

PLANNING APPROVAL STAFF REPORT**Date: August 18, 2011****NAME**

William T Partridge

LOCATION680 Azalea Road
(West side of Azalea Road, 515'± North of Cottage Hill Road)**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

B-1, Buffer Business District

AREA OF PROPERTY

0.7 ± Acres

CONTEMPLATED USE

Planning Approval to allow a Church Daycare in a B-1, Buffer Business District.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate.

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT 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 (State Act 61-929 and City Code Chapters 57 and 64).

Full compliance of the landscaping and tree requirements to be coordinated with Urban Forestry.

**FIRE DEPARTMENT
COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Planning Approval to allow a Church Daycare in a B-1, Buffer Business District. Planning Approval is required for daycares in B-1 districts.

The site, as described by the submitted legal description, consists of a parcel which is zoned B-1, Buffer Business district. The site contains an existing single-family residential style structure, a free-standing two car garage which straddles a parcel/lot line, and a paved area that contains 9 parking spaces. The parcel was rezoned to B-1 from R-1 in 1982. Adjacent to the site are two legal lots that were created in 1988, and which were zoned to B-1 in 1986. One of the lots is and partially encumbered by the garage. The site has been used for various office uses since apparently 1978, when a use variance was granted to allow the conversion of the existing residence to office use.

The applicants propose to make alterations to the existing structure to allow the operation of a daycare, which will be affiliated with an unspecified church.

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.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site plan or to the scope of operations for the daycare, as approved, by current or future applicants must be submitted for Planning Approval.

The site is located on the West side of Azalea Road, a proposed major street. The existing right-of-way of Azalea Road is not adequate to meet the recommendations of the Major Street component of the Comprehensive Plan, which requires a minimum right-of-way width of 100 feet. It appears that the two legal lots have already accommodated right-of-way dedication, while the main portion of the site, a tax parcel, had not made this accommodation.

The site is bounded to the North by Azalea Road, across from which is vacant R-1 property, to the East by Azalea Road, across from which are single-family residences in an R-1 district, to the South by a public school in an R-1 district, and to the West by a church in an R-1 district.

The site is located in an area identified as primarily residential on the General Land Use Plan. As previously mentioned, the site was rezoned from R-1 to B-1 in the early 1980s.

Regarding the daycare use itself, the site is adjacent to a church and a public school, thus the proposed daycare would be a potentially compatible use. However, no information was included regarding the hours or operations or the maximum number of children that will be on site at any one time. If the daycare proposes an outside play area, it should be depicted on the site plan, as well as any proposed fencing around the site or play area.

The site is located on the inside portion of a sharp curve of Azalea Road, and there is some concern that vehicles carrying young children may be at risk as they enter or exit the site due to the curve and speed of traffic along this section of Azalea Road.

Regarding parking, the Zoning Ordinance requires 1.5 parking spaces per teaching station. The information with the application indicates that there will be 5 teaching stations, and that 9 parking spaces will be provided: the site will comply with the quantitative parking requirements of the Zoning Ordinance. It should be pointed out, however, the much of the parking is angled, indicating one-way circulation: the parked lot should be marked to indicate one-way circulation, and the entrances/exits so posted with signage, and the site plan should reflect these requirements.

The depicted handicap parking spaces do not appear to comply with the design requirements of the Americans with Disabilities Act, in that at least one space must be “van accessible,” which includes appropriate signage and a 96 inch wide striped access aisle next to the parking space.

As previously mentioned, the legal description provided with the application indicated only a parcel, and did not include the two adjacent legal lots depicted on the site plan and included in the site area information. As the daycare site contains multiple buildings, one of which crosses a lot/parcel line, the legal description must include at minimum the nearest adjacent legal lot. Furthermore, the Planning Approval application at hand should be in concert with a Subdivision application to create one legal lot (as all of the property is under the same ownership), and a Planned Unit Development application to address multiple buildings on a single site.

As a commercial site, a 10-foot wide buffer and privacy fence should be provided where the site abuts adjacent residentially zoned property. The site plan indicates a 5-foot setback: this should be revised to depict a 10-foot wide buffer setback, which means that the existing garage will be within the required setback. The PUD application may potentially be able to address the garage being less than 10 feet from the adjacent residentially zoned property.

While most proposed improvements for the daycare will be to the interior of the structure, a grease interceptor and can wash will be added to the site. These additions are not shown on the site plan, and there is no indication as to whether or not the site will have a dumpster or can-based garbage containers. The site plan should be revised to include a note regarding a dumpster, and depiction of the dumpster if one will be used.

Finally, the site plan does not depict compliance with any of the tree and landscaping requirements of the Zoning Ordinance. Urban Forestry has stated that full compliance will be required, thus the site plan should be revised to provide tree and landscaping information for the site.

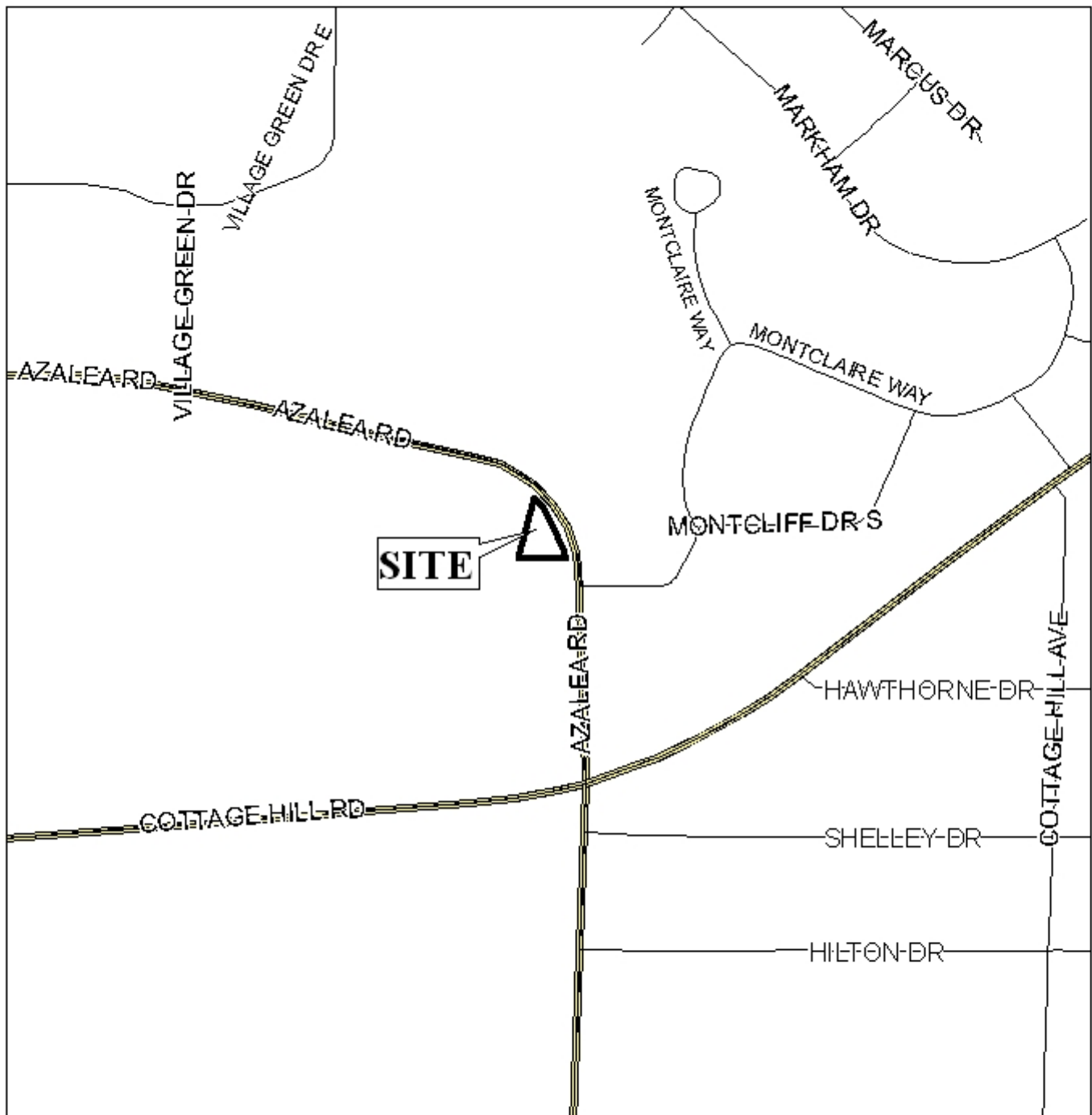
RECOMMENDATION

Planning Approval: Based upon the preceding, this request is recommended for Holdover until the October 6th meeting so that applications for Subdivision and Planned Unit Development approvals can be submitted by September 6th, and so that the following revisions can be made:

- 1) Revision of the site plan to depict any outside play areas and associated fencing;
- 2) Revision of the site plan to depict a 10-foot wide buffer and privacy fence where the site abuts residentially-zoned property;
- 3) Revision of the legal description to include the two adjacent legal lots depicted on the site plan and included as part of the site area on the application, and verification that the required 300-foot notification was provided for entirety of the site;

- 4) Revision of the site plan to depict tree and landscaping compliance information;
- 5) Revision of the site plan to show arrows for one way circulation and signs at the entry/exits stating one way / do not enter;
- 6) Revision of the site plan to show ADA-compliant parking spaces and access aisles, including the depiction of new paving, if required;
- 7) Revision of the site plan to depict a dumpster (if one will be utilized) and/or car wash area; and
- 8) Provision of information regarding the hours of operation and the maximum number of children that will be on-site at any one time.

LOCATOR MAP



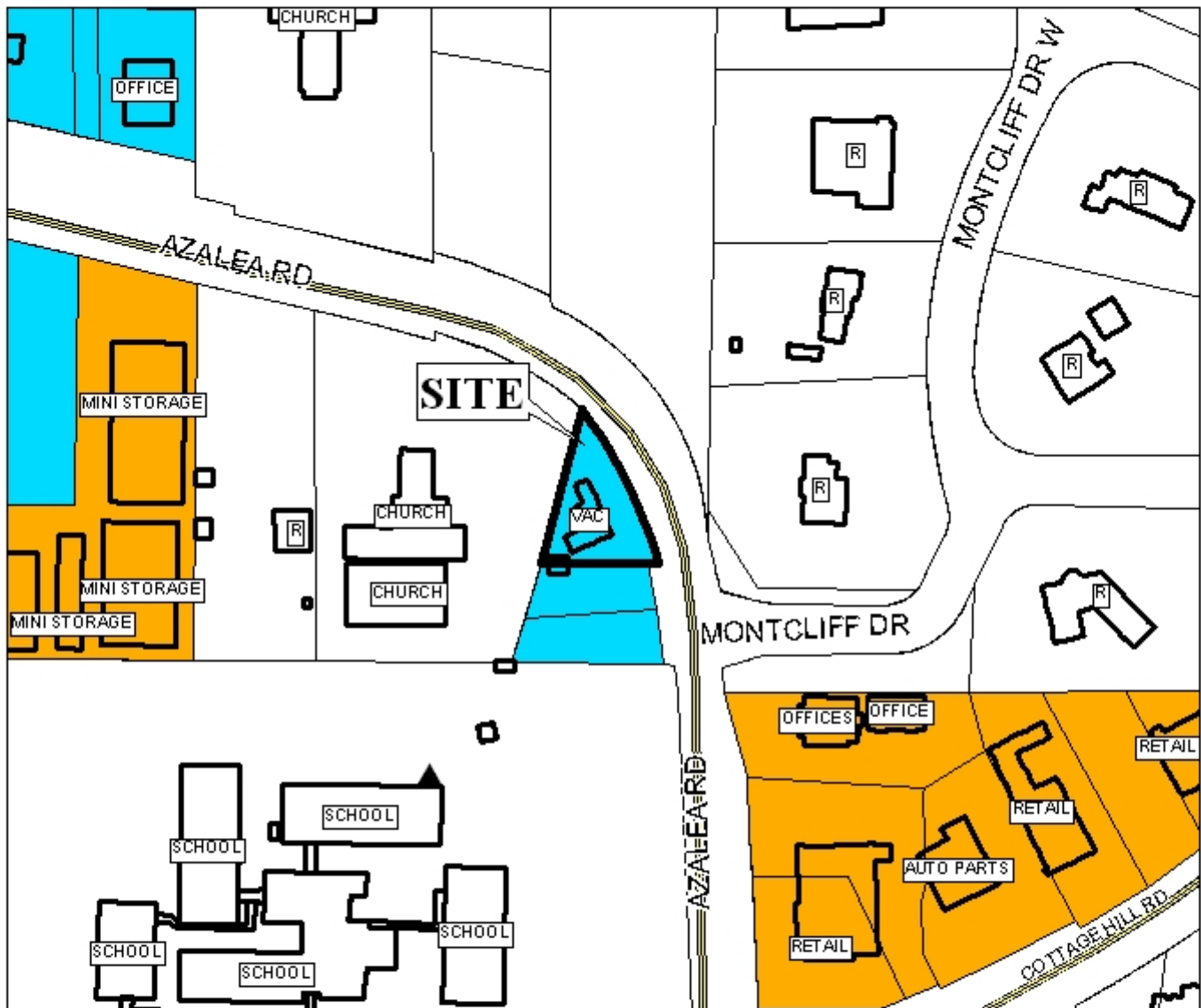
APPLICATION NUMBER 9 DATE August 18, 2011

APPLICANT William T Partridge

REQUEST Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



An elementary school is located to the south of the site, a church is to the west, single family residential units are to the north and east, and offices are to the southeast.

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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	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

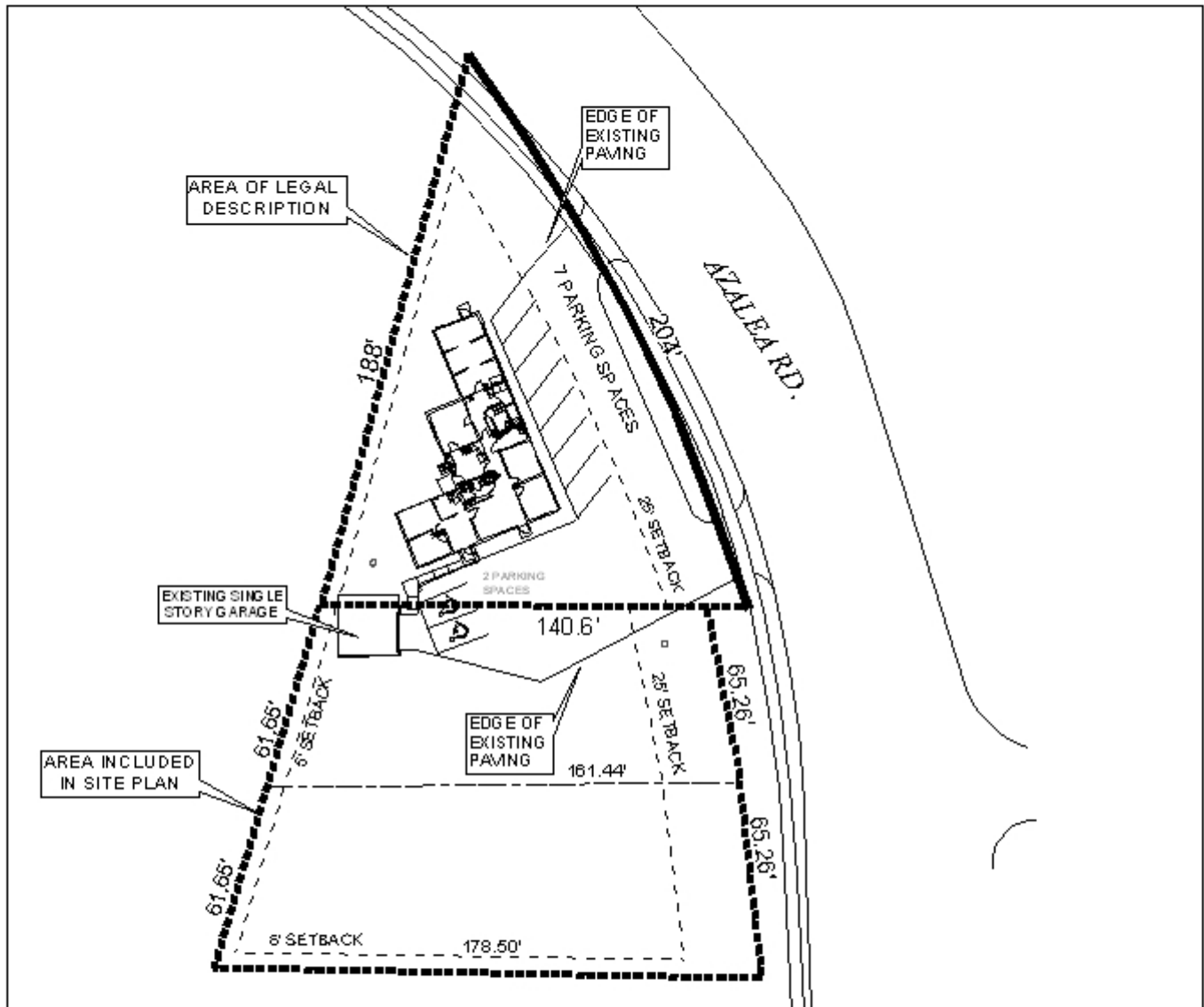


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SITE PLAN



The site plan illustrates the proposed parking and location of building and setbacks.

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