

**SUBDIVISION,
PLANNED UNIT DEVELOPMENT, &
ZONING AMENDMENT
STAFF REPORT****Date: July 7, 2016****APPLICANT NAME**

Broadstreet Partners, LLC

SUBDIVISION NAME

The Farm Subdivision

DEVELOPMENT NAME

The Farm Subdivision

LOCATION102, 142 A & B and 150 West Drive
(West side of West Drive, at West terminus of Pherin
Woods Court)**CITY COUNCIL
DISTRICT**

Council District 6

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

R-3, Multiple-Family Residential District

AREA OF PROPERTY

1 Lot/9.2± Acres

CONTEMPLATED USE

Subdivision Approval to create a single legal lot of record from two metes-and-bounds parcels and three legal lots of record; Planned Unit Development to allow multiple buildings on a single building site; Rezoning from R-1, Single-Family Residential District, to R-3, Multi-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.**

**ENGINEERING
COMMENTS**

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Show and label each and every Right-Of-Way and easement.

- C. Provide and label the monument set or found at each subdivision corner.
- D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- E. Provide the Surveyor's Certificate and Signature.
- F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- G. Show the property owner information for the adjoining parcels.
- H. Add a note to the SUBDIVISION PLAT stating 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.
- I. Add a note to the Plat stating 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.
- J. 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.
- K. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures.
- L. After FINAL PLAT review by the Engineering Dept. provide a copy of the Final Plat along with the original and any review copies when submitting for City Engineer signature.

Planned Unit Development:**ADD THE FOLLOWING NOTES TO THE PUD 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 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, paving, and all above ground structures, 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. 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.

5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING**COMMENTS**

A traffic impact study was submitted for this site. The only off-site improvement warranted in the traffic study was the construction of an eastbound right turn lane on Old Shell Road at West Drive. The warrant was marginally met, and utility restrictions would make the improvement difficult to accomplish. The developer has proposed to construct an access roadway in the currently unopened alley that will provide secondary access to Old Shell Road, reducing the impacts to West Drive. Currently the plan illustrates the access roadway to be one-way southbound. It is recommended that the roadway be revised to be either one-way northbound, or revised to allow two-way traffic. Since the roadway will be constructed in City right-of-way, the developer is responsible for its construction to City standards for it to be accepted for maintenance by the City. Site is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress. Driveway 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 2015-116 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)

MAWSS**COMMENTS**

No Comments

**TIME SCHEDULE
FOR DEVELOPMENT**

None provided

REMARKS

The applicant is requesting Subdivision Approval to create a single legal lot of record from two metes-and-bounds parcels and three legal lots of record; Planned Unit Development to allow multiple buildings on a single building site; Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District, to allow the construction of an apartment complex.

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 proposes to create a single legal lot of record from two metes-and-bounds parcels and three legal lots of record. The lot size is not provided in square feet or acres, but appears to exceed the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size should be given in square feet and acres on the Final Plat.

The site has frontages along West Drive and an unopened alley. West Drive, a minor street with curb and gutter, is illustrated as having a compliant right-of-way of 50'. The unopened alley is shown as having a 20' right-of-way, however, no dedication was required for a Subdivision done further North of the subject site, therefore, no dedication should be required.

The preliminary plat does illustrate the 25' minimum building setback along West Drive. There is also a 10' setback illustrated along the unopened alley, which was approved for the development North of the site. The plat also indicates 10' side yard setbacks. If approved, the Final Plat should retain all building setbacks.

The site plan proposes a single curb cut to West Drive as well as a curb cut to the alley to the West of the site. As a means of access management, the site should be limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. It should be noted that the site plan indicates that the alley has an 18' wide strip of pavement for one-way access. International Fire Code requires that the alley be a minimum of 20' wide for fire trucks to access the site.

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.

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 does not specifically state which of the four conditions exist to justify the rezoning request.

The Southern portion of the site appears to be depicted as “Suburban Neighborhood” Area, with the Northern portion of the site depicted as “Suburban Corridor”, per the recently adopted Map for Mobile Plan. The intent of a Suburban Neighborhood Area is to allow for:

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

The intent of a Suburban Corridor is to allow for:

- Accommodation of all users: automobile, bicycle, pedestrian and transit;
- Greater connectivity to surrounding neighborhoods;
- Development concentrated in centers rather than in strips along the corridor;
- Eventual increase in density with residential above retail and services;
- Increased streetscaping;
- Improve traffic flow.

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan 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, zoning classification.

In order to accommodate all users as the Map for Mobile intends in this area, a sidewalk should be provided along West Drive. The site plan should be revised to illustrate this requirement.

The site is bounded to the North by an apartment complex zoned R-3, Multi-Family Residential District; to the West by undeveloped property zoned R-1, Single-Family Residential District; and to the South and East by dwellings in an R-1, Single-Family Residential District.

The site plan illustrates the proposed development will have 73 small buildings that will each consist of a single apartment unit. There are 10 2-bedroom units, 24 3-bedroom units, 31 4-bedroom units, and 8 5-bedroom units proposed for the site, for a total of 256 bedrooms. The site plan also includes an amenity area, a mail kiosk, and a detention pond.

The site plan indicates that 348 parking spaces are proposed, which exceeds the minimum amount required, but the parking spaces are not illustrated on the site plan for staff to insure that they are appropriately dimensioned. It should also be noted that because the site will have more than 25 parking spaces, a photometric plan will be required at the time of permitting.

Landscape area information is not provided, but tree plantings are illustrated. It should be noted that residential PUDs require a minimum of 700 square feet of “common open space” per dwelling unit, which for this site would be at least 51,100 square feet. The site plan should be

revised to indicate that compliant landscape area and open space will be provided. Full compliance with tree planting appears to be illustrated, however, there are 22 trees located on the interior of the site that are not identified as being overstory or understory trees.

The proposed site plan does not indicate a dumpster on the site. If approved, the site plan should be revised to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized.

Because the site is adjacent to R-1, Single-Family Residential District, a residential buffer compliant with Section 64- 4.D.1. of the Zoning Ordinance should be provided. The site plan should be revised to reflect this requirement.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Holdover to the August 4, 2016 meeting with revisions due by July 21st, to address the following:

- 1) placement of a note on the preliminary plat stating the lot size in square feet and acres;
- 2) retention of the 25' minimum building setback line along West Drive;
- 3) placement of a note on the site plan stating that the lot is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) full compliance with the Traffic Engineering comments (*A traffic impact study was submitted for this site. The only off-site improvement warranted in the traffic study was the construction of an eastbound right turn lane on Old Shell Road at West Drive. The warrant was marginally met, and utility restrictions would make the improvement difficult to accomplish. The developer has proposed to construct an access roadway in the currently unopened alley that will provide secondary access to Old Shell Road, reducing the impacts to West Drive. Currently the plan illustrates the access roadway to be one-way southbound. It is recommended that the roadway be revised to be either one-way northbound, or revised to allow two-way traffic. Since the roadway will be constructed in City right-of-way, the developer is responsible for its construction to City standards for it to be accepted for maintenance by the City. Site is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress. Driveway 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.*);
- 5) full compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Show and*

label each and every Right-Of-Way and easement. C. Provide and label the monument set or found at each subdivision corner. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate and Signature. F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Show the property owner information for the adjoining parcels. H. Add a note to the SUBDIVISION PLAT stating 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. I. Add a note to the Plat stating 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. J. 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. K. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures. L. After FINAL PLAT review by the Engineering Dept. provide a copy of the Final Plat along with the original and any review copies when submitting for City Engineer signature.);

- 6) compliance with 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).*)

Planned Unit Development: Based upon the preceding, the application is recommended for Holdover to the August 4, 2016 meeting with revisions due by July 21st, to address the following:

- 1) revision of the site plan to indicate that the site will provide full compliance with landscaping and tree planting requirements of the Zoning Ordinance;
- 2) placement of a note on the site plan stating that the lot is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) revision of the site plan to illustrate a residential buffer compliant with Section 64- 4.D.1. of the Zoning Ordinance where adjacent to R-1, Single-Family Residential District;
- 4) revision of the site plan to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized;
- 5) revision of the site plan to show parking space striping;
- 6) revision of the site plan to illustrate a sidewalk along West Drive;
- 7) revision of the site plan to indicate that the alley will be a minimum of 20' wide to accommodate fire access
- 8) compliance with Engineering Department comments (*ADD THE FOLLOWING NOTES TO THE PUD 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 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, paving, and all above ground structures, 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. 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.);

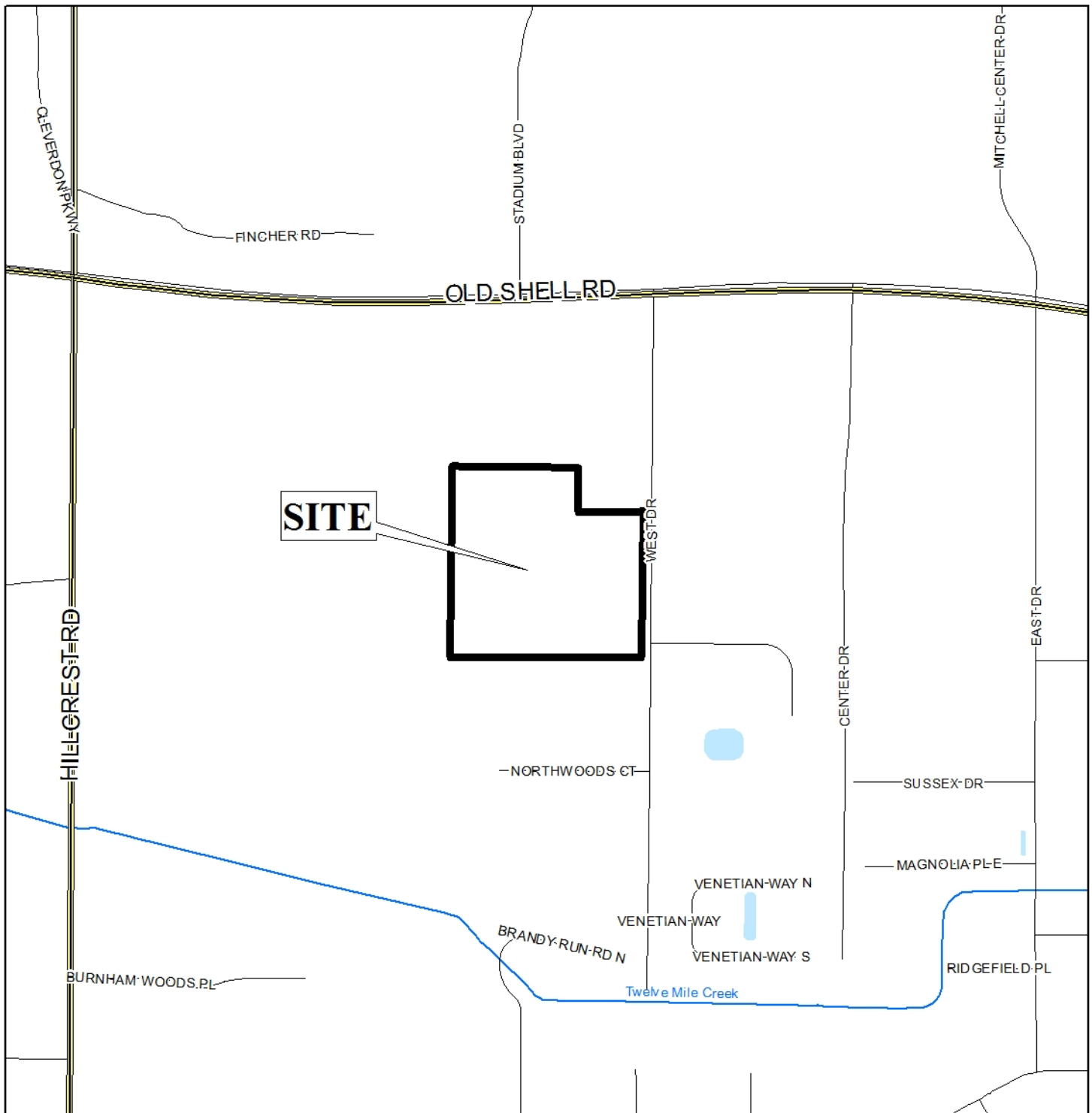
- 9) *full compliance with the Traffic Engineering comments (A traffic impact study was submitted for this site. The only off-site improvement warranted in the traffic study was the construction of an eastbound right turn lane on Old Shell Road at West Drive. The warrant was marginally met, and utility restrictions would make the improvement difficult to accomplish. The developer has proposed to construct an access roadway in the currently unopened alley that will provide secondary access to Old Shell Road, reducing the impacts to West Drive. Currently the plan illustrates the access roadway to be one-way southbound. It is recommended that the roadway be revised to be either one-way northbound, or revised to allow two-way traffic. Since the roadway will be constructed in City right-of-way, the developer is responsible for its construction to City standards for it to be accepted for maintenance by the City. Site is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress. Driveway 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.);*
- 10) *compliance with 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).*

Rezoning: Based upon the preceding, the application is recommended for Holdover to the August 4, 2016 meeting with revisions due by July 21st, to address the following:

- 1) provision of justification of the rezoning request, as required by the Zoning Ordinance;
- 2) revision of the site plan to indicate that the site will provide full compliance with landscaping and tree planting requirements of the Zoning Ordinance;
- 3) revision of the site plan to illustrate a residential buffer compliant with Section 64- 4.D.1. of the Zoning Ordinance where adjacent to R-1, Single-Family Residential District;
- 4) revision of the site plan to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized;

- 5) revision of the site plan to show parking space striping;
- 6) revision of the site plan to illustrate a sidewalk along West Drive;
- 7) revision of the site plan to indicate that the alley will be a minimum of 20' wide to accommodate fire access
- 8) full compliance with the Traffic Engineering comments (*A traffic impact study was submitted for this site. The only off-site improvement warranted in the traffic study was the construction of an eastbound right turn lane on Old Shell Road at West Drive. The warrant was marginally met, and utility restrictions would make the improvement difficult to accomplish. The developer has proposed to construct an access roadway in the currently unopened alley that will provide secondary access to Old Shell Road, reducing the impacts to West Drive. Currently the plan illustrates the access roadway to be one-way southbound. It is recommended that the roadway be revised to be either one-way northbound, or revised to allow two-way traffic. Since the roadway will be constructed in City right-of-way, the developer is responsible for its construction to City standards for it to be accepted for maintenance by the City. Site is limited to no more than two curb cuts to either West Drive or the future roadway to the west, with the secondary access as needed for emergency ingress/egress. Driveway 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.*); and
- 9) compliance with 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).*)

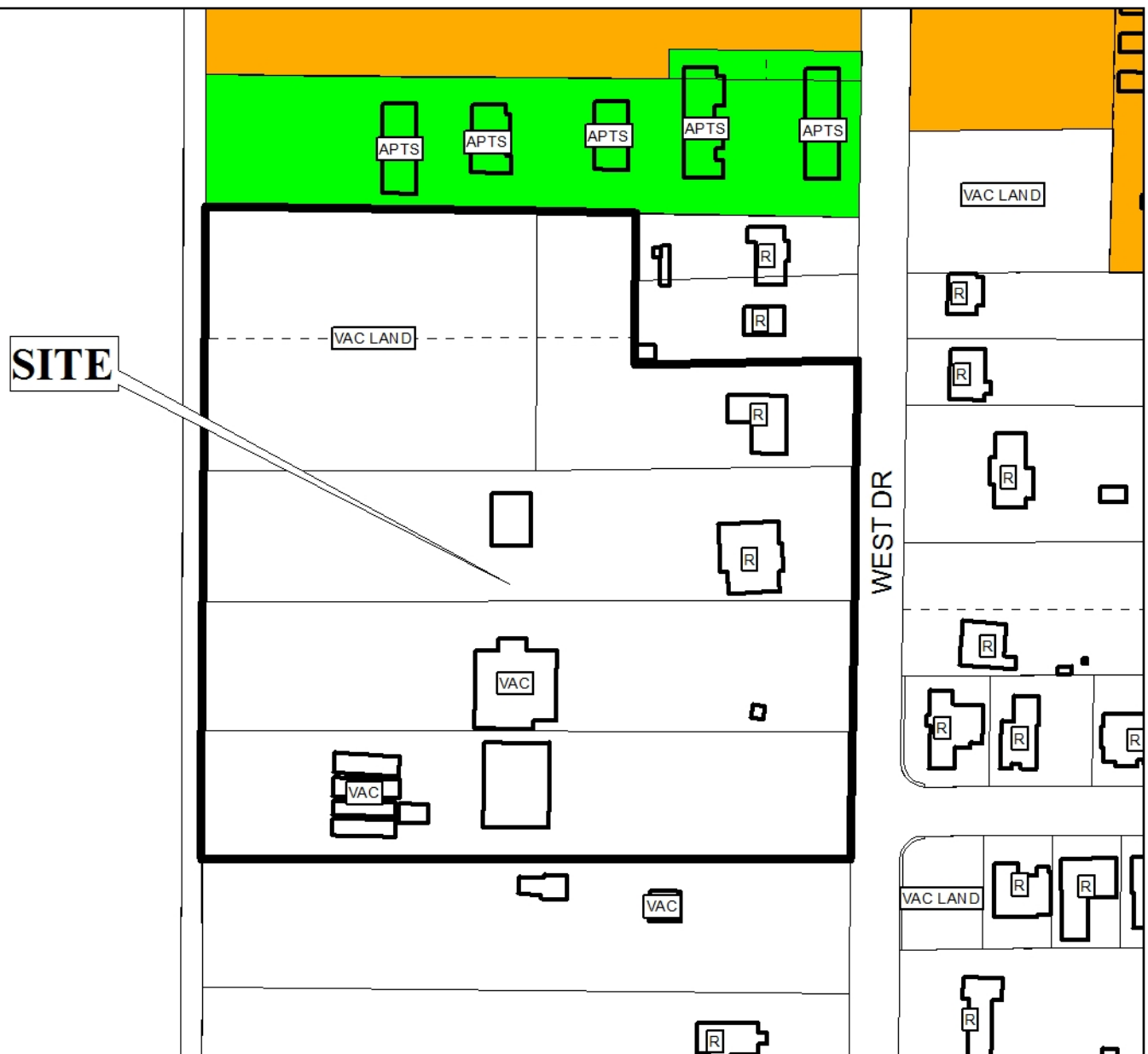
LOCATOR MAP



APPLICATION NUMBER 16 DATE July 7, 2016
 APPLICANT The Farm Subdivision
 REQUEST Subdivision, PUD, Rezoning from R-1 to R-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 16 DATE July 7, 2016

APPLICANT The Farm Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to R-3

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

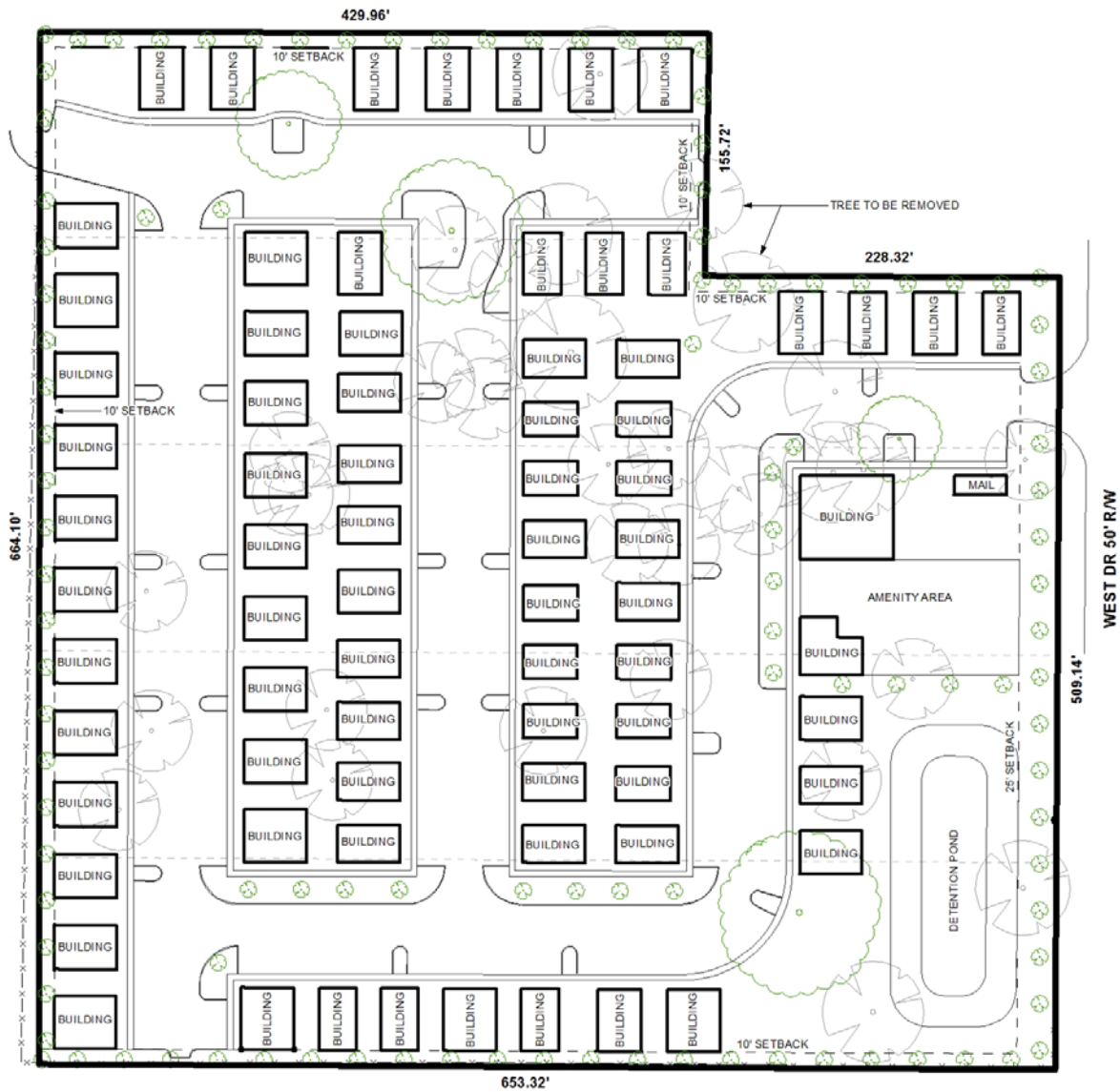


The site is surrounded by residential units.

APPLICATION NUMBER 16 DATE July 7, 2016
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 REQUEST Subdivision, PUD, Rezoning from R-1 to R-3



SITE PLAN



The site plan illustrates the proposed buildings, amenity area, detention pond, setbacks, and trees to be removed.

APPLICATION NUMBER 16 DATE July 7, 2016
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REQUEST Subdivision, PUD, Rezoning from R-1 to R-3

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