

**REZONING, PUD &
SUBDIVISION STAFF REPORT****Date: May 5, 2005****APPLICANT NAME**

John F. Loupe

DEVELOPMENT NAME

The Quarters at Heron Lakes

SUBDIVISION NAME

The Quarters at Heron Lakes Subdivision

LOCATION

North terminus of Skyview Drive, Extending to the West side of Skywood Drive, 650'± South of Government Boulevard.

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONINGR-1, Single-Family Residential and
R-3, Multi-Family Residential**PROPOSED ZONING**

R-3, Multi-Family Residential

AREA OF PROPERTY

18.3± Acres 85 Lots

CONTEMPLATED USE

A gated, private street, town home and single family residential subdivision with reduced lot widths and sized, reduced building setbacks, increased site coverage, alleyway access, and on-street parking.

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.

REASON FOR REZONING

The reason for rezoning provided by the applicant reads as follows:

The proposed site requires rezoning and PUD approval to achieve desired density and character, controlled setbacks, neighborhood alleyways, street landscaping with preservation of wetlands to include park settings within smaller neighborhoods.

TIME SCHEDULE

Begin Immediately upon approvals. Completion August 2006.

ENGINEERING**COMMENTS**

Significant, serious drainage problems existing on site and downstream. Contours not provided by applicant therefore, thorough evaluation of all problems not available. Drainage from Burma Road and significant area north of Govt Blvd drain through site. Applicant must accommodate all existing drainage systems through site AND ensure existing outfall systems are adequate to handle the impact of the additional discharge from this development. 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**

The addition of the projected traffic flows of this development to Skywood Drive will cause Skywood Drive to meet MUTCD warrants for the installation of a traffic signal. The installation of a signal will require geometric changes to the roadway at the intersection of Highway 90. Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY**COMMENTS**

Property to be brought into full compliance with landscape and tree requirements of the zoning ordinance. Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (City Code Chapters 57 and 64 and State Act 61-929).

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. May require private fire hydrants on property. May require approved automatic sprinkler system.

REMARKS

The applicant is proposing a gated, 85 lot, single-family residential subdivision consisting of detached single-family dwellings and attached single-family town homes, with reduced lot sizes, reduced setbacks and increased site coverage, on a private street. To accomplish this, rezoning is needed to allow for the increased density; subdivision approval is required to allow the division of land into lots; and, Planned Unit Development (PUD) approval is needed to allow the reduced lot sizes, reduced, setbacks, increased site coverage, and the gated private street.

This area is shown on the General Land Use component of the Comprehensive Plan as residential. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may 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 applicant is requesting a change in zoning from R-1, single-family residential and R-3, multi-family residential (the site is "split-zoned") to R-3, multi-family residential to allow the

increased density. While the density appears to exceed the allowances for an R-1 district, given the amount of common open space provided, the aggregate area of the site (excluding streets, alleys and detention areas) appears to be sufficient to allow the number of proposed lots in an R-2, two-family residential district. When considering applications for rezoning to allow increased density, the staff generally considers and recommends the least intensive classification. Additionally, when such an application also requires PUD and Subdivision approvals, a recommendation for approval includes conditions limiting the development to the accompanying PUD and subdivision.

The Zoning Ordinance states that an amendment for rezoning is appropriate only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

In this case, the applicant is proposing the subdivision of land into urban building sites, the density of which makes the reclassification necessary.

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.

In concept, this application is very similar to recent applications in the Girby Road area – The Preserve and The Woodlands. While smart growth amendments to the city code have not yet been identified and made, some smart growth concepts have been incorporated into these developments – increased density with the preservation of common open space; reduced roadways with on-street parking, the provision of alleyways with parking and garages located to the rear of each lot, buildings located close to the street (pedestrian oriented), and a mixture of housing types (detached single-family and attached townhouses).

With regard to the proposed subdivision, Section VIII of the Subdivision Regulations allows for modifications to minimum standards for innovative designs. In this instance, the proposed development would qualify for modifications; however, since it is located within the City, it would be tied to the accompanying PUD.

While this is an innovative development and appears to meet the general requirements for rezoning, PUD approval, and innovative subdivision approval, there are some minor issues relating to the plan that should be addressed prior to any type of approvals. These issues relate to building separation / setbacks, and possible adjustments to the private street / parking locations (indicated in attachment to application). These issues are of concern because PUD approval is site plan specific. Minor modifications, such as relocation of a drive way or a minor shift in building location, may be reviewed and approved administratively. However, more significant changes such as revision to setbacks for the

entire development (or a large portion thereof) or changes in location or design of the private street and parking facilities would require a modification or amendment to the PUD, and approval by the Planning Commission. Another issue that is not addressed in the application, but was referenced at a neighborhood meeting is that the access to Skyview Drive is to be for emergency vehicles only. The plan submitted indicates that it would be an exit only, with no reference to emergency vehicles. Changing this to emergency vehicle access only would necessitate a modification to the plan to provide a turn-around.

Additionally, comments from the Traffic Engineering Department indicate that the increase in traffic generated by this development will warrant signalization of the Skywood Drive-Government Boulevard intersection, which will necessitate geometric changes to the intersection. Any approvals should be subject to completion of these improvements prior to the issuance of any permits.

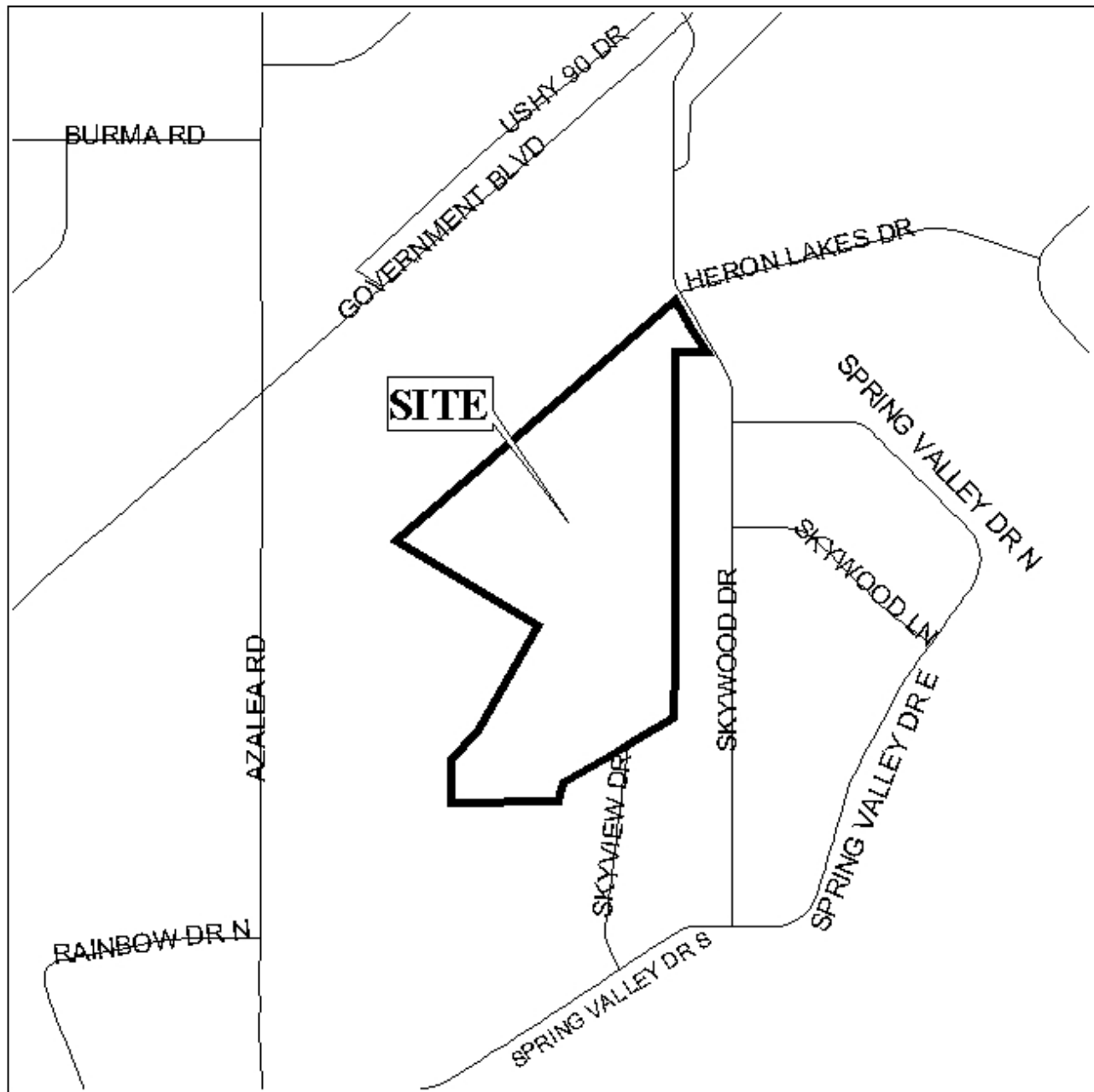
RECOMMENDATION

Rezoning: based on the preceding, it is recommended that this application be heldover until the June 2nd meeting to allow the applicant to submit revisions that address the issues referenced in the staff report (verification that density could be supported by R-2 zoning, building separation / setbacks, possible adjustments to the private street / parking locations, provision of a turn-around at the Skyview Drive gate). Revisions and additional information must be submitted by May 9th to be considered on June 2nd.

Planned Unit Development: based on the preceding, it is recommended that this application be heldover until the June 2nd meeting to allow the applicant to submit revisions that address the issues referenced in the staff report (building separation / setbacks, possible adjustments to the private street / parking locations, provision of a turn-around at the Skyview Drive gate). Revisions and additional information must be submitted by May 9th to be considered on June 2nd.

Subdivision: based on the preceding, it is recommended that this application be heldover until the June 2nd meeting to allow the applicant to submit revisions that address the issues referenced in the staff report (building separation / setbacks, possible adjustments to the private street / parking locations, provision of a turn-around at the Skyview Drive gate). Revisions and additional information must be submitted by May 9th to be considered on June 2nd.

LOCATOR MAP



APPLICATION NUMBER 5 & 6 & 7 DATE May 5, 2005

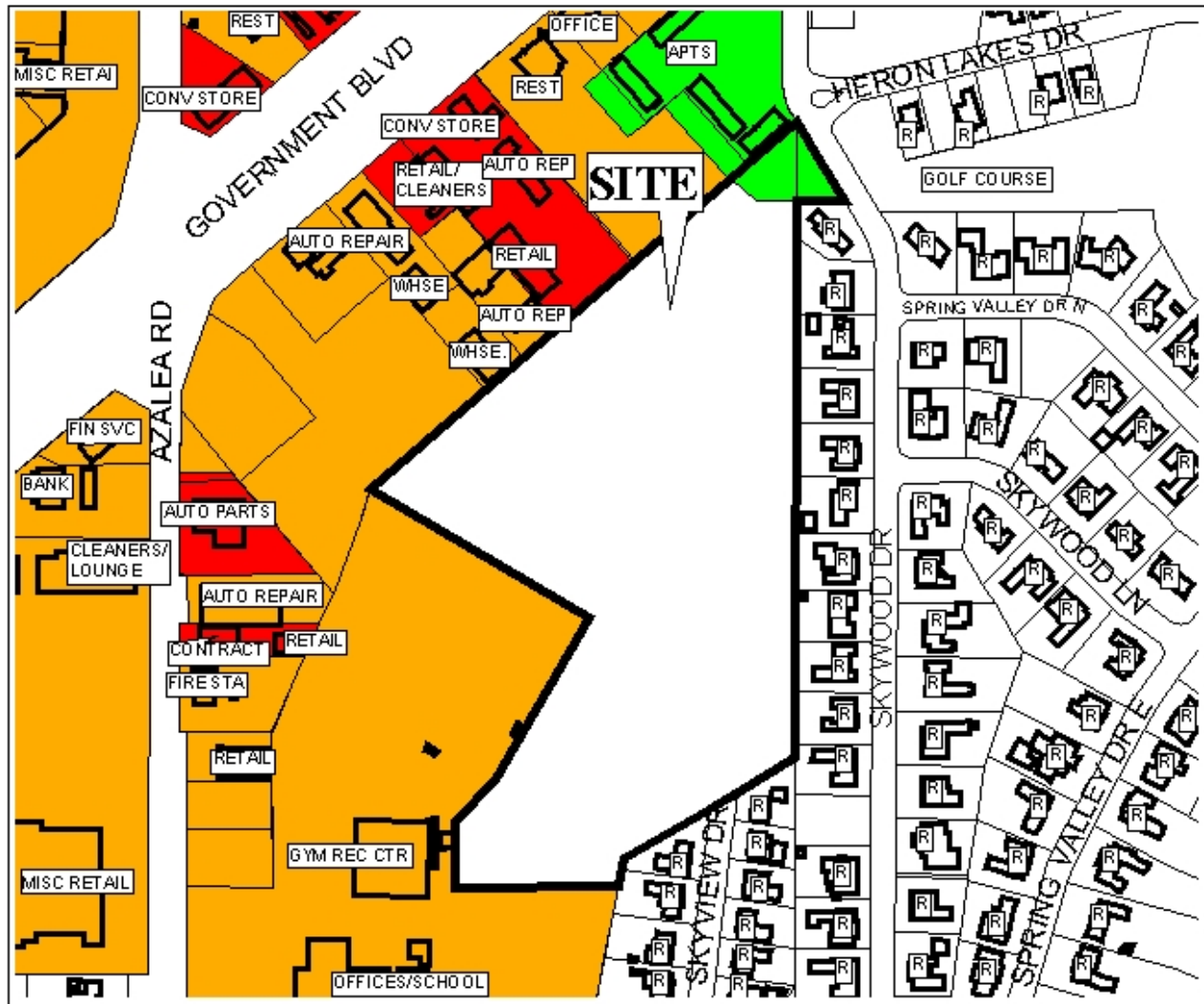
APPLICANT John F. Loupe

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



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Commercial sites are located to the north and west of the site.
Single-family residential units are located to the east of the site.

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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 development and proposed zoning

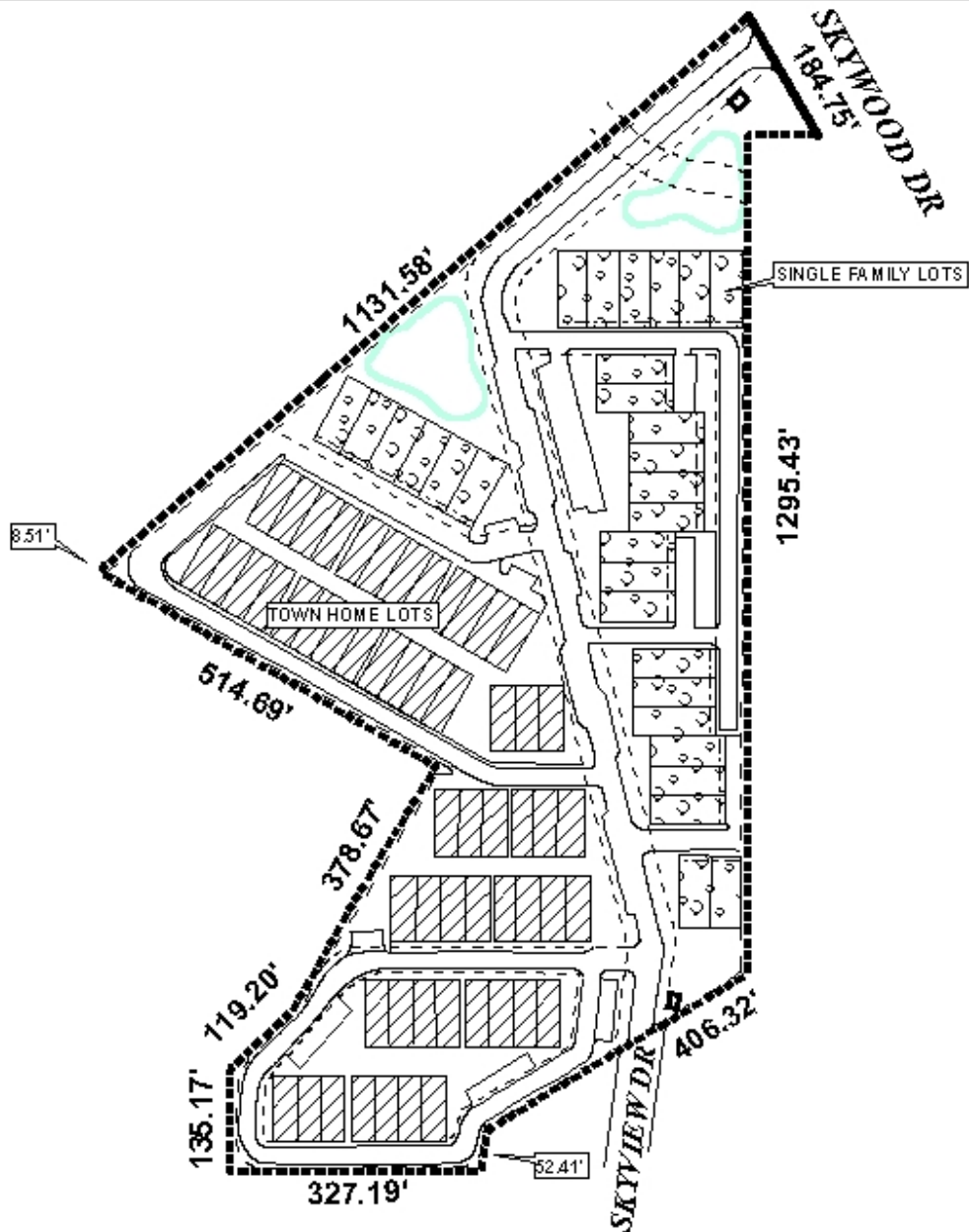
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NTS

TYPICAL LOT LAYOUT

92.57'



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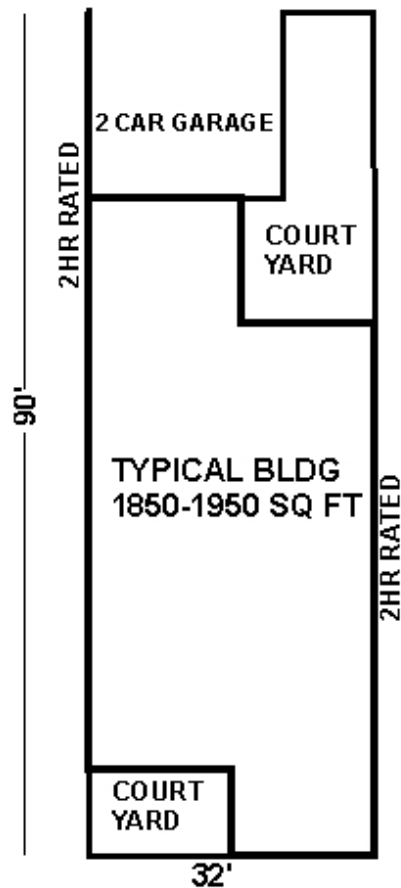
REQUEST Rezoning from R-1 and R-3 to R-3, Planned Unit Development, Subdivision



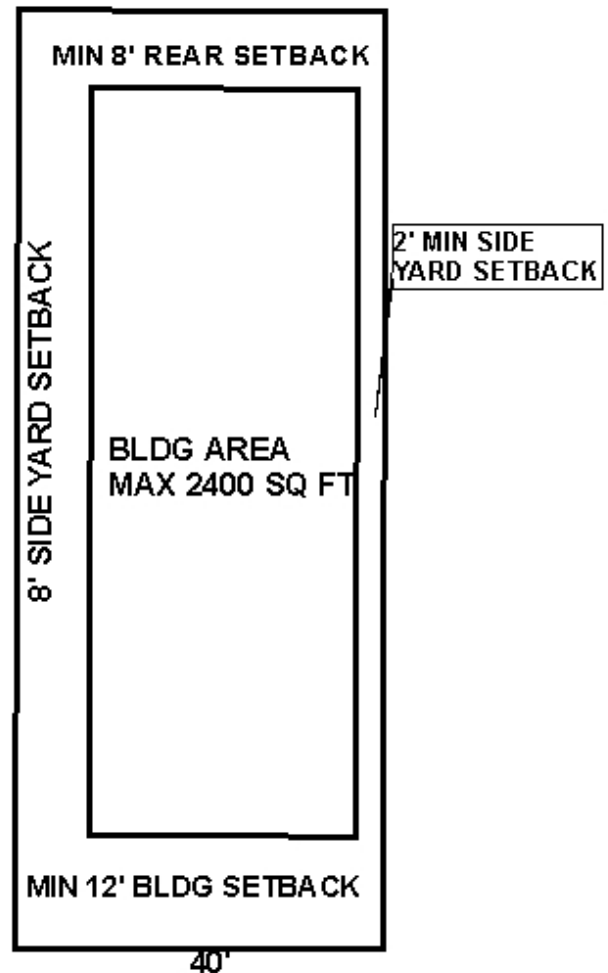
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DETAIL SITE PLAN

Town Home Lot



Single Family Lot



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