

**PLANNED UNIT DEVELOPMENT &
SIDEWALK WAIVER REQUEST
STAFF REPORT**

Date: May 4, 2017

NAME The Protestant Episcopal Church in the Diocese of the Central Gulf Coast, Inc.

LOCATION 5901 Overlook Road
(South side of Overlook Road at the South terminus of Carlisle Drive West)

**CITY COUNCIL
DISTRICT** District 7

PRESENT ZONING R-1, Single-Family Residential District

AREA OF PROPERTY 2.9 ± Acres

CONTEMPLATED USE Planned Unit Development Approval to allow multiple buildings on a single building site, and Sidewalk Waiver to waive construction of a sidewalk along Overlook Road.

**TIME SCHEDULE
FOR DEVELOPMENT** None given.

**ENGINEERING
COMMENTS**

Planned Unit Development: No comments.

Sidewalk Waiver: It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

**TRAFFIC ENGINEERING
COMMENTS**

Site is limited to no more than two curbs cuts with 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 Planned Unit Development Approval to allow multiple buildings on a single building site, and Sidewalk Waiver to waive construction of a sidewalk along Overlook Road.

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 is site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

Please note that a Planned Unit Development approval by the Planning Commission expires after one year if no permits are obtained.

For the PUD it is stated:

“The reason for this PUD request is to allow multiple buildings on one lot. No improvements are planned at this time.”

The subject site received Subdivision and Planning Approval at the March 9th meeting. A condition of approval of both was the submission of a Planned Unit Development application and the Subdivision required the approval of such prior to signing the Final Plat. Another condition of approval of the Subdivision was the submission of a Sidewalk Waiver prior to signing the Final Plat, and a condition of approval of the Planning Approval was the submission and approval of a Sidewalk Waiver application or revision of the site plan to provide a public sidewalk in the event the Sidewalk Waiver is denied. Hence, the two current applications for review.

The site plan indicates the existing two buildings on the site connected by an open breezeway and associated parking. Parking calculations indicate current compliance with the parking requirements for church use. Landscaping calculations also indicate current compliance with the landscaping requirements for the site. Tree planting calculations indicate correct numbers required to meet compliance; however, only two individual oak trees are located and areas of the site are indicated as heavy wooded. Therefore, if approved, the site plan should be revised to indicate proposed tree planting compliance.

The 25' minimum building setback line is indicated on the site plan and should be retained on any revisions. A note on the site plan indicates that garbage collection will be via curb-side collection.

As per the Subdivision approval, the site is limited to the two existing curb cuts to Overlook Road with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The note to that effect should remain on the site plan. The Subdivision also limited the traffic flow to one-way ingress from the Eastern drive and one-way egress from the Western drive and the note stating such should be retained on the site plan. The site plan indicates the one-way traffic flow pattern required by the Planning Approval.

No public sidewalk is indicated along Overlook Road. In the event the Sidewalk Waiver request is denied, the site plan should be revised to indicate a City-standard sidewalk along Overlook Road. No residential buffering along the adjacent R-1 property to the East is indicated. As that property is currently vacant, a note should be required on the site plan stating that if that property is developed residentially, a buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance will be required to be installed.

Pertaining to the Sidewalk Waiver request, it is stated:

“Condition 9(h) in the Subdivision Approval letter from the City Planning Commission dated March 14, 2017 for this site states that sidewalk is to be constructed and or repaired along the frontage of each lot at the time of new development or construction. No development or construction is planned for the property at this time. There is no sidewalk along Overlook Road in the immediate area. A subdivision directly across Overlook Road from the subject property has sidewalk but none along Overlook Road. Property adjacent to the subject property East line was developed in 2014 and has no sidewalk. Trees and a roadway ditch are located along the right-of-way where a city standard sidewalk would be located. We are requesting that sidewalk not be required until such time plans for development on each lot and/or improvements to Overlook Road are planned.”

It should be pointed out that the Mobile City Council adopted a “complete streets” policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians, transit riders and cyclists.

The applicant's assertion that there are no sidewalks along Overlook Road within the immediate area is accurate. The 2014 development to the East cited was actually the 2012 construction of a single-family residence and a Sidewalk Waiver for such was granted administratively. However, the subject site is considered a commercial development and Sidewalk Waivers for such must be considered before the Planning Commission with Engineering review.

It should be noted that no cross section views from the property line to the centerline of the road illustrating the reasons for the waiver request were submitted with the application as required. Therefore, no technical justification for the request is literally illustrated. As per the City Engineering review of the request, it appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process. Therefore, the Sidewalk Waiver request should be recommended for denial.

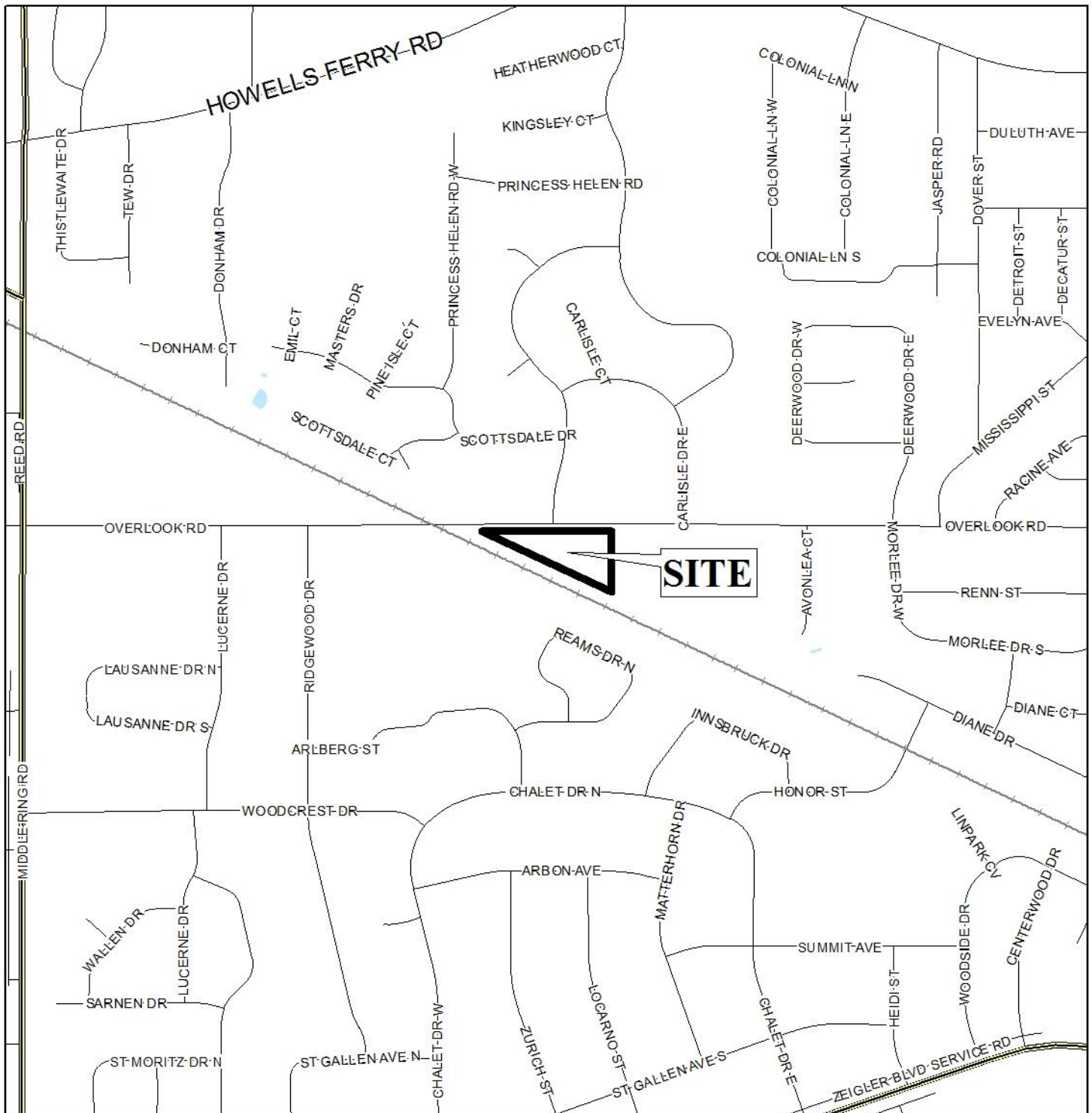
RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for approval subject to the following conditions:

- 1) revision of the site plan to indicate proposed tree planting compliance;
- 2) retention of the 25' minimum building setback line on the site plan;
- 3) retention of the note on the site plan stating that garbage collection will be via curb-side collection;
- 4) retention of the note on the site plan stating that the site is limited to the two existing curb cuts to Overlook Road with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) retention of the note on the site plan stating that the site is limited to one-way ingress from the Eastern drive and one-way egress from the Western drive;
- 6) retention of the one-way traffic flow pattern within the parking lot on the site plan;
- 7) revision of the site plan to indicate a City-standard sidewalk along Overlook Road in the event the Sidewalk Waiver request is denied;
- 8) placement of a note on the site plan stating that if the vacant property adjacent to the East is developed residentially, a buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance will be required to be installed;
- 9) compliance with the Traffic Engineering comments: *(Site is limited to no more than two curbs cuts with 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.);*
- 10) compliance with the 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 the 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) full compliance with all municipal codes and ordinances; and
- 13) submission to and approval by Planning and Zoning of a revised PUD site plan prior to the signing the Final Plat for the Subdivision.

Sidewalk Waiver: The request to waive construction of a sidewalk along Overlook Road is recommended for Denial.

LOCATOR MAP



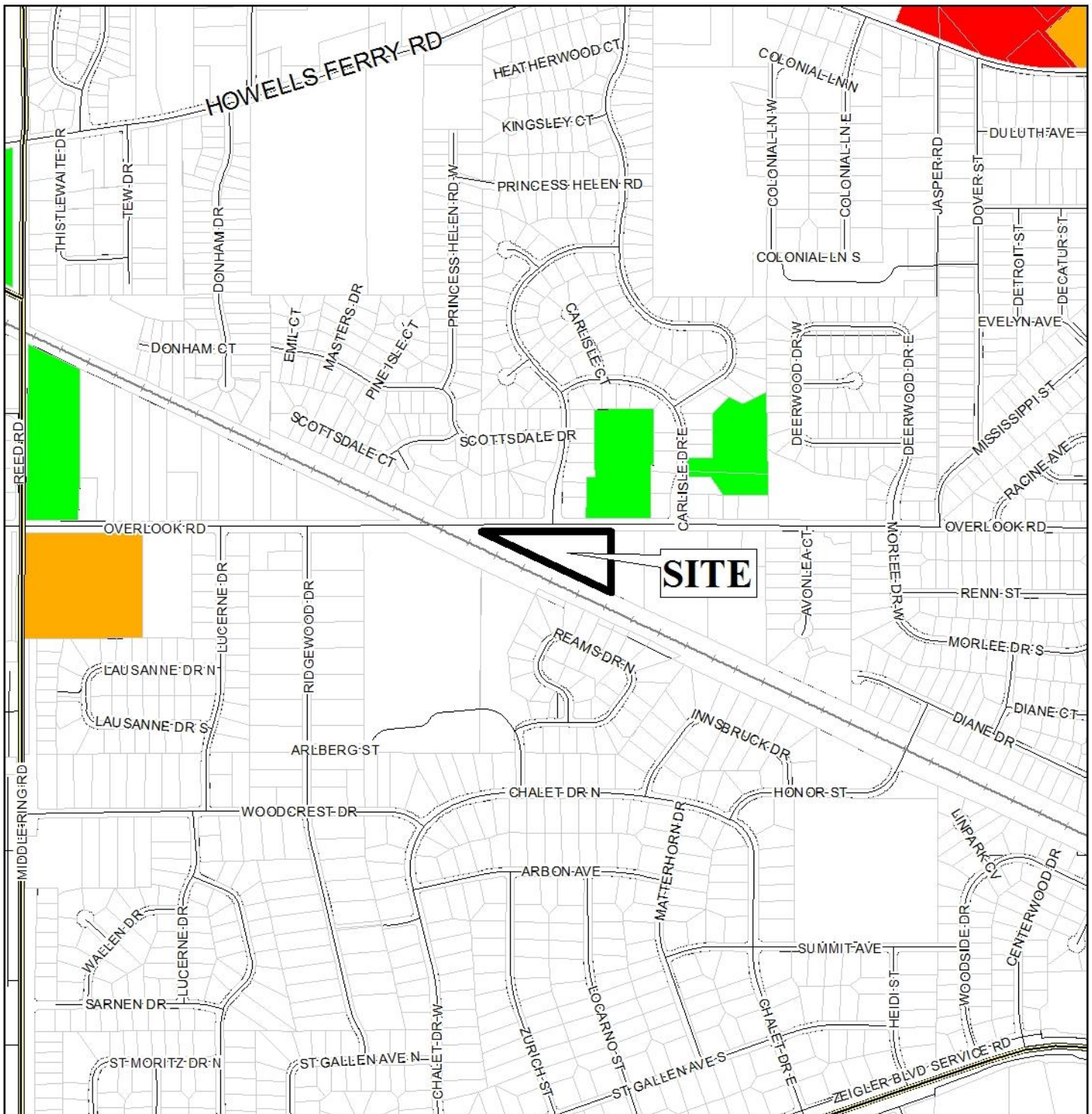
APPLICATION NUMBER 14 DATE May 4, 2017

APPLICANT The Protestant Episcopal Church in the Diocese of the Central Gulf Coast, Inc.

REQUEST Planned Unit Development, Sidewalk Waiver



LOCATOR ZONING MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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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

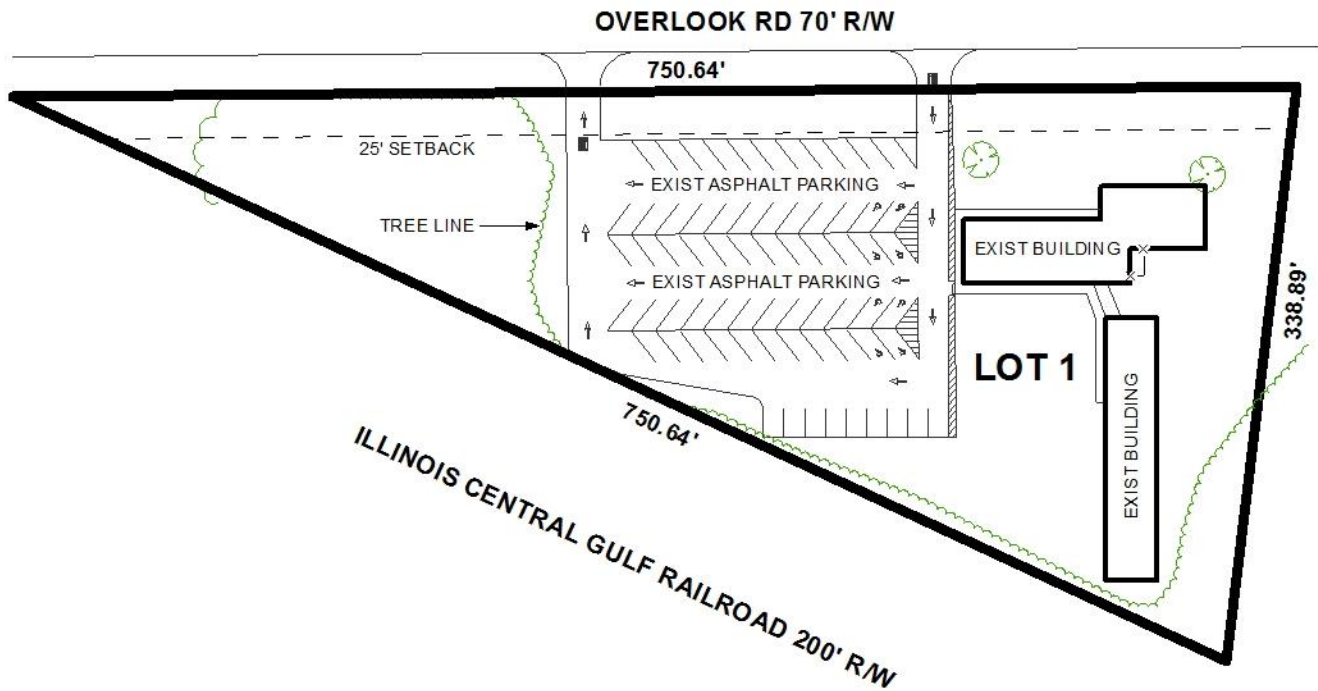


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SITE PLAN



The site plan illustrates the existin buildings, existing parking, and setback.

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