

**REZONING, PUD &
SUBDIVISION STAFF REPORT**

Date: July 10, 2003

APPLICANT NAME

Treasure Properties, Inc.
Richard Biseli, Agent

DEVELOPMENT NAME

Springhill-Louiselle Subdivision

SUBDIVISION NAME

Springhill-Louiselle Subdivision

LOCATION

Subdivision and PUD: 1753, 1759, and 1761 Spring Hill Avenue, and 125 and 133 Louiselle Street (Southwest corner of Spring Hill Avenue and Louiselle Street, extending 360'± Westwardly along Spring Hill Avenue, and extending 620'± Southwardly along Louiselle Street)

Rezoning: Southwest corner of Spring Hill Avenue and Louiselle Street.

PRESENT ZONING

B-1, Buffer Business

PROPOSED ZONING

Lot 1 – LB-2, Limited Neighborhood Business
Lots 2 & 3 – B-1, Buffer Business

AREA OF PROPERTY

Subdivision& PUD: 5.7± Acres 3 Lots
Rezoning: 1.5± Acres

CONTEMPLATED USE

Lot 1 – Drug Store
Lot 2 – Bank
Lot 3 – Offices and Apartments
With shared access between multiple building sites, and multiple buildings on a single building site.
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

Lots 1 & 2 - Immediate
Lot 3 - Existing

ENGINEERING**COMMENTS**

Significant drainage issues need to be resolved prior to Engineering approval of subdivision plat and development permitting. Many stormwater drainage features of the site are not shown on the preliminary plat and should be shown. Some noted during a site visit include: drainage onto lot 3 from the property to the south, several stormwater inlets in parking lot of lot 3, ETC. Based on Engineering Department information, the stormwater culvert conveying Little Stickney creek is located beneath the parking lot of lot 3 and should be shown on the plat. Due to extensive flooding in the area, Engineering will require stormwater detention for all impervious area on the newly developed sites. 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**

Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY**COMMENTS**

All work within the critical root zone of the trees on existing right-of-way is to be permitted by the Mobile Tree Commission; ingress and egress to be coordinated with Urban Forestry; 60" Live Oak that is on developed property is to be given preservation status; alternative paving surfaces to be used on the South side of the 60" Live Oak; all work on existing city owned trees or 24" and larger Live Oak trees on developed site is to be coordinated with Urban Forestry.

REMARKS

The applicant is proposing redevelopment of the site to include a drug store, a bank, as well as maintaining portions of existing office buildings and a portion of an existing apartment complex. In order to accomplish the proposed redevelopment, resubdivision is necessary to allow the proposed new lot configuration; rezoning of the proposed corner lot is required to allow the drug store development; and PUD approval is required to allow shared access and circulation between sites, as well as multiple buildings on a single building site. As a side note, Planning Approval will also be required to allow the location of the proposed bank in a B-1, Buffer Business District.

This area is shown on the General Land Use component of the Comprehensive Plan as commercial. 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.

Spring Hill Avenue is a major street as shown on the Major Street Plan, and has an existing right-of-way of 100' in compliance with the Plan. As service roads are not a

viable option in the area, some alternative method of access management should be considered.

While Louiselle Street is not shown as a major street on the Major Street Plan, preliminary work on a study of the general area of the Mobile Infirmary and USA Women's and Children's Hospital campuses and affiliated medical offices has concluded that utilization of the existing Houston Street/Kenneth Street/Louiselle Street corridor would be a more appropriate route than the Major Street Plan route that runs from Houston Street, between Gladys Avenue and Kenneth Street, then through the West side of Old Shell Road School property and continuing North – East of the Mobile Infirmary – to Three Mile Creek Parkway.

The plan submitted indicates that Louiselle Street has an existing right-of-way of 35' from centerline (on this side). While this is not major street standard, it is collector street standard.

Due to the complexity of the applications, each element (rezoning, PUD, subdivision) will be discussed separately.

With regard to the rezoning issue, the Zoning Ordinance states that the locational guidelines for LB-2 districts are the same as for B-2 districts – located on a major street, at or near the intersection of two major streets. Additionally, like a B-2 district, free-standing LB-2 districts should contain a minimum of two acres. While the site is less than two acres, it is adjacent to an existing B-1 district, and is located on a major street. The proximity to a major street intersection will be determined by the location, or relocation of the Houston Street extension. In either case, the site would be at or near the intersection.

LB-2 was recently created as a result of comments from the Mayor, Council Members and Planning Commission Members expressing a desire for a zoning classification that allowed some retail uses, but excluded many that were considered "offensive". By eliminating the "offensive" uses, it was intended that the classification would be more compatible with neighboring residential areas.

The PUD portion of the request is the most complex.

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.

The plan illustrates the construction of the proposed drug store and new bank facility, which have shared access and circulation. The PUD also encompasses existing developments, part

of which will have access via the bank site, and the remainder of which will be accessed by existing drives to Louiselle Street. In addition, the existing developments will be incorporated into one lot – thereby having multiple buildings on a single lot.

Generally, the proposal appears to meet the standards for PUD approval. However, there are a few points which should be addressed. The first is that of buffering. While the entire site is zoned B-1, a portion of proposed Lot 3 is developed with multi-family dwellings. Buffering between the new development and the multi-family development would be appropriate.

The plan submitted illustrates a “sign easement” for the bank property on the Louiselle Street frontage. This would not only be an off-premise sign, but would also be a second sign for the bank – both of which would be in violation of the sign regulations. The applicant(s) should be made aware that if the PUD is approved, the approval would not automatically permit the second sign; a variance from the Board of Zoning Adjustment would be needed for any signage that does not comply with the sign regulations.

As stated previously, Lot 3 incorporates multiple existing developments (office buildings and a multi-family complex) into one lot. The development(s) located on this lot should not have a significant impact on the new development. However, any future redevelopment of Lot 3 will require an amendment to the PUD.

With regard to the proposed subdivision, the plat meets the minimum requirements of the Subdivision Regulations.

RECOMMENDATION

Rezoning: based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) development limited to the accompanying PUD; 2) provision of buffering where the site abuts residentially developed property; 3) full compliance with Urban Forestry Comments (All work within the critical root zone of the trees on existing right-of-way is to be permitted by the Mobile Tree Commission; ingress and egress to be coordinated with Urban Forestry; 60” Live Oak that is on developed property is to be given preservation status; alternative paving surfaces to be used on the South side of the 60” Live Oak; all work on existing city owned trees or 24” and larger Live Oak trees on developed site is to be coordinated with Urban Forestry) and 4) full compliance with all municipal codes and ordinances.

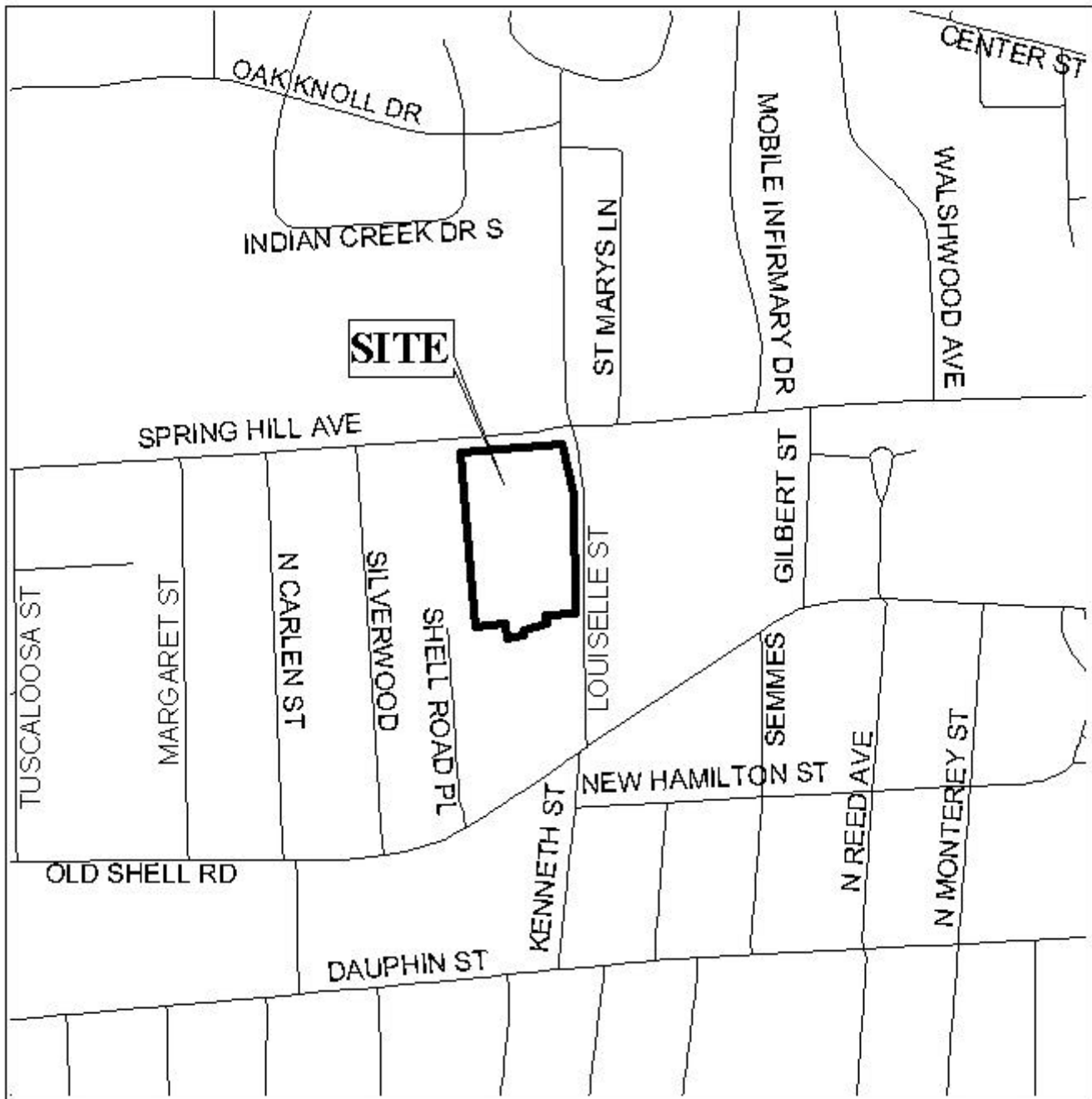
Planned Unit Development: based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards; 2) completion of the accompanying rezoning and subdivision applications; 3) full compliance with Urban Forestry Comments (All work within the critical root zone of the trees on existing right-of-way is to be permitted by the Mobile Tree Commission; ingress and egress to be coordinated with Urban Forestry; 60” Live Oak that is on developed property is to be given preservation status; alternative paving surfaces to be used on the South side of the 60” Live Oak; all work on existing city owned trees or 24” and larger Live Oak trees on developed site is to

be coordinated with Urban Forestry); 4) future redevelopment of Lot 3 will require amendment to the PUD; 5) closure (including removal and installation of curbing and landscaping) of “abandoned” existing curb cuts; 6) full compliance with all municipal codes and ordinances.

As a side note, it is also recommended that the applicant(s) be advised that PUD approval does not sanction or permit the off-premise, second sign for Lot 2 – variances from the Board of Zoning Adjustment will be required.

Subdivision: 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 driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards; and 2) placement of a note on the final plat stating that the 60’ oak located on Lot 2 has preservation status; and 3) provision of buffering along property lines between commercial and residentially developed properties, including property lines within the subdivision.

LOCATOR MAP



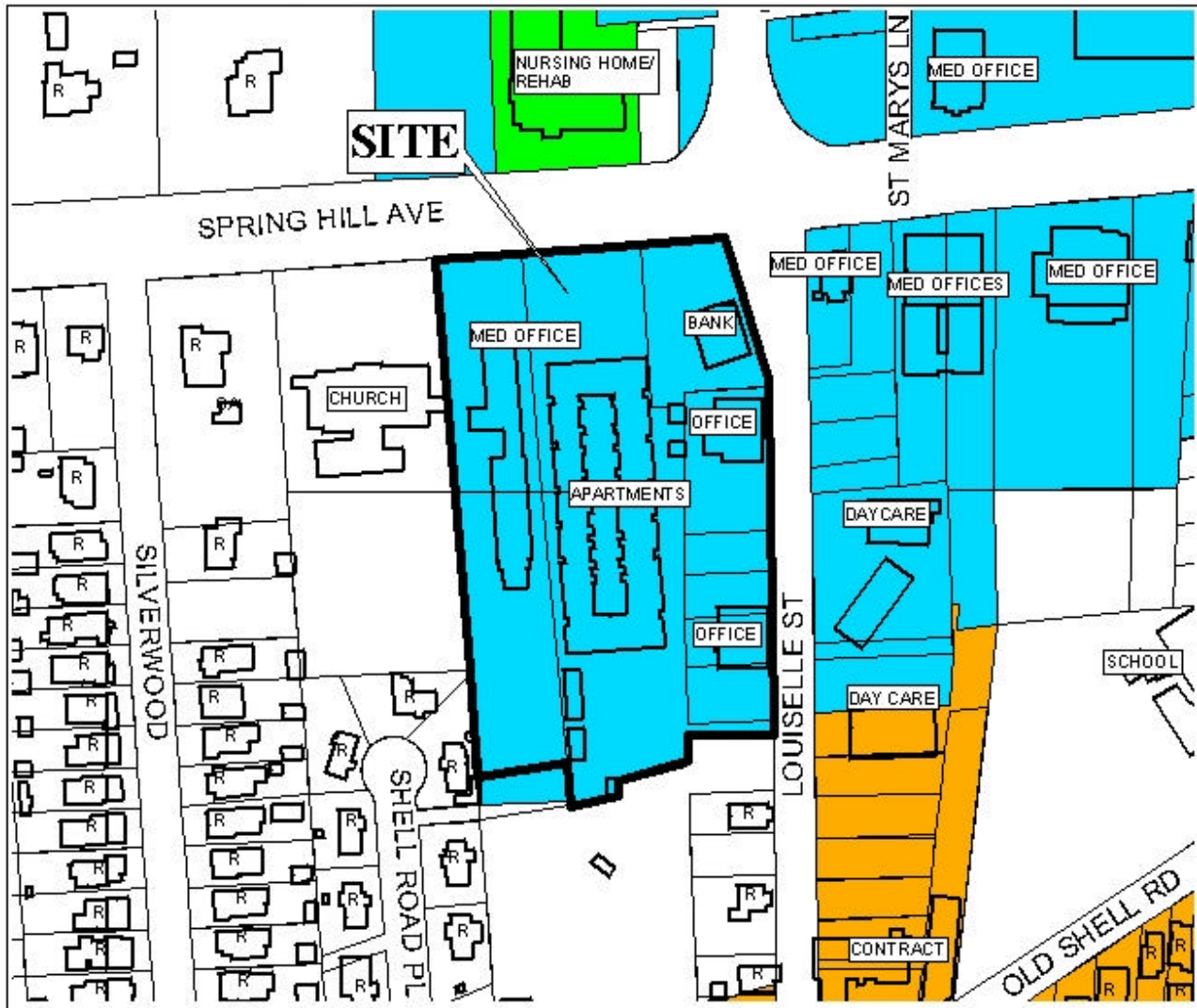
APPLICATION NUMBER 8 & 9 & 10 DATE July 10, 2003

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REQUEST Rezoning, Planned Unit Development, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North of the site is a nursing home/rehabilitation facility; to the East is a medical office, single family residential dwelling, and a daycare. Located to the South and West of the site are single family residential dwellings, with a church to the West.

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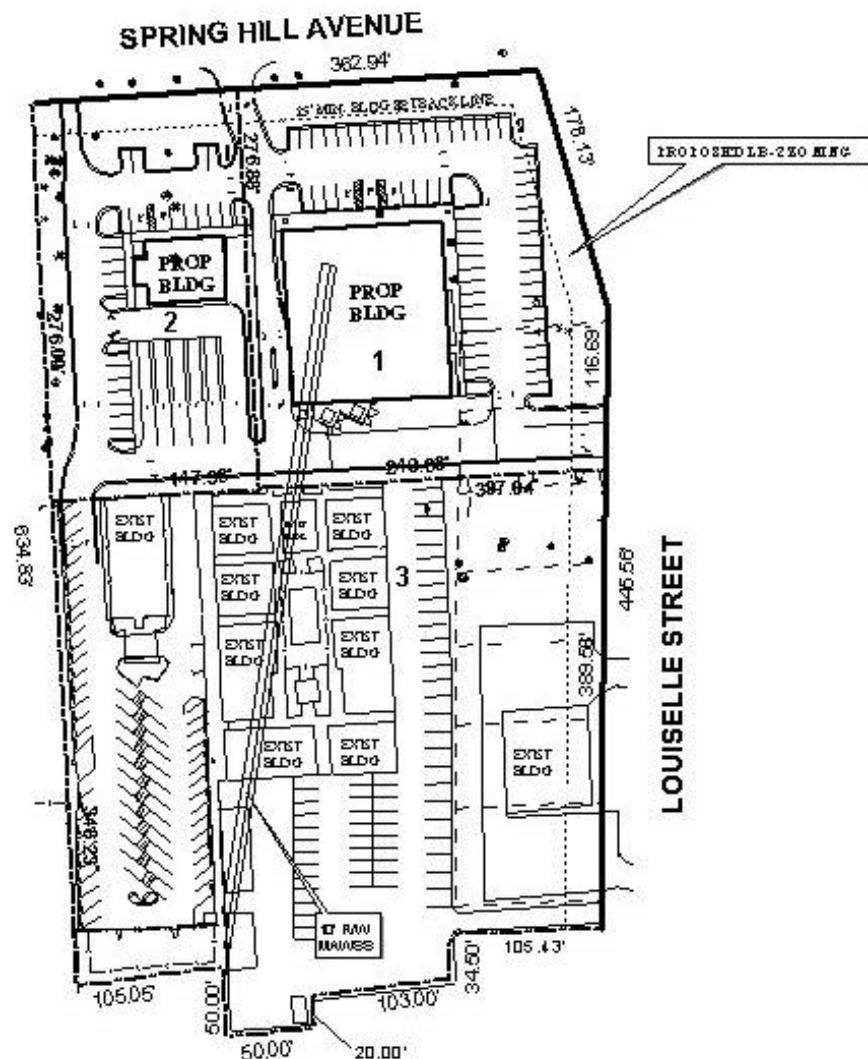
LEGEND



NTS



SITE PLAN

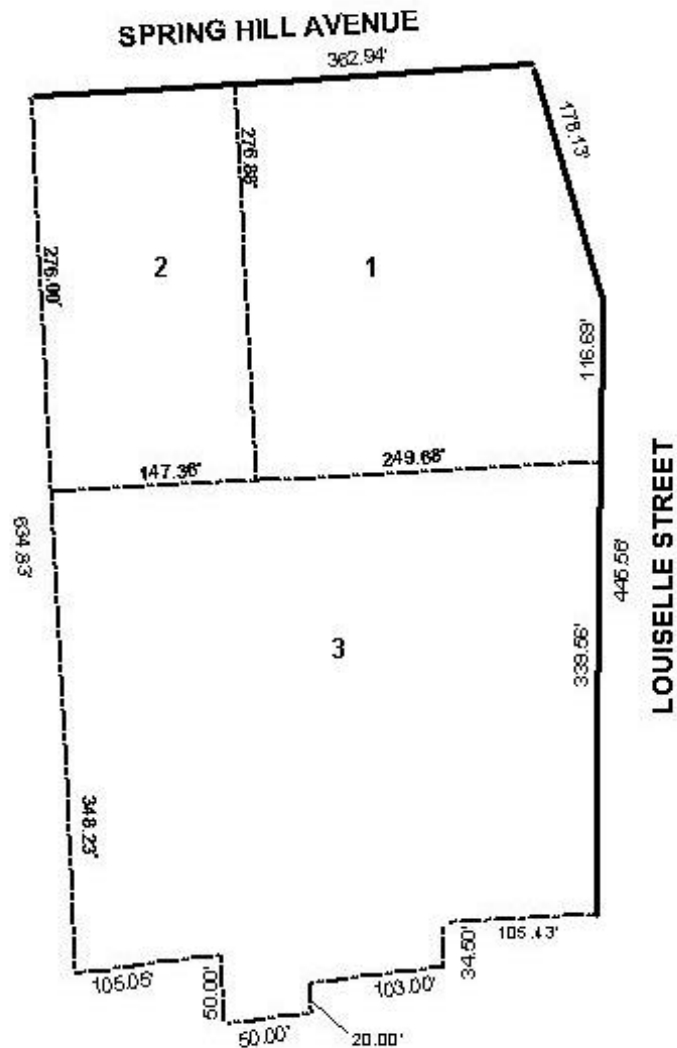


The site is located on the Southwest corner of Spring Hill Avenue and Louiselle Street. The plan illustrates the existing buildings and parking, along with the proposed buildings and parking.

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SPRINGHILL - LOUISELLE SUBDIVISION



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