

ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT

Date: November 2, 2006

<u>NAME</u>	Blue Marlin Construction, LLC
<u>SUBDIVISION NAME</u>	Brandonwood Subdivision
<u>LOCATION</u>	2910 and 2916 Cottage Hill Road (North side of Cottage Hill Road, 60'± West of Coventry Way)
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>PROPOSED ZONING</u>	R-3, Multi-Family Residential
<u>AREA OF PROPERTY</u>	1.1± Acres
<u>CONTEMPLATED USE</u>	Rezoning from R-1, Single-Family Residential district, to R-3, Multi-Family Residential district, to allow residential condominiums, and Planned Unit Development Approval to allow multiple buildings on a single building site. 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.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediately
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Per storm water ordinance, all storm water should be collected on-site and tied to a City of Mobile storm drain system; storm water cannot be concentrated onto adjacent property owners. If flow of natural flow pattern is reversed, 100-year detention with 10-year release rate is required. Must comply with all storm water 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.

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).

Preservation status is to be given to the Two 50" Live Oak Trees located on the South side of Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

60" Live Oak Tree located on the East side of Lot 1 was damaged by recent fire causing damage to half of the tree's canopy. Due to the damaged canopy, Urban Forestry is not requesting preservation for the 60" Live Oak Tree.

FIRE DEPARTMENT

COMMENTS

All commercial projects shall comply with the 2003 International Fire Code and Appendices B through 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.

REMARKS

The applicant is requesting Rezoning, Planned Unit Development, and Subdivision Approvals to allow residential condominiums in multiple buildings on a single building site. Single-family residential condominiums are allowed by right in R-3, Multi-Family Residential Districts.

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 site is depicted 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 request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

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 any changes to the site plan must be approved by the Planning Commission.

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 site in question is two existing R-1, Single-Family Residential lots. The applicant proposes to remove the existing residences and redevelop the site to accommodate 12 single-family dwelling units as condominiums. The site plan depicts three “buildings” that will be separated from each other by a minimum of 10-feet, and all “buildings” will be a minimum of 25 feet from the front property line, 10-feet from the side property lines, and 10-feet from rear property line.

The three structures proposed for the site will not exceed an averaged building footprint size of 5,625 square feet, which equates to approximately 34% maximum gross site coverage. The proposed gross site area per dwelling unit is approximately 4,138 square feet. The Zoning Ordinance requires a minimum gross site area of 23,000 square feet for 12 dwelling units in an R-3 district, which equates to an average gross site area of 1,917 square feet per dwelling unit.

The site is surrounded to the North, South, East and West by residences in an R-1 district. R-3 districts containing apartments are located approximately 700 feet to the Northeast and 790 feet to the Southwest, while commercial zoning districts occur approximately 320 feet Southwest of the site.

The site fronts Cottage Hill Road, a minor street with adequate right-of-way. Cottage Hill Road veers to the East approximately 1,500 feet West of the site, via Bel Air Boulevard/Cottage Hill Road. Cottage Hill Road intersects Grant Street approximately 2,700 feet Northeast of the site.

Section 64-3.A.5. of the Zoning Ordinance recommends that new R-3 districts be a minimum of 4-acres in size. The site in question falls short of the recommendation, as it is only 1.1± acres in size.

The key differences between the existing R-1 and proposed R-3 zoning requirements are maximum height (35 feet versus 45 feet), maximum site coverage (35% versus 45%), and the potential number of units; R-1 zoning would permit no more than 1 single-family residential unit per lot, while R-3 would permit up to 28 residential units (however achieving the maximum number of units in either case is unlikely due to the need for parking, landscaping and the height

restrictions). As previously stated, the applicant is seeking rezoning in order to develop three buildings into 12 condominium units. Furthermore, the proposed PUD will limit the maximum development of the site in a manner that makes the proposal more compatible with adjacent single-family residential uses. Approval of the rezoning can be made contingent upon the PUD, which would assure that the property is not developed other than as proposed.

The applicant is proposing a PUD that includes, for the purposes of the Zoning Ordinance, “multi-family” residential development, and consequently, PUD landscape area requirements apply. Section 64-5.C.2. of the Zoning Ordinance requires 700 square feet of open space per dwelling unit, which cannot include streets, drainage ways, parking areas, service areas and land covered by buildings. The 12-unit development will require a minimum of 8,400± square feet of open space.

Conceptually, the development depicted on the proposed site/layout plan does not minimize impacts to the surrounding residential development, especially with the proposed 10-foot building setback along the sides and rear boundary of the site. It should be noted, however, that there is no indication on the site plan regarding the perimeter treatment of the property; specifically if a fence and/or landscape buffer will be provided to minimize impacts to adjacent lower-density residential developments. A privacy fence and landscape buffer is recommended for development on the West, East and North property lines. Furthermore, generalized landscaping proposed for the common areas should be depicted on the site plan, with the understanding that final landscape plan will be more detailed and require approval by the Urban Forester.

A detention basin may be required for the site. A note should be placed on the site plan, if approved, stating that maintenance of the detention basin common area, and any other common areas, are the responsibility of the development’s property owners.

Finally, the minimum building setback line required in Section V.D.9. of the Subdivision Regulations is not shown for the overall lot, but would be required on the Final Plat.

RECOMMENDATION

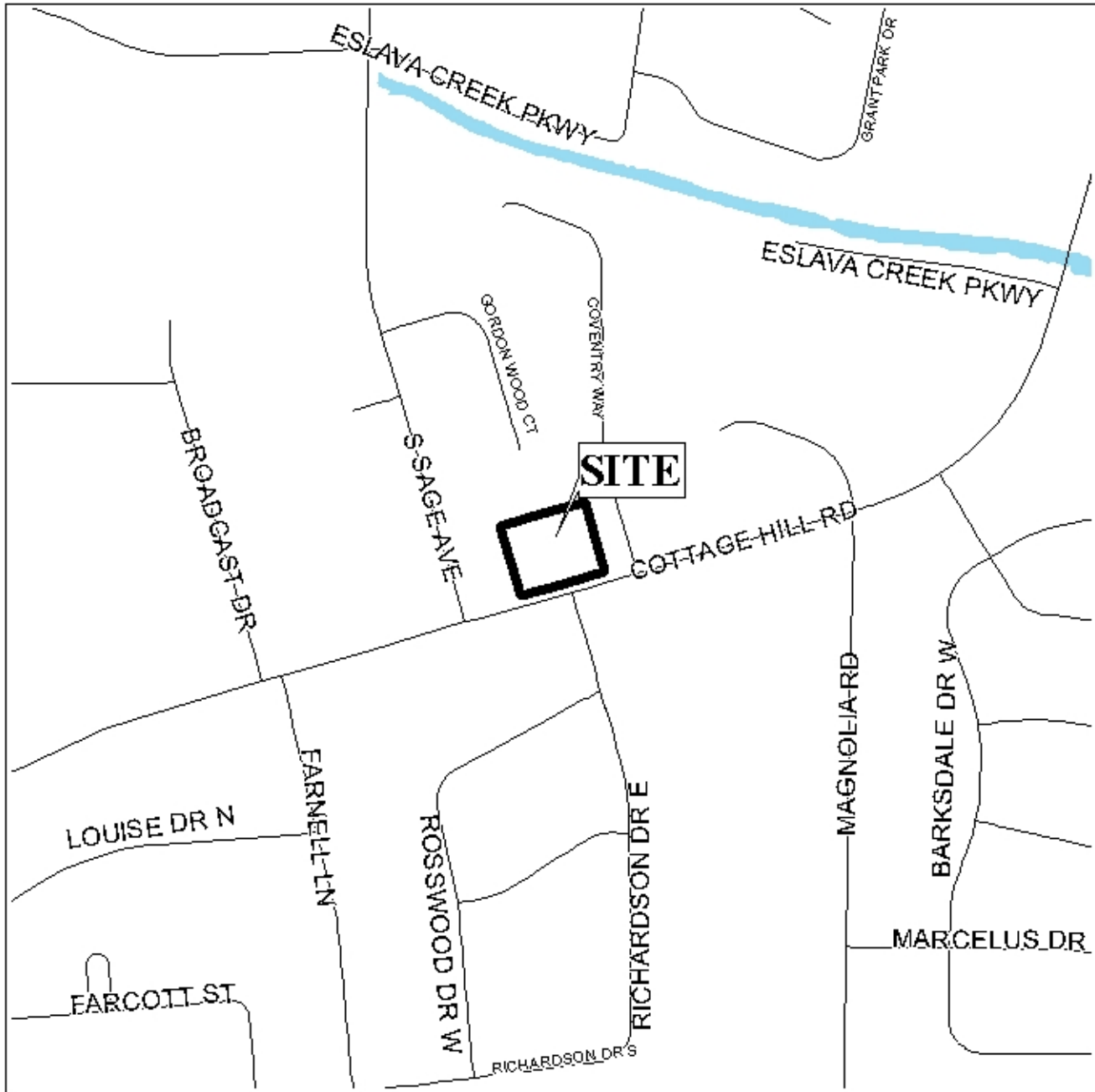
Rezoning: Based on the preceding, it is recommended that all applications be held over to the December 7th meeting, to allow the applicant to revise the plan and illustrate the garbage collection, drainage, landscaping and tree requirements, and extensive buffering. Revised materials, additional lot fees, mailing fees, and labels must be received in Urban Development by November 6th.

Planned Unit Development: Based on the preceding, it is recommended that all applications be held over to the December 7th meeting, to allow the applicant to revise the plan and illustrate the garbage collection, drainage, landscaping and tree requirements, and extensive buffering. Revised materials, additional lot fees, mailing fees, and labels must be received in Urban Development by November 6th.

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LOCATOR MAP



APPLICATION NUMBER 16 & 17 & 18 DATE November 2, 2006

APPLICANT Blue Marlin Construction, L.L.C.

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



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units

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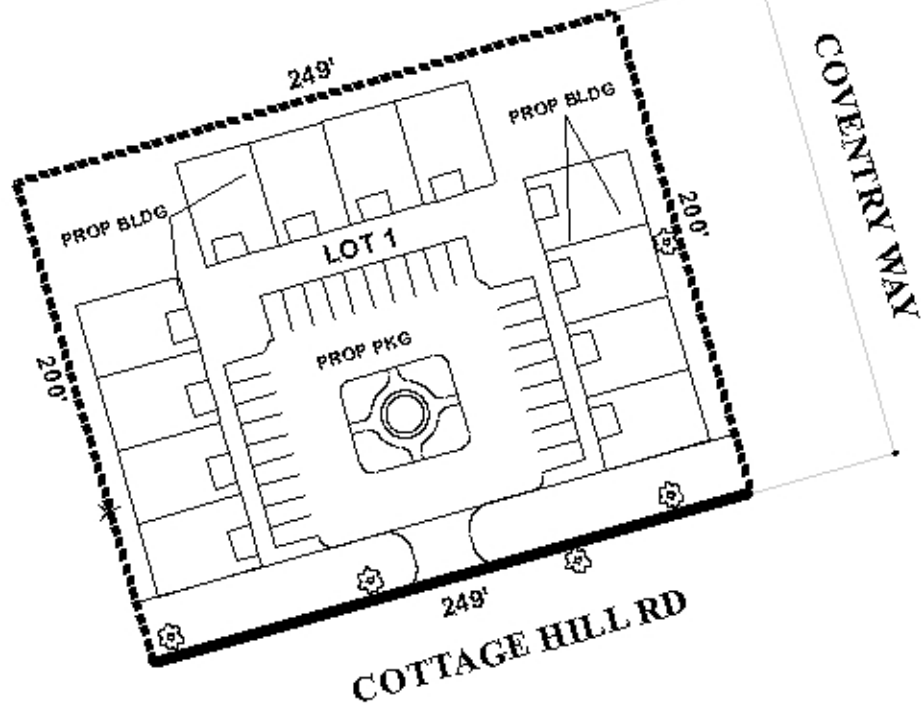
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LEGEND

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 and parking

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NTS