

**REZONING,  
PLANNED UNIT DEVELOPMENT  
& SIDEWALK WAIVER STAFF REPORT**

**Date: September 18, 2008**

**DEVELOPMENT NAME**

Rochester Place, LLC  
WD Development LLC.

**SUBDIVISION NAME**

Rochester Place Subdivision

**LOCATION**

Northwest corner of Airport Boulevard and General Pershing Avenue (not open); extending North and West to the South side of Sunset Drive South.

**CITY COUNCIL  
DISTRICT**

Council District 5

**AREA OF PROPERTY**

.35 ± acres

**CONTEMPLATED USE**

Rezoning from R-3, Multi Family Residential, to R-3, Multi Family Residential, to amend the site plan of a previously approved Rezoning; Planned Unit Development Approval to amend the site plan of a previously approved Planned Unit Development to include a portion of an adjacent property as an ingress and egress easement for pedestrians; and Request to waive construction of a sidewalk along the Airport Boulevard Service Road.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Existing.

**ENGINEERING  
COMMENTS**

It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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).

**FIRE DEPARTMENT****COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

**REMARKS**

The site has been the subject of numerous requests, the history of which has become so complex and convoluted that a complete narrative would only serve to confuse matters. Therefore, this report will attempt to simply matters by describing the current, valid approvals and the requests of the applicant.

Currently, the overall site has an approved subdivision and PUD to allow a private, gated street development (subject to several conditions which include completion of the vacation process and installation of sidewalks along the private street). The applicant is in process of completing the vacation, and has installed sidewalks along the developed lots within the development. Therefore, for all intents and purposes, the subdivision and PUD are considered active and will be completed with the finalization of the vacation.

Additionally, the corner lots were rezoned from R-1 to R-3 to allow development of those lots with townhouse units. The rezoning amendment included a condition limiting the development to the site plan submitted with the rezoning application. While only one of the corner lots has been developed, it was not developed in accordance with the rezoning site plan nor the site plan approved for permitting. Hence the rezoning request to change the condition relating to site plan specificity.

One of the significant changes from the approved plan is that the building was relocated some four to five feet to the East. This may seem an insignificant shift of building location; however it impacts the parking facility – which, while it may function, it does not now fully comply with minimum requirements. Unfortunately, however, the site development is complete.

The PUD portion of the applications relates to the inclusion of a portion of the property adjacent to the west for a pedestrian ingress-egress easement to the site. This easement, which includes a walkway and provides a wooden buffer fence, was developed as part of the townhouse development after all approvals and permits, and was never shown on any drawings submitted to the City of Mobile for review. In essence, the applicant has expanded the site and is asking for an after the fact approval. Again, the site development is complete.

The sidewalk waiver request is for the Airport Boulevard Service Road frontage. The applicant contends that the location of the sidewalk in this area would be dangerous due to the proximity of the sidewalk to the wall and to the street improvements. The applicant also references a large live oak that would interrupt the sidewalk. Urban Forestry has visited the site and concurs that the existing tree would be considered an obstacle for installation of a city standard sidewalk.

## **RECOMMENDATION**

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

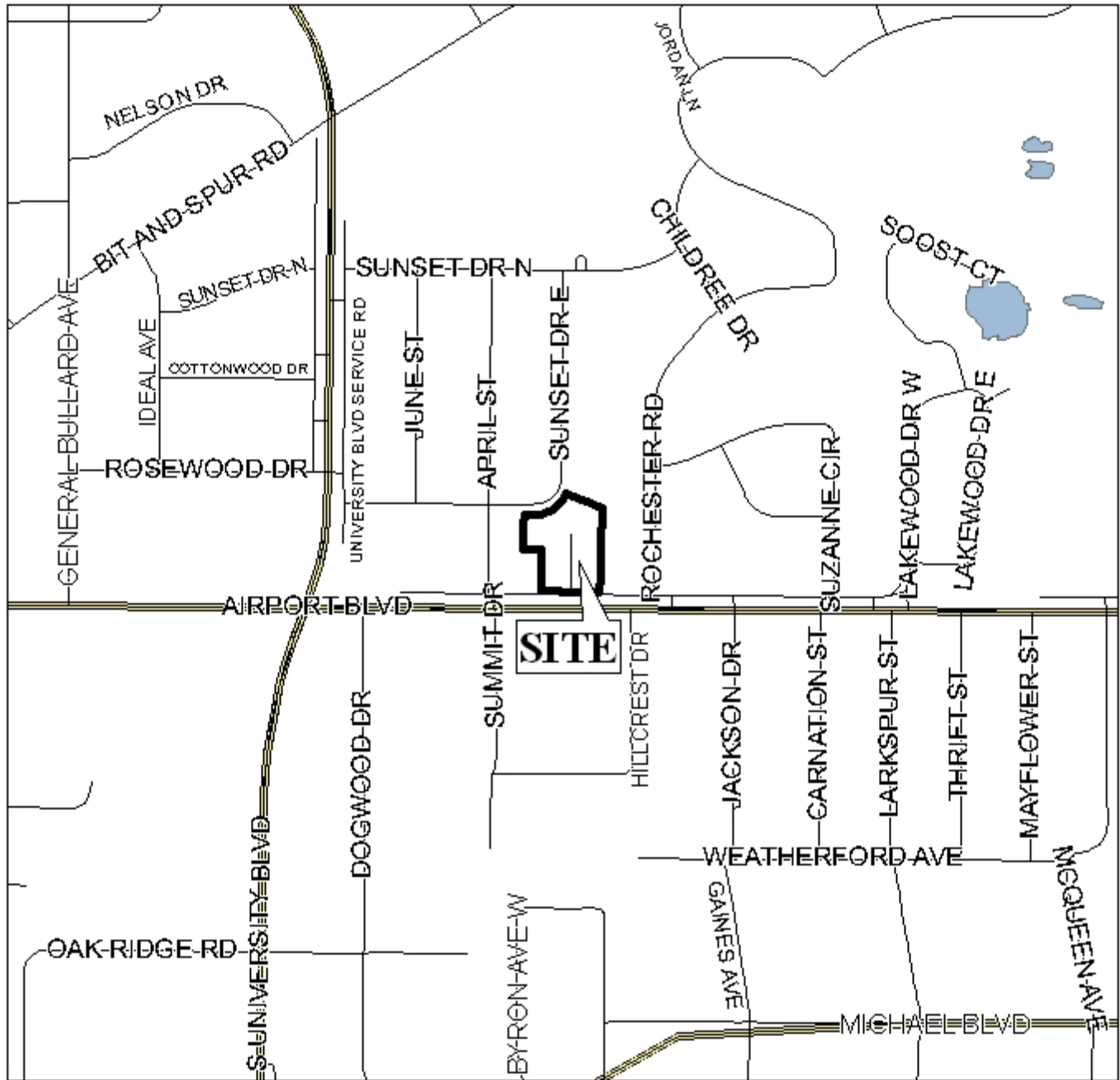
- 1) development limited to an approved PUD for each lot;
- 2) denial of direct vehicular access to the Airport Boulevard Service Road.

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

- 1) Any changes to the site will require a new PUD application;

**Sidewalk Waiver:** Based upon the preceding, this application for waiver of sidewalk requirements along the Airport Boulevard Service Road is recommended for approval.

# LOCATOR MAP



APPLICATION NUMBER 26,27,& 28 DATE September 18, 2008

APPLICANT WD Development LLC

REQUEST PUD, Sidewalk Waiver, Rezoning from R-3 to R-3



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 26,27,& 28 DATE September 18, 2008

APPLICANT WD Development LLC

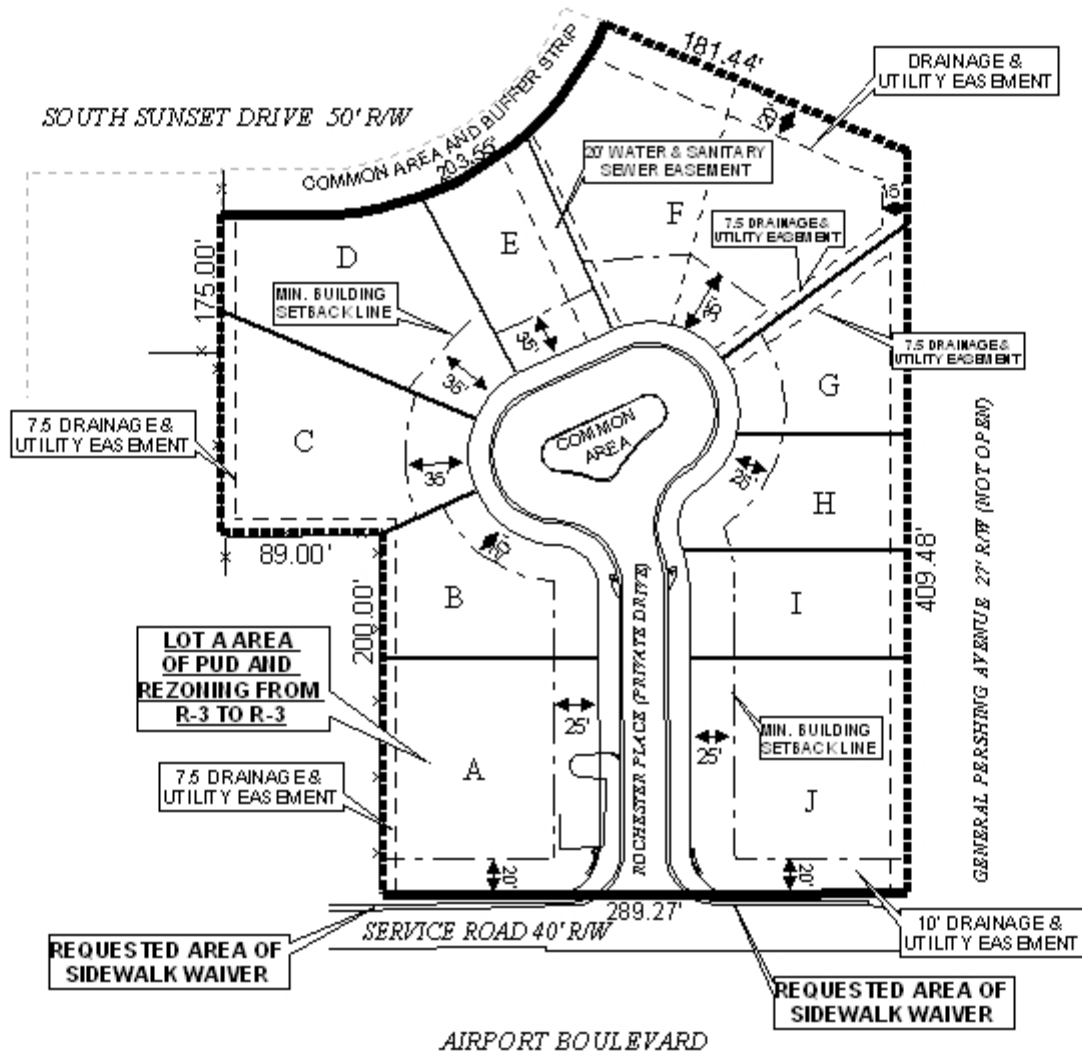
REQUEST PUD, Sidewalk Waiver, Rezoning from R-3 to R-3

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
-----	-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	-----	-----	-----

N  
NTS

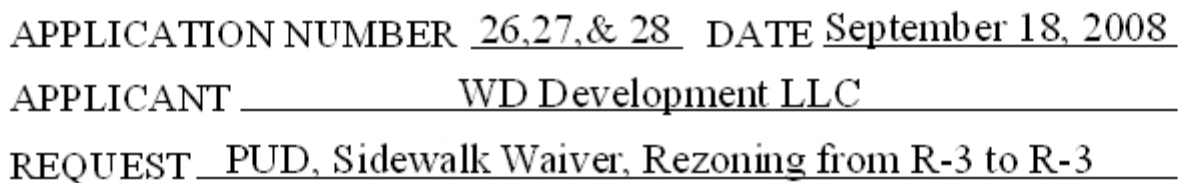
# SITE PLAN



The site plan illustrates the location of lots, setbacks, area of sidewalk waiver, rezoning, and PUD.

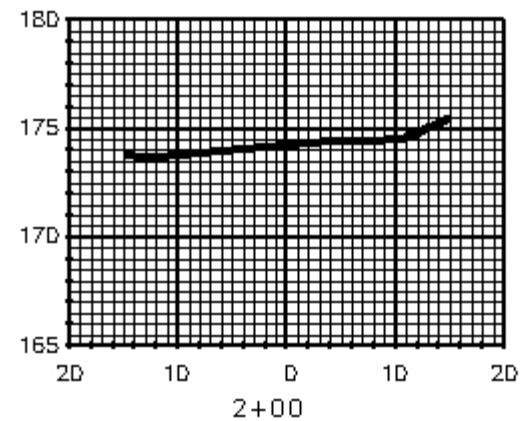
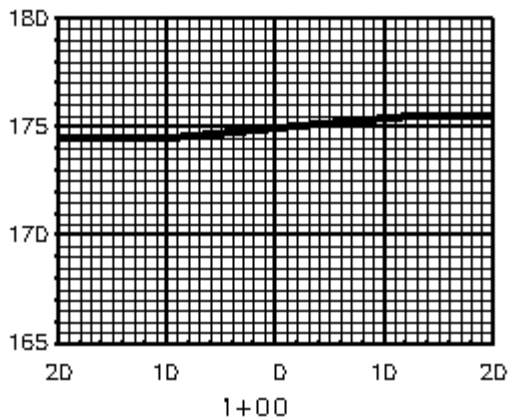
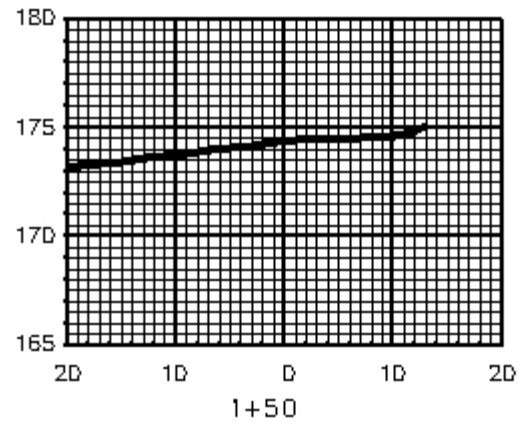
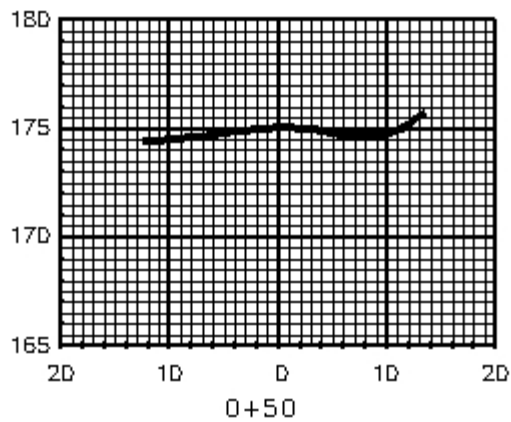
APPLICATION NUMBER 26,27,& 28 DATE September 18, 2008  
 APPLICANT WD Development LLC  
 REQUEST PUD, Sidewalk Waiver, Rezoning from R-3 to R-3

N  
  
 NTS

[illegible]

N  
NTS

# CROSS SECTION DETAIL



SERVICE ROAD  
CROSS-SECTIONS

APPLICATION NUMBER 26,27,& 28 DATE September 18, 2008

APPLICANT WD Development LLC

REQUEST PUD, Sidewalk Waiver, Rezoning from R-3 to R-3

N  
NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 26,27,& 28 DATE September 18, 2008

APPLICANT WD Development LLC

REQUEST PUD, Sidewalk Waiver, Rezoning from R-3 to R-3

N  
NTS