

**ZONING AMENDMENT,  
PLANNED UNIT DEVELOPMENT &  
SUBDIVISION STAFF REPORTS**

**Date: April 21, 2005**

**NAME** John F. Loupe

**LOCATION** **Rezoning:** Parcel B—landlocked property 4/10 mile± North of Girby Road and ¼ mile± East of Lloyds Lane, adjacent to the South side of Scenic West Place Subdivision.

**Rezoning:** Parcel A—North side of Girby Road, ¼ mile± East of Lloyds Lane, extending to the East side of Lloyds Lane, 600'± North of Girby Road.

**Planned Unit Development & Subdivision:** North side of Girby Road, ¼ mile± East of Lloyds Lane, extending to the East side of Lloyds Lane, 600'± North of Girby Road, and extending North to the South side of Scenic West Place Subdivision.

**CITY COUNCIL  
DISTRICT**

District 6

**PRESENT ZONING**

Parcel B: B-2, Neighborhood Business  
Parcel A: R-2, Two-Family Residential

**PROPOSED ZONING**

R-3, Multi-Family Residential

**AREA OF PROPERTY**

82.7± Acres / 231 lots

**CONTEMPLATED USE**

Single-family residential and garden home subdivision with reduced lot sizes and setbacks. **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**

April 2005-November 2006

**ENGINEERING  
COMMENTS**

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, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Traffic calming measures should be included in 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**

All commercial projects shall comply with the 2003 International Fire Code and Appendices B-G as adopted by the City of Mobile on July 6, 2004. All One- or Two-Family residential developments shall comply with Appendices B, C and D of the 2003 International Fire Code as adopted by the City of Mobile on July 6, 2004. Northwest portion of development should be provided with two means of access. This could be accomplished by providing a road where lots 107 and 136 are located.

**REMARKS**

The applicant has submitted two rezoning applications, one to rezone an existing parcel (Parcel A on the Vicinity Map) from R-2, Two-Family Residential to R-3, Multi-Family Residential; and one to rezone Parcel B from B-2, Neighborhood Business to R-3, Multi-Family Residential. Also submitted is a Planned Unit Development (PUD) application to allow reduced lot widths and lot sizes, and a subdivision application to create 231 lots.

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 Zoning Ordinance gives four reasons for zoning changes: the existence of an error; changing conditions in an area; increased need for business or industrial sites; or subdivision of land into building sites making reclassification both necessary and desirable. The applicant states that the existing development to the East (Preserve One) illustrates that demand for mixed unit housing exceeds supply. The applicant goes on to state that there is a demand for residential in the area, including smaller lots, and that this coupled with development guidelines, will ensure a compatible mix of lot and home sizes, while protecting individual investments.

The applicant has requested that the existing R-2 and B-2 portions of the site be rezoned to R-3, Multi-Family Residential in conformance with the zoning for the balance of the site. However, the proposed development would be allowed in a R-2 district, and when recommending rezoning for higher density residential, the staff typically recommends that a site have the least intensive zoning that would allow the proposed development. It should be noted that an additional rezoning application would be required for the existing R-3 area that falls within the site so as not to create a split-zoned development.

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 PUD is required to allow the reduced lot widths, lot sizes, and setbacks. The narrowest lots are the garden homes (Lots 123-222), and the smallest garden home lots are 50 x 120, which in terms of width and area are typical for residential PUDs. The overall site area in a PUD is calculated toward density requirements, and in a R-2 district, the overall site will provide adequate area for the number of homes proposed.

The proposed front setbacks vary from 15-feet to 25-feet, and again are typical for residential PUDs; however, the proposed sideyard setbacks for the garden homes are three-feet, two-inches. In approving residential PUDs, even for garden homes, the Commission has typically recommended an eight-foot minimum separation between structures; in this case, that would necessitate a minimum setback of four-feet from the side property lines.

The site adjoins a creek and as such the area may be considered environmentally sensitive; thus the approval of all applicable federal, state and local agencies would be required. Additionally, there are wetlands on the site, some of which encroach into the lots; and while reduced lot widths and sizes are allowed, the applicant should submit documentation prior to the recording of the final plat, which illustrates that there is adequate buildable area (6,000 square feet based on the minimum garden home lots) for those lots containing wetlands.

In terms of the Subdivision application, the site fronts Girby Road, a planned major street which has an existing right-of-way of 80-feet. The Major Street Plan calls for 100-feet of right-of-way, thus the dedication of adequate right-of-way to provide 50-feet from the centerline of Girby Road should be required.

Section V.B.1 of the Subdivision Regulations state that “the street layout shall provide for the future projection into unsubdivided lands adjoining of a sufficient number...to provide convenient circulation.” As illustrated on the Vicinity Map, the site adjoins multiple parcels to the West that are land locked, and the provision of two street stubs, one in the area between Lots 67 and 104 and a second street stub in the area between Lots 138-146, should be required. It should be noted that a street stub is not recommended to the East as the site borders a creek, and the Commission typically has not required street stubs to adjacent properties when the stub adjoins a waterway. Furthermore, street stubs were not required for the subdivision adjacent to the East.

It should be noted that while the R-2 zoning and PUD would allow for the reduced lots, a waiver of Section V.D.2. (lot width and lot area) would be required.

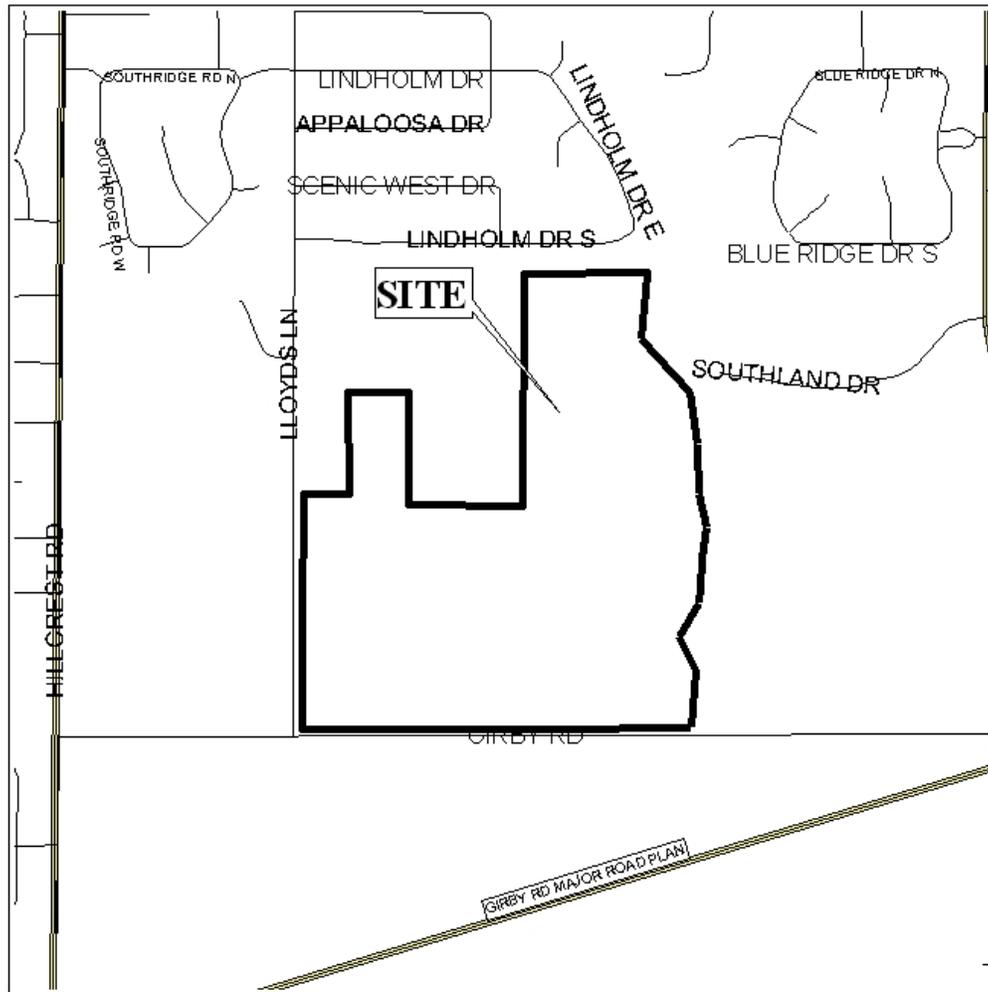
**RECOMMENDATION**      **Rezoning (R-2 to R-3):** Based upon the preceding, this application is recommended for denial

**Rezoning (B-2 to R-3):** Based upon the preceding, it is recommended that the request for R-3 be denied and that the site be rezoned to R-2 subject to the following conditions: 1) that the site be developed in compliance with the accompanying PUD and Subdivision applications; and 2) 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) full compliance with the Traffic Engineering Comments (driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards, traffic calming measures should be included in development); 2) the provision of street stubs to the landlocked parcels to the West in the vicinity of Lots 67-104 and Lots 138-146; 3) that the applicant obtain all necessary federal, state and local permits; 4) completion of the rezoning process (to R-2) for the entire site; and 5) full compliance with all municipal codes and ordinances.

**Subdivision:** With a waiver of Section V.D.2., the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) full compliance with the Traffic Engineering Comments (driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards, traffic calming measures should be included in development); 2) the provision of street stubs to the landlocked parcels to the West in the vicinity of Lots 67-104 and Lots 138-146; 3) that the applicant obtain all necessary federal, state and local permits; 4) completion of the rezoning process (to R-2) for the entire site; and 5) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



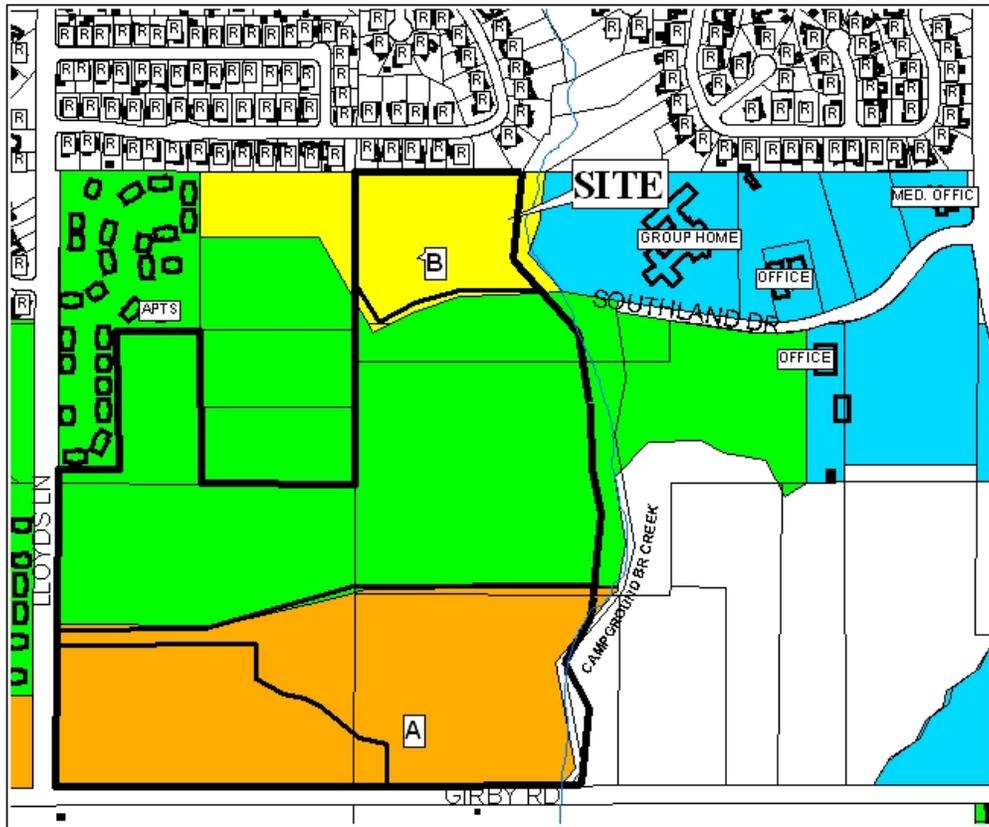
APPLICATION NUMBER 4 & 5 & 6 & 7 DATE April 21, 2005

APPLICANT John F. Loupe

REQUEST Rezoning, Planned Unit Development, Subdivision



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units and apartments are located to the north of the site. Offices and a group home are located to the east of the site.

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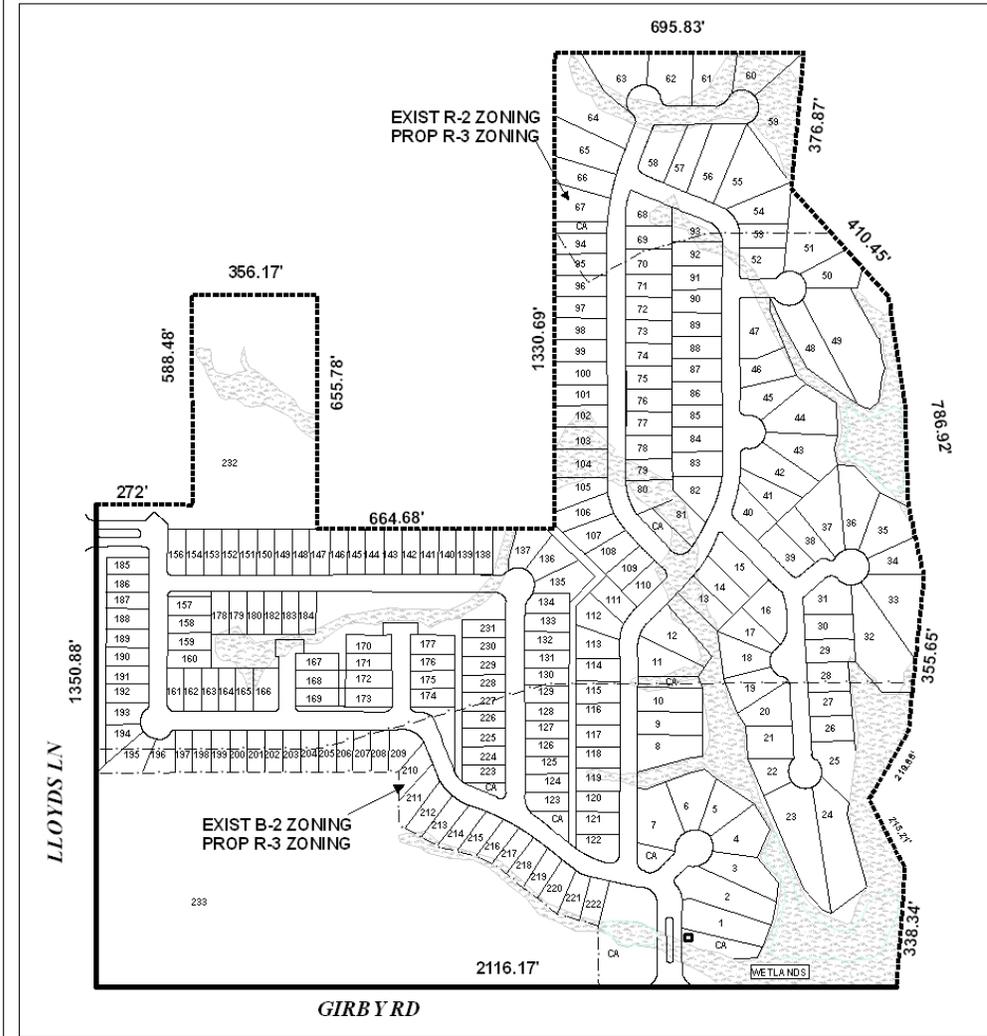
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LEGEND  R-1  R-2  R-3  R-A  R-B  H-B  B-1  LB-2  B-2  B-3  B-4  B-5  I-1  I-2  NTS



# SITE PLAN

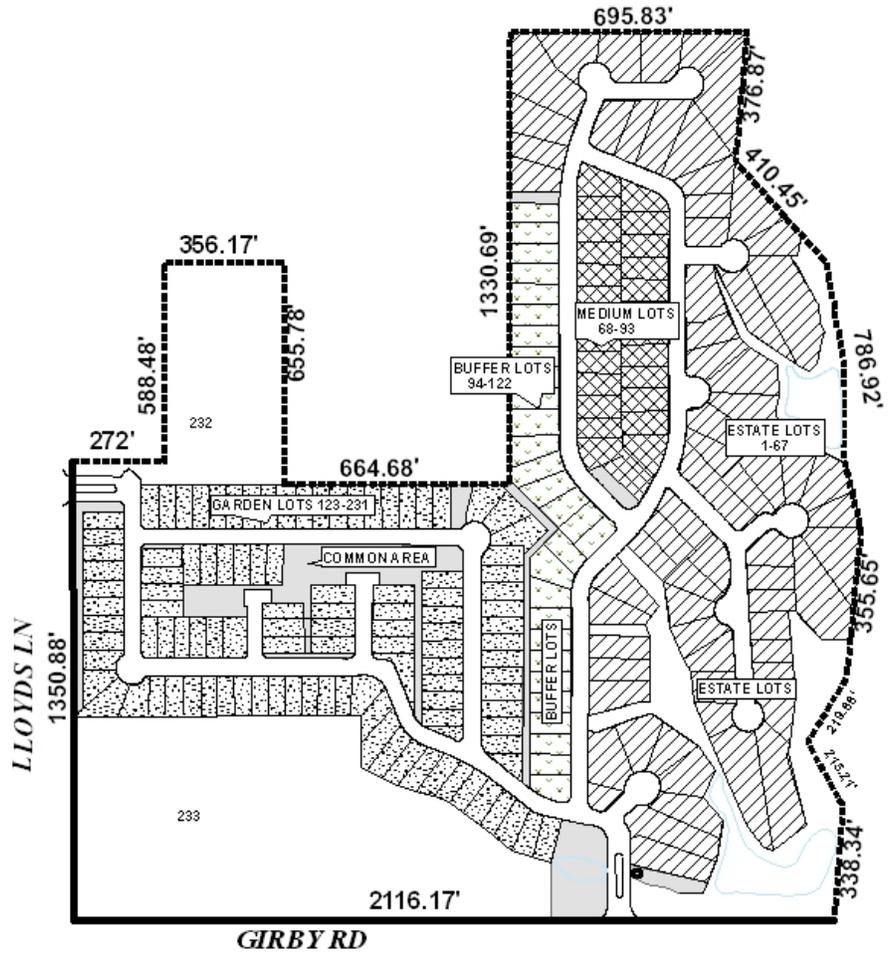


The site plan illustrates the proposed lot configuration, and the proposed areas to be rezoned

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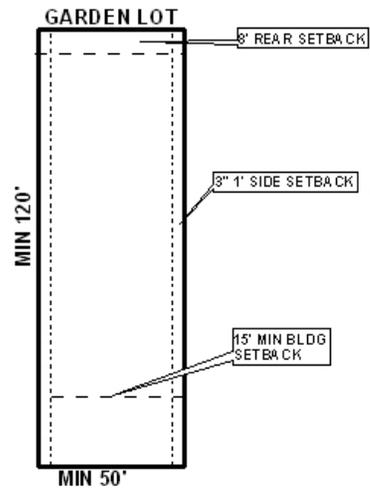
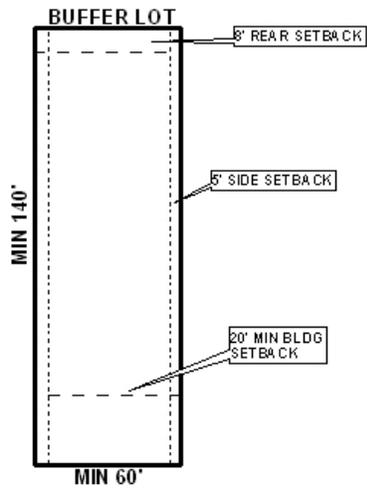
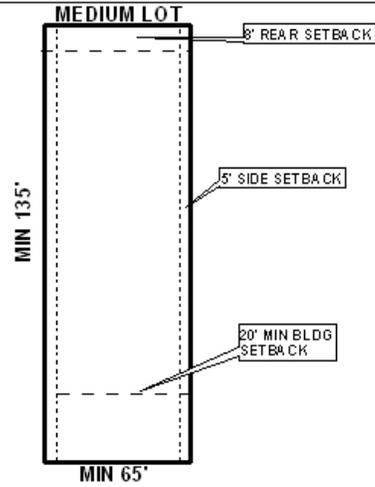
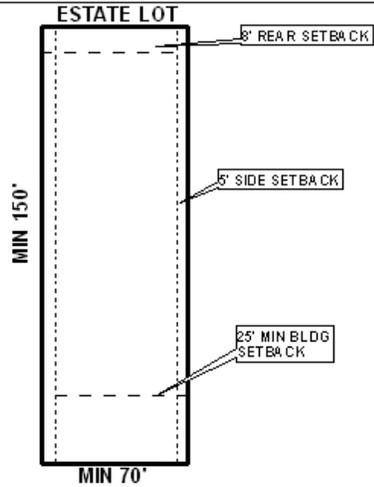
# DETAIL SITE PLAN



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N  
  
 NTS

# TYPICAL LOT



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