

**REZONING, PUD &
SUBDIVISION STAFF REPORT**

Date: August 19, 2004

APPLICANT NAME

Daniel West Mobile Garden Homes, L.L.C.

DEVELOPMENT NAME

Somerby of West Mobile

SUBDIVISION NAME

Somerby Subdivision, Resubdivision of Lots 1 & 2 of a Resubdivision of Lot 2

LOCATION

West terminus of Johnson Lane, extending along the East side of Somerby Drive to the South side of Providence/Coley Subdivision.

**CITY COUNCIL
DISTRICT**

District 6

AREA OF PROPERTY

24.1± Acres 65 Lots

CONTEMPLATED USE

Multiple buildings on a single-building site (Lot 1), reduced setback single-family dwellings with 40% site coverage on lots with reduced widths (Lots 2-65), and provision of a gated private road.

**TIME SCHEDULE
FOR DEVELOPMENT**

Begin Immediately

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, sizes, 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 (City Code Chapters 57 and 64 and State Act 61-929).

REMARKS

The applicant is proposing development of the site in question as a senior living community offering a variety of residential unit types, various amenities and common open space.

A similar application was approved by the Commission in 2002 and granted an extension in 2003. The application now before the Commission has been somewhat modified, relocating some multi-family units and increasing the number of detached single-family units. While the changes to the site plan are significant enough that new applications are required, they do not alter the use or character of the development. Therefore, much of the staff analysis is unchanged from the earlier applications.

When completed the development will consist of 64 single-family, detached patio homes, 16 villas (attached single-family dwellings), 136 independent living units (basically multi-family dwellings), 20 assisted living units and 24 memory enhancement units; a Central Community Building will house some of the residential units and indoor amenities for the residents. Various activities will be provided within the Central Community Building, which will be staffed 24 hours a day.

Planned Unit Development (PUD) Approval is required to allow multiple buildings on a single lot (Lot 1), to allow reduced lot sizes, reduced setbacks and increased site coverage proposed for the garden homes (Lots 2-65), and to allow the gated, private street within the development. Subdivision approval is required to allow the division of property.

When the applications were originally submitted it was determined that B-1 would be the appropriate zoning classification for the development given the range of uses and scope of operation. While some of the uses proposed in the community building would normally not be allowed in a B-1 district (or may require Planning Approval), the PUD section of the Ordinance states that in a residential PUD, the Planning Commission may permit other uses that are allowed in B-1 and B-2 districts that are clearly incidental to and compatible with the principal (residential) use. This provision is intended to allow uses that provide substantial services to the residents of the PUD. Furthermore, given the overall scope of the PUD and the existing B-1 zoning, the uses could also be considered accessory uses since they are such a small portion of the development and primarily serve the development.

As stated above, the proposed PUD contains a variety of residential uses. The mix of unit types is intended to create an opportunity for senior citizens to "age in place". All residential units will be age restricted, limited to residents who are 55 years of age and older. Each unit will contain a 24-hour emergency call system that will be monitored by the staff in the Central Community Building.

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.

Several points were addressed in the previous staff analysis that related supplemental attachments. While those attachments were not submitted with this application packet, several of the issues may still be applicable and should be noted. The first relates to City Services. It should be noted that the City does not provide garbage and/or trash services to properties located on a private road or street. All lots within the development are accessed via the proposed private street; therefore, City trash and garbage services would not be provided.

The next point is relative to the private street. The Subdivision Regulations allow for developments with private streets under very specific circumstances, such as innovative design (which may include a gated community and/or patio home type development) or unusual difficulties. As stated previously, the concept for this development is a gated community with a variety of housing options, including patio homes.

The plans illustrate the private street improvements as 27' from back of curb to back of curb, with 10' additional easement on each side to allow for drainage, utilities and sidewalks. The Subdivision Regulations set standards and requirements for private road development, including a minimum 50' private road right-of-way and construction standards (minimum standard is County standard with valley gutter, which this development will exceed), certification of compliance, and requirements for dedication and acceptance. The Commission may waive or vary design standards (right-of-way width) based on innovative design or unusual hardship.

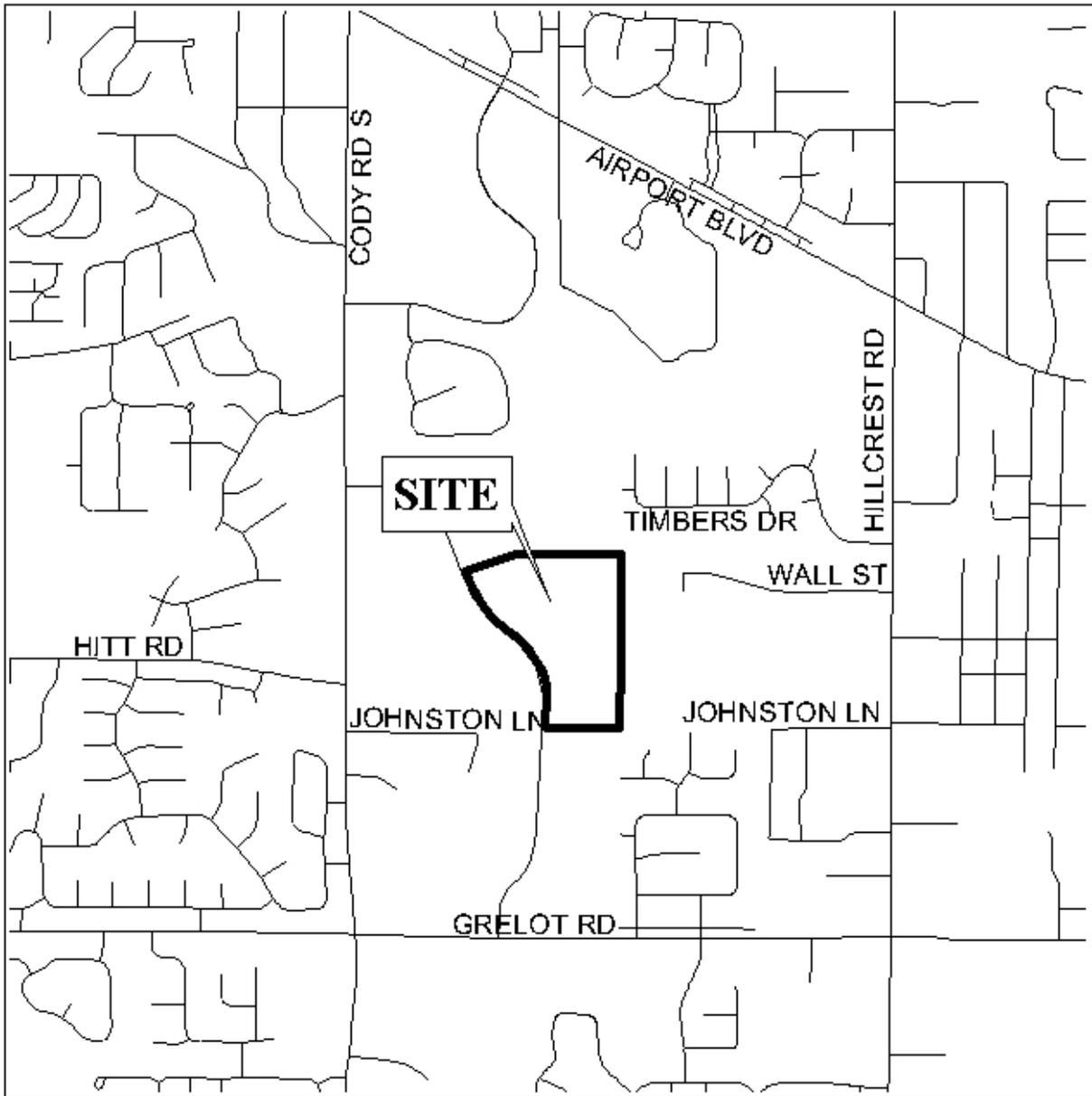
Another point is that the previous application indicated a building height at 65'. The normal maximum height in B-1 is 45'. However, the Ordinance allows for increases in height through the provision of additional side yard setback provided. Section IV.C.2.b. allows increases in building heights of five feet for each one foot of side yard provided in excess of (the required) five feet. In this particular instance, the lot on which the multi-storied building is located is surrounded on three sides by the private street, and provides more than the setback required to permit the increase in height allowed by Section IV.C.2.b.

RECOMMENDATION

Planned Unit Development: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) completion of the subdivision process; and 2) full compliance with all municipal codes and ordinances.

Subdivision: the plat meets the minimum requirements of the Subdivision Regulations for a private road subdivision and is recommended for Tentative Approval subject to the following conditions: 1) full compliance with the Section VIII.E.2 (with the exception of minimum right-of-way width); and 2) development limited to the accompanying PUD (or modified PUD, as approved by the Planning Commission).

LOCATOR MAP

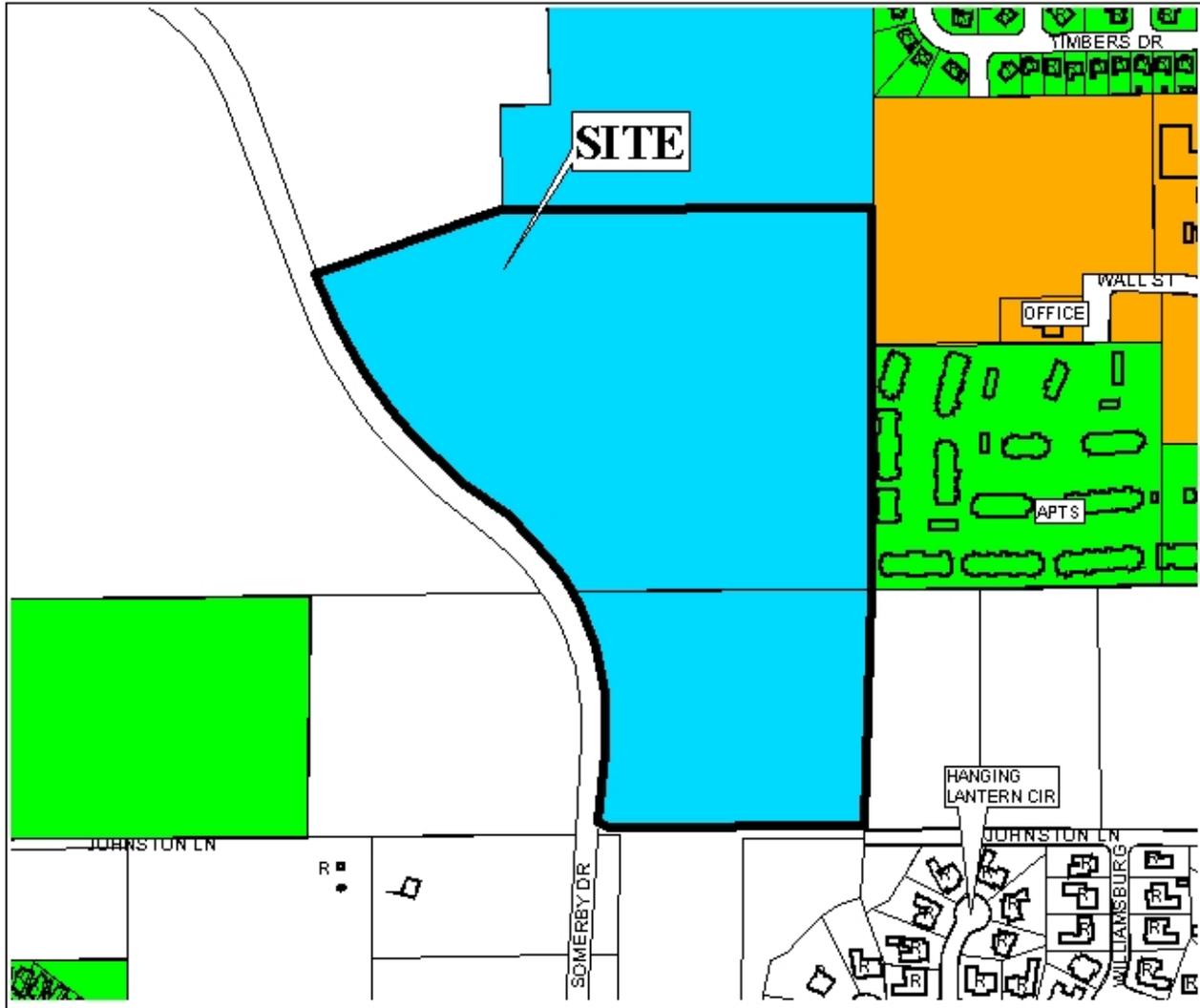


APPLICATION NUMBER 6 & 7 DATE August 19, 2004
APPLICANT Somersby Subdivision, Resub of Lots 1 & 2 of Resub of Lot 2
REQUEST Planned Unit Development, Subdivision



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Located to the North and West of the site are vacant properties; To the South are single family residential dwellings. Located to the East of the site are multiple family residential dwellings.

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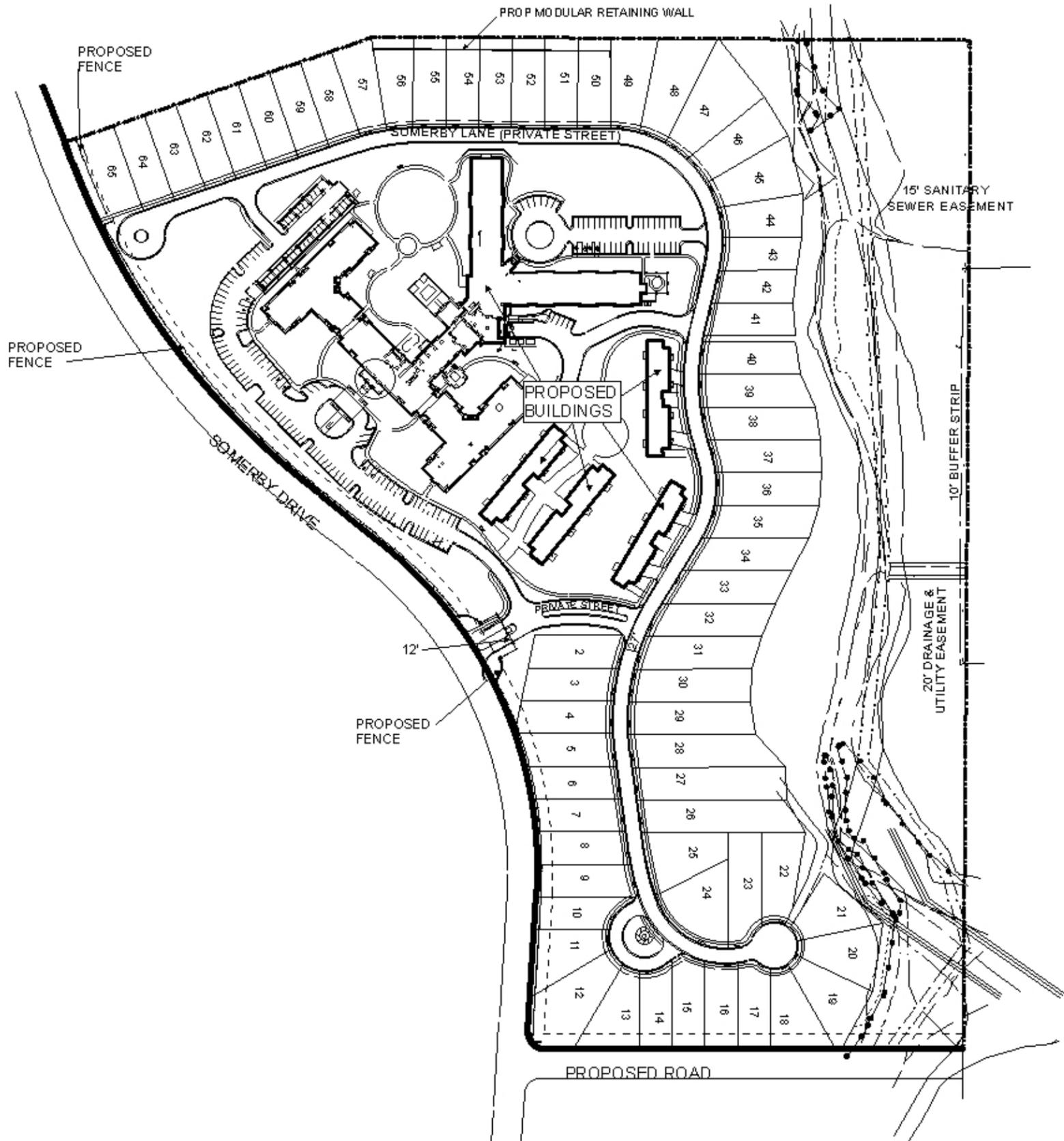
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LEGEND



NTS

SITE PLAN



The site is located at the West terminus of Johnson Lane, extending along the East side of Somerby Drive to the South side of Providence/Coley Subdivision. The plan illustrates the proposed subdivision, buildings, and parking.

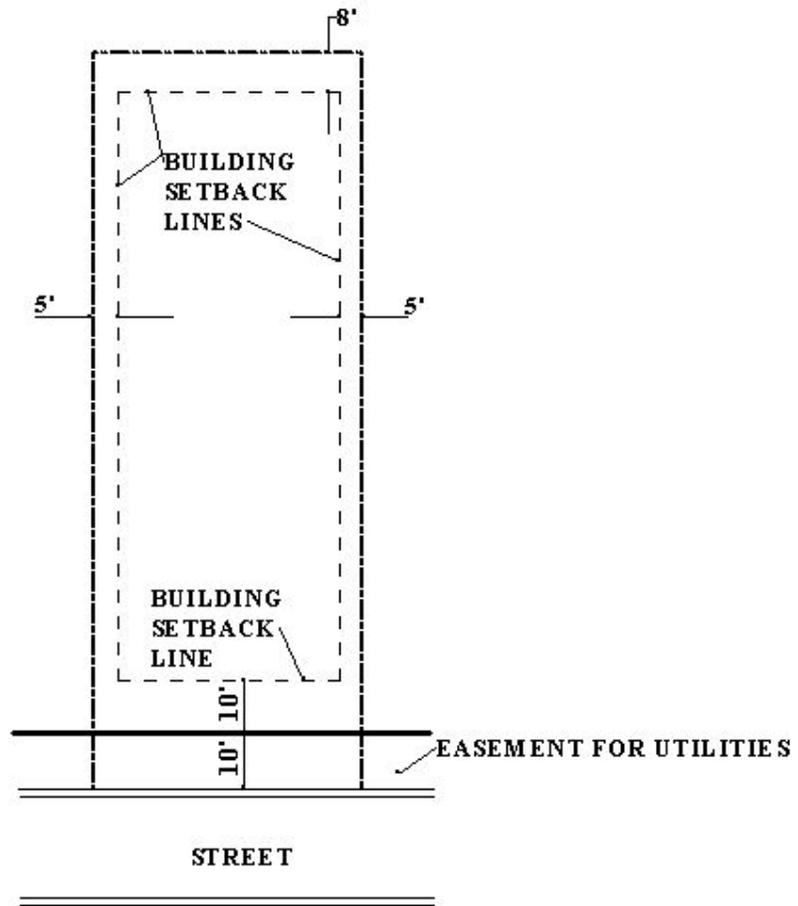
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REQUEST Planned Unit Development, Subdivision



TYPICAL LOT LINES



APPLICATION NUMBER 1 & 2 & 3 DATE September 19, 2002
APPLICANT Daniel Senior Living, L.L.C. (John Knutsson, Agent)
USE/REQUEST Rezoning from R-1 to B-1, PUD, Subdivision

