

**PLANNED UNIT DEVELOPMENT &
PLANNING APPROVAL****Date: January 4, 2018**

<u>NAME</u>	Dunnaway Corporation
<u>SUBDIVISION NAME</u>	Dunnaway Corporation
<u>LOCATION</u>	4568 Halls Mill Road (North side if Halls Mill Road, 215'± West of Laughlin Drive, extending to the South terminus of Birchwood Drive)
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>AREA OF PROPERTY</u>	2 lots / 18.3± acres
<u>CONTEMPLATED USE</u>	Planning Approval to amend a condition of a previous Planning Approval to allow a church school and daycare in an R-1, Single Family Residential District, and Planned Unit Development Approval to amend a condition of a previously approved Planned Unit Development to allow multiple buildings on a single building site for a church school in an R-1, Single Family residential District with shared access and parking between two building sites.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Not specified.
<u>ENGINEERING COMMENTS</u>	No comments.
<u>TRAFFIC ENGINEERING COMMENTS</u>	If the Commission considers allowing access to Knob Hill Drive, the condition should include days/hours in which the gate can be opened, if the traffic will be restricted to one-way, and how emergency vehicles will be accommodated when the gate is closed. The condition should also include the denial of access to/through that point until such time that the permanent surface is placed for the parking and access areas in the northern portion of the site that abuts the Knob Hill Drive right-of-way.

Revised for the March 1, 2018 meeting:

If the Planning Commission considers the elimination of access from the site north into the neighborhood via Knob Hill Drive, the applicant may consider the installation of a

second driveway on this site for access to Halls Mill Road. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

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 2015-116 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).

REMARKS

The applicant is requesting Planning Approval to amend a condition of a previous Planning Approval to allow a church school and daycare in an R-1, Single Family Residential District, and Planned Unit Development Approval to amend a condition of a previously approved Planned Unit Development to allow multiple buildings on a single building site for a church school in an R-1, Single Family residential District with shared access and parking between two building sites.

The site has been given Institutional (INS) land use designation, per the recently adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation includes land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, to serve the public or provide a civic use or amenity. These include major libraries, airports, public schools and public safety facilities, but exclude parks and public open space which are identified under a separate land use classification (see below). Semi-public uses such as grammar and high schools, colleges and universities, hospitals, and other major institutions that serve the public and/or operate in a public function are included. Parks and public open space are not included but have their own land use classification.

Note: Small-scale properties (less than 2 acres) accommodating subsidiary public and semi-public facilities, such as branch libraries, substations, satellite clinics, etc., may not be specifically called out in the FLUM under this land use designation, but may instead be considered part of the array of integrated complementary uses typically found in a residential neighborhood or a mixed-use center or corridor. The specific location and design of these complementary uses is subject to zoning.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others

the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

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.

Planning Approval and PUD approval are site plan specific, thus the plan must be accurate at time of submittal, and any changes to the site plan must be approved by the Planning Commission. Also, PUDs expire in one year if no permits are obtained.

The site received Planning Approval and Planned Unit Development approval from the Planning Commission at its August 4, 2016 meeting, and access to Knob Hill Drive was initially approved with conditions and restrictions were placed regarding the hours of operation, the use of the athletic fields, the use of lighting, and the use of public address systems. This site also received Planned Unit Development approval from the Planning Commission at its May 18, 2017 meeting, and the Planning Commission denied access to Knob Hill Drive due to neighborhood concerns. The applicant appealed the decision to the City Council, but the appeal was denied.

The applicant is seeking to amend previous approvals.

The applicant states:

"Covenant Academy which is located at 4568 Halls Mill Rd in Mobile Alabama. We would like to have the Knob Hill access granted for a fire truck and other emergency vehicles use, while also using the use restricted gate for exiting only for student drop off from 7:15 to 8:30 and student pick up times 1 HOUR AFTER school dismissal time. Due to us only having one way in and one way out on the property to Halls Mill Rd. (which has been approved to have around 900 students) where there are no traffic lights for miles. The Knob Hill access has the only fire hydrant access within 400 ft to the buildings which is required by code and was a major determining factor for our approval back on 8/4/16 before it was taken away without considering how it would affect our vulnerability to a fire.

We would like to lift the self restriction on the sports field lights and sound system that have been on these premises for 35 years. The lights nor the sound would not be in use after 10:30 pm on

any game night which would typically be on a Friday night and we of course would need lights for practice nights no later than 8:15 on weekdays. We also request permission to have community sports events on the weekends on the sports fields for daytime use ,and we would like to lift the time closure restrictions and closure days on the gym only ,because I would like to have evening events and community activities in the gym."

This application intends to propose some overall site changes in regards to use, access, maneuverability and lighting. The 2016 approval included the following conditions:

- 1) Use of the site limited to A) Phase 1 - 570 students and 34 teaching stations, and B) at completion of Phase 2 - 972 students total and 65 teaching stations total, with any increase to the number of teachers or children to require new Planning Approval and Planned Unit Development applications;*
- 2) Phase 1 limited to Daycare, Pre-K, Kindergarten, and Summer / After School programs and activities, with Phase 2 to add an Elementary School program to the Phase 1 programs and activities, with any additions to the programs and activities to require new Planning Approval and Planned Unit Development applications;*
- 3) Hours of operation with students on-site limited to 6:30 AM to 6:30 PM;*
- 4) Daytime use of athletic fields by other entities allowed, subject to no sound amplification or speaker systems;*
- 5) Provision of frontage trees along the Halls Mill Road frontage;*
- 6) Revision of the site plan to depict the proposed gate blocking access to Knob Hill Drive, with adequate room for queuing space, and note that the gate must be locked when the facility is not in use;*
- 7) Provision of a 6-foot high wooden privacy fence or evergreen buffers where there is insufficient buffering adjacent to residential uses;*
- 8) Placement of a note on the site plan stating that if a dumpster is placed on the site, it must be located in compliance with Section 64-4.D.9. of the Zoning Ordinance;*
- 9) Paved parking and circulation to be provided commensurate with the phased development and parking requirements for the site;*
- 10) Parking to be illuminated in compliance with Section 64-6.A.8. of the Zoning Ordinance, including the provision of a photometric plan at time of application for land disturbance;*
- 11) Compliance with Engineering comments (ADD THE FOLLOWING NOTES TO THE PUD AND PLANNING APPROVAL SITE PLANS: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City*

of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.)

- 12) Compliance with Traffic Engineering comments (Site is limited to one curb cut per street frontage with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The language in the narrative regarding the access between Halls Mill Road and Knob Hill Drive being gated and locked during non-operation hours should be included as a condition of the PUD and added to the site plan. Location of gate should also be indicated on the plan, to confirm adequate queue space between the gate and the right-of-way or travel lane. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 13) Compliance with 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 2015-116 and City Code Chapters 57 and 64).);*
- 14) Compliance with Fire comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code));*
- 15) Provision of a revised site plan reflecting these conditions; and*
- 16) Full compliance with all municipal codes and ordinances, including obtaining all necessary permits for building renovation.*

The 2017 approval, which included an allowance for the temporary use of access and parking on the adjacent church site, was subject to the following conditions:

- 1) Shared access and parking are allowed until September 30, 2017;*
- 2) Revision of the site plan to illustrate the proposed improvements on the school site as well as existing improvements to the church site;*
- 3) Provision of frontage trees along the Halls Mill Road frontage;*
- 4) Denial of access to Knob Hill Drive, with revision of the site plan to depict a fence blocking access to Knob Hill Drive;*
- 5) Provision of a 6-foot high wooden privacy fence or evergreen buffers where there is insufficient buffering adjacent to residential uses;*
- 6) Placement of a note on the site plan stating that if a dumpster is placed on the site, it must be located in compliance with Section 64-4.D.9. of the Zoning Ordinance;*
- 7) Parking to be illuminated in compliance with Section 64-6.A.8. of the Zoning Ordinance, including the provision of a photometric plan at time of application for land disturbance;*
- 8) Compliance with Engineering comments (No Comments. The Engineering Dept. Notes Are Shown On The Proposed Site Plan Submitted And Dated April 17, 2017.);*
- 9) Compliance with Traffic Engineering comments (If the Commission considers allowing the off-site parking, the condition of the gated access to Knob Hill Drive*

should be modified to not allow access to/through that point until such time that the permanent surface is placed for the parking and access areas in the northern portion of the site.);

- 10) Compliance with 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 2015-116 and City Code Chapters 57 and 64).);*
- 11) Compliance with Fire comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code));*
- 12) Provision of a revised site plan reflecting these conditions; and,*
- 13) Full compliance with all municipal codes and ordinances, including obtaining all necessary permits for building renovation.*

Due to safety and accessibility concerns, the applicant is requesting access to Knob Hill Drive for emergency vehicles. The applicant is also requesting that the use restricted gate be used for exiting only during student drop-off times and one hour after dismissal.

The preliminary site plan illustrates six (6) existing buildings, two (2) paved parking areas with a total of 104 parking spaces, an asphalt drive, two (2) existing baseball fields, existing concrete bleachers and a football field. The preliminary plan also illustrates 6' privacy fencing and/or hedges around the perimeter of the site as well as 14 live oak trees along the street frontage, excluding the area between the church and the school.

The applicant is also requesting the allowance of the use of the existing sports fields for various sporting events on weekdays ("typically Friday nights") and community events on the weekends. The applicant proposes the use of lighting and sound during the sporting events. Neither the application nor the site plan provide sufficient details regarding the existing lights and there placement. The site plan notes: "Existing Football Field, Note: Lighting provided, but shall NOT be used" and "Existing Football Field: Fencing to define baseball field, no lighting". In order for Staff to determine if the proposed sports lighting is compliant, the applicant should provide photometric plans to be in compliance with Sections 64-4.A.2 and 64-6.A.8 of the Zoning Ordinance. The applicant should also provide specific days and times that the sports field would be used.

Given the fact that use of the site as a school ended in 2005, and that existing access to Knob Hill Drive is fenced off, the requested changes to access, hours of site use and proposed extended use into the evening of the outdoor facilities may negatively impact abutting residences.

RECOMMENDATION

Planning Approval: Based upon the preceding, this application is recommended for Holdover until the February 1, 2018 meeting, with revisions due by January 12, 2018 to address the following:

1. Submission of a photometric plan in compliance with Sections 64-4.A.2 and 64-6.A.8 of the Zoning Ordinance for the sports fields.

2. Revision of the narrative to provide more specific information regarding the proposed times (days of the week; hours in a day) that the sports fields would be utilized.
3. Revision of the narrative to provide more information regarding the sound system.

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the February 1, 2018 meeting, with revisions due by January 12, 2018 to address the following:

1. Submission of a photometric plan in compliance with Sections 64-4.A.2 and 64-6.A.8 of the Zoning Ordinance for the sports fields.
2. Revision of the narrative to provide more specific information regarding the proposed times (days of the week; hours in a day) that the sports fields would be utilized.
3. Revision of the narrative to provide more information regarding the sound system.

Revised for March 1, 2018 Meeting:

The previous application was heldover to the March 1, 2018 meeting to allow the applicant to submit more detailed information regarding the use of the sports fields as well as the submission of a photometric plan.

The applicant submitted the following:

“We are Covenant Academy/Dunnaway Inc. located at 4568 Halls Mill Rd. We are requesting permission as it relates to the use of our second amplification system, along with the stadium lighting system that has been a functioning part of the sports fields for over 30 years. It is our desire to use the lighting Monday through Thursday until 8:30p.m. This will be practice times for our younger children who will probably have to compete in the Mobile County park leagues. We believe this is a normal practice time all over the country. Our school teams practice times will occur earlier, right after school and on some nights, but all within the said schedule. We would like to use the sports field lights for practice without the sound amplification as followed, for football season a maximum of (50) times per year, baseball season (40) times maximum per year, soccer/lacrosse season (40) times maximum per year, all until 8:30p.m. for practice only. This is less than most park practice times on an annually bases.

Our game schedule request is to use the sound amplification, along with the sports lighting, on Friday nights from 7p.m until 10 p.m. approximately. Light to be extinguished 15 minutes after the games ends for a maximum occurrence. Football usage will be (18) times yearly, baseball a max occurrence of (15) times yearly, and all other sports can be played without these two components. We will be in compliance with the light level illustrated on the photometric plan or lower.

We would also like to respond in a narrative about our request for access on to Knob Hill Dr. It has been brought to our attention that we no longer need access to Knob Hill Dr. for emergency vehicle purposes due to the addition of a fire hydrant on our property

location. However, we still have the need to use Knob Hill for exiting purposes during drop off times, Monday – Friday, 7:30 a.m. to 8:30 a.m. which is very controlled, and for 1 hour access for 1 hour after school dismissal time. This is very reasonable, and I would assume we are being fair and considerate of our neighbors. We are also willing to put up a gate that will not be open any other times.

Lastly, as for our gym, we would like to lift our time and closure restrictions on the gym being that it is indoors. We would like to have some evening events, community activities along with church services and gatherings.”

The applicant submitted a photometric plan in conjunction with the revised narrative to illustrate the light levels in relation to the surrounding neighborhood.

Per the revised narrative, the applicant proposes to use the athletic fields up to 130 nights per year for practice, without sound, until 8:30 PM, and up to 33 nights per year with a sound amplification system, until 10:00 PM, for a combined total of 163 nights per year. For comparison, the Planning Commission approved St. Luke's' use of athletic fields at its April 6, 2017 meeting for no more than 65 nights per year, and until 9:30 PM (per the applicant's narrative).

The photometric plan submitted with the revised narrative illustrates that athletic field lights will exceed the 0.2 foot candle threshold (it will be up to 1.2 foot candles) at property lines established for the lighting of parking lots adjacent to residences. Again, using the St. Luke's' application as an example, it was argued by the applicant that the parking lot lighting requirements in the Zoning Ordinance do not (or should not) apply to athletic fields. Recent aerial photos from 2017 show that there is vegetative screening along the rear of many of the residences that abut the athletic fields, however, the applicant should add a second layer of evergreen trees as a buffer where the foot candle levels exceed 0.2 at the property line (primarily along the rear of the residences that front Radian Drive. It should be noted that the photometric plan did not address any lighting for the parking areas on the property.

Regarding access to Knob Hill Drive, the Planning Commission, at its May 18, 2017 meeting, denied access to Knob Hill Drive due to neighborhood concerns. The applicant appealed the decision to the City Council, but the appeal was denied. Aerial photos show that a fence has blocked access to Knob Hill Drive since at least 2006. As noted in a previous staff report for this site in 2016, it appears that the IMS school closed in 2005, thus it has been at least 12 years since access between the school site and Knob Hill Drive has been possible. Re-introducing access, even if only for morning and afternoon school arrival and departure activities, might cause undue stress to a neighborhood that has become accustomed to reduced traffic levels since the schools closure in 2005.

Finally, the applicant is requesting that the Commission allow the hours of operation for the facility to be changed from what was submitted by the applicant with the 2016 request, from 6:30 AM until 6:30 PM, to, apparently, no specified hours of operation. No change appears proposed to the maximum number of students, to be 972, and 65 teaching stations.

It is Staff's opinion that because the sporting facilities and Knob Hill Drive access have not been utilized in recent years, this use may pose concerns to the surrounding residential neighborhood.

We the previous commentary in mind, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

RECOMMENDATION

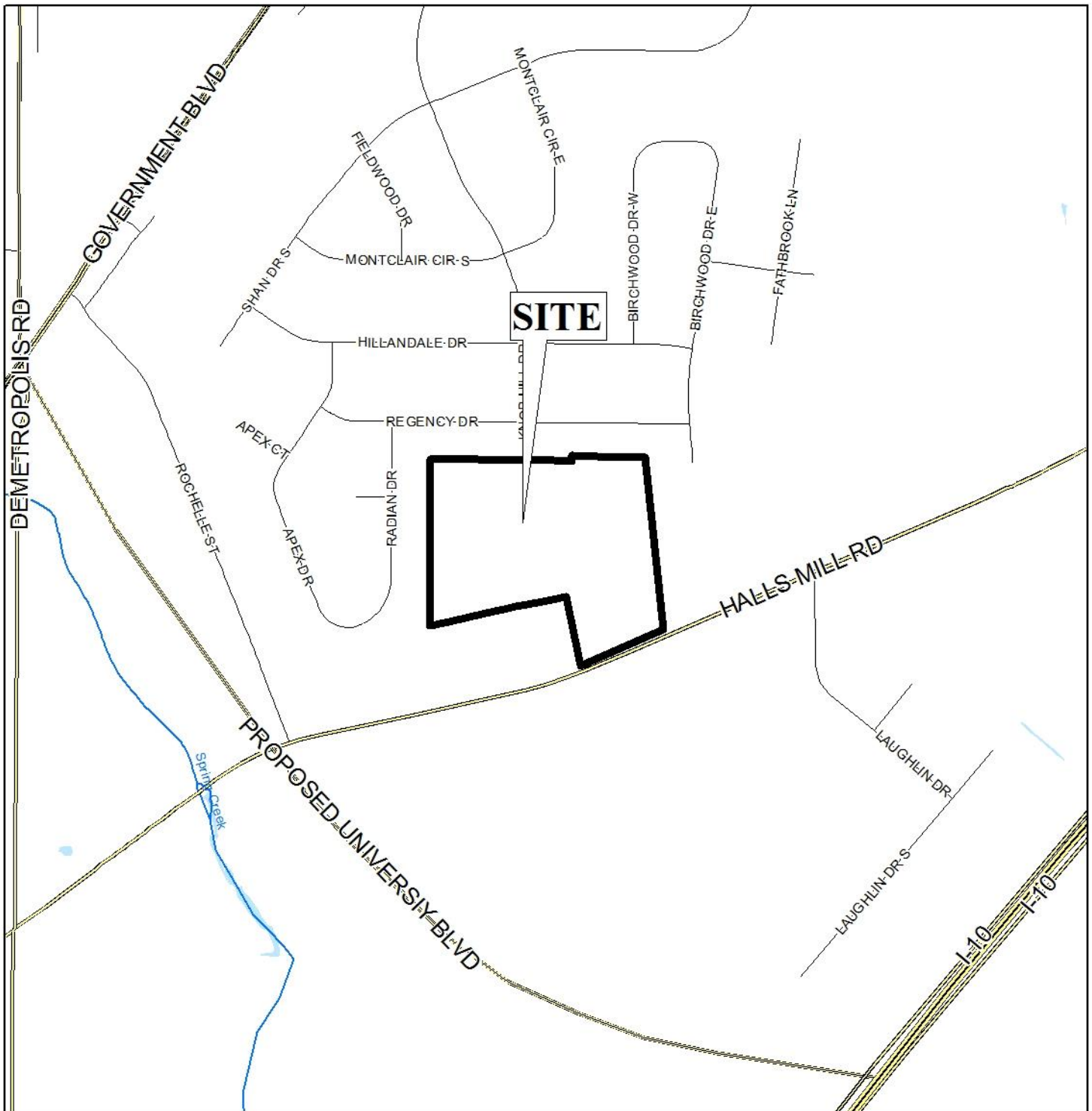
Planned Unit Development: Staff recommends that the Planning Commission consider all relevant facts and review the request based upon its own merits, as well as any information presented at the meeting, prior to determining the following Findings of Fact for the Planned Unit Development:

- a. will the proposal promote the objective of Creative design (to encourage innovative and diversified design in building form and site development);
- b. will the proposal promote the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations);
- c. will the proposal promote the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment);
- d. will the proposal promote the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land);
- e. will the proposal promote the objective of Open space (to encourage the provision of common open space through efficient site design); and
- f. will the proposal promote the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities).

Planning Approval: Staff recommends that the Planning Commission consider all relevant facts and review the request based upon its own merits, as well as any information presented at the meeting, prior to determining the following Findings of Fact for the Planning Approval:

- a. will the proposal be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities;
- b. will the proposal cause undue traffic congestion or create a traffic hazard; and
- c. will the proposal be in harmony with the orderly and appropriate development of the district in which the use is located.

LOCATOR MAP



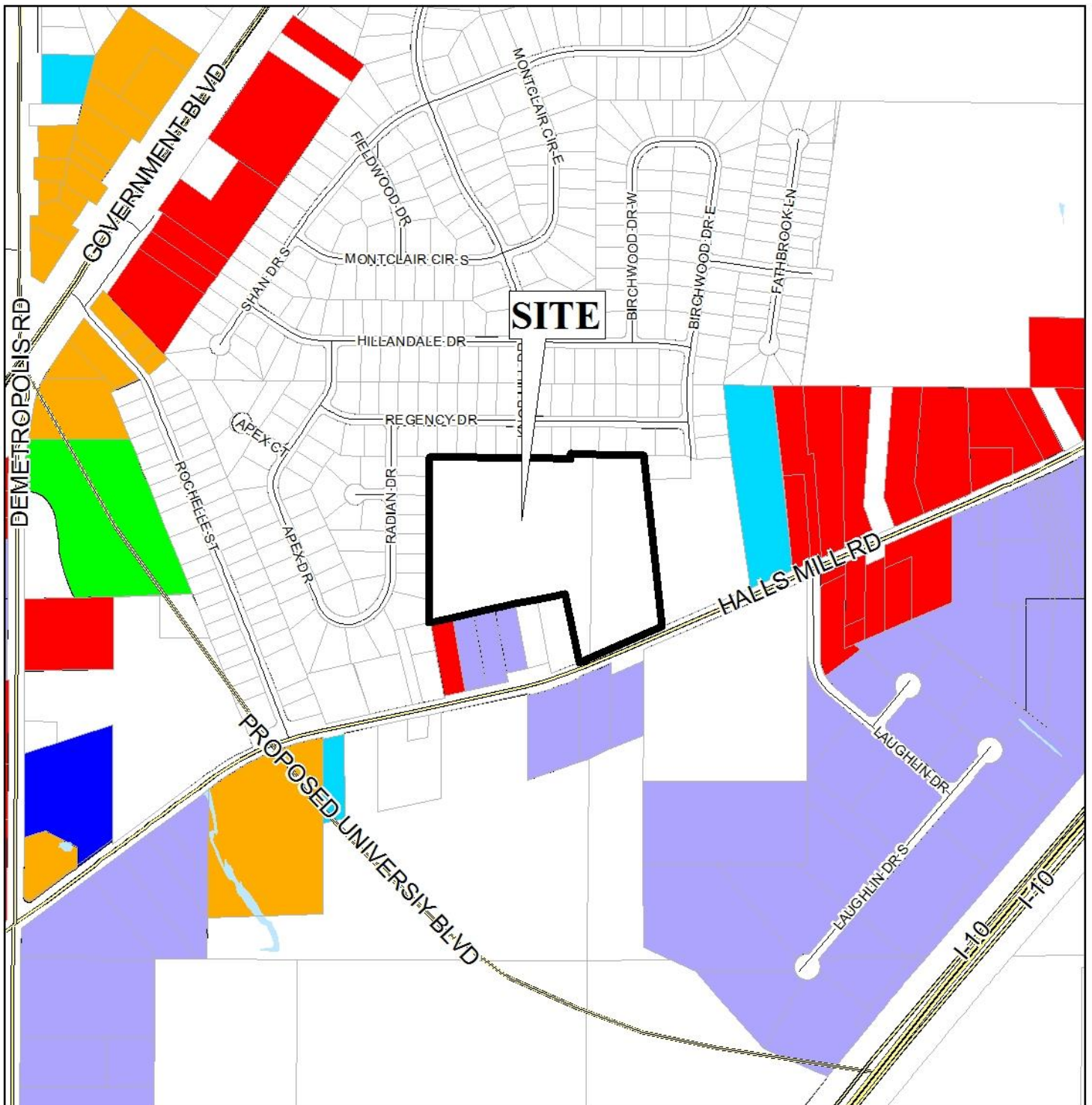
APPLICATION NUMBER 2 DATE March 1, 2018

APPLICANT Dunnaway Corporation

REQUEST Planned Unit Development, Planning Approval



LOCATOR ZONING MAP



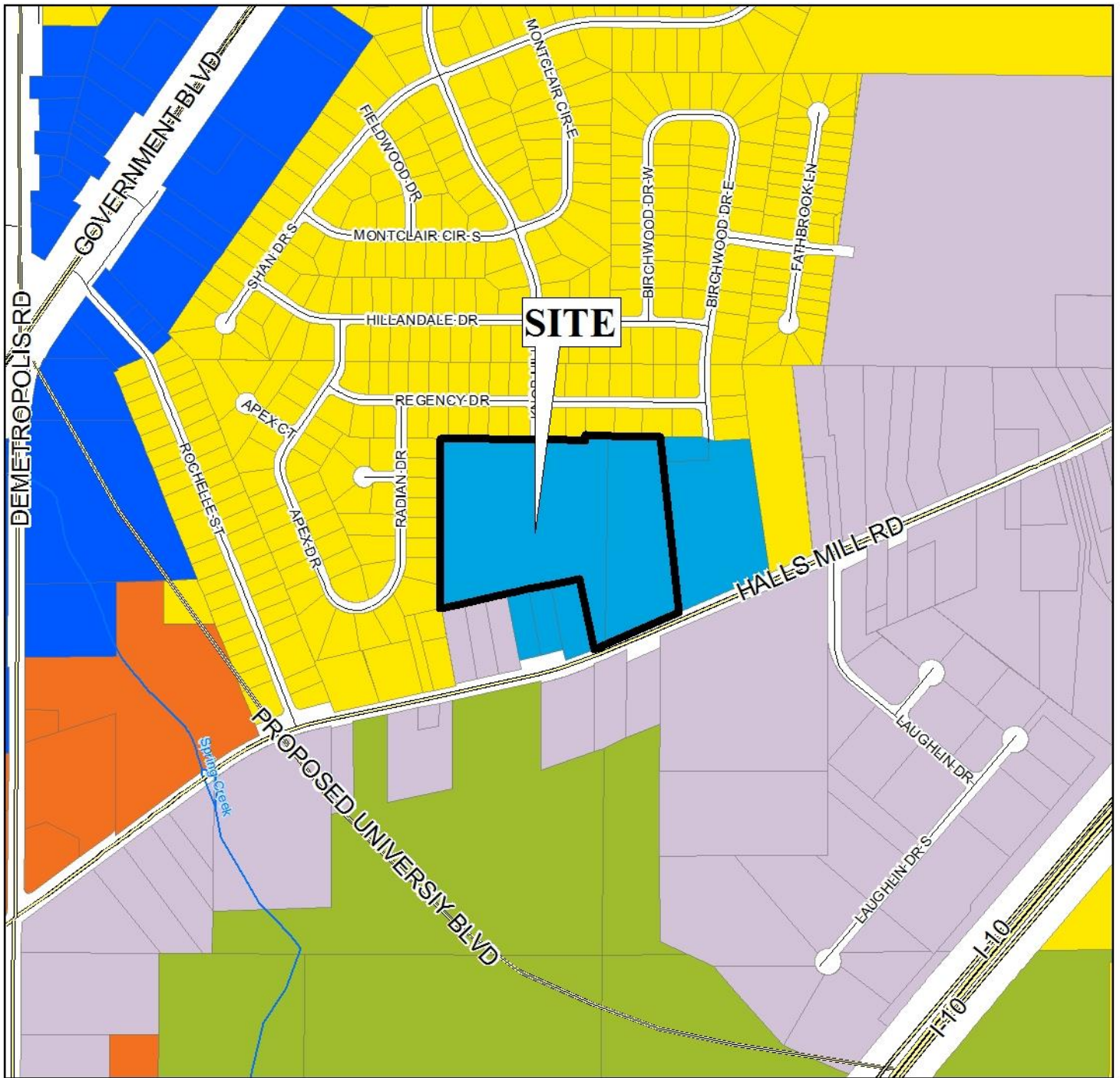
APPLICATION NUMBER 2 DATE March 1, 2018

APPLICANT Dunnaway Corporation

REQUEST Planned Unit Development, Planning Approval



FLUM LOCATOR MAP



APPLICATION NUMBER 2 DATE March 1, 2018

APPLICANT Dunnaway Corporation

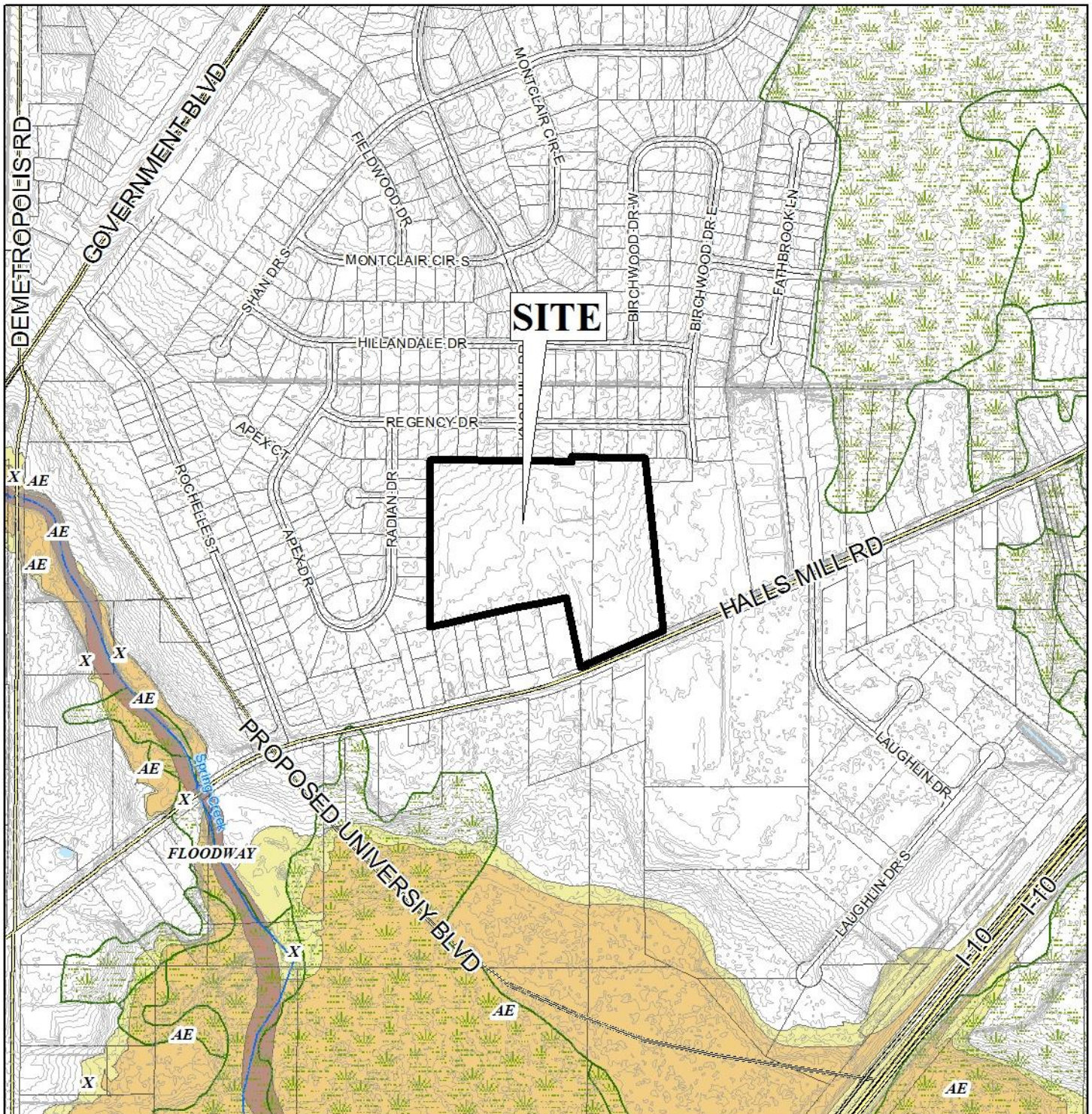
REQUEST Planned Unit Development, Planning Approval

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



NTS

ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 2 DATE March 1, 2018

APPLICANT Dunnaway Corporation

REQUEST Planned Unit Development, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Commercial units are located to the south.

APPLICATION NUMBER 2 DATE March 1, 2018

APPLICANT Dunnaway Corporation

REQUEST Planned Unit Development, Planning Approval

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units. Commercial units are located to the south.

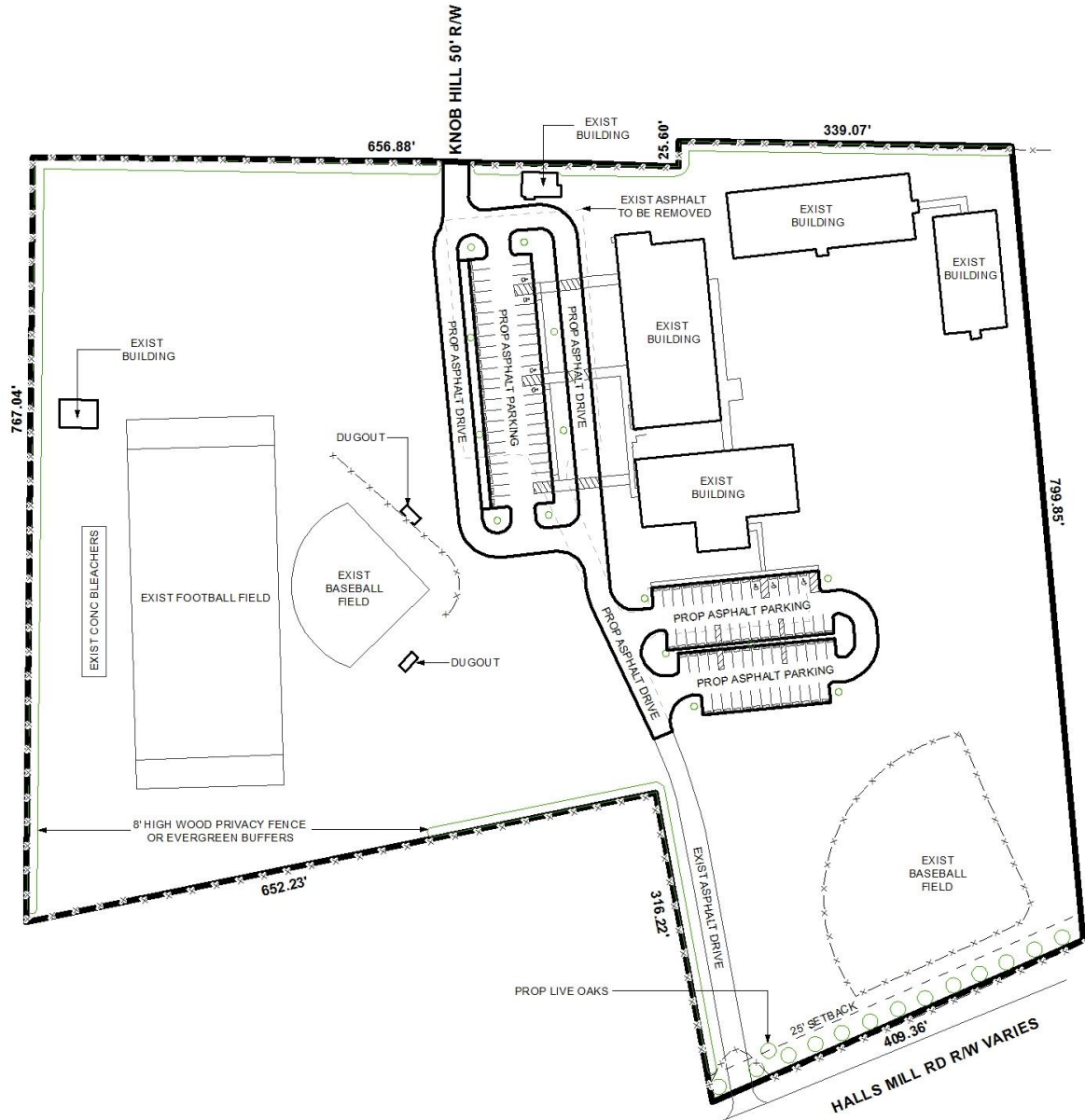
APPLICATION NUMBER 2 DATE March 1, 2018

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REQUEST Planned Unit Development, Planning Approval



SITE PLAN



The site plan illustrates the existing buildings, existing sports fields, setback, existing asphalt areas to be removed, proposed asphalt drives, and proposed asphalt parking.

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REQUEST Planned Unit Development, Planning Approval



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