

**SUBDIVISION,
PLANNED UNIT DEVELOPMENT, &
REZONING STAFF REPORT****Date: August 6, 2015**

<u>APPLICANT NAME</u>	Barton & Shumer Engineering, LLC
<u>SUBDIVISION NAME</u>	Russell Elementary Subdivision
<u>DEVELOPMENT NAME</u>	Russell Elementary Subdivision
<u>LOCATION</u>	304 South Broad Street and 903 Augusta Street (Southwest corner of South Broad Street and Augusta Street)
<u>CITY COUNCIL DISTRICT</u>	Council District 2
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>PROPOSED ZONING</u>	R-3, Multiple-Family Residential District
<u>AREA OF PROPERTY</u>	1 Lots/1.2± Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision Approval to create a single legal lot of record from six legal lots of record and a single metes and bounds parcel; Planned Unit Development to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District to R-3, Multiple-Family Residential District to allow an apartment complex.</p> <p>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.</p>
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Fall 2015

**ENGINEERING
COMMENTS**

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:

- A. Make site and street names more legible in vicinity map.
- B. 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.

- C. 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.
- D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #77) the Lot will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- E. 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.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- H. Provide and label the monument set or found at each subdivision corner.
- I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- J. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature.
- K. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature
- L. 0.

Planned Unit Development: According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE).

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

Based on the proposed density for this site, a traffic impact study will not be required. Site is limited to one curb cut to Savannah Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The parallel parking spaces should be increased to 23', since all but the furthest north space is encumbered. The northern most parallel space can be 20' in length. The parking count may reduce by one space, but the site will still provide the required parking count, as noted on the plan.

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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)

MAWSS

COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

REMARKS

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

This site received similar Subdivision, Planned Unit Development, and Rezoning approvals in 2008 to be rezoned to R-3, Multiple-Family Residential District to allow a condominium development, however, those approvals were allowed to expire.

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 proposed lot, as depicted, meets the minimum size and frontage requirements as regulated by the Subdivision Regulations. The lot area size is depicted on the plat in square feet and acres. The lot sizes should be retained in square feet and acres on the Final Plat, if approved. The 25-foot minimum building setback line is depicted, and should be retained on the Final Plat, if approved.

The lot fronts South Broad Street, a proposed major street, which has a compliant right-of-way of 100', making no dedications necessary. The site also has frontages along Savannah Street and Augusta Street, both minor streets with curb and gutter, which are illustrated as having compliant rights-of-way of 50', making no dedication necessary. Dedication of the corner radii at South Broad Street and Augusta Street should be required per Section V.D.6. of the Subdivision Regulations. As a means of access management, the site should be limited to the existing curb cut to Savannah Street with changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

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.

It should be noted that the rezoning 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.

The applicant does not state which of the four reasons stated in Section 64-9 of the Zoning Ordinance makes the rezoning desirable. It is simply stated that the site was originally developed as a school and they wish to redevelop the now abandoned school into a multi-family residential complex. Thus, perhaps "changing conditions" may be a reasonable assumption since

the school has been vacant for nearly 10 years. Section 64-9.A.2.b. of the Zoning Ordinance states that a newly proposed R-3, Multiple-Family Residential District should contain a minimum of 4 acres, which this site does not meet.

As stated in Section 64-5 of the Zoning Ordinance, 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.

The site plan submitted states that the site will be in full compliance with landscape areas and tree planting requirements. The applicant states that there are several trees existing on the site they wish to use as tree credits, however, it should be noted that all of the trees except one that are illustrated on the site plan are located in the right-of-way and not the actual property. While the existing trees in the right-of-way cannot be used for tree credits, the existing canopies associated with these trees may make it less likely for any required frontage trees along South Broad Street to thrive, therefore the site plan should be revised to illustrate the canopies associated with the existing trees in the right-of-way so that the number of required frontage trees can be reduced appropriately. Due to the proximity of the existing structures along Augusta Street, there may also be issues with any required frontage trees to have sufficient room to thrive. Furthermore, the layout of the site restricts the areas where tree plantings would have sufficient room; therefore the applicant should coordinate tree plantings for the site with Planning Division staff, with the understanding that tree banking may be required.

The site plan submitted illustrates two existing buildings which are proposed to consist of 28 dwelling units. The site plan illustrates 43 parking spaces, which exceeds the minimum requirement of 42 parking spaces, however, per Traffic Engineering comments, the parallel parking spaces should be revised to be 23' long, with the exception of the Northern most parallel space, which will result in the loss of one parking space, but will still meet the minimum required number of parking spaces for the development.

A dumpster is illustrated on the site plan with an enclosure, but no mention is made of the type of enclosure, or if it will be connected to sanitary sewer. If approved, the site plan should be revised to state that the dumpster will be connected to sanitary sewer and have an enclosure compliant with Section 64-4.D.9. of the Zoning Ordinance.

The site plan submitted illustrates a 6' high wooden privacy fence (reduced to 3' high within the 25' building setback) next to most of the adjacent R-1, Single-Family Residential District, and a 3' high hedge or wood fence proposed to screen the proposed parking areas from residences across Savannah Street. The site plan should be revised to illustrate a wooden privacy fence next to all adjacent R-1, Single-Family Residential District properties.

RECOMMENDATION

Subdivision: The request is recommended for Tentative Approval, subject to the following conditions:

- 1) dedication of the corner radii at South Broad Street and Augusta Street per Section V.D.6. of the Subdivision Regulations;
- 2) retention of the 25' minimum building setback line along all frontages;
- 3) retention of the lot size in square feet and acres;
- 4) placement of a note on the Final Plat stating the site is limited to the existing curb-cut to Savannah Street with changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 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. Make site and street names more legible in vicinity map. B. 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. C. 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. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #77) the Lot will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. E. 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. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Provide and label the monument set or found at each subdivision corner. I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. K. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 6) full compliance with 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 to Savannah Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The parallel parking spaces should be increased to 23', since all but the furthest north space is encumbered. The northern most parallel space can be 20' in*

length. The parking count may reduce by one space, but the site will still provide the required parking count, as noted on the plan.);

- 7) compliance with Fire 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)); and*
- 8) provision of two (2) revised PUD site plans to the Planning Division prior to the signing of the Final Plat.

Planned Unit Development: Based on the preceding Planned Unit Development request is recommended for Approval, subject to the following conditions:

- 1) revision of the site plan to depict dedication of the corner radii at South Broad Street and Augusta Street per Section V.D.6. of the Subdivision Regulations;
- 2) revision of the site plan to illustrate the canopies associated with the existing trees in the right-of-way;
- 3) coordination of tree plantings for the site with Planning Division staff, with the understanding that tree banking may be required;
- 4) compliance with Engineering comments *(According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE). 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.);*
- 5) compliance with 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 to Savannah Street, with size, location and design to be approved by Traffic Engineering*

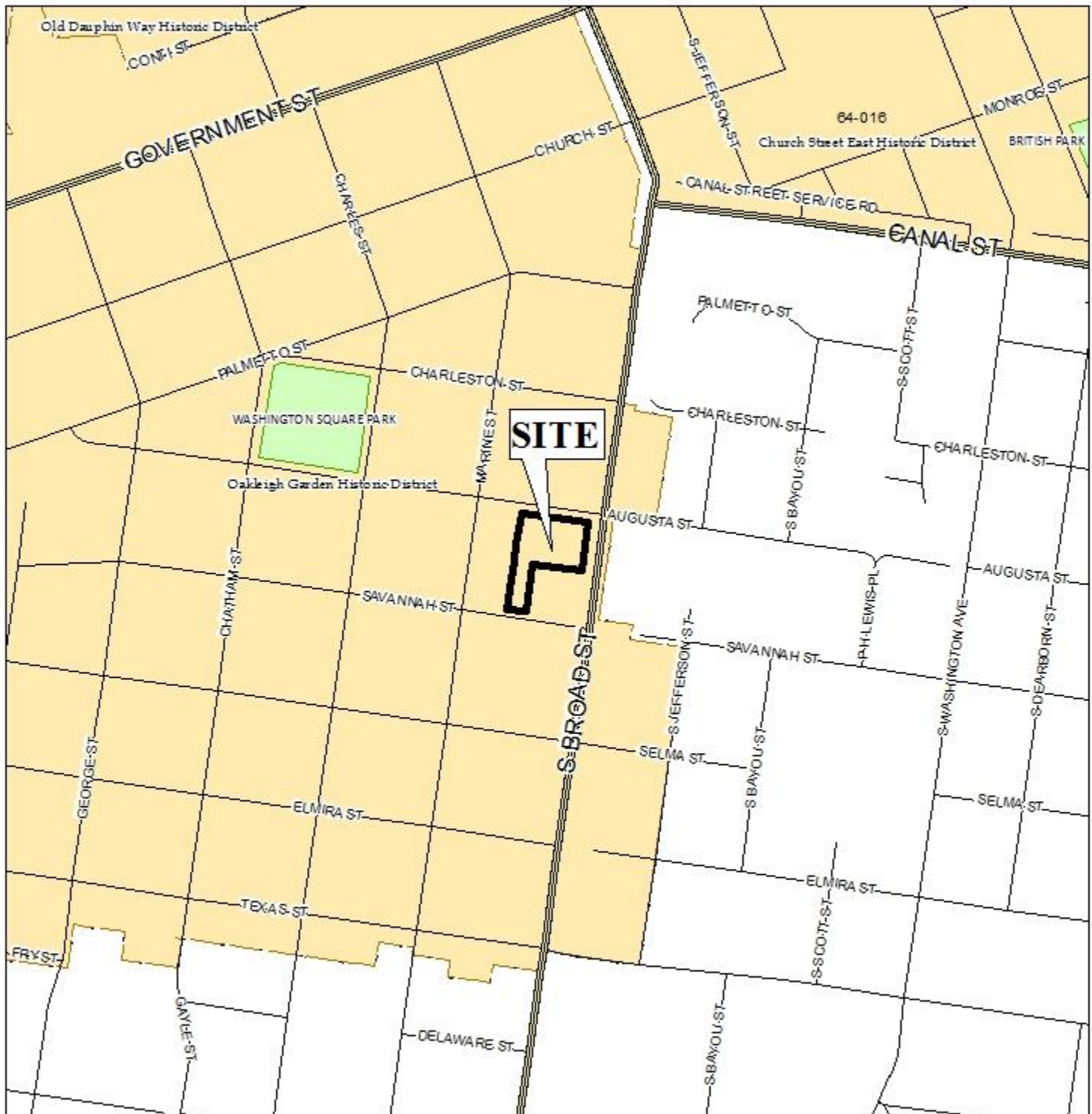
and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The parallel parking spaces should be increased to 23', since all but the furthest north space is encumbered. The northern most parallel space can be 20' in length. The parking count may reduce by one space, but the site will still provide the required parking count, as noted on the plan.);

- 6) compliance with Fire 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)*)
- 7) revision of the site plan to indicate that the dumpster will be connected to sanitary sewer and have a dumpster enclosure compliant with Section 64-4.D.9. of the Zoning Ordinance;
- 8) revision of the site plan to illustrate a wooden privacy fence next to all adjacent R-1, Single-Family Residential District properties (3' high in 25' minimum building setback, 6' high elsewhere); and
- 9) provision of two (2) revised PUD site plans to the Planning Division prior to the signing of the Final Plat.

Rezoning: Based on the preceding, the rezoning is recommended for Approval, subject to the following conditions:

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

LOCATOR MAP



APPLICATION NUMBER 20 DATE August 6, 2015

APPLICANT Russell Elementary Subdivision

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 20 DATE August 6, 2015

APPLICANT Russell Elementary Subdivision

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

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 ZONING



The site is surrounded by residential units.

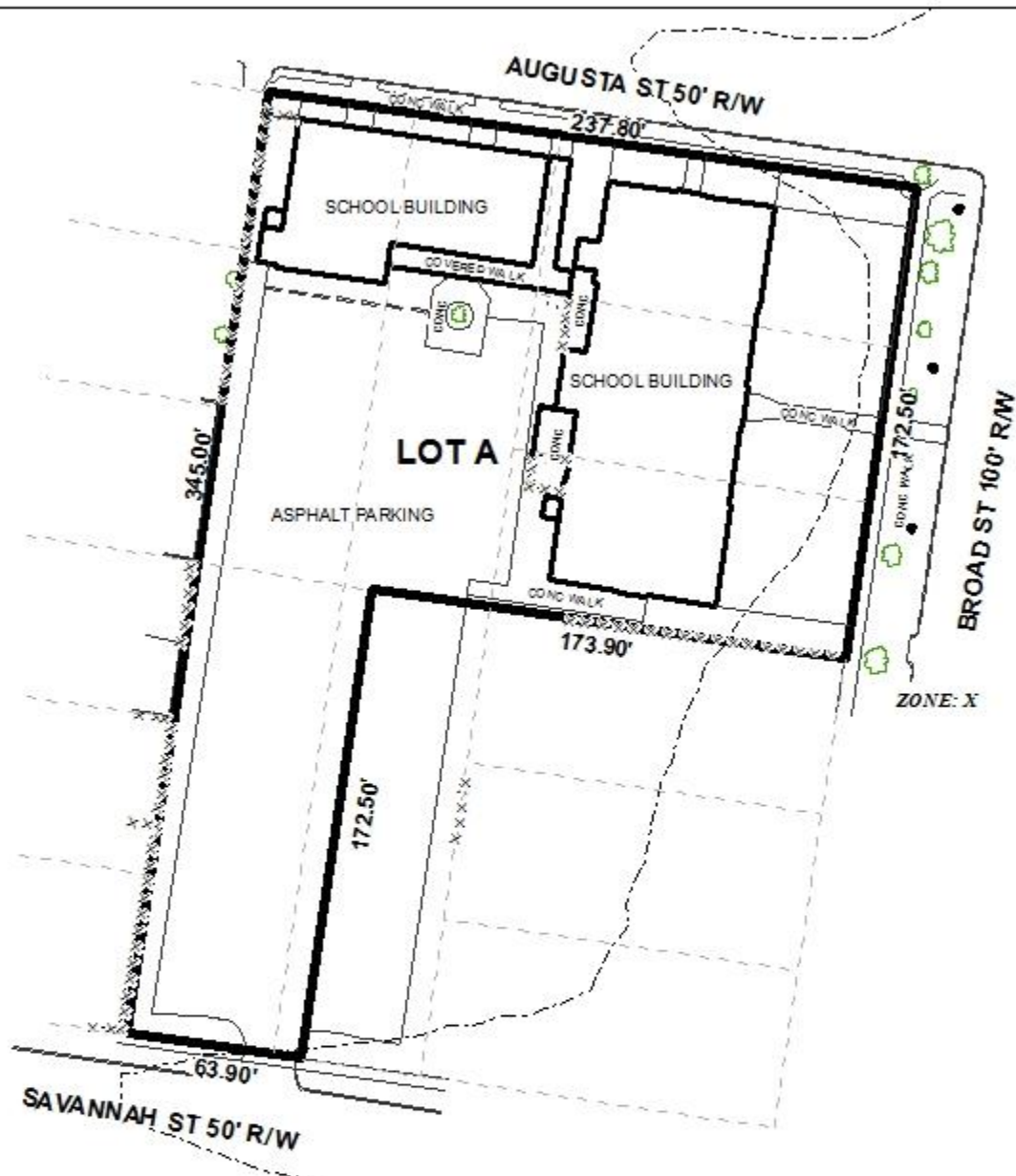
APPLICATION NUMBER 20 DATE August 6, 2015

APPLICANT Russell Elementary Subdivision

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



EXIST SITE PLAN



The site plan illustrates the existing school buildings and parking area.

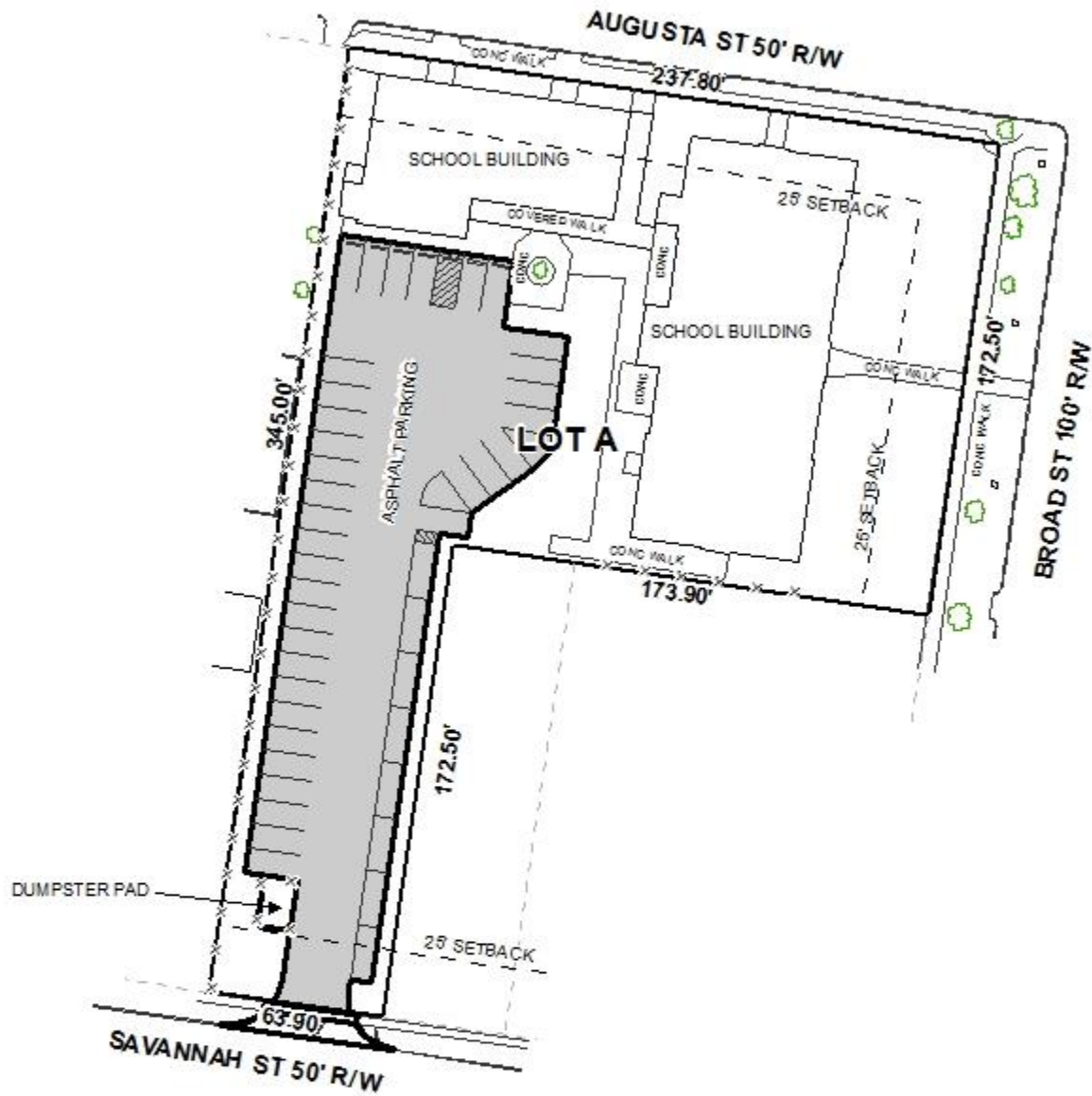
APPLICATION NUMBER 20 DATE August 6, 2015

APPLICANT Russell Elementary Subdivision

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



PROP SITE PLAN



The site plan illustrates the proposed parking area, and existing building.

APPLICATION NUMBER 20 DATE August 6, 2015

APPLICANT Russell Elementary Subdivision

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

