

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

Date: April 21, 2005

NAME

James Barnes
(Rester & Coleman Engineers, Inc., Agent)

DEVELOPMENT NAME

University Club Apartments Subdivision

LOCATION

Rezoning: West side of Twelve Mile Creek, 200'± West of Long Street 9unopened public right-of-way.

PUD & Subdivision: East side of East Drive, 900'± South of Old Shell Road, extending to the West side of Long Street, 600'± South of Old Shell Road.

CITY COUNCIL

DISTRICT

District 6

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

R-3, Multi-Family Residential

AREA OF PROPERTY

10.5± Acres

CONTEMPLATED USE

Multiple buildings on a single building site for apartments. It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning were changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

TIME SCHEDULE

FOR DEVELOPMENT

Immediate

ENGINEERING

COMMENTS

Engineering will require a 100' drainage easement along existing storm ditch (12 mile creek). And due to existing flooding problems in the area, Engineering will require storm water detention for a 100-year flood. In addition, if access to Long Street is required/approved Engineering will require it be improved to city standard. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Minimum driveway and parking

aisles widths are twenty-four feet for two way traffic flows. Adjustments should be made to accommodate these minimum widths.

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). Site plan indicates several large Live Oak Trees along proposed entrance from East Drive. These trees have been labeled incorrectly and are all mature Water Oak Tree.

FIRE DEPARTMENT

COMMENTS

All commercial projects shall comply with the 2003 International Fire Code and Appendices B-G as adopted by the City of Mobile on July 6, 2004. All One- or Two-Family residential developments shall comply with Appendices B, C and D of the 2003 International Fire Code as adopted by the City of Mobile on July 6, 2004. All buildings with an R occupancy will be required to have an automatic sprinkler system.

REMARKS

The applicant is requesting rezoning from R-1, Single-Family Residential to R-3, Multi-Family Residential; Planned Unit Development approval to allow multiple buildings on a single building site and Subdivision approval to create a single lot of record.

The site is illustrated as residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The existing R-3 portion of the site was rezoned in 2001; however, a recent application (March 2005) altered some of the zoning conditions on the property. The March application was recommended for approval by the Planning Commission and is now pending City Council approval. The applicant now proposes to incorporate additional property into the site, thus the new zoning application.

The Zoning Ordinance gives four reasons for zoning changes: the existence of an error; changing conditions in an area; increased need for business or industrial sites; or subdivision of land into building sites making reclassification both necessary and desirable. The applicant states that the area to be rezoned is necessary to eliminate split zoning.

Typically with R-3 zoning, the Commission “ties” the rezoning to the proposed site plan. Furthermore, the provision of an eight-foot wooden privacy fence, as well as a 10-foot buffer should be required where the site adjoins R-1 development. It should be noted that this was a requirement of the rezoning and PUD approvals granted in March.

Regarding access the site plan illustrates access to Long Street, and the construction of Long Street to a standard approved by City Engineering should be required. Additionally, with the construction of Long Street, the provision of a sidewalk along the newly improved portion of Long Street should be required. Furthermore, as the site will be zoned R-3, full compliance with the landscaping and tree planting requirements of the Ordinance will be required.

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.

Regarding parking, the site will consist of 168 units (552 bedrooms), and 542 spaces are provided, which exceeds the required number of spaces (252—1.5 spaces per unit). It should be noted that if the buildings are two stories in height, the PUD section of the Ordinance establishes minimum distance requirements between buildings; therefore, the spacing of the buildings must comply with Section V.C.2.b. of the Ordinance.

The site adjoins a floodway and as such the area may be considered environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits.

In regard to the proposed subdivision, the application would simply consolidate two lots into one lot and the plat would meet the minimum requirements of the Subdivision Regulations.

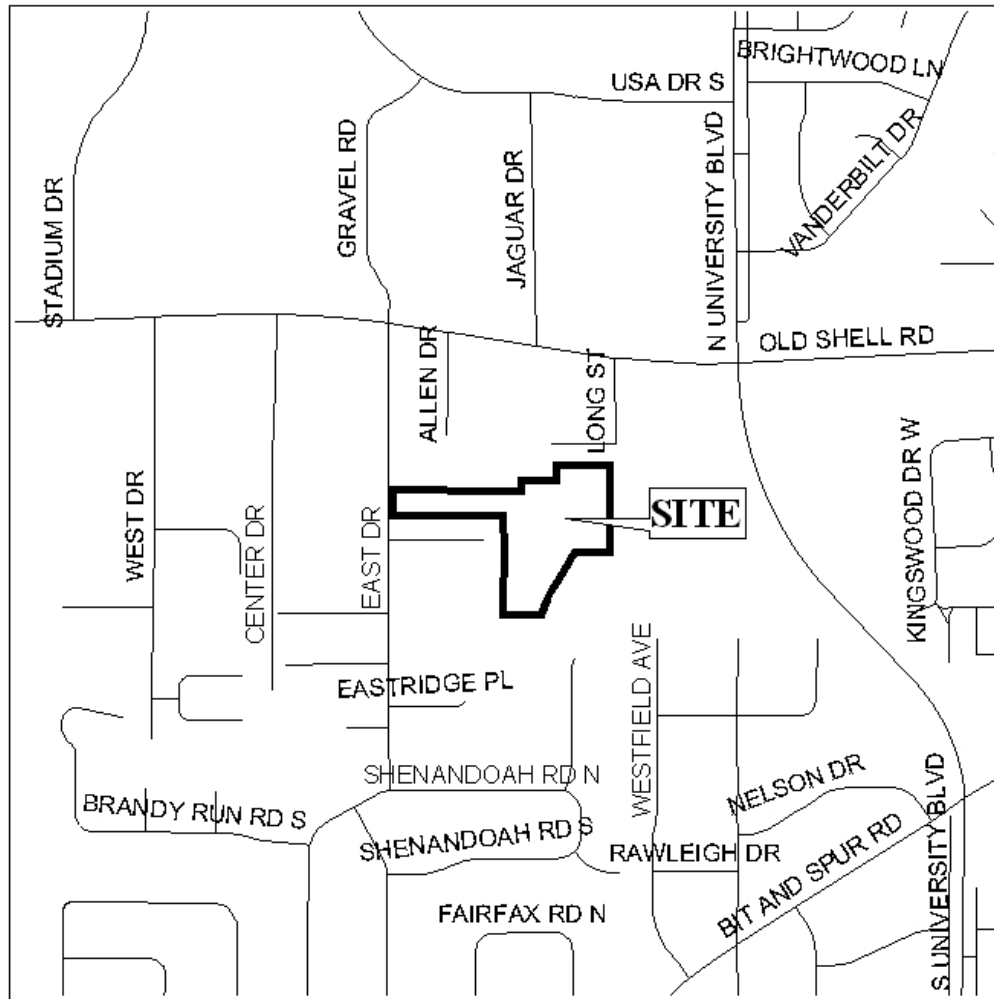
RECOMMENDATION **Rezoning** Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) construction of Long Street to a standard approved by City Engineering; 2) full compliance with the landscaping and tree planting requirements of the Ordinance; 3) the provision of a sidewalk along the improved portion of Long Street; 4) the provision of an eight-foot wooden privacy fence, as well as a 10' buffer where the site adjoins R-1 zoning; 5) full compliance with all City Engineering Comments (provision of a 100' drainage easement along existing storm ditch [12 Mile Creek], provision of storm water detention for a 100 year flood, any work performed in the right of way will require a right of way permit); 6) full compliance with Traffic Engineering Comments (driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards, and widening of parking aisles to 24-feet for two-way traffic flow); 7) the approval of all applicable federal, state and local agencies; and 8) full compliance with all municipal codes and ordinances.

Planned Unit Development Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) construction of Long Street to a standard approved by City Engineering; 2) full compliance with the landscaping and tree planting requirements of the Ordinance; 3) the provision of a sidewalk

along the improved portion of Long Street; 4) the provision of an eight-foot wooden privacy fence, as well as a 10' buffer where the site adjoins R-1 zoning; 5) full compliance with all City Engineering Comments (provision of a 100' drainage easement along existing storm ditch [12 Mile Creek], provision of storm water detention for a 100 year flood, any work performed in the right of way will require a right of way permit); 6) full compliance with Traffic Engineering Comments (driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards, and widening of parking aisles to 24-feet for two-way traffic flow); 7) the approval of all applicable federal, state and local agencies; and 8) full compliance with all municipal codes and ordinances.

Subdivision The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) construction of Long Street to a standard approved by City Engineering; 2) approval of all necessary federal, state and local agencies; and 3) full compliance with all municipal codes and ordinances.

LOCATOR MAP



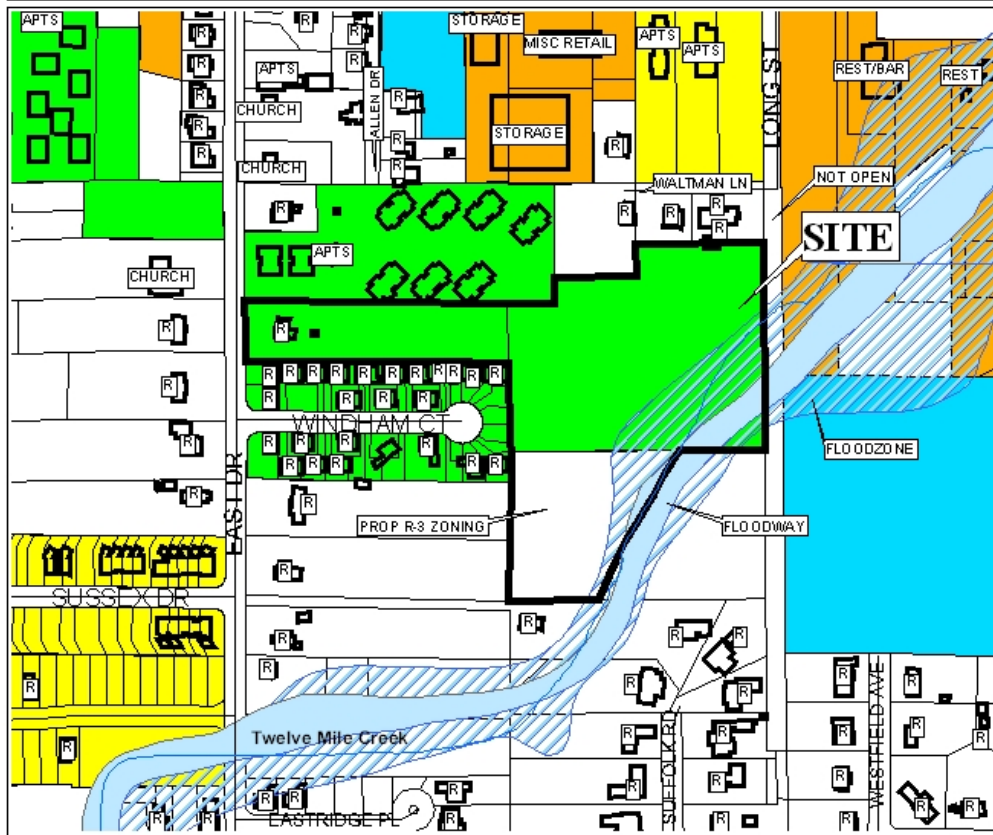
APPLICATION NUMBER 8 & 9 & 10 DATE April 21, 2005

APPLICANT James Barnes(Rester & Coleman Engineers, Inc., Agent)

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. Apartments, churches, and commercial sites are located to the north and west of the site.

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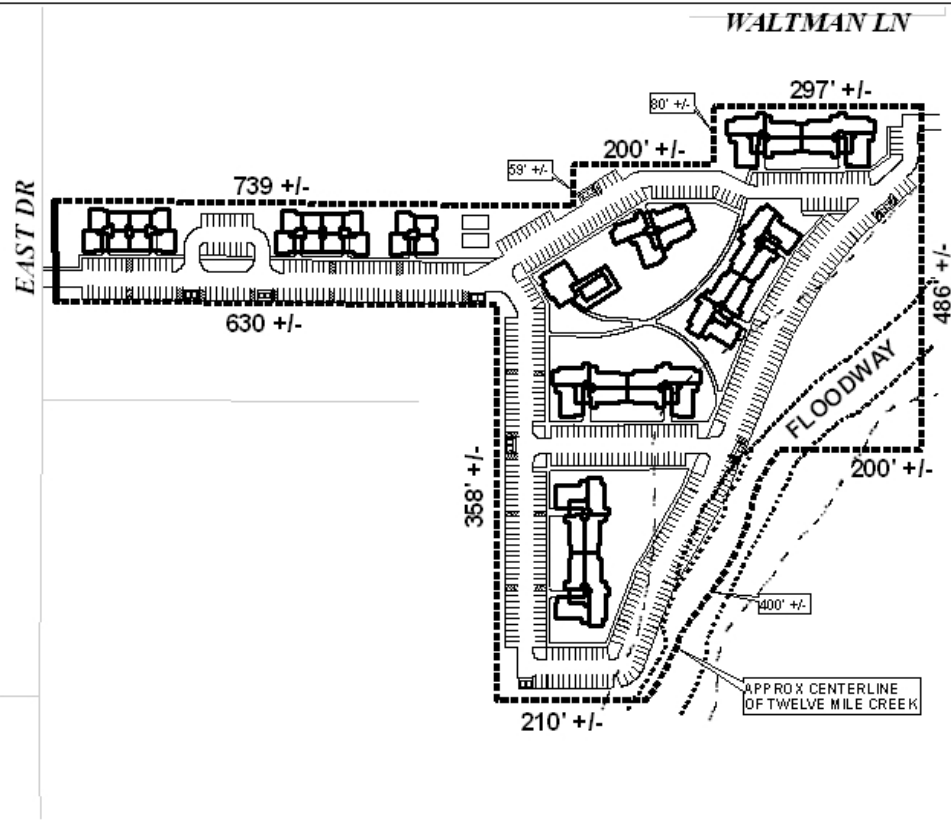
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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SITE PLAN



The site plan illustrates the proposed buildings, parking, and drives

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