

**PLANNING APPROVAL,  
PLANNED UNIT DEVELOPMENT &  
SUBDIVISION STAFF REPORT**

**Date: June 5, 2008**

<b><u>NAME</u></b>	Elijah House Subdivision
<b><u>SUBDIVISION NAME</u></b>	Elijah House Subdivision
<b><u>LOCATION</u></b>	1867 Duval Street (South side of Duval Street, at the South terminus of Murray Hill Court [private street])
<b><u>CITY COUNCIL DISTRICT</u></b>	District 3
<b><u>PRESENT ZONING</u></b>	B-3, Community Business District
<b><u>AREA OF PROPERTY</u></b>	1 lot / 0.5 acres $\pm$
<b><u>CONTEMPLATED USE</u></b>	Planning Approval to allow an outreach program with housing to include prison release inmates in a B-3, Community Business District, Planned Unit Development Approval to allow multiple buildings on a single building site, and Subdivision approval to create one legal lot.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans.
<b><u>URBAN FORESTRY COMMENTS</u></b>	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 projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

### **REMARKS**

The applicant is requesting Planning Approval to allow an outreach program with housing to include prison release inmates in a B-3, Community Business District, Planned Unit Development Approval to allow multiple buildings on a single building site, and Subdivision approval to create one legal lot. Parole-based halfway-houses require Planning Approval when located in B-3 districts.

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.

PUD approval and Planning Approval are site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

The applicant, Elijah House, is operating an outreach program for prison release inmates, providing housing (40 beds) and rehabilitation services. The site is composed of multiple buildings, containing: 1) two-story main building consisting of approximately 3,600 square feet, containing sleeping quarters; 2) one-story metal office building, approximately 98 square feet; 3) one-story masonry building, 1,832 square feet, used as a meeting area; and 4) a 940 square foot storage building. It appears that a small portion of the storage building may cross a property line and be partially located within the City's Baumhauer Park.

Review of business licenses for the site indicate that the site was used as an electrical contractor or equipment supply store in 1983, and that in 1994 the site was used as a mortuary. Use of the site as a 40-bed halfway house may constitute a "change in occupancy," requiring compliance with relevant Building and Fire codes.

The site is immediately to the north of Baumhauer Park, a public park. To the north of the site, across Duval Street, is a large apartment complex. Otherwise, the site is bounded primarily by commercial uses in a B-3 district.

The outreach program provides services to integrate prison release inmates back into the general population. The location of such a program next to a public park and a large apartment complex may not be the best option as it relates to reducing recidivism. No information was provided with the application regarding the scope or nature of the prior incarceration of the program participants, thus staff is not able to estimate what risk, if any, such a facility may have for the general area. Provision of privacy fencing, to supplement the existing chain link fence, between the site and the park may be appropriate.

The site fronts onto Duval Street, a proposed major street. The existing right-of-way width for Duval Street is 50 feet, but as a major street, the right-of-way width should be 80 feet, according to the Major Street Plan component of the Comprehensive Plan. Sufficient right-of-way should be dedicated along Duval Street to provide 40-feet, as measured from the centerline of Duval Street.

The existing facility provides 40 beds, and is proposing to provide 3 marked parking spaces on the site. The Zoning Ordinance does not clearly delineate the requirements for parking for a residential outreach program, however, a “*College fraternity/sorority/dormitory*” requires one (1) parking space per two (2) beds, while a “*Domiciliary, nursing home, and other residential care facilities*” requires one (1) parking space per four (4) beds, while a “*Theater, auditorium, gymnasium, stadium, and other places of public assembly*” requires one (1) parking space per four (4) seats. As the site is primarily a residence for prison release inmates, it would seem that a parking ratio of one (1) space per four (4) beds would be reasonable, thus a minimum of ten (10) parking spaces should be provided. It should be pointed out, however, that the dedication requirements for the Duval Street right-of-way will eliminate the possibility of providing the three (3) proposed parking spaces in a manner which complies with the requirements of the Zoning Ordinance. Public transit (The Wave’s Route 9) is available along this segment of Duval Street. The applicant is applying for site variances to address the parking issues.

The site plan provided with the application shows that the site will meet the minimum tree and landscape requirements of the Zoning Ordinance, should right-of-way dedication not be required. It should be pointed out, however, that all trees claimed for credit must be shown on any site plan submitted as part of the permitting process associated with site development (permits will be required to bring the site into compliance, including the parking area).

No dumpster is depicted on the site plan. If a dumpster is used, it must be depicted on the site plan, or a statement must be placed on the site plan indicating that no dumpster is used.

The 25-foot minimum building setback line is not depicted on the plat or site plans. The plat and site plans should be revised to depict the 25-foot minimum building setback line from Duval Street, adjusted for any required right-of-way dedication.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

**RECOMMENDATION**

**Planning Approval:** The request is recommended for Holdover until July 10th, with revisions due by June 20th, to allow for the following:

- 1) Revision of the site plan to reflect dedication of right-of-way along Duval Street, per the Subdivision conditions;
- 2) Revision of the site plan to depict paved parking as adjusted to accommodate the right-of-way dedication;
- 3) Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.*);
- 4) Revision of the tree and landscape plan for the site to accommodate the right-of-way dedication, and to depict all trees claimed for credit;
- 5) Revision of the site plan to depict an 8-foot high wooden privacy fence along the rear property line of the site;
- 6) Depiction of concrete wheel stops to ensure that vehicles will not encroach upon any required landscape areas;
- 7) Depiction of the 25-foot minimum building setback line, adjusted for the required right-of-way dedication; and
- 8) Provision of additional written description of the nature of the residents and the screening criteria, if any, utilized to select residents for the facility.

**Planned Unit Development:** The request is recommended for Holdover until July 10th, with revisions due by June 20th, to allow for the following:

- 1) Revision of the site plan to reflect dedication of right-of-way along Duval Street, per the Subdivision conditions;
- 2) Revision of the site plan to depict paved parking as adjusted to accommodate the right-of-way dedication;
- 3) Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.*);
- 4) Revision of the tree and landscape plan for the site to accommodate the right-of-way dedication, and to depict all trees claimed for credit;
- 5) Revision of the site plan to depict an 8-foot high wooden privacy fence along the rear property line of the site;
- 6) Depiction of concrete wheel stops to ensure that vehicles will not encroach upon any required landscape areas; and

- 7) Depiction of the 25-foot minimum building setback line, adjusted for the required right-of-way dedication.

**Subdivision:** The request is recommended for Holdover until July 10th, with revisions due by June 20th, to allow for the following:

- 1) Revision of the plat to depict dedication of right-of-way sufficient to provide 80-feet, as measured from the centerline of Duval Street;
- 2) Depiction and labeling of the 25-foot minimum building setback line from the dedicated right-of-way;
- 3) Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.*); and
- 4) Revision of the lot size information.

**Revised for the July 10<sup>th</sup> meeting:**

*No additional information was provided by the applicant, however, the applicant did submit a letter stating that they will request a Holdover at the July 10<sup>th</sup> meeting so that they can have additional time to prepare revisions. Staff will support a Holdover, if requested at the meeting.*

**RECOMMENDATION**

**Planning Approval:** *The Planning Approval request is recommended for Denial for the following reasons:*

- 1) *A revised site plan was not provided depicted dedication, revised parking, compliance with tree and landscaping requirements, and other site improvements, as requested; and*
- 2) *No additional information was provided regarding the operation of the facility as it relates to identifying residents / outreach program beneficiaries.*

**Planned Unit Development:** *The PUD request is recommended for Denial for the following reason:*

- 1) *A revised site plan was not provided depicted dedication, revised parking, compliance with tree and landscaping requirements, and other site improvements, as requested.*

**Subdivision:** *The Subdivision request is recommended for Denial for the following reason:*

- 1) *A revised plat was not provided depicting dedication of right-of-way along Duval Street, a revised minimum building setback line, or revised lot size information, as requested.*

# LOCATOR MAP



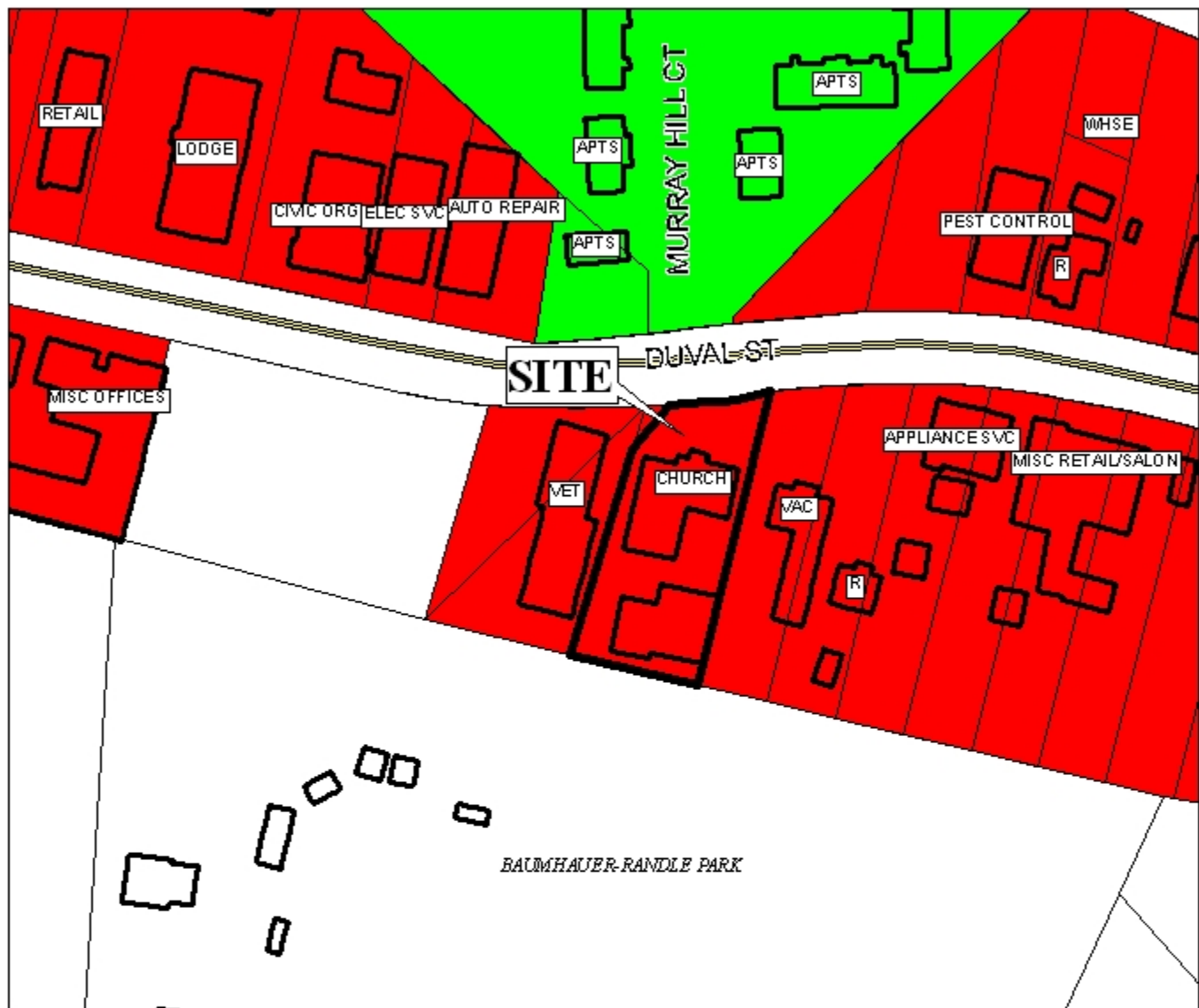
APPLICATION NUMBER 5,6,& 7 DATE July 10, 2008

APPLICANT Elijah House Subdivision

REQUEST Subdivision, Planning Approval, PUD



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A veterinarian is located to the west of the site, apartments are to the north, a vacant building to the east, and Baumhauer-Randle Park is to the south.

APPLICATION NUMBER 5,6,& 7 DATE July 10, 2008

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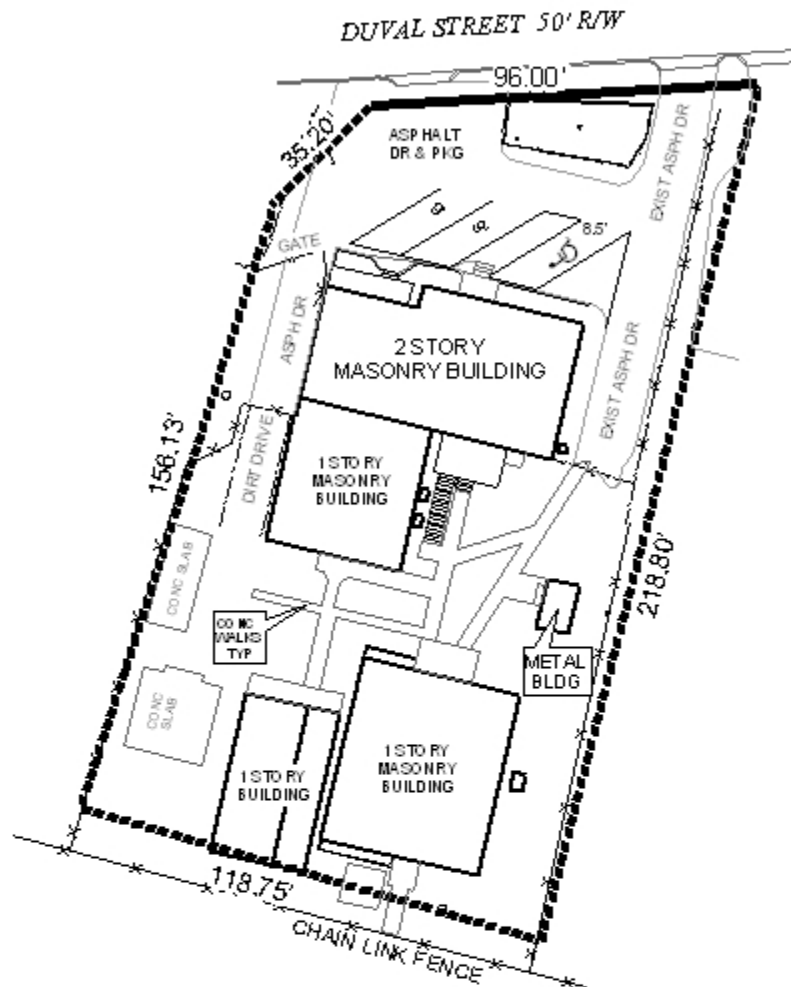
REQUEST Subdivision, Planning Approval, PUD

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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# SITE PLAN



Buildings, drives, parking, and fences are represented in the site plan.

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REQUEST Subdivision, Planned Unit Development, Planning Approval



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