

**REZONING, PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: February 19, 2009****DEVELOPMENT NAME**

Roberts Brothers CPM

**SUBDIVISION NAME**

Providence/Coley Subdivision, Resubdivision of a portion of Lot 2

**LOCATION**

Southeast corner of Somerby Drive and Cody Road South

**CITY COUNCIL  
DISTRICT**

City Council District 6

**PRESENT  
ZONING DISTRICT**

R-1, Single-Family Residential

**PROPOSED  
ZONING DISTRICT**

R-3, Multi-Family Residential

**AREA OF PROPERTY**

3 lots / 43.1± acres

**CONTEMPLATED USE**

Subdivision Approval to create three lots of record from a metes and bounds parcel, Planned Unit Development Approval to allow sixteen apartment buildings and a clubhouse, twelve parking garages, and a maintenance building on a single building site, and Zoning Approval to rezone the proposed Lot 2 from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District, to allow the construction of a 384-unit 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**

Immediate

**ENGINEERING  
COMMENTS**

Show Minimum FFE on plans and plat. No fill allowed within a special flood hazard area without providing compensation. 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. A traffic impact study is required for this development.

**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**

Shall comply with 2003 IFC – Appendices C and D with regard to adequate hydrant spacing, road widths and turn-arounds. Shall comply with Section 508.5.1.

**REMARKS**

The applicant is seeking Subdivision Approval to create three lots of record from a metes and bounds parcel, Planned Unit Development Approval to allow sixteen apartment buildings and a clubhouse, twelve parking garages, and a maintenance building on a single building site, and Zoning Approval to rezone the proposed Lot 2 from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District, to allow the construction of a 384-unit apartment complex. The site is located in Council District 6, and according to the applicant is served by public water and sanitary sewer facilities.

To the West, the site fronts Cody Road, a major street with sufficient right-of-way. The site also fronts Somerby Drive, a minor street with sufficient right-of-way. No dedication is required.

As proposed, Lots 1 is a corner lot with approximately 215' and 525' on Cody Road and Somerby Drive respectively; lot 2 has approximately 1,525' of frontage on Somerby; Lot 3 has approximately 568' of frontage on Cody Road. As a means of access management, a note should be placed on the final plat stating that Lot 1 is denied direct access to Cody Road and limited to one curb cut to Somerby Drive, Lot 2 is denied direct access to Cody Road and is limited to four curb cuts to Somerby Drive, and Lot 3 is limited to two curb cuts to Cody Road, with the size, design, and location to be approved by Traffic Engineering and in conformance with AASHTO standards. For Lot 2, the site plan illustrates two double curb cuts (each with two 24' wide drives separated by a median) and a 15' curb cut labeled as "gated-access for emergency vehicles only." The applicant should be aware that Lot 2 will be limited to the approved Planned Unit Development site plan.

The Zoning Ordinance states that an amendment is to be made 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.

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.

It is very important to note that Planned Unit Development review is site plan specific; therefore any future changes (parking, structure expansion, etc.,) must be resubmitted for Planned Unit Development review, and be approved through the planning process. It should also be noted that the Planned Unit Development and Rezoning applications are for proposed Lot 2 only.

To address the reasons for rezoning, the applicant states that changing conditions in the area make the proposed zoning amendment necessary. When Somerby Park was originally developed, it was designed as a commercial (not single-family residential) development, and the rezoning of the parcel would be in character with the original development plan and existing developments in the Park (Somerby of West Mobile (an assisted living facility) and Stone Ridge at Somerby Park (an apartment development). Secondly, the applicant states that an increased need for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone the area. A recent market study indicates a demand for multi-family development resulting from increasing business and occupancies in the area. Finally, the applicant states that the subdivision of the land into urban building sites makes the reclassification necessary and desirable. The specific site is more suitable for multi-family development, rather than a single-family neighborhood or a commercial park, due to the slope of the land.

The site is bounded to the North by residential property; however, the property adjacent to the South is zoned for multi-family residential, and to the West and East is commercial. It should also be noted that the maximum density of the proposed zoning would allow up to 765 dwelling units (only 384 are proposed).

The site plan illustrates 16 apartment buildings (all 45' in height and ranging from 9,685 to 11,105 square feet), a club house (4,816 square feet), twelve parking garages (21,012 square feet), and a maintenance building (726 square feet). As illustrated, the development will be constructed in phases. Phase one consists of 240 dwelling units, the clubhouse, and 616 parking spaces, 42 of which are covered/garage parking spaces. Phase two consists of 144 units and 211 parking spaces, 30 of which are covered/garage parking spaces. While the site plan complies with the minimum landscaping requirements, there is no depiction of trees. The applicant should be aware that a Tree Plan, in compliance with Section 64-4.E.3 of the Zoning Ordinance, will be required at the time of permitting.

As already mentioned, the applicant is proposing 384 units; therefore, consideration should be given to the amount of traffic that will be generated by the proposed use. The size of the site and the proposed development makes a Traffic Impact Study necessary in order to ensure that the number and location of access points will be safe and compatible with the surrounding area. The study should meet Institute of Transportation Engineers standards and must be reviewed and accepted by the Urban Development Department and City of Mobile Traffic Engineering Department.

The applicant should revise the site plan to illustrate a buffer, in compliance with Section 64-4.D of the Zoning Ordinance, where the site abuts residentially zoned property. Furthermore, as required by Section 64-6.A.3.c of the Zoning Ordinance, any lighting for the parking lot shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic.

Dumpster locations for the site are indicated on the site plan and in compliance with Section 64-4.D.9 of the Zoning Ordinance; however, the applicant should place a note on the site plan stating that dumpsters will be completely screened from view.

The applicant should also revise the site plan to provide a sidewalk along Somerby Drive and Cody Road.

Easements exist on the site; thus, a note should be placed on the plat / site plan stating that no development is allowed within any easement.

Wetlands exist near the site. The presence of wetlands and floodplains indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

## **RECOMMENDATION**

**Subdivision:** Based upon the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) placement of a note on the final plat stating that Lot 1 is denied direct access to Cody Road and limited to one curb cut to Somerby Drive, Lot 2 is denied direct access to Cody Road and is limited to four curb cuts to Somerby Drive, and Lot 3 is limited to two curb cuts to Cody Road, with the sizes, designs and locations to be approved by Traffic Engineering and in conformance with AASHTO standards;
- 2) placement of a note on the final plat stating that no development is allowed within any easement;
- 3) placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;
- 4) placement of a note on the plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;

- 5) provision of a Traffic Impact Study meeting ITE standards, to be reviewed and accepted by Urban Development Department and City of Mobile Traffic Engineering prior to signing the final plat.

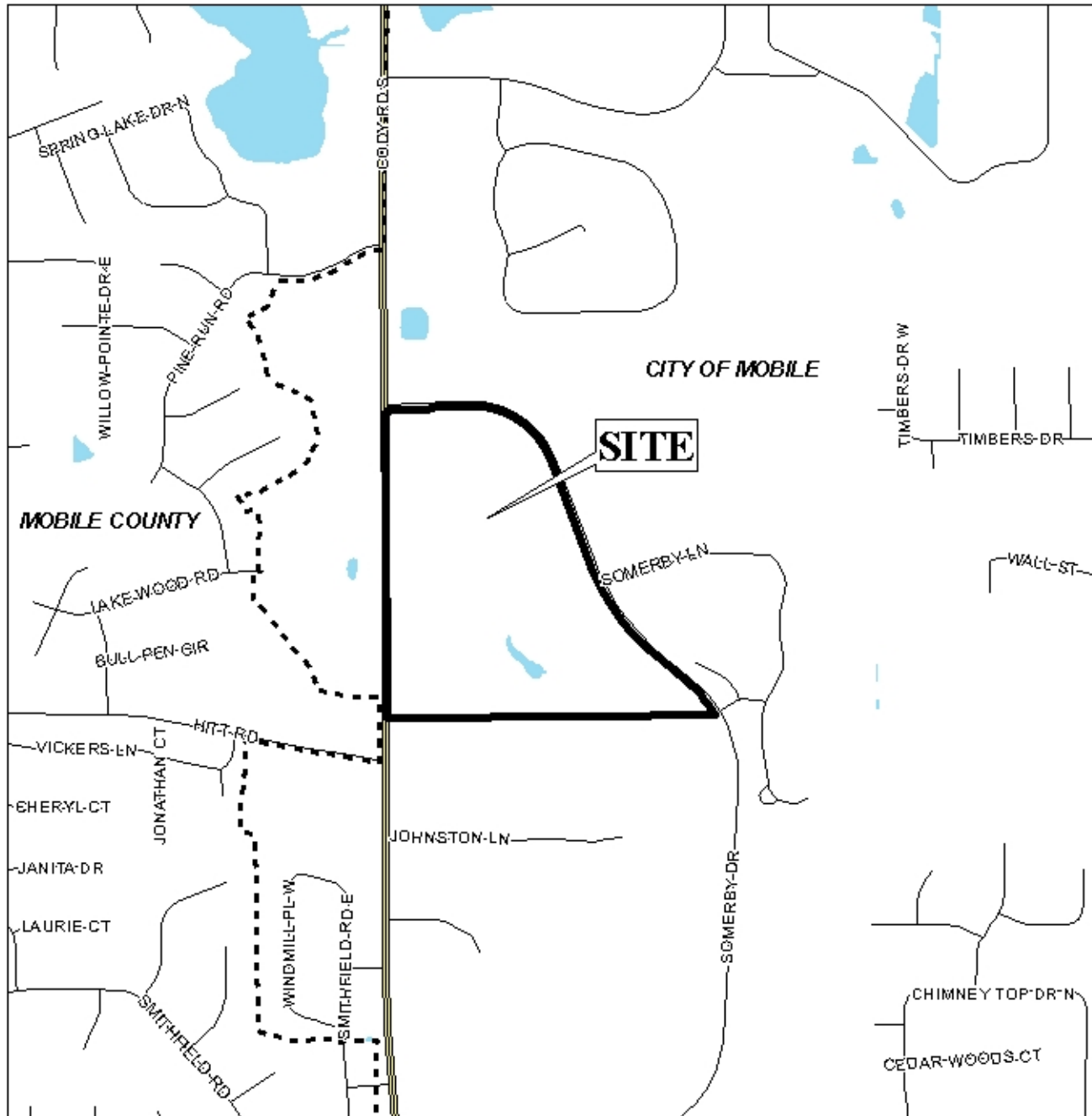
**Planned Unit Development:** Based upon the preceding, this application is recommended for approval, subject to the following conditions:

- 1) placement of a note on the site plan stating that Planned Unit Development is site plan specific; therefore any future changes (parking, structure expansion, etc.,) must be resubmitted for Planned Unit Development review, and be approved through the planning process;
- 2) provision of buffering, in compliance with Section 64-4.D of the Zoning Ordinance, where the site abuts residentially zoned property;
- 3) placement of a note on the site plan stating that lighting of parking facilities will comply with Section 64-6.A.3.c of the Zoning Ordinance;
- 4) placement of a note on the site plan stating that dumpsters will be completely screened from view;
- 5) provision of a sidewalk along Somerby Drive and Cody Road;
- 6) placement of a note on the site plan stating that no development is allowed within any easement;
- 7) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the issuance of any permits or land disturbance activities;
- 10) provision of a Traffic Impact Study meeting ITE standards, to be reviewed and accepted by Urban Development Department and City of Mobile Traffic Engineering prior to signing the final subdivision plat.

**Rezoning:** Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) completion of the subdivision process;
- 2) development limited to an approved Planned Unit Development site plan; and
- 3) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 20, 21, 22 DATE February 19, 2009

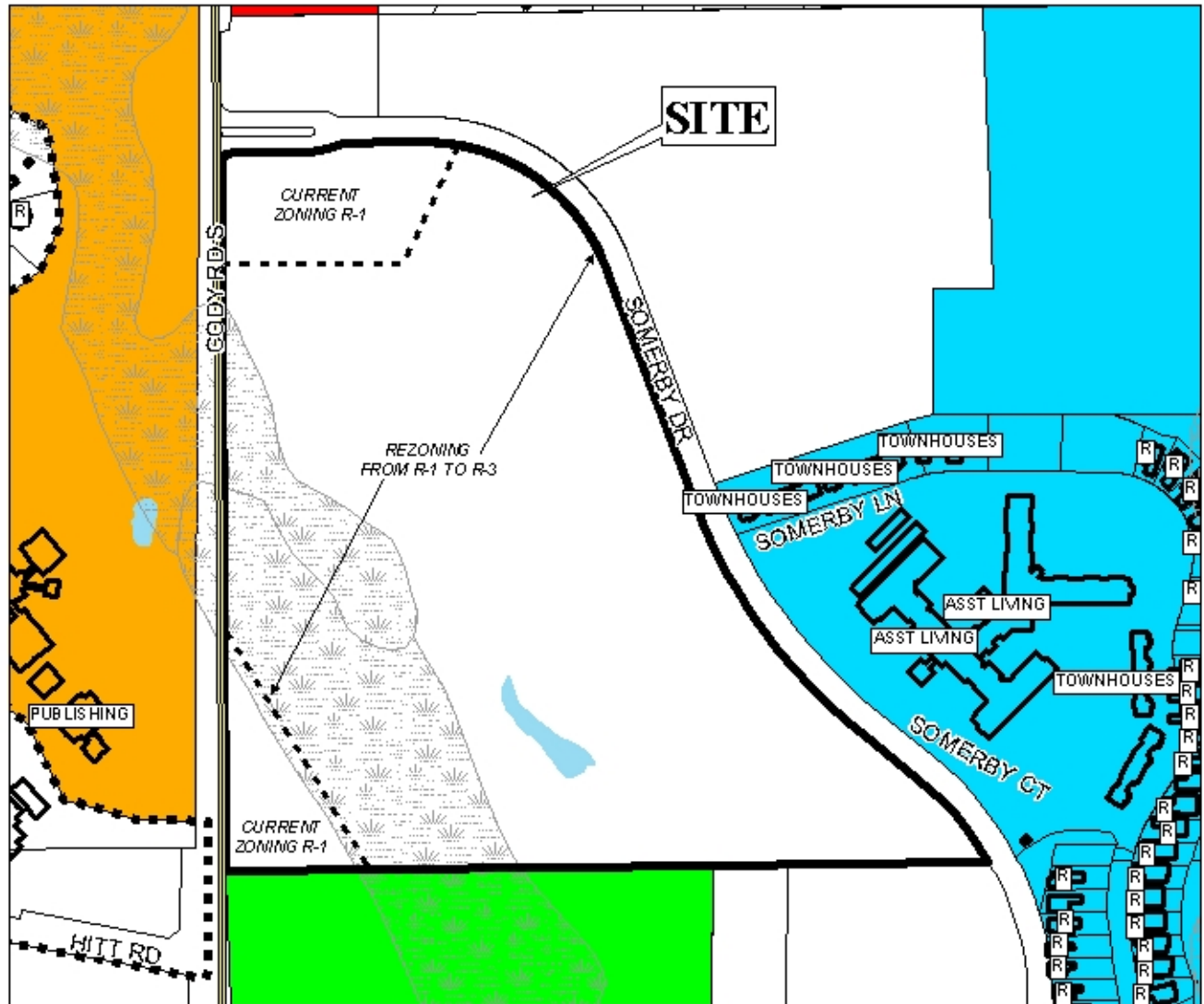
APPLICANT Providence/Coley Subdivision,  
Resubdivision of a Portion of Lot 2

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



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

APPLICATION NUMBER 20, 21, 22 DATE February 19, 2009

APPLICANT Providence/Coley Subdivision,  
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REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-3

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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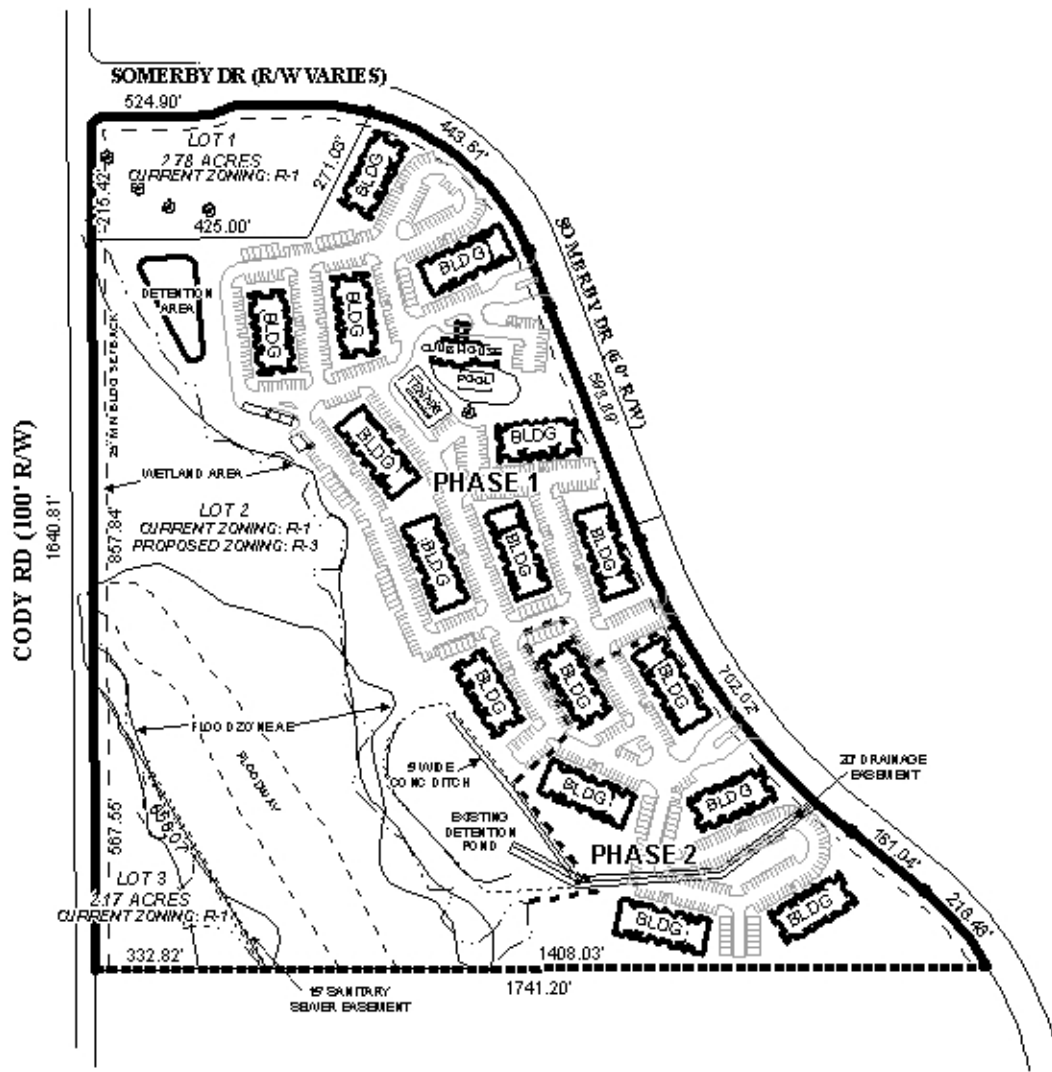
APPLICANT Providence/Coley Subdivision,  
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REQUEST Subdivision, Planned Unit Development, Rezoning from R-1 to R-3

N  
↑  
NTS



# SITE PLAN



This site plan illustrates proposed structures and lot configuration.

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

N  
NTS