

ZONING AMENDMENT STAFF REPORT**Date: December 15, 2016****NAME**

Joseph N. Asarisi

LOCATION6958 Howells Ferry Road
(North side of Howells Ferry Road, 150'± West of Gentilly Drive West)**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

R-1, Single-Family Residence District

PROPOSED ZONING

R-3, Multiple Family Residential District

AREA OF PROPERTY

3.9± Acres

CONTEMPLATED USE

Rezoning from R-1, Single Family Residential, to R-3, Multiple Family Residential District, to allow an apartment complex.

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.**TIME SCHEDULE
FOR DEVELOPMENT**

Within 6-months of approval

**ENGINEERING
COMMENTS**

No Comments

**TRAFFIC ENGINEERING
COMMENTS**

Based on the proposed density for this site, a traffic impact study will not be required. Site is limited to one curb cut, with size, location and design to 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 61-929 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 rezoning from R-1, Single-Family Residential District to R-3, Multiple Family Residential District, to allow an apartment complex. Specifically, the site plan submitted illustrates 6 buildings, with 8 units each, for a total of 48 units, as well as separate structures housing an office and a laundromat, with a playground area.

The applicant provided the following timeline for the development of the proposed apartment complex:

Phase 1: Begin Construction on first 2 units and office within 6-months after rezoning. Completion within 8 months after start.

Phase 2: Begin Construction of second 2 units within 1-year of completion of Phase 1. Completion within 8 months after start.

Phase 3 (Final): Begin Construction of last 2 units within 1-year of completion of Phase 2. Completion within 8 months after start.

The site is bounded by all sides by R-1, Single-Family Residential District, with the majority being developed as residences, with a church to the South, across Howells Ferry Road. It should be noted, however, that 262'± to the West of the site, is B-2, Neighborhood Business District with a gas station, several offices, and an event center currently under construction. There is also a domiciliary care facility 446'± to the East of the site, which was approved by the Planning Commission at its December 19, 2013 meeting to care for up to 10 individuals. Additionally, there is R-3, Multiple Family Residential District approximately 460'± South of the site consisting of an apartment complex with 20 dwelling units.

Access management is a concern in this location, therefore, the site should be limited to one curb cut to Howells Ferry Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

The entire site appears to be depicted as a "Suburban Neighborhood" Area, per the recently adopted Map for Mobile Plan. The intent of a Suburban Neighborhood Area is as follows:

- Emphasize connectivity to surrounding neighborhoods and close services and retail;
- Accommodation of pedestrian and bicycle traffic in addition to automobiles; and
- Appropriate scaled infill development to complement existing character of neighborhoods.

The proposed site plan does illustrate a sidewalk along Howells Ferry Road, as required, and will help accommodate pedestrians and increase connectivity in the area.

Contrary to the intent of the Map for Mobile in a Suburban Neighborhood, the proposed development does not seem to complement the existing character of the surrounding area. However, given the size of the subject site, the applicant could potentially have up to 106 multi-family dwelling units, and is only proposing 48 dwelling units at this time. Since rezonings are not site plan specific, the applicant is not held to the currently proposed number of units, unless restricted by the Planning Commission and/or City Council.

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 applicant states that changing conditions in the area have created a demand for more multi-family housing in the area as well as the subdivision of land makes the reclassification desirable; however the site is already a legal lot of record, and no subdivision is proposed at this time.

Section 64-9.A.2. of the Zoning Ordinance states that newly proposed R-3 districts should contain a minimum of 4 acres and abut an existing B-1, B-2, B-3, B-4, I-1, or I-2 district, neither of which the subject site meets.

It should be noted that with 48 proposed units, the site will be required to have a minimum of 72 parking spaces. The site plan submitted indicates 74 parking spaces will be provided. Due to the number of parking spaces, a photometric site plan will be required at the time of permitting.

The site plan illustrates a proposed dumpster on the site; however there is no mention of sanitary sewer connection or an enclosure around the dumpster. If approved, the dumpster should be connected to sanitary sewer with a compliant enclosure per Section 64-4.D.9. of the Zoning Ordinance.

The site plan indicates that a 6' high privacy fence will be provided along the North, East, and West of the property where the site abuts residential property, as well as the required 10' buffer. The privacy fence should be reduced to no more than 3' high with the front 25' setback.

The site plan does not provide tree planting information, but landscape area calculations are provided and the site will exceed those requirements. It should be noted that the site will be required to comply with all tree planting and landscape area regulations.

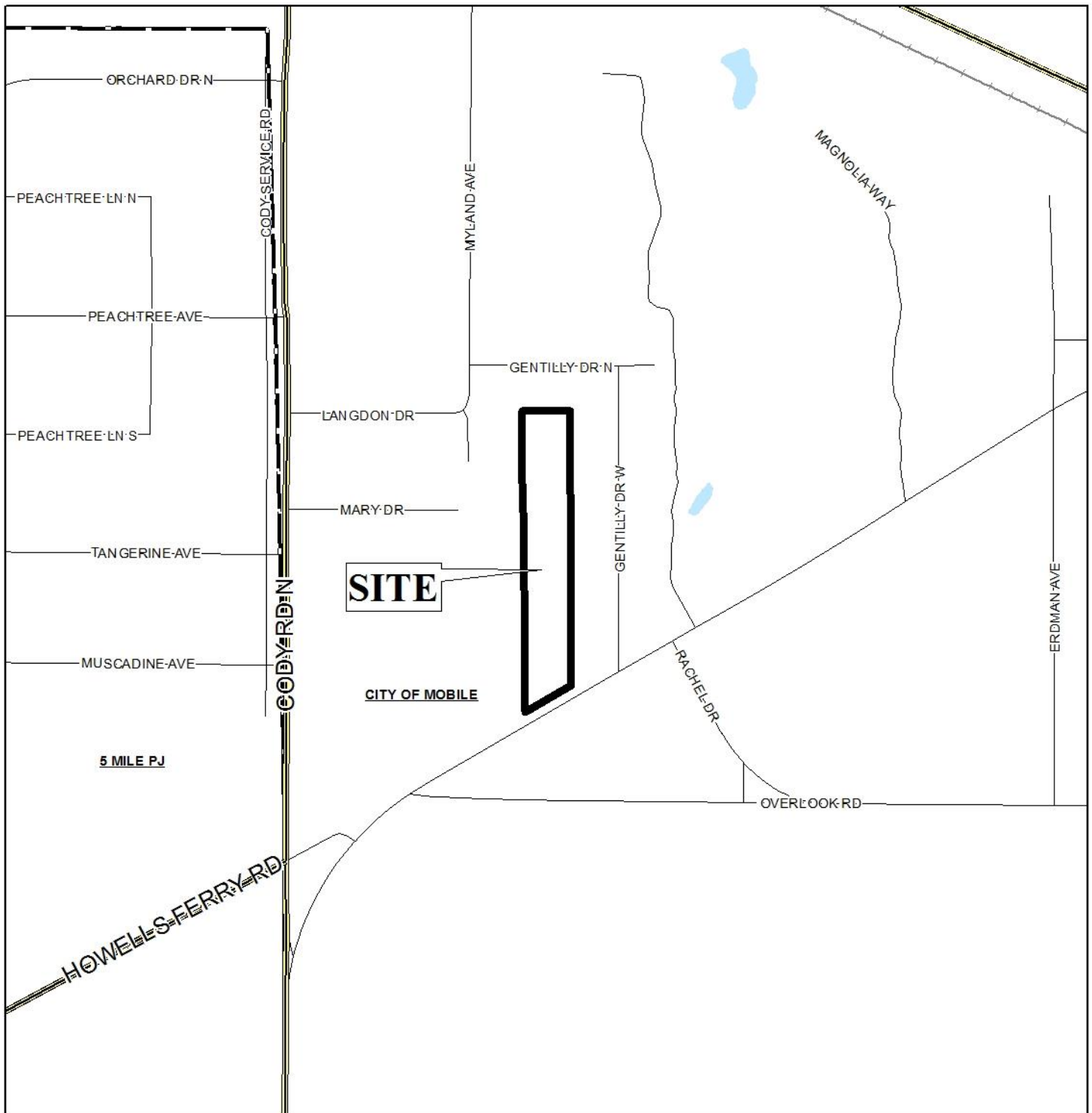
It should be noted that there is a MAWSS easement that runs through the site that is not depicted on the site plan. This may impact the proposed layout of the site plan, as no structures are allowed in any easements.

RECOMMENDATION

Based on the preceding, the application is recommended for Denial, due to the following:

- 1) the site does not meet the minimum size recommendations of Section 64-9.A.2. of the Zoning Ordinance; and
- 2) the proposed rezoning does not satisfy the intent of the Map for Mobile in that the proposed development does not complement the character of the existing neighborhood;

LOCATOR MAP



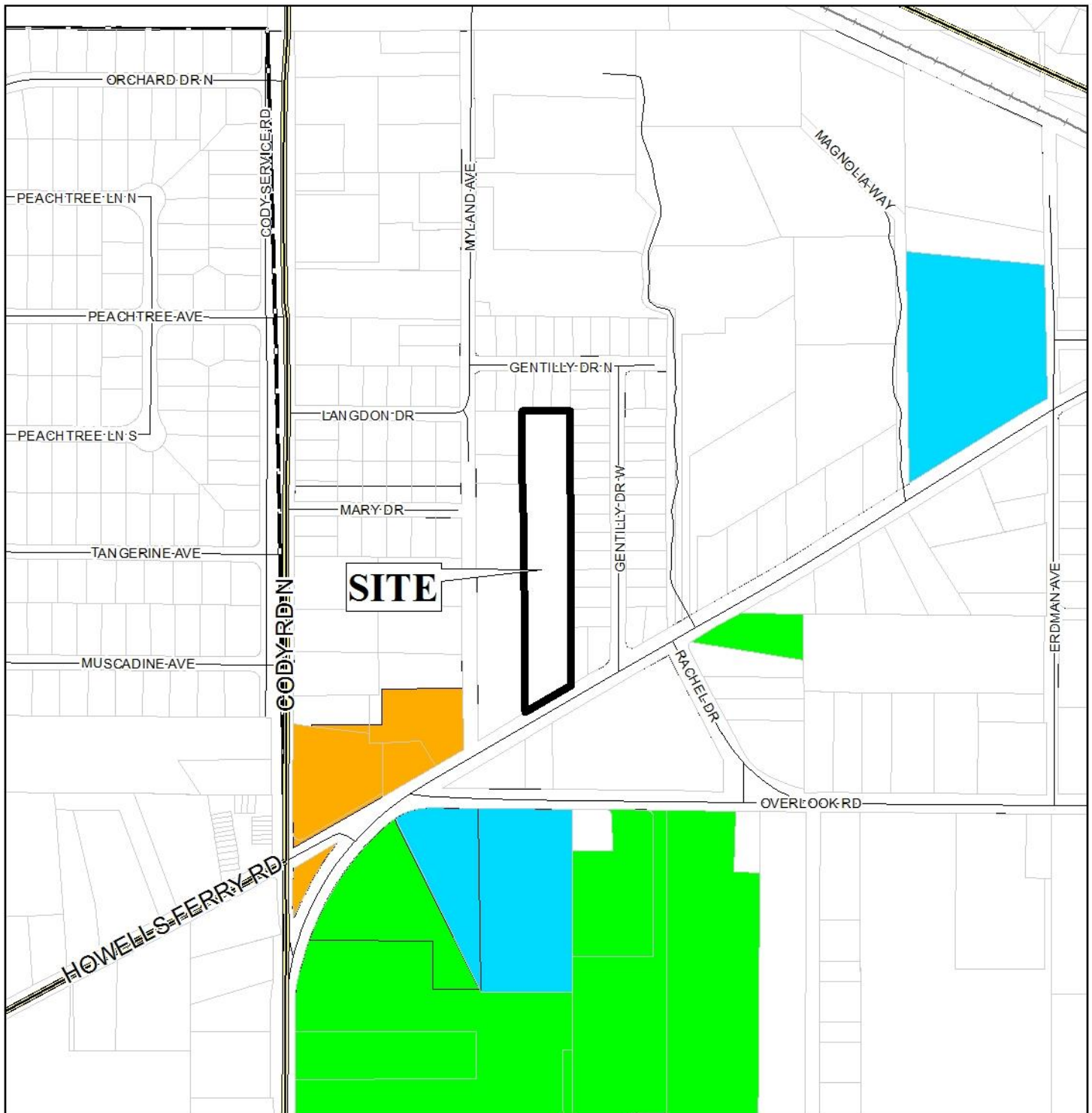
APPLICATION NUMBER 13 DATE December 15, 2016

APPLICANT Joseph N. Asarisi

REQUEST Rezoning from R-1 to R-3



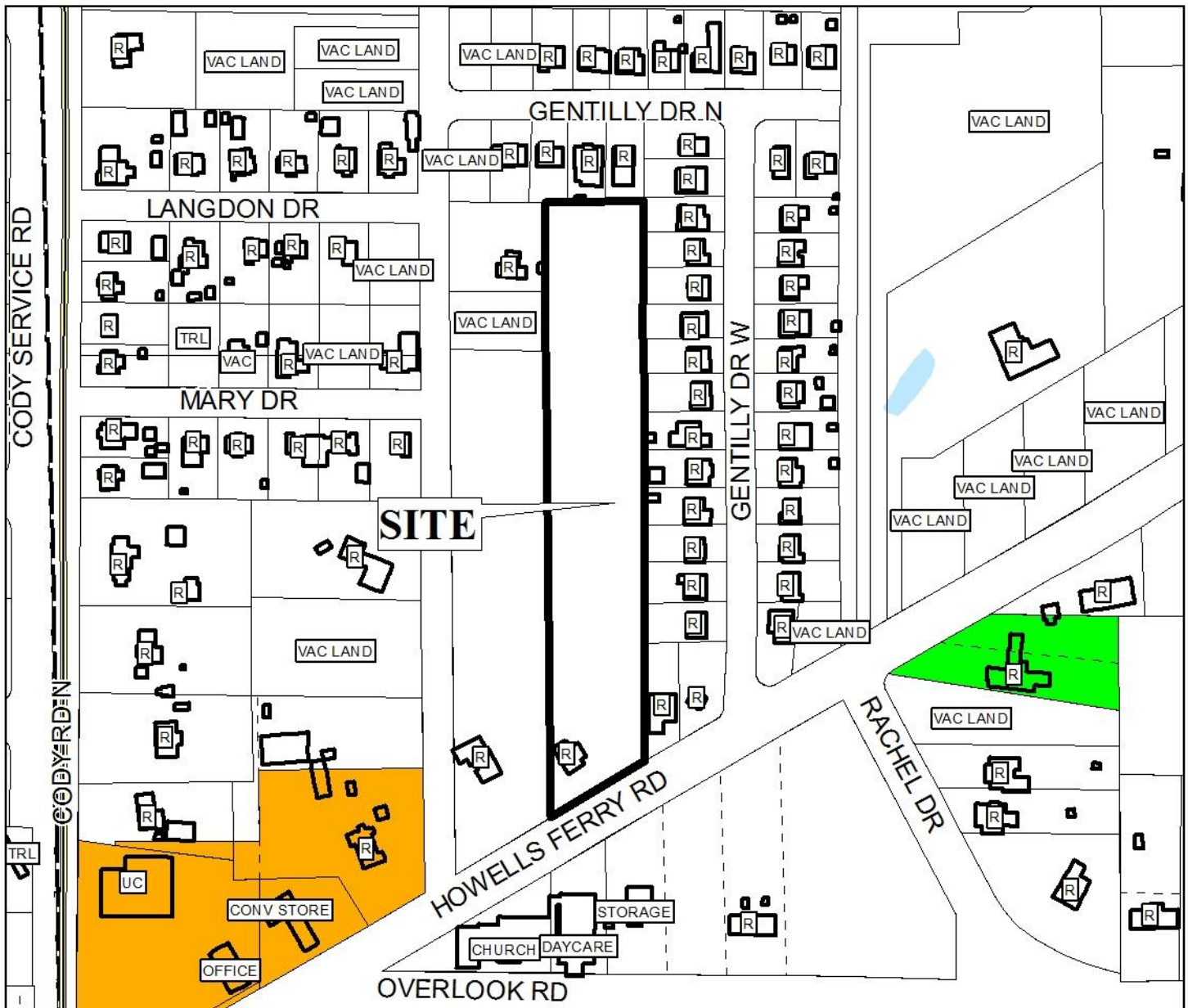
LOCATOR ZONING MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Commercial units are located to the southwest and a church is located to the south.

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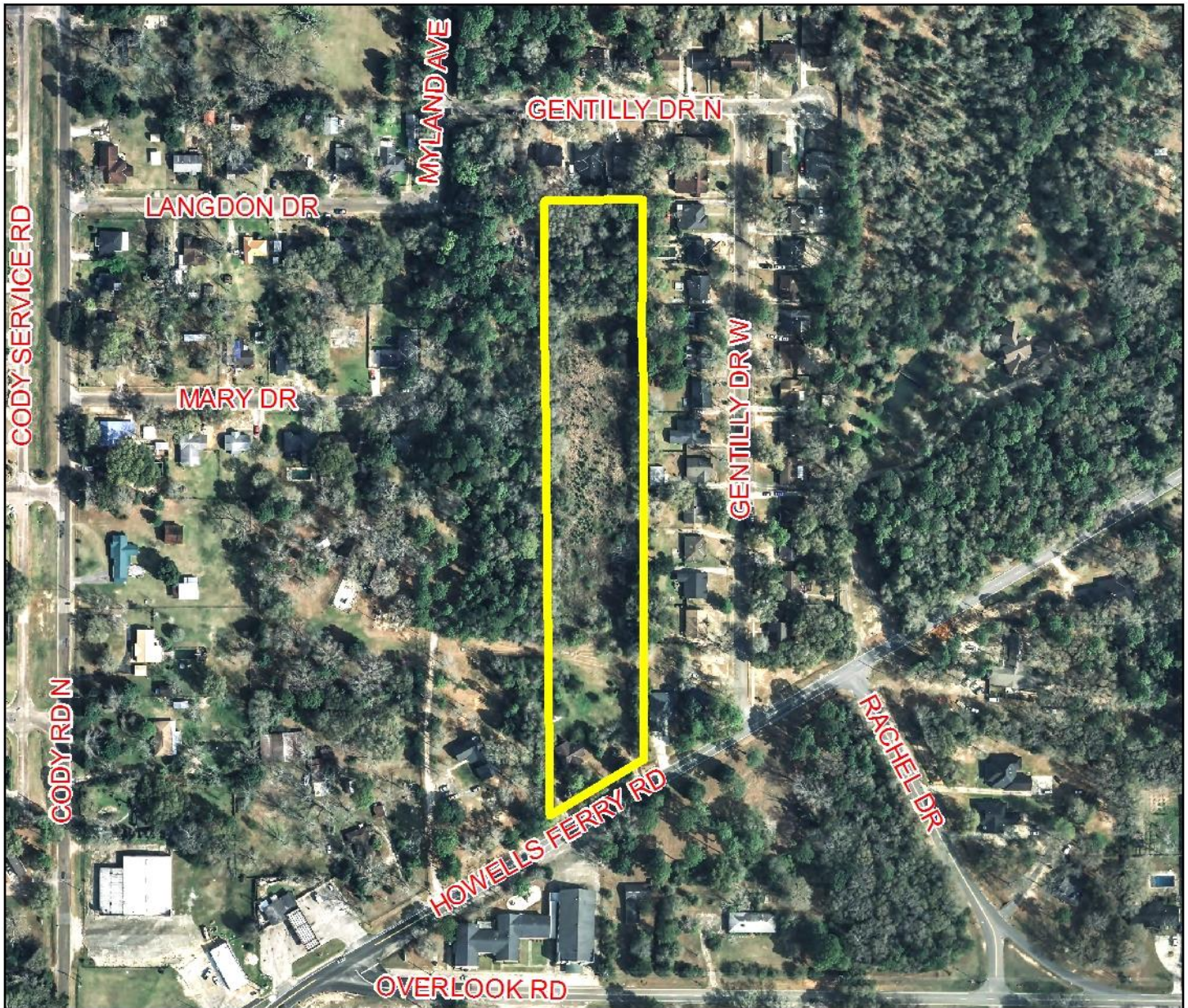
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

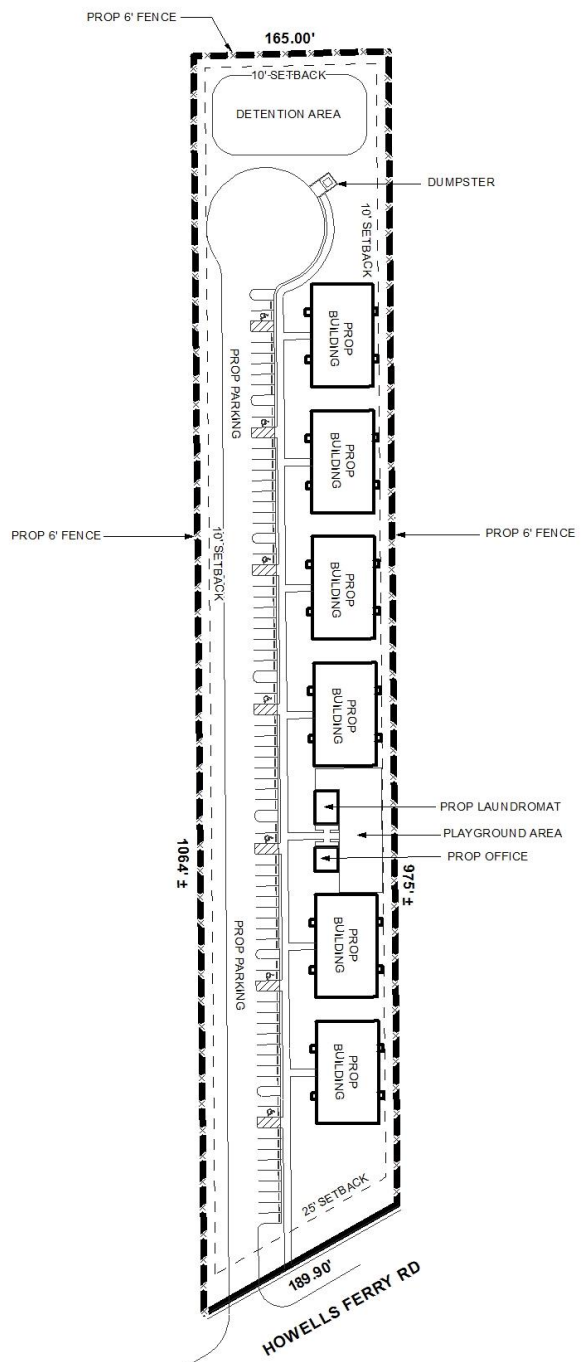


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SITE PLAN



The site plan illustrates the proposed parking, proposed buildings, detention area, and setbacks.

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