



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/27/2024

File ID: 2024-1505

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the rezoning of 95.07 acres of land lying on the south side of Swancott Road and west of Rabbit Lane from Residence 2 and Residence 2-B Districts to Planned Development - Housing District, LUI 45 and 56; and the introduction of an Ordinance pertaining to the same. (Set July 25, 2024 Regular Council Meeting)

Resolution No. 24-386

Ordinance No. 24-387

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: Resolution: July 3 and 10, 2024; Ordinance: July 31, 2024

Finance Information:

Account Number: n/a

City Cost Amount: \$ 0

Total Cost: \$ 0

Special Circumstances:

Grant Funded: \$ 0

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location:

Address: Swancott Rd., Madison, AL 35756

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☒

Additional Comments: Recommended by Planning Commission

RESOLUTION NO. 24-

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain land lying on the south side of Swancott Road and west of Rabbit Lane from Residence 2 and Residence 2-B Districts to Planned Development - Housing District, LUI 45 and 56.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the *Speakin' Out News* on the 3rd day of July, 2024, and the second publication shall be one week thereafter on the 10th day of July, 2024, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 25th day of July, 2024, in the Council Chambers of the City of Huntsville Administration Building at 305 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 24-____, which is introduced by the City Council of the City of Huntsville on the 27th day of June, 2024, amending the Zoning Ordinance of the City of Huntsville, Alabama.

2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 24-

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

WHEREAS, an application for a Planned Development amendment to the Zoning Ordinance of the City of Huntsville, Alabama (“the Zoning Ordinance”), has been submitted for the Greenbrier Preserve South development pursuant to Article 30 of the Zoning Ordinance; and

WHEREAS, pursuant to Section 30.5.5 of the Zoning Ordinance, the Planning Division has prepared a report containing findings and making recommendations; and

WHEREAS, the Planning Commission has considered said application and report and recommended that the proposed Planned Development amendment be approved as proposed; and

WHEREAS, said report has been provided to and considered by the City Council, which includes such findings and recommendations of the Planning Division and Planning Commission; and

WHEREAS, based on the report, recommendations, and documentation in support of the same, the City Council is of the opinion that that the proposed Planned Development amendment should be granted in accord with PD and other regulations applicable including certain modifications of PD and other applicable regulations as set out in the report and provided for in 30.5.5(5) of the Zoning Ordinance.

NOW, THEREFORE, the foregoing premises considered, the public welfare requiring it, and under authority granted by Section 11-52-78 of the Code of Ala. 1975, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the findings of the Report on Greenbrier Preserve South Planned Development-Housing Zoning and documentation in support of the same, to the extent not inconsistent with such report, are adopted as the findings of the City Council as if set forth fully herein and a copy of such report is attached hereto as Exhibit “A” and incorporated herein by reference as if set out herein fully.

2. That the preliminary concept plan as it may have been change during earlier procedures, a copy which is attached hereto as Exhibit “B” and incorporated herein by reference as if set out herein fully, is approved, and by such approval shall be binding in determinations concerning final development plans in accordance with Section 30.5.6 of the Zoning Ordinance. Consistent with such section, the development shall be required to be in accord with final development plans meeting the requirements of the Planned Development and other regulations, as supplemented or modified by the report approved by this amendment to the Zoning Ordinance and the development shall further conform to any time or priority limitations established by the report on beginning and completion of the development as a whole, or in specified stages.

3. That the findings, contents, conditions, waivers, and/or modifications as set out in the Report on Greenbrier Preserve South Planned Development-Housing Zoning and documentation submitted in support of such report, including application for Planned Development amendment; the Greenbrier Preserve South Planned Development Rezoning Submittal including the General Development Plan; Open Space Plan; the Typical Lot Block Patterns; the Illustrations of Typical Building Designs; Landscaping Plan; the Boundary and Topographic Survey, support this amendatory action, including the grant of the Planned Development amendment in accord with PD and other regulations applicable including those certain modifications of PD and other applicable regulations as set out in the report and provided for in 30.5.5(5) of the Zoning Ordinance, and the determination that the same are necessary or justified in each particular case by demonstration that the public purposes of PD or other regulations would be met to at least an equivalent degree by the proposals of the applicant.

4. That the following area, lying on the south side of Swancott Road and west of Rabbit Lane, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 2 and Residence 2-B Districts, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Planned Development - Housing District, LUI 45 and 56, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 15, Township 05 South, Range 03 West of the Huntsville Meridian, Limestone County, Alabama more particularly described as beginning at a point located at the Southeast Corner of said Section 15; thence North 88 Degrees 18 Minutes 11 Seconds West 1,006.37 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 88 Degrees 33 Minutes 12 Seconds West, 218.21 feet to a point; thence North 88 Degrees 34 Minutes 36 Seconds West, 113.21 feet to a point; thence North 88 Degrees 30 Minutes 20 Seconds West, 295.85 feet to a point; thence North 88 Degrees 35 Minutes 34 Seconds West, 528.86 feet to a point; thence North 01 Degree 24 Minutes 22 Seconds East, 249.84 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 236.97 feet to a point; thence North 01 Degree 24 Minutes 22 Seconds East, 250.03 feet to a point; thence North 88 Degrees 32 Minutes 33 Seconds West, 697.04 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 348.56 feet to a point; thence North 01 Degree 23 Minutes 48 Seconds East, 374.86 feet to a point; thence North 01 Degree 17 Minutes 25 Seconds East, 205.81 feet to a point; thence South 89 Degrees 13 Minutes 34 Seconds East, 196.14 feet to a point; thence North 01 Degree 25 Minutes 39 Seconds East, 444.27 feet to a point; thence North 89 Degrees 04 Minutes 18 Seconds West, 113.83 feet to a point; thence North 01 Degree 42 Minutes 53 Seconds East, 305.51 feet to a point; thence North 89 Degrees 23 Minutes 10 Seconds West, 61.69 feet to a point; thence North 01 Degree 42 Minutes 43 Seconds East, 344.52 feet to a point; thence South 88 Degrees 41 Minutes 27 Seconds East, 638.8 feet to a point; thence North 07 Degrees 45 Minutes 38 Seconds East, 502.58 feet to a point; thence South 88 Degrees 07 Minutes 10 Seconds East, 454.70 feet to a point; thence South 07 Degrees 35 Minutes 08 Seconds West, 286.25 feet to a point; thence South 06 Degrees 21 Minutes 36

Seconds West, 141.51 feet to a point; thence South 00 Degrees 58 Minutes 14 Seconds West, 144.25 feet to a point; thence South 13 Degrees 01 Minute 38 Seconds East, 10.96 feet to a point; thence South 07 Degrees 53 Minutes 30 Seconds West, 773.17 feet to a point; thence South 88 Degrees 34 Minutes 39 Seconds East, 1,061.52 feet to a point; thence North 01 Degree 19 Minutes 31 Seconds East, 1339.83 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 113.10 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 218.21 feet to a point; thence South 01 Degree 22 Minutes 34 Seconds West, 2,664.60 feet back to the Point of True Beginning and containing 95.07 acres, more or less.

5. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

6. This ordinance shall take effect from and after the date of publication.

ADOPTED this the ____ day of _____, 2024.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama

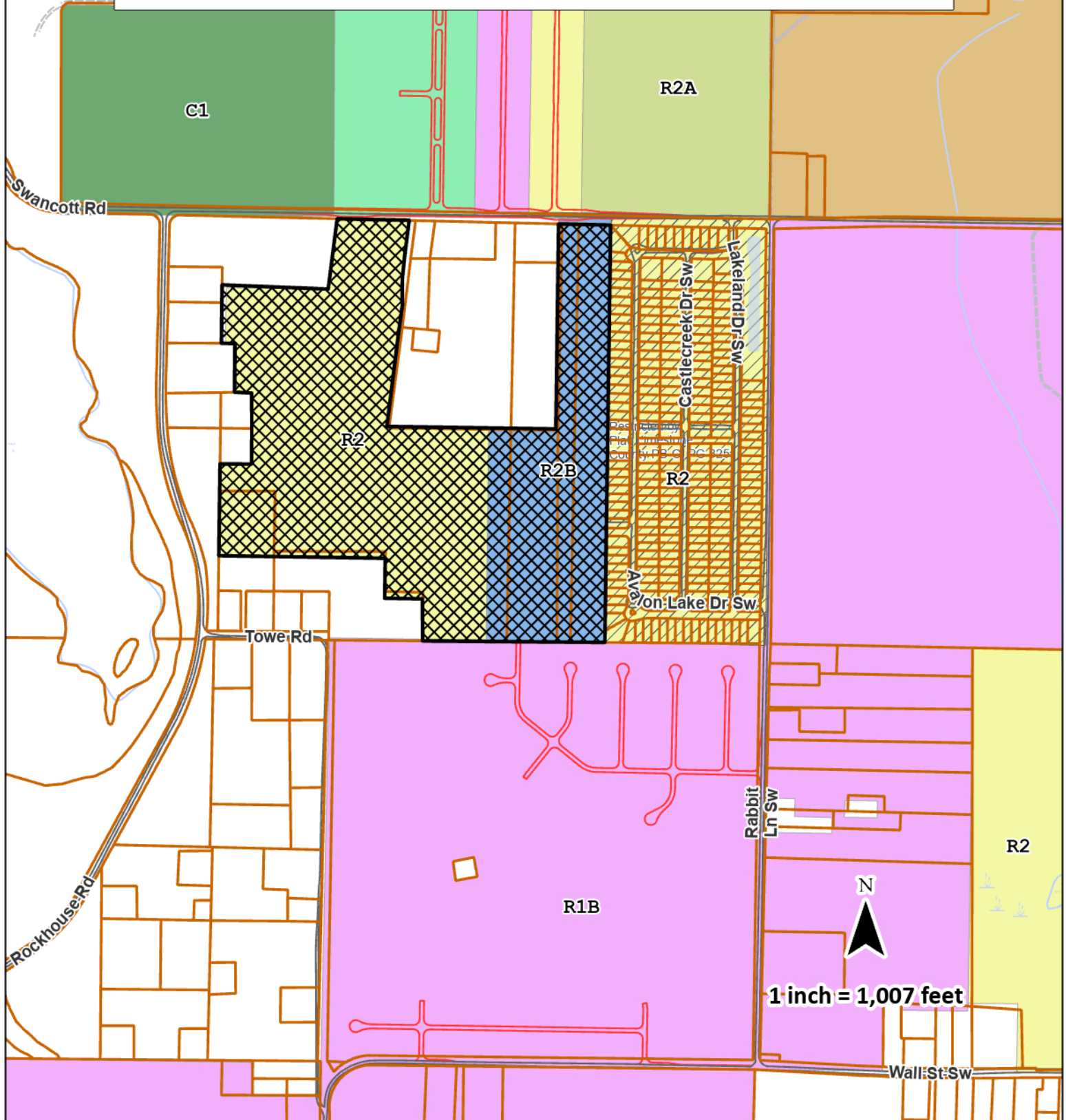
ADOPTED this the ____ day of _____, 2024.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama

PROPOSED PLANNED DEVELOPMENT - HOUSING DISTRICT, LUI 45 & 56



REPORT ON GREENBRIER PRESERVE SOUTH PLANNED DEVELOPMENT-HOUSING REZONING Land Use Intensity (LUI) 45 & 56

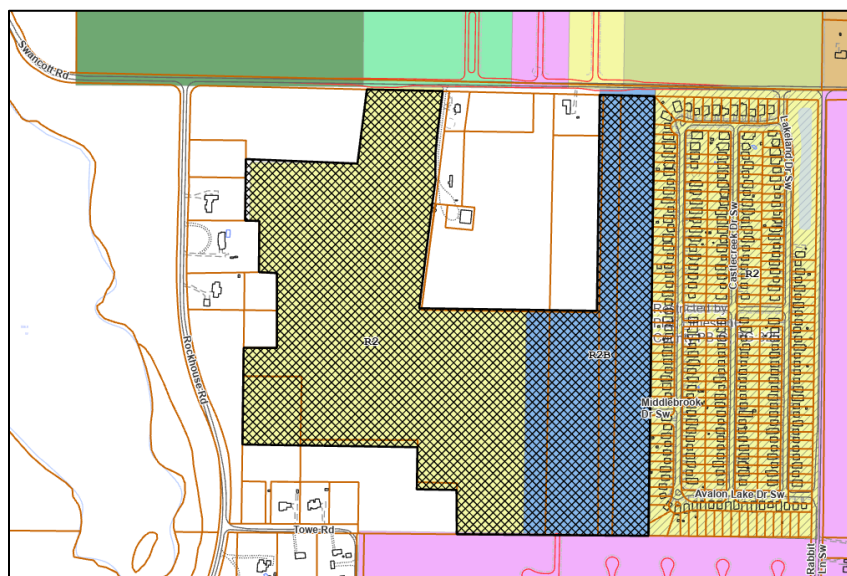
Introduction: In accordance with Section 30.5.5(5) of The Zoning Ordinance of the City of Huntsville, Alabama (Zoning Ordinance)¹, planning staff finds and the Planning Commission recommends that certain hereinafter specified modifications are desirable in generally applicable regulations and/or officially adopted plans. Where such modifications are recommended, staff has made the determination that such modifications are necessary or justified by demonstration that the public purposes of the Planned Development and other zoning regulations would be met to at least an equivalent degree by the proposals of the applicant.

Part 1. Request:

The request is to rezone 95.07 acres (4,141,249.20 square feet) of land from Residence 2 (R2) and Residence 2-B (R2B) Districts to Planned Development-Housing District (PD-H) with a Land Use Intensity (LUI) rating of 45 and 56, requiring a maximum Residential Floor Area for the development of 37.68 acres (1,641,340.80 square feet). The minimum Open Space requirement for the development is 69.02 acres (3,006,511.20 square feet).

Part 2. Location:

The proposed PD-H is located southwest of the City of Huntsville (City). The land lies generally on the south side of Swancott Road and west of Rabbit Lane.



¹ Unless expressly stated otherwise, all references herein to sections or articles are to sections or articles contained in the Zoning Ordinance.

Part 3. Development:

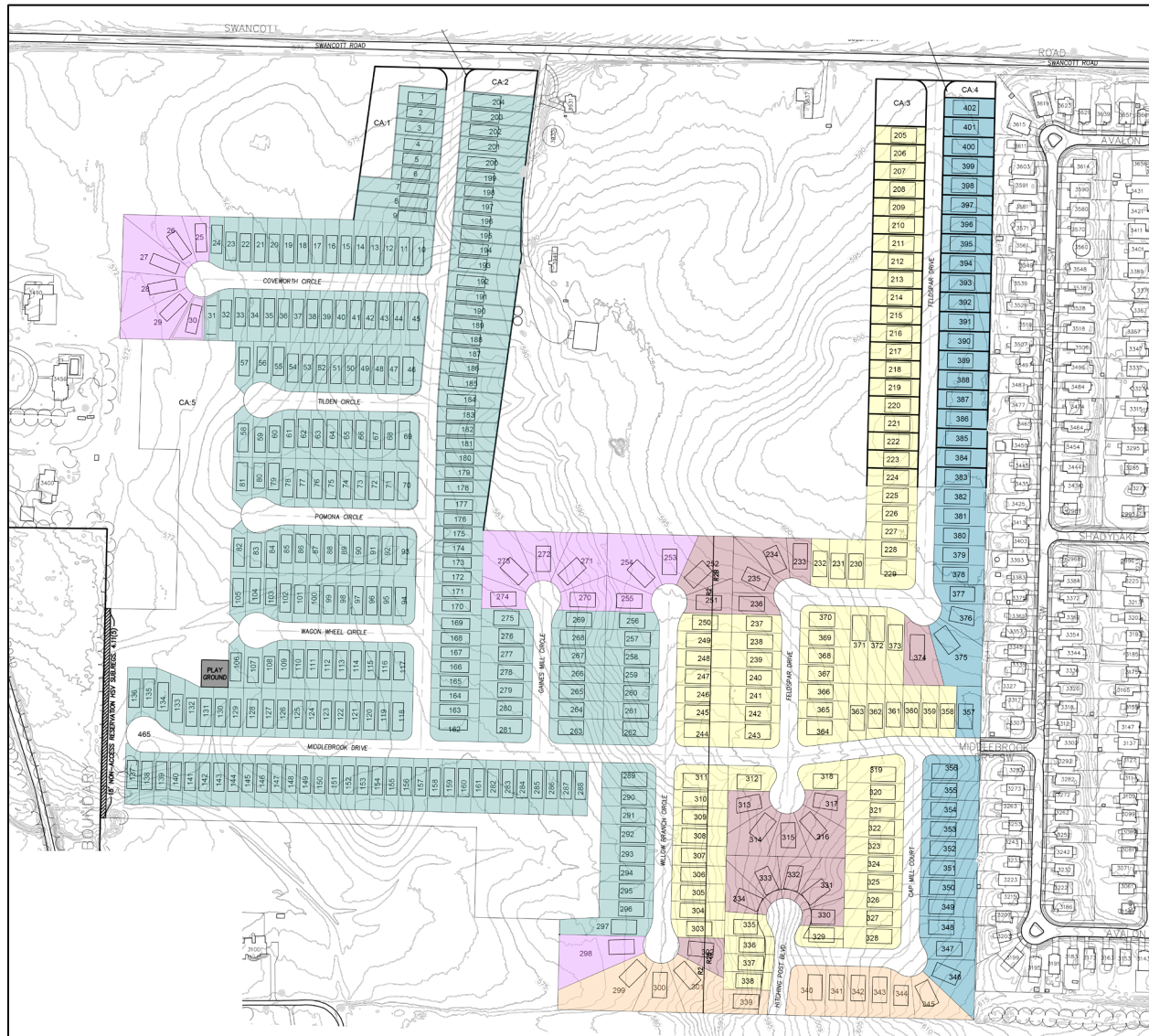
A. *In General.* Known as Greenbrier Preserve South, this proposal is for a single-family detached residential community that will consist of 1 to 2-story homes for a total of 401 single family detached dwelling units. The proposed Greenbrier Preserve South PD-H will be accessed off Swancott Road. It shall have two (2) entrances off Swancott Road - to the west will be called Maple Grove and to the east will be called Heritage Park. This proposed development will have a tie into the eastern adjacent Westlake Subdivision and into the southern adjacent Hitching Post Subdivision. Greenbrier Preserve South will generally be built with public infrastructure to be dedicated to the City except for private drainage features (detention pond(s)) located in the common areas. The common areas will also include preserved green spaces and recreational areas which will be maintained by a homeowners' association. Greenbrier Preserve South proposes a total of 25.55 acres (1,112,958.00 square feet) of Residential Floor Area and 69.52 acres (3,028,291.20 square feet) of Open Space. Proposed house stock includes 1- and 2-story homes ranging from 1,700 – 2,700 square feet sized homes on lots ranging from 4,400 to 25,000 square feet.







B. *Adjoining Zoning Districts.* The proposed PD-H is bounded on the east by a Residence 2 (R2) District, on the south by a Residence 1-B (R1B) District, on the west by county lands, and on the north (across Swancott Road) by Residence 1-A (R1A), R2, and Residence 2-A (R2A) Districts. These districts are residential districts to which Section 31.4.4 of the Zoning Ordinance applies. Section 31.4.4 provides:

31.4.4. *Uses adjacent to single-family residence districts.* If a PD-H district adjoins a single-family residence district, then either:

- (1) The portion of the perimeter of the PD-H district so adjoining shall be planned and developed only for uses permitted in the adjoining residential district and in accordance with all other requirements for such district; or
- (2) Common open space for the PD-H district to a depth of 100 feet from the district boundary shall be provided. No intensive recreational use or off-street parking shall be permitted within 75 feet of the district boundary in such cases.

C. *Density Controls; Secondary Front Yards.*



HOUSE PLAN SCHEDULE		
Map Color	Plan Name	No. of Lots
	Carriage	234
	Carriage Cul-de-sac	15
	Courtyard	84
	Courtyard Cul-de-sac	18
	Courtyard adjoining R2	40
	Courtyard adjoining R1B	10
TOTAL		401

(1) *Non-Perimeter Lots.*

a. Density control modifications. Lots within the development that are **not** adjoining a single-family residence district will have the following **modified** density controls from those required in Section 13.2.1 of the Zoning Ordinance:

Carriage Lots

- Lot area: minimum 4,400 square feet (required: 6,000 square feet)
- Lot width: 40 feet (required: 50 feet)
- Front Yard depth: 25 feet (required: 50 feet from major arterial and 20 feet from other streets)
- Side Yard depth: 5 feet each (required: main building one story in height -- five feet; main building two stories in height -- six feet; least sum of widths of both side yards - 14 feet)
- Rear Yard depth: 15 feet (required 25 feet)

Carriage Cul-de-sac Lots

- Lot area: minimum 4,400 square feet (required: 6,000 square feet)
- Lot width: 40 feet (required: 50 feet)
- Front Yard depth: 25 feet (required: 50 feet from major arterial and 20 feet from other streets)
- Side Yard depth: 5 feet each (required: main building one story in height -- five feet; main building two stories in height -- six feet; least sum of widths of both side yards - 14 feet)
- Rear Yard depth: 15 feet (required 25 feet)

Courtyard Lots

- Front Yard depth: 25 feet (required: 50 feet from major arterial and 20 feet from other streets)
- Side Yard depth: 5 feet each (required: main building one story in height -- five feet; main building two stories in height -- six feet; least sum of widths of both side yards - 14 feet)
- Rear Yard depth: 15 feet (required 25 feet)

Courtyard Cul-de-sac Lots

- Front Yard depth: 25 feet (required: 50 feet from major arterial and 20 feet from other streets)
- Side Yard depth: 5 feet each (required: main building one story in height -- five feet; main building two stories in height -- six feet; least sum of widths of both side yards -- 14 feet)
- Rear Yard depth: 15 feet (required 25 feet)

b. The remainder of the density controls for non-perimeter lots shall be as set forth in Section 13.2.1 of the Zoning Ordinance.

(2) *Perimeter Lots.* In accordance with Section 31.4.4 perimeter lots within the development shall have the following density controls:

- a. Lots within the development that adjoin the R1A, R2 and R2A Districts to the north of the PD-H across from Swancott Road are separated by at least 100 feet of common open space and do not include intensive recreational use or off-street parking and shall accordingly be considered non-perimeter lots that are subject to the modifications set forth hereinabove for non-perimeter lots.
- b. Lots within the development that adjoin the R1B District (to the south of the PD-H) shall have density controls that meet the requirements of Section 12.2 of the Zoning Ordinance.
- c. Lots within the development that adjoin the R2 District (to the east of the PD-H) shall have the density controls that meet the requirements of Section 13.2.1 of the Zoning Ordinance (see Section 14.2.1 referring back to Section 13.2.1).

(3) *Corner Lots (modification).*

- a. *In general.* According to Section 73.7.7 of the Zoning Ordinance, the minimum dimension of corner lots whose fronts are oriented parallel to a street require a secondary front yard to be 10 feet less than the normal front yard required but not less than 20 feet. R2 and R2B Districts require a front yard setback of 20 feet. (Sections 13.2.1 and 15.2.1 referring back to Section 13.2.1)
- b. *Modification for secondary front yard setback of 10 feet on corner lots.*

The proposed PD-H plans, which have the front of each house oriented parallel to the street, provide for a 25-foot front yard setback for each of the lots -- 5 feet *more* than the requirement in the existing R2 and R2B districts. The required secondary front yard would be at least 20 feet and the applicant is requesting a modification to allow for a secondary front yard of only ten feet.

D. *Architectural Standards.* In connection with the approval of a building permit for the construction or installation of primary and accessory structures on a lot, the Zoning Administrator may, in his sole discretion, require evidence that the proposed structure has received appropriate approval from the PD's Architectural Review Committee evidencing compliance with applicable architectural standards for the development, as contemplated. Notwithstanding the foregoing provision, the City will not enforce private restrictive covenants.

E. *Entrances.* Each of the entrances off Swancott Road - to the west Maple Grove and to the east Heritage Park shall have one (1) monument sign, both of which shall comply with applicable sign regulations contained in Article 72 of the Zoning Ordinance. There will be two (2) stone columns on the Maple Grove entrance and will have Carriage lamps (faux gas) on each side of the entrances. There will be 4 rail horse fencing along Swancott Road by these entrances.

F. *Streets.* The proposed streets will conform to the typical 50 feet curb and gutter street design, which will have a 30 feet wide paved right-of-way. Sidewalks of four (4) feet will be provided on both sides of all internal streets, and five (5) feet along Swancott Road. A minimum 3-foot wide landscape strip shall be located between the sidewalk and adjacent curb on both sides of the streets.

G. *Public Improvements.* The street sections, stormwater, and utilities plan within the development are conceptually approved only. Final approval for said public improvements shall be made in connection with the subdivision approval for the development.

Part 4. Findings:

Planned Development – Housing (PD-H) Districts are planned development districts principally for dwellings, and related uses and facilities. Planned Development (PD) Districts are intended for specialized purposes to be situated on tracts suitable in location, area and character for the uses and structures proposed, and are to be planned and developed on a unified basis. Plans for the PD are to provide comfort and convenience of occupants, facilitate protection of the character of surrounding neighborhoods, and provide facilities appropriate to the needs of the City.

Based on Section 30.5.5 of the Zoning Ordinance, the following were determined regarding the submitted plans for the proposed PD-H:

- 1. As to the suitability of the tract for the general type of PD zoning proposed, physical characteristics of the land, and relation of the proposed development to surrounding areas and existing and probable future development.*

The proposed development is currently bounded in part by properties in Limestone County that are primarily used as residences, and properties within the City limits that are also principally for residential use. Adjacent properties to the east are within the completely constructed Westlake Subdivision. While adjoining properties to the south are within the Hitching Post Subdivision and properties to the north are within the Greenbrier Preserve Subdivision. Both are residential developments that are under construction.

The subject property is currently zoned R2 and R2B Districts. An R2 District allows for single-family detached dwellings, two-family dwellings, zero lot line dwellings, single-family attached dwellings. Meanwhile, an R2B District allows for all the uses allowed in the R2, in addition multiple family dwellings, hotels, motels, tourist homes, rooming houses, boarding houses and office buildings. The proposed PD-H is intended to have single-family detached dwellings only, which will be consistent with adjacent Westlake and Hitching Post subdivisions.

The proposed PD-H is located in the southwest subarea of the City's Big Picture comprehensive plan. This area has also been noted in said comprehensive plan to be top ranked for housing starts in the region. New neighborhoods with services and quality-of-life amenities have been envisioned for this subarea. This development would be consistent with the Big Picture Plan to support the projected new and expanding employment centers located in the

subarea by providing new, affordable, single-family detached housing and ready access for existing and projected employment in the area.

Given the above, the tract for the general type of PD-H zoning proposed, physical characteristics of the land, and relation of the proposed development to surrounding areas and existing and probable future development will be suitable.

2. As to relation to, and access from, major or collector roads, and to utilities and other facilities and services.

The proposed development will be accessed off Swancott Road, which is classified as a minor collector road in the 2017 Major Street Plan. Minor Collectors, as defined in the Subdivision Regulations, are streets which carry traffic from a number of local streets to the major collector/arterial system, between other collectors, and from activity centers to a street of higher classification. Both Middlebrook Drive and Hitching Post Boulevard are existing stubbed neighborhood (local) streets into which the proposed PD-H will tie.

The proposed 50' rights-of-way shall be constructed according to City standards and will be dedicated as a public road. There are adequate utilities and services connections in the area for this proposed development to tie into.

A Traffic Impact Study was conducted, which reports that the results of the analyses indicate that no significant increases in traffic delays are anticipated as a result of the proposed development, and traffic impacts are manageable.

Ensuring safety is one of the most important goals of the Zoning Ordinance, Subdivision Regulations of the Huntsville, Alabama Planning Commission (Subdivision Regulations), and other City regulations or requirements. The Subdivision Regulations require that arrangement of streets shall provide for the continuation of streets between adjacent properties when such continuation is necessary for convenient movement of traffic. As such, dead end or stub streets are designed for the extension of streets for future development of adjacent tracts.

Connecting to existing local streets and restricting the number of intersections is part of access management, which increases safety by limiting drivers' decision points and removing potential conflicts especially along major thoroughfares. This also improves accessibility for emergency and lifesaving services. The proposed access points for this PD-H have been assessed to be safe and would better serve the foregoing public purposes. In addition, the Big Picture Comprehensive plan envisions the southwest subarea to have broad transportation connectivity that would provide easy access to employees travelling to and from their residence to employment centers.

This proposed PD-H shall be directly accessible from a collector street, and streets shall be designed as to provide direct access, without creating additional amount of traffic on local streets in adjoining residential neighborhoods that would exceed the amount of traffic created if developed under existing zoning. A traffic demand analysis has been conducted that indicates that connection to local streets will not create unnecessary hardship within the PD-H district or surrounding residential areas. The connection of the local streets to existing stubbed streets is

also consistent with the requirements of the Subdivision Regulations and the vision of the Big Picture Comprehensive Plan.

The proposed development will also be a part of the overall Greenbrier Preserve Development, the northern portion of which is proposed to include a 38-acre park with a pond, sidewalks, and a clubhouse with pool for recreational use to which residents of the proposed development will have access. As the Greenbrier Preserve Development is located next to the Wheeler National Wildlife Refuge, sidewalks within said park amenity will connect to the nature preserve trails along the boundaries of the development adjacent to the refuge. The Greenbrier Preserve Development is also proposed to have retail development on a designated outlying area that would provide residents of the proposed development convenient access to those services.

3. *As to adequacy of evidence on unified control and suitability of any proposed agreements, contracts, deed restrictions, sureties, dedications, contributions, guarantees, or other instruments, or the need for such instruments, or for amendments in those proposed.*

A duly executed Owner's Report (Report) has been submitted. The Report includes evidence of unified control under the ownership of Greenbrier Preserve LLC (Owner), and the Owner's agreement required pursuant to Section 30.5.2(5). In connection with the subdivision plat approval process the necessary dedications and security will be required. In addition, operation and maintenance of such areas, facilities, and services as are not to be provided, operated, or maintained at general public expense will be addressed through the *Maintenance Agreement and Access Easement* required pursuant to Chapter 12, Article VIII of the Code of Ordinances of the City of Huntsville, Alabama (City Code). In addition, at the time of final plat approval the Owner must have recorded a set of private covenants that establish a homeowners' association and establish and impose maintenance, operating, and repair obligations and responsibilities equal to or greater than those set forth in the Maintenance Agreement and Access Easement.

4. *As to the suitability of plans proposed, or the desirability of changes, with reasons therefor.*

The proposed development meets the permitted use and Land Use Intensity requirements based on the existing zoning district from which this proposed PD-H District will be established. The computed values for the proposed development as it meets the required ratios are as follows:

	R2 (Acres)	R2B (Acres)	TOTAL (Acres)	
LUI Rating	45	56		
Gross Area	61.7	33.37	95.07	
Residential Floor Area Ratio (FAR)	17.46	20.22	37.68	Maximum
	15.55	9.09	24.64	Provided
Open Space Ratio (OSR)	45.66	23.36	69.02	Minimum
	46.15	24.28	70.43	Provided
Livability Space Ratio (LSR)	29.62	13.35	42.97	Minimum
	37.81	19.54	57.35	Provided
Recreation Space Ratio (RSR)	2.59	2.17	4.76	Minimum
	5.52	5.05	10.59	Provided
Off-Street Parking	377	175	552	Minimum
	504	280	784	Provided

The proposed development is subject to the following PD-H standards as per Sections 31.4 and 31.5 of the Zoning Ordinance:

1. Site Planning, External Relationships

- a. *Principal Vehicular Access Points* – 50 feet wide streets are proposed with four (4) feet wide sidewalks and cul-de-sacs not only to provide safe vehicular and pedestrian access in and out of the neighborhood, but to reduce the speed of cars driving through and provide a central refuge to pedestrians crossing the road.
- b. *Access for Pedestrians and Bicycles* - Access for pedestrians and cyclists entering or leaving the district shall be by safe and convenient routes. Sidewalks in the proposed development will connect with sidewalks in the Westlake Subdivision and planned Hitching Post Subdivision. Submitted plans indicate installation of four (4) feet sidewalks on each side of the proposed neighborhood street.
- c. *Protection of Visibility - Automotive Traffic, Cyclists, and Pedestrians* - Protection of visibility for automotive traffic, cyclists, and pedestrians shall be as generally provided at Section 73.10 – Corner Visibility. Submitted plans provide adequate corner visibility.
- d. *Uses Adjacent to Single-Family Residence Districts* – The PD-H district is only to be used for single-family detached dwellings. The adjoining districts inside the City limits allow for single-family detached dwellings. The PD-H lots adjoining said residential districts are to be in accordance with all other requirements for such districts (see Part 3. C. (2) hereinabove concerning perimeter lots).

- e. *Yards, Fences, Walls, or Vegetative Screening at Edges of PD-H Districts* - Yards, fences, walls, or vegetative screening shall be provided at edges of PD-H districts where needed to protect residents from undesirable views, lighting, noise, or other off-site influences, or to protect residential occupants of other districts from similar adverse influences within the PD-H district. Because the proposed development is for single family detached dwelling units only there are no planned extensive off-street parking areas, service areas for loading and unloading vehicles other than passenger, or areas for storage of refuse and garbage.
- f. *Height Limitations at Edges of PD-H Districts* – The proposed structures to be constructed will have a maximum height of 2 stories. The edges of the proposed PD-H are currently zoned R2 and R1B. The R2 district requires a maximum height of 2-story while R1B district allows up to 2 ½-story. The proposed structures in the PD-H match or are less than these requirements.
- g. *Signs Permitted* – Submitted plans propose one (1) monument sign on each of its two entrances off Swancott Road. These signs shall meet the standards set forth in the Zoning Ordinance.

2. Site Planning, Internal Relationships

- a. *Streets, Drives, Parking and Service Areas* – A 50 feet wide public right-of-way is proposed to be constructed according to standards. The submitted plans propose 16' private driveway and parking pads that are typical for residential developments. The design of the homes includes a 2-car garage.
- b. *Vehicular Access to Streets* - The development proposes 401 units that will provide standard private driveways that will channel traffic conveniently and safely to and from individual dwellings and the streets.
- c. *Ways for Pedestrians and Cyclists: Use by Emergency or Service Vehicles* – Submitted plans propose a typical 50 feet wide right-of-way that would allow safe and reliable access by life protection and safety service vehicles. It proposes 4' sidewalk along each side of the neighborhood street that will provide connectivity and access to all the amenities of the development as well as safe pedestrian access along the proposed neighborhood street.
- h. *Protection of Visibility* - Automotive Traffic, Cyclists, and Pedestrians - Protection of visibility for automotive traffic, cyclists, and pedestrians shall be as provided at Section 31.4.3. Submitted plans provide adequate corner visibility.

The plans for the proposed PD-H are suitable and the proposed modifications, as outlined herein, are appropriate considering the PD-H standards as per Sections 31.4 and 31.5 of the Zoning Ordinance.

5. *As to the desirable specific modifications in generally applicable regulations or officially adopted plans, as applicable in the particular case, based on determinations that such modifications are necessary or justified in the particular case by demonstration that the public purposes of PD or other regulations would be met to at least an equivalent degree by proposals of the applicant.*

The only modifications being considered in connection with this PD-H District are those to the non-perimeter lot density controls and the secondary front-yard setbacks that are set forth hereinabove at Part 3. C. (1) for non-perimeter lots and (3) for secondary front yards. Considering that the development is being limited to single-family detached dwellings to the exclusion of denser development that would otherwise be allowed, the stated modifications of the density controls satisfy to an equivalent or greater degree the public purposes associated with density controls.

Consider that with regard to the density controls for attached dwellings as allowed in the R2 and R2B zoning districts, the development, with its total land area could fit the construction of possibly 1,000 single-family attached dwelling units. In addition, the area currently zoned R2B could accommodate potentially up to 660 multiple-family dwelling units within building structures that could be up to 3-stories in height. This R2B zoned area is on the eastern side of the development and is adjacent to the existing Westlake Subdivision. The proposed PD-H plans are for a total of 401 single-family detached dwellings only that are up to 2-stories in height. So, while the non-perimeter lots will have some degree of modifications to certain density control requirements, the density of the development that would otherwise be allowed with the R2 and R2B zoning classifications is less compatible with the development of the area for single family residential uses.

With regard to the modifications to the secondary front yard modification, strict application of the ordinance will result into unnecessary hardship in constructing homes on corner lots within the proposed PD-H. The minimum dimension of corner lots require a secondary front yard to be 10 feet less than the required front yard but not less than 20 feet. Residence 2 and Residence 2-B Districts require a front yard setback of 20 feet (Section 13.2.1, 15.2.1 and 73.7.7 of the Zoning Ordinance).

The additional front-yard setback of five (5) feet under the PD-H will have a corresponding limit on the density reduction thereby offsetting the 10-foot reduction in the secondary front yard setback. Applying the secondary front yard setback of 20 feet in effect will limit the maximum total building area on corner lots to 29% compared to the 40% maximum total building area allowed in the existing R2 and R2B districts. In addition, the 10 feet secondary front yard setback proposed will be comparable to the 10 feet front yard setback for attached dwellings that are allowed in the R2 and R2B districts.

The modifications to the non-perimeter lot density controls and the secondary front-yard setbacks will be desirable as justified in this particular proposed PD-H District.

Based on the above findings, it is recommended that the PD-H amendment be approved as proposed including the stated modifications.

Part 5. Miscellaneous.

A. Additional documents submitted in compliance with applicable requirements of the Zoning Ordinance include the following:

General Development Plan	Unified Ownership Document
Boundary and Topographic Survey	Vicinity/Zoning Map
Open Space Plan	Landscaping Plan
Typical Lot Block Patterns	Illustrations of Typical Building Designs
Storm Water and Utilities Concept Plan	

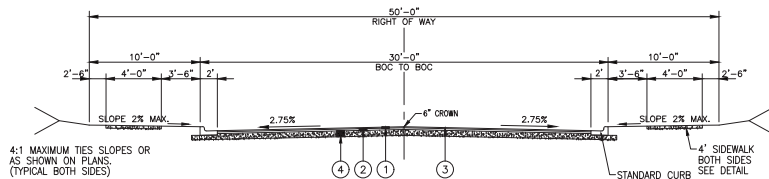
To the extent that an item contained in the foregoing documents conflicts with the provisions of this Report, this Report shall apply.

B. Situations not covered by the adopted PD-H ordinance and supplemental documents shall be regulated by and subject to appropriate existing Huntsville ordinances and regulations.

C. Failure to comply with or otherwise fail to satisfy the conditions under which approval is granted for the PD-H rezoning may be grounds for actions as provided by Section 30.6 of the Zoning Ordinance.

NOTE:

1. SECONDARY FRONT YARD DEPTHS SHALL BE REDUCED TO 10 FEET.
2. HVAC EQUIPMENT CANNOT BE LOCATED ON THE 5 FOOT WIDE P.U.D.E ALONG EACH SIDE YARD.
3. NO DRIVEWAY SHALL CONFLICT WITH DRAINAGE INFRASTRUCTURE AS REVIEWED BY ENGINEERING DEPARTMENT.



NOT TO SCALE

- ① 424-A 1" SUPERPAVE BITUMINOUS CONCRETE WEARING SURFACE, 3/8" MAX. AGGREGATE SIZE MIX, ESAL RANGE A/B
- ② 424-B 2" SUPERPAVE BITUMINOUS CONCRETE BINDER LAYER, 1" MAX. AGGREGATE SIZE MIX, ESAL RANGE A/B
- ③ 0.10 GAL./S.Y. EMULSIFIED ASPHALT OR 0.07 GAL./S.Y. TACK COAT. ALL MATERIALS ARE TO BE IN ACCORDANCE WITH DET. SPECIFICATIONS.
- ④ 5" LAYER OF DENSE GRADED AGGREGATE BASE COURSE, ALL MATERIALS SHALL BE IN ACCORDANCE WITH SECTION 82 PROCTOR DENSITY.

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