

**ZONING AMENDMENT
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: August 19, 2004

NAME

Bostic Development at South Alabama, LLC
(Daniel L. Murray, Agent)

LOCATION

Southeast corner of North University Boulevard and
Overlook Road, adjacent to the West and North
sides of Forest Dale Subdivision

**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

B-2, Neighborhood Business

PROPOSED ZONING

R-3, Multi-Family Residential

AREA OF PROPERTY

Total property: 1 lot/16± Acres

CONTEMPLATED USE

Apartment complex consisting of 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 were
changed. Furthermore, the Planning
Commission may consider zoning classifications
other than that sought by the applicant for this
property.**

**TIME SCHEDULE
FOR DEVELOPMENT**

Upon approval

**ENGINEERING
COMMENTS**

The applicant should dedicate a drainage easement
that can properly accommodate all stormwater drainage that enters the property from the
south. The current layout does not appear to allow for proper handling of stormwater.
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

1-3.

Case ZON2004-00679, -00682, & SUB2004-00179

COMMENTS

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard two-directional driveways and driveways with two lanes accommodating left and right turn

traffic need to be widened to twenty-four feet.

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). The tree identified as 60" Live Oak in center of development is a multi trunk Water Oak tree. One half of tree is decayed and fallen.

REMARKS The applicant is requesting Rezoning from B-2, Neighborhood Business to rezone a triangle of portion of property to R-3, Multi-Family Residential; Planned Unit Development approval to allow multiple buildings on a single building site and Subdivision approval to create a single lot of record.

The site is illustrated 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 requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The site fronts University Boulevard, a major street and the existing right-of-way is illustrated as variable; therefore, the dedication of any necessary right-of-way to provide 50-feet from the centerline of University Boulevard should be required. Additionally, as the site is located on a major street, approximately 1 mile from the University of South Alabama, it could be considered an appropriate site for multi-family residential development.

The rezoning is for a small triangle of property, approximately 1.2± acres; however, the vast majority of the property (13 acres) is already zoned R-3, Multi-Family. The site will consist of multiple apartment buildings (228 units), clubhouse, gym, pool and parking. The site will have more than adequate on-site parking.

While the site adjoins single-family residential development and a 15-foot buffer is provided along the East property line, and a 20-foot buffer is provided along the south property line, when the larger tract of property (the remaining 13 acres) was rezoned to R-3 in 1973, there were conditions placed on that rezoning. Specific conditions included the provision of an eight-foot solid fence along the east and south property lines and the provision of a 20-foot green belt along the east line. The proposed plan shows only a 15-foot buffer along the East property line.

The proposed buildings will be up to three-stories in height, and the proposed heights illustrated on the plan will comply with the maximum height requirements for R-3 zoning. It should be noted that the maximum allowable height in R-3 is 45-feet.

The site plan illustrates that some buildings will have only a 20-foot separation; the PUD Section of the Zoning Ordinance allows 20-foot between buildings; however, only one exterior wall could have windows.

As with any new development full compliance with the landscaping and tree planting requirements of the Ordinance will be required, as well as the provision of a sidewalk along University Boulevard.

In regard to the proposed subdivision, only two curb cuts are proposed to University Boulevard, which should provide adequate access management to the Major Street. Additionally, in order to eliminate split zoning, the plat should not be recorded until the rezoning process is complete.

RECOMMENDATION

Rezoning: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) limited to the accompanying PUD; 2) the provision of a minimum buffer separation as outlined in the PUD Section of Zoning Ordinance, and if necessary, the elimination of exterior windows; 3) full compliance with the landscaping and tree planting requirements of the Ordinance; 4) the provision of a sidewalk along University Boulevard; 5) that the site be limited to two curb cuts to University Boulevard, with the location and design to be approved by Traffic Engineering; 6) full compliance with City Engineering Comments (dedication of a drainage easement that can properly accommodate all stormwater drainage that enters the property from the south [current layout does not appear to allow for proper handling of stormwater]; compliance with all stormwater and flood control ordinances; any work performed in the right of way will require a right of way permit); 7) full compliance with Traffic Engineering Comments (driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards; standard two-directional driveways and driveways with two lanes accommodating left and right turn traffic be widened to twenty-four feet); 8) dedication of any necessary right-of-way to provide 50-feet from the centerline of University Boulevard, a planned major street; 9) provision of an eight-foot wooden privacy fence and a 20-foot buffer where the site adjoins R-1, Single-Family Residential properties; and 10) full compliance with all municipal codes and ordinances.

Planned Unit Development: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) the provision of a minimum buffer separation as outlined in the PUD Section of Zoning Ordinance, and if necessary, the elimination of exterior windows; 2) full compliance with the landscaping and tree planting requirements of the Ordinance; 3) the provision of a sidewalk along University Boulevard; 4) that the site be limited to two curb cuts to University Boulevard, with the location and design to be approved by Traffic Engineering; 5) full compliance with City Engineering Comments (dedication of a drainage easement that can properly accommodate all stormwater drainage that enters the property from the south [current layout does not appear to allow for proper handling of stormwater]; compliance with all stormwater and flood control ordinances; any work performed in the right of way will require a right of way permit); 6) full compliance with Traffic Engineering Comments (driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards; standard two-directional driveways and driveways with two lanes accommodating left and right turn traffic be widened to twenty-four feet); 7) dedication of any necessary right-of-way to provide 50-feet from the centerline of University Boulevard, a planned major street; 8) provision of an eight-foot wooden privacy fence and a 20-foot buffer where the site adjoins R-1, Single-Family Residential properties; and 9) full compliance with all municipal codes and ordinances.

Subdivision: The plat meets the minimum requirements of the Subdivision Regulations and is recommended Tentative Approval subject to the following conditions: 1) dedication of any necessary right-of-way to provide 50-feet from the centerline of University Boulevard; 2) placement of a note on the final plat stating that the site is limited to two curb cuts to University Boulevard, with the location and design approved by Traffic Engineering; 3) completion of the rezoning process prior to the recording of the final plat.

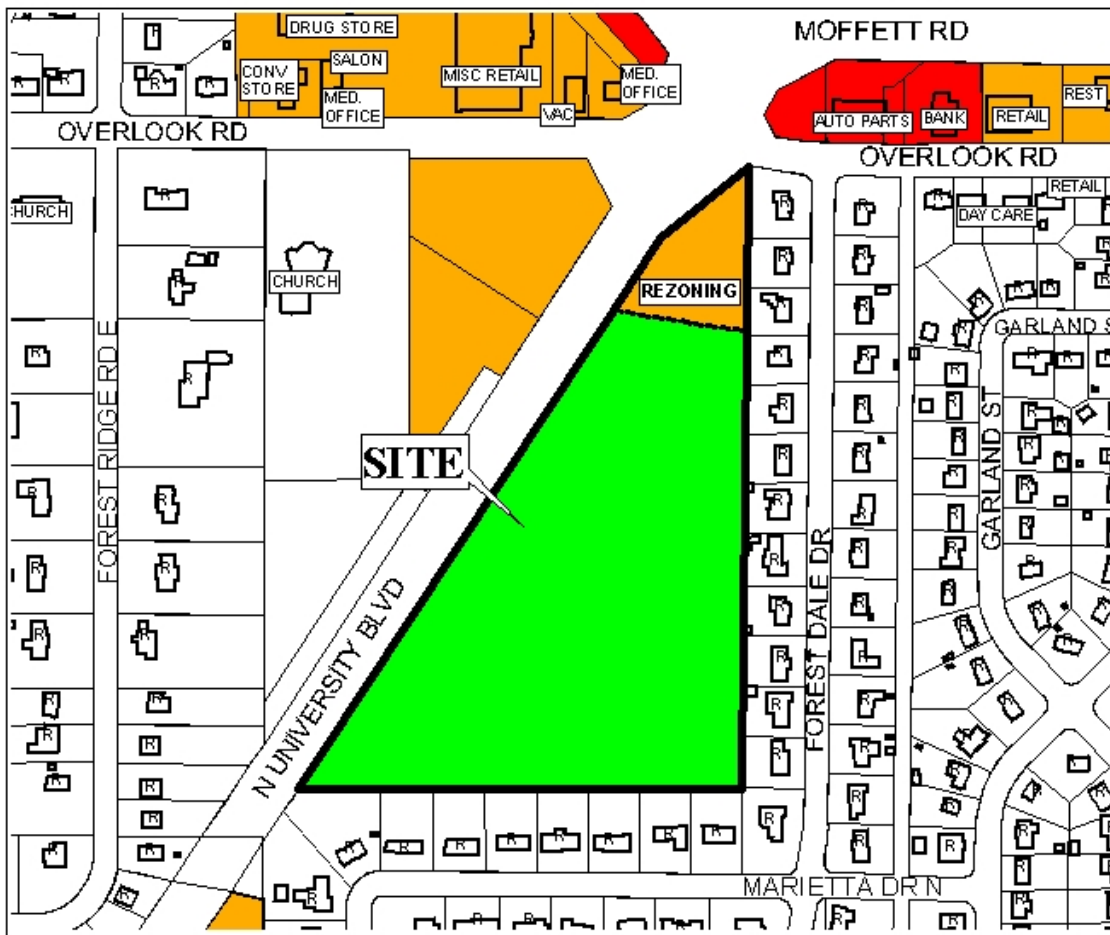
LOCATOR MAP



APPLICATION NUMBER 1, 2 & 3 DATE August 19, 2004
APPLICANT Bostic Development At South Alabama, LLC (Daniel L. Murray, Agent)
REQUEST Rezoning, Planned Unit Development, Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North of the site are miscellaneous retail, office, and medical office; to the East are single family residential dwellings. Located the the South and West are vacant properties.

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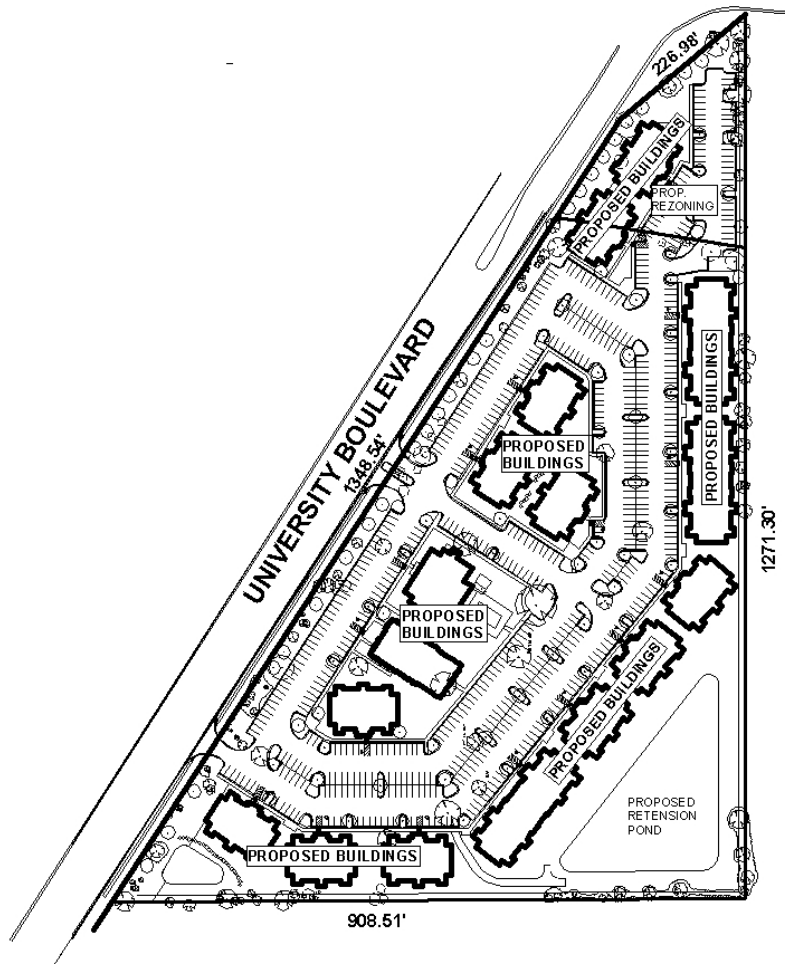
REQUEST Rezoning, Planned Unit Development, Subdivision

LEGEND



NTS

SITE PLAN



The site is located on the Southeast corner of North University Boulevard and Overlook Road, adjacent to the West and North sides of Forest Dale Subdivision. The plan illustrates the proposed buildings and parking.

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NTS