot was divided into two parcels, with one parcel containing one residential structure, and the other parcel containing three buildings containing various residential dwelling units. It is believed that the parcel division may have occurred to allow a homestead exemption claim.

The overall site contains four habitable buildings and a shed on two parcels (which make up one legal lot). Information on the Mobile County Revenue Department website indicates that all structures on the site were built in the mid to late 1980s, prior to the acquisition of the site by the

current owner. The submitted site plan contains notes which list building “A” as having three dwelling units, building “B” having two dwelling units, building “C” having three dwelling units, and building “D” having one dwelling units. The applicant states that the nine (9) one bedroom, one bath rental units on the site have been present for over 20 years.

The applicant is proposing no Zoning Ordinance related changes to the site as part of the application: instead, they only seek to continue operation of the site “as is.” Multi-family dwelling uses are allowed “by right” in B-1 districts. This site appears to have been used commercially in the 1980s, and then after 1992 the Polk Directories indicate the appearance of apartments.

As a multi-family development, a total of 14 parking spaces should be provided on site. The site plan indicates a total of 15 parking spaces.

The site fronts onto Azalea Road, a minor street with an existing right-of-way of 100 feet. Access to the site from Azalea Road is by a common driveway to the apartment parcel (due to an existing drainage ditch which prevents a second driveway to the site).

The site appears to have been developed prior to the implementation of the tree and landscape requirements in 1987. The provide site plan does not include any landscape area calculations, but it does show that over half of the site is undeveloped and is wooded. The site plan additionally depicts 6 existing trees within the front 25-feet of the property, which would meet the minimum frontage tree requirement for a property with 130 feet of frontage. It would appear, however, that the site does not comply with the front landscape area requirement. Since over half of the property is wooded, staff would recommend that the flexibility possible under a PUD be enacted by the Planning Commission to allow compliance to be considered provided due to the overabundance of landscape area overall.

Staff consulted with the applicant on June 13, 2012 and stated that in addition to the PUD application, an application for a two lot subdivision should be provided if the applicant wished to maintain a homestead exemption. As no subdivision application has been received, staff assumes that the applicant is willing to combine the two parcels into one, to coincide with the boundaries of the legal lot. An application for a one-lot subdivision will be required to create a single tax parcel, to coincide with the legal lot.

Finally, it should be pointed out that a portion of the site appears to be within the flood plains associated with Montlimar Creek and Moore Creek.

RECOMMENDATION

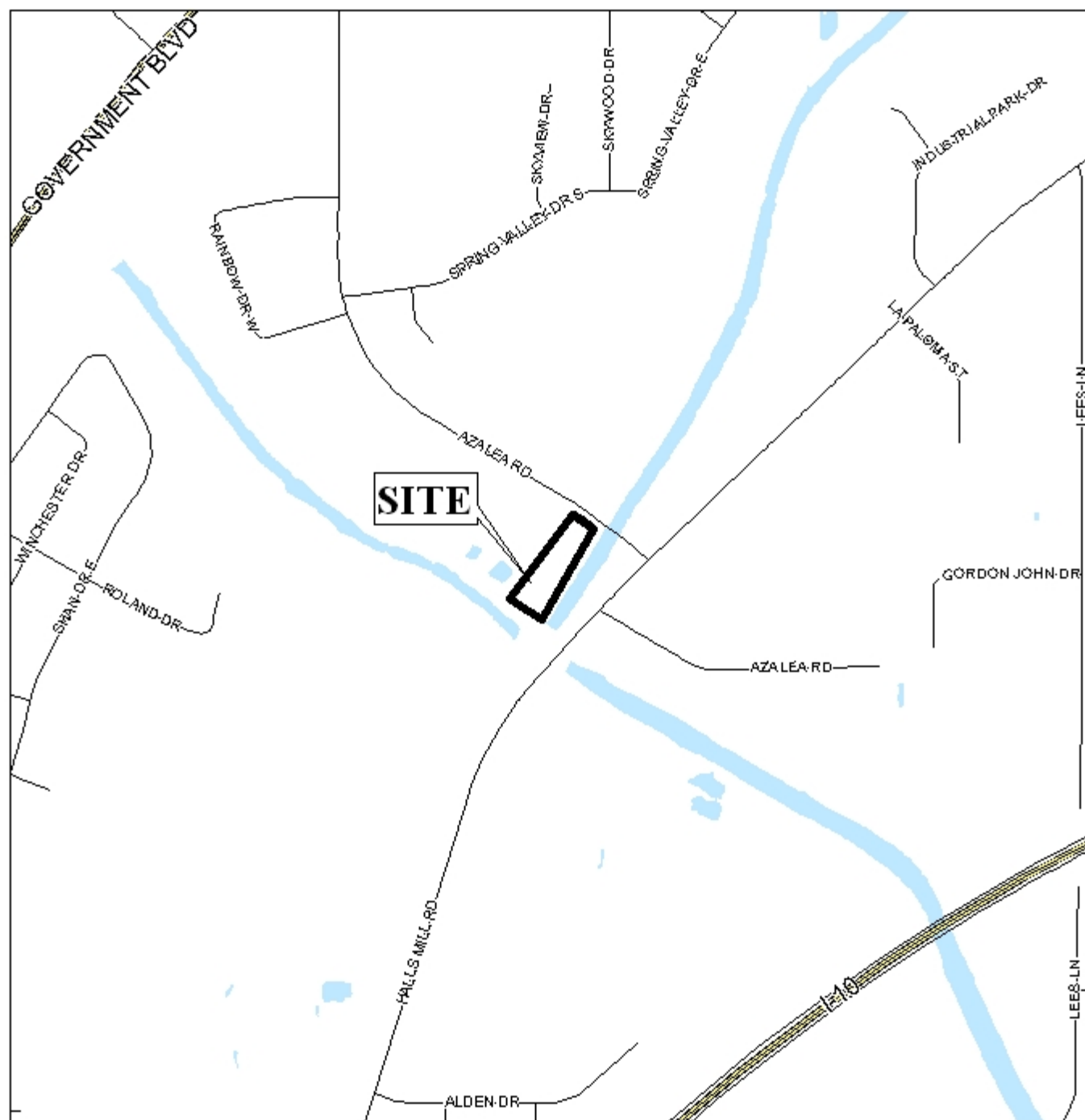
Planned Unit Development: Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) Submission of an application for a one lot subdivision within 3 months of approval of the Planned Unit Development;
- 2) Compliance with Engineering comments (*1. Any work, including grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping performed in the existing Azalea Road ROW will require a City of Mobile ROW Permit. The City ROW permit may be obtained 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. Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Part of this parcel appears to be located within an AE and an X-shaded flood zone. The location of the flood zone and Minimum Finished Floor Elevation (MFFE) must be shown and labeled on the plat and PUD plan.);

- 3) Full compliance with all Building, Mechanical, Plumbing, Electrical and Fire Code requirements regarding the multi-family dwelling units, including the obtaining of all necessary permits to make required improvements, within 6 months of approval of the Planned Unit Development; and
- 4) Full compliance with all other municipal codes and ordinances.

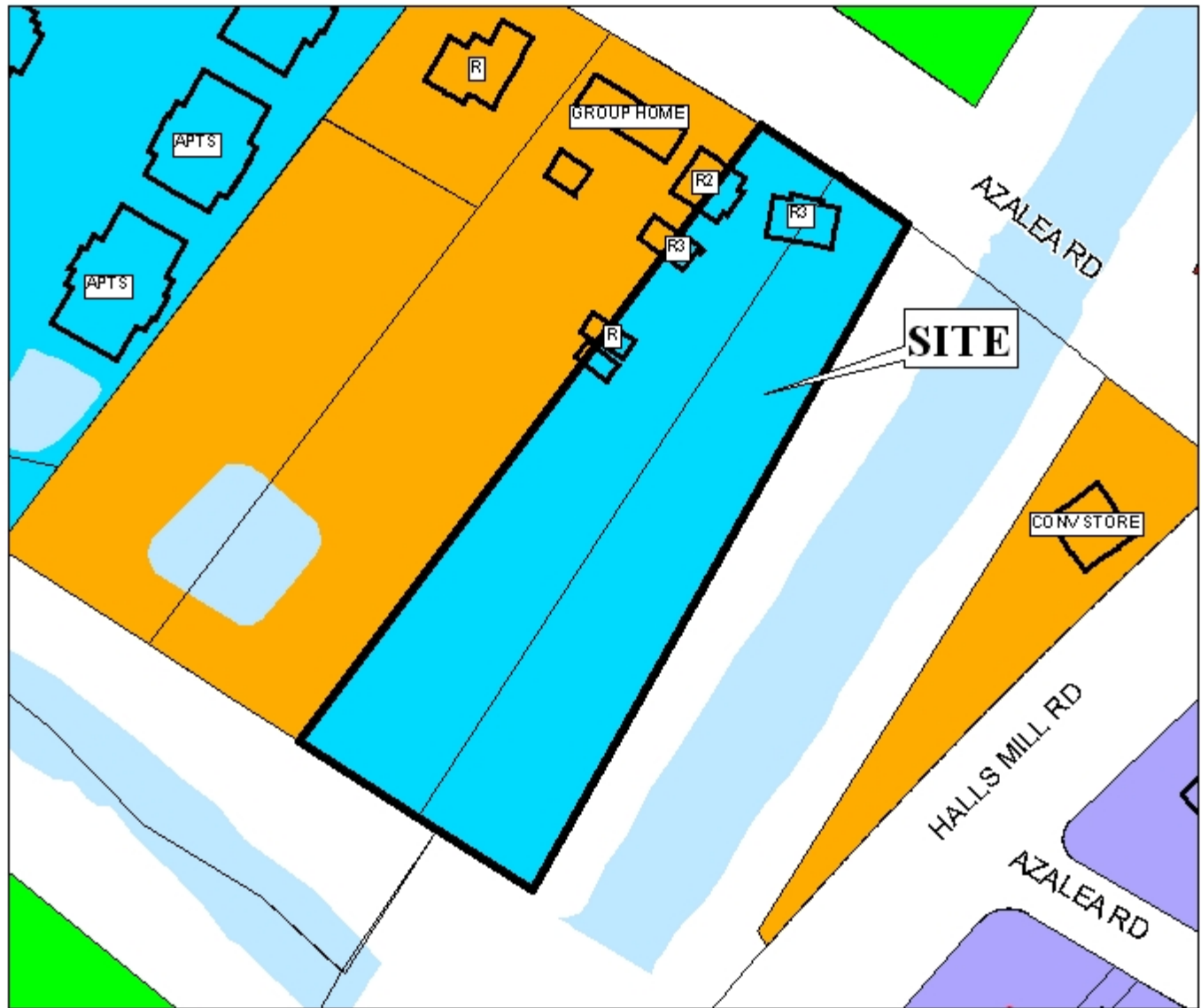
LOCATOR MAP



APPLICATION NUMBER 10 DATE May 2, 2013
APPLICANT Bonnie Wells
REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Vacant structures and apartments are located to the west of the site.

APPLICATION NUMBER 10 DATE May 2, 2013

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REQUEST Planned Unit Development

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2

 NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

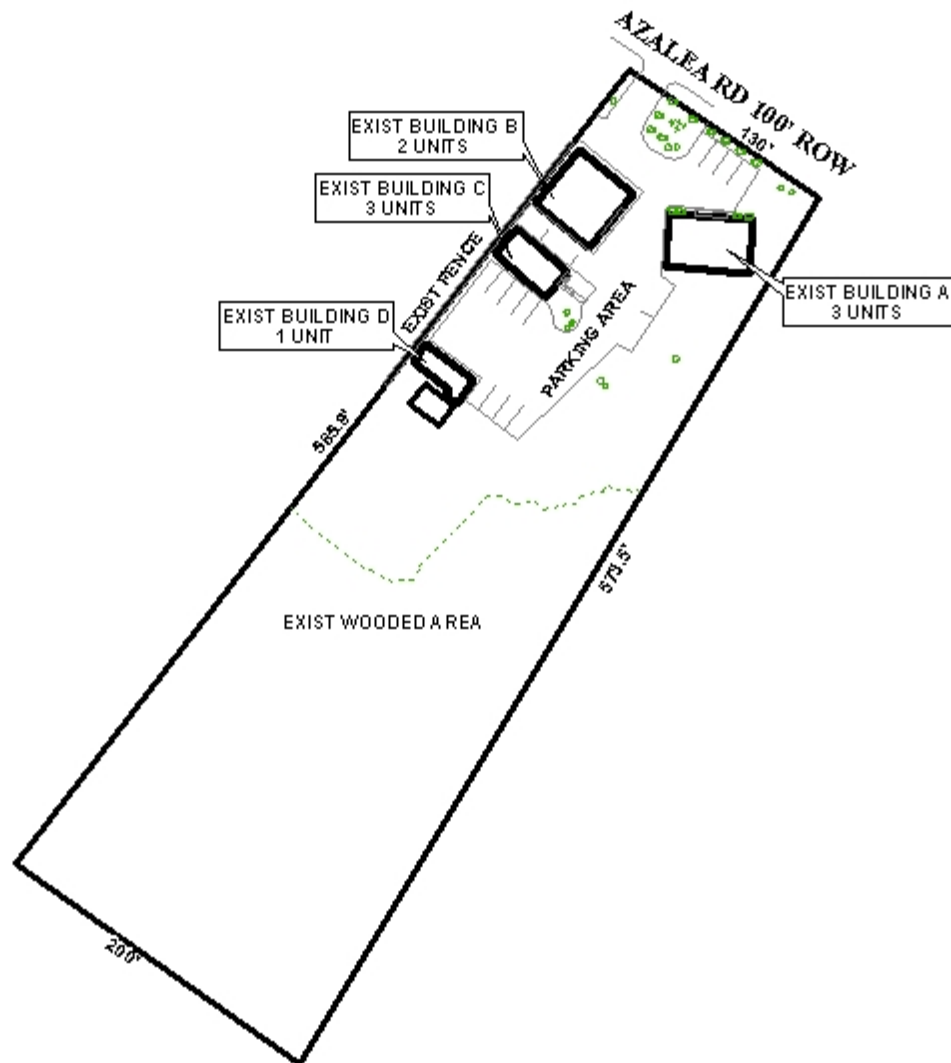


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SITE PLAN



The site plan illustrates the existing development.

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