

ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT

Date: March 1, 2007

APPLICANT NAME

Hillcrest Commons, Inc.

SUBDIVISION NAME

Hillcrest Commons Subdivision, Phase Two

LOCATION

Southeast corner of Chandler Street and Rosedale Avenue
(Prescriptive right-of-way to be vacated)

CITY COUNCIL
DISTRICT

District 6

PRESENT ZONING

R-1, Single-Family Residential District and B-2,
Neighborhood Business District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot / 1.1± Acres (Subdivision and Zoning site)
7.1 ± Acres (PUD site)

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site, and shared access and parking between multiple building sites, Subdivision Approval to create a single lot, and Zoning Approval to amend a split-zoning condition created by the subdivision.

It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

REASON FOR
REZONING

Applicant is requesting rezoning of the site to allow the construction of parking lots for use by businesses located in Hillcrest Commons, Phase 1.

TIME SCHEDULE
FOR DEVELOPMENT

Immediate

ENGINEERING**COMMENTS**

The storm water ordinance does not allow water to be concentrated onto an adjacent property without a hold harmless agreement. All storm water must tie to the City of Mobile storm drainage system. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard driveway width is twenty-four feet. Changes should be made to accommodate this standard.

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).

FIRE DEPARTMENT**COMMENTS**

No comments.

REMARKS

This application is revised from the original Subdivision and Rezoning Application heldover at the February 1, 2007 meeting of the Planning Commission. The application has been revised to include an amendment to the existing Hillcrest Commons Planned Unit Development that was originally approved by the Planning Commission at its July 21, 2005 meeting,

The applicant is requesting Rezoning and Subdivision Approvals to allow parking lots for adjacent development located in Phase 1 of Hillcrest Commons, and to create a legal lot of record from multiple lots and right-of-way to be vacated. Automotive parking lots are allowed by right in a B-2, Neighborhood Business District.

The 1.1 acre \pm subdivision and rezoning site is currently undeveloped. West of the site is undeveloped property that is either R-1 or B-2, and fronts either Hillcrest Road or Chandler Street. North of the site is a developed site in a B-3 district, and undeveloped land in an R-3 district. East of the site are single-family homes in an R-1 district, while South of the site is commercial development in B-1 and B-2 districts.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

The site is depicted as commercial and residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component 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 zoning classification.

The applicant proposes a one-lot subdivision in which proposed Lot 1 would be rezoned from mixed R-1 and B-2 to B-2. Rezoning of this portion of the site to a single zoning classification would be necessary for the proposed subdivision.

As the portion of Hillcrest Commons immediately South of the site is zoned B-1, and as there is existing residential development along the Eastern boundary of the site, a B-1 zoning designation would be more appropriate for the site, and would still allow the proposed parking use. Staff, therefore, recommends that the Planning Commission consider only a B-1 designation instead of the requested B-2 designation.

As the property to be rezoned is currently unimproved, there is no “neighborhood character” to be impacted, other than that of the adjacent properties facing Dickenson Avenue; providing buffers could address this impact. The site plan should be revised to show the proposed parking as meeting the buffer setback requirements. The rezoning would require compliance with all landscaping and tree planting requirements, as well as compliance with all other municipal codes and ordinances.

The applicant is requesting an amendment of a previous Planned Unit Development (PUD) approval for multiple buildings on multiple building sites, and shared access and parking. The existing PUD will be expanded to include new parking on the subdivision / rezoning site, as well as on two lots currently zoned B-2 that are located at the Northwest corner of the proposed PUD site. The proposed parking area will front onto a new private access road that will be built within the vacated right-of-way of Rosedale Avenue, which will connect the existing Hillcrest Commons parking area to the South with the new parking area and Chandler Street to the North.

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.

The proposed parking area will contain 118 spaces, which adds to the existing 192 spaces within the PUD. The site contains 7 buildings with a total of 46,767 square feet, thus a minimum of 156 parking spaces are required for office uses (the mix of uses within the development has not been specified): the development will have a total of 310 spaces. It should also be pointed out that section 64-4.3.c. of the Zoning Ordinance states that parking areas containing 10 or more cars

must be illuminated during the hours of operation, but that the lighting cannot shine directly into adjacent residential properties or into traffic: a note reflecting this reference should be placed on the PUD site plan.

The existing PUD currently has access only to Hillcrest Road, however, the proposed expansion includes access to Chandler Street. Chandler Street is primarily a residential street, and it has an existing substandard right-of-way width of 40 feet. It should also be pointed out that Chandler Street's intersection with Hillcrest Road lacks a signal, thus traffic from Hillcrest Commons could pose problems for both the residential neighborhood and traffic operations along Hillcrest Road. As part of the PUD and Subdivision process, sufficient right-of-way should be dedicated to provide 25 feet, as measured from the centerline of Chandler Street.

It should be pointed out that the original PUD approval required two points of access between lots 1 and 2 of the Hillcrest Commons Subdivision, Phase 1. It appears, from the current site plan, that the second access point was never provided, thus the site is not in compliance with the existing PUD approval. If a second access point between the existing lots in Phase 1 were provided, the demand for access to and from Chandler Street might be reduced.

The PUD would require full compliance with all landscaping and tree planting requirements, sidewalks, and with all municipal codes and ordinances, as well as approval of stormwater detention facilities by City Engineering. In particular, Traffic Engineering notes that all areas of two-way traffic should conform to the standard 24 foot driveway widths for two-way traffic. Also, as new pavement will be added, verification should be provided that the existing detention facility will be adequate for the increased runoff, or the site plan should be revised to depicted expanded or additional detention facilities that may be required to fully comply with Engineering comments.

Regarding the proposed subdivision, the applicant proposes to create a 1-lot subdivision from 5 existing lots and vacated right-of-way. Two other existing lots North of the proposed lot, that will become part of the PUD, are not included as part of the Subdivision application. As the proposed parking area will span across these lots, it is recommended that the Subdivision application be revised to include all lots associated with the new parking area, and that they be combined into one new lot.

A portion of the plat illustrated as vacated right-of-way has not yet been vacated (approximately 200 feet of Rosedale Avenue, extending South from the Chandler Street right-of-way); no information has been provided regarding the application status for the vacation of the right-of-way. Completion and documentation of this vacation will be required before recording the final plat or issuance of any permits.

The subdivision and rezoning site fronts onto Chandler Street, a minor street with a 40-foot right-of-way, and includes the unopened right-of-way for Rosedale Avenue, which the applicant plans to utilize once it is vacated. As the right-of-way for Chandler Street is less than the required minimum of 50 feet, sufficient right-of-way should be dedicated to provide 25-feet, as measured from the centerline of Chandler Street.

RECOMMENDATION

Rezoning: Based on the preceding, this application is recommended for holdover until the April 5th meeting so that the following revisions to the application can be provided to the Planning Section of Urban Development by March 12th:

- 1) inclusion of Lots 1 and 2 of Block 80 of the Pinehurst Subdivision within the proposed one-lot subdivision and rezoning application; and
- 2) modification of the rezoning application to request B-1 instead of B-2.

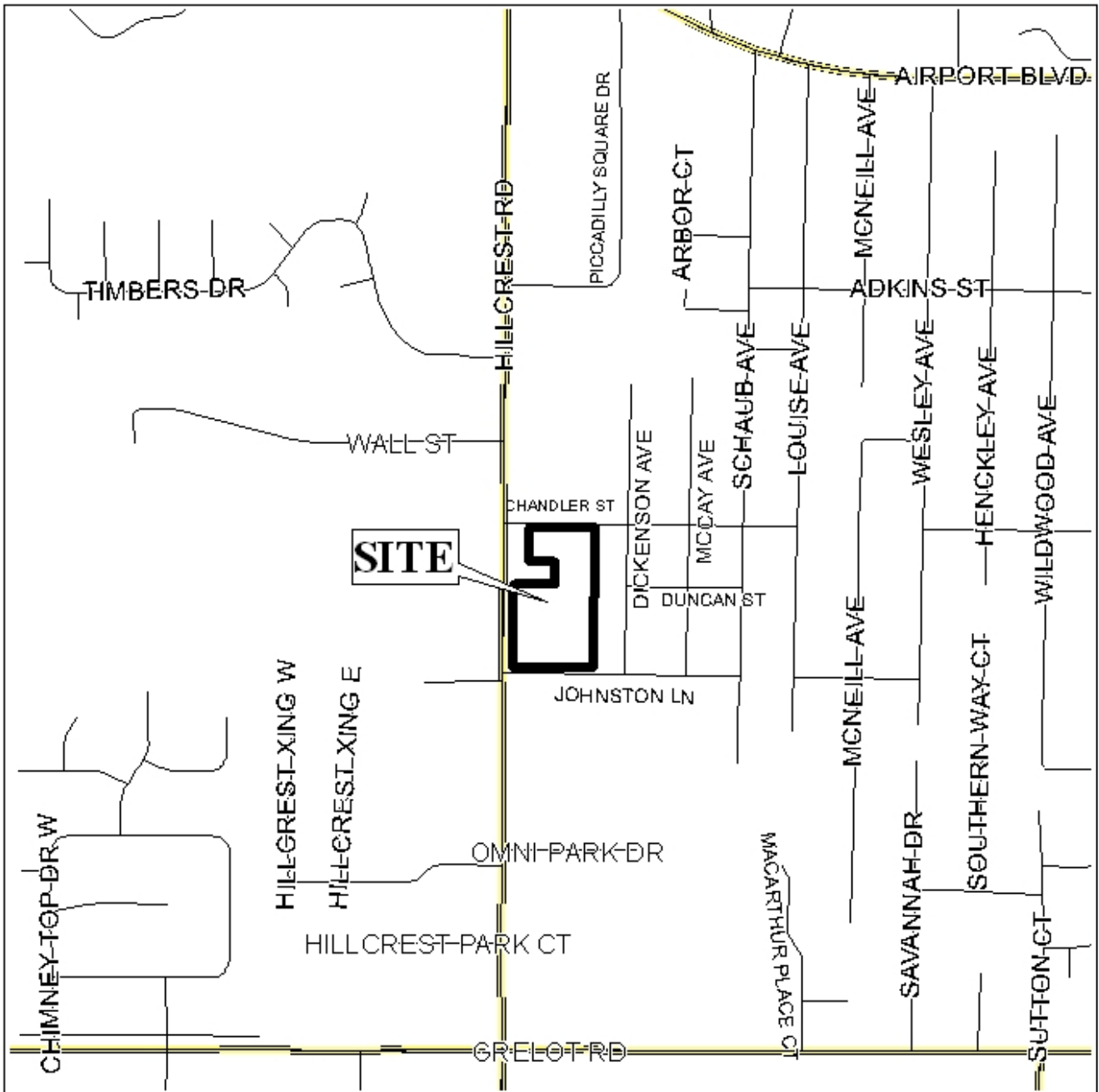
Planned Unit Development: Based on the preceding, this application is recommended for holdover until the April 5th meeting so that the following revisions to the application can be provided to the Planning Section of Urban Development by March 12th:

- 1) revision of the legal description on the site plan and application so that it reflects the existing lots created by the recorded plat for Hillcrest Commons Subdivision;
- 2) revision of the site plan to show provision of a protection buffer on the East side of the property adjacent to the proposed parking area, in compliance with Section 64-4.D. of the Zoning Ordinance, to include a 6-foot high privacy fence (except within the street setback area) and a 10-foot wide vegetative buffer;
- 3) revision of the site plan to reflect the requested dedication of right-of-way along Chandler Street, and the provision of a sidewalk along Chandler Street;
- 4) depiction of the required screening of the parking area from adjacent residential uses, even if across the street, in conformance with section 64-6.A.3.i. of the Zoning Ordinance
- 5) placement of a note on the site plan stating that provision of required parking lot lighting will be in conformance with Section 64-6.A.3.c. of the Zoning Ordinance, to ensure that lighting does not shine onto adjacent residential uses or into traffic (recommended use of shielded or full cut-off fixtures, and control of lighting so that they do not operate after the business is closed for the day);
- 6) revision of the site plan to depict an additional point of access between the parking areas on Lots 1 and 2 of the Hillcrest Commons Subdivision, per the original PUD conditions approved in 2005; and
- 7) labeling of all common areas, dumpster locations, outbuildings, generators, etc.

Subdivision: Based on the preceding, this application is recommended for holdover until the April 5th meeting so that the following revisions to the application can be provided to the Planning Section of Urban Development by March 12th:

- 1) inclusion of Lots 1 and 2 of Block 80 of the Pinehurst Subdivision within the proposed one-lot subdivision and rezoning application; and
- 2) revision of the plat to reflect the dedication of sufficient right-of-way to provide 25 feet from the centerline of Chandler Street.

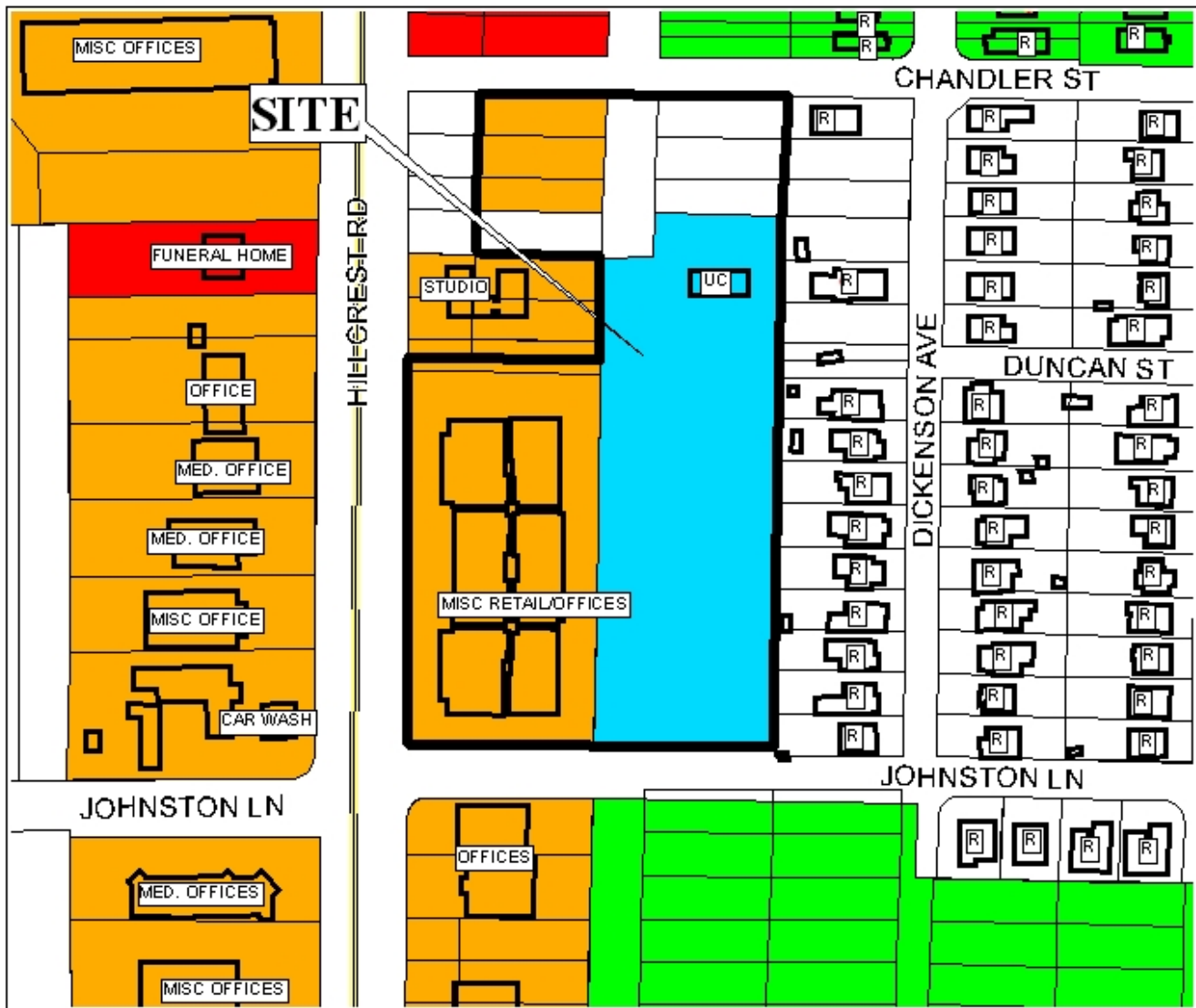
LOCATOR MAP



APPLICATION NUMBER 15, 16 & 17 DATE March 1, 2007
 APPLICANT Hillcrest Commons Subdivision, Phase Two
 REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2, PUD



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are single family residential units to the east of the site, offices to the south, medical offices and a funeral home to the west and miscellaneous offices to the northwest.

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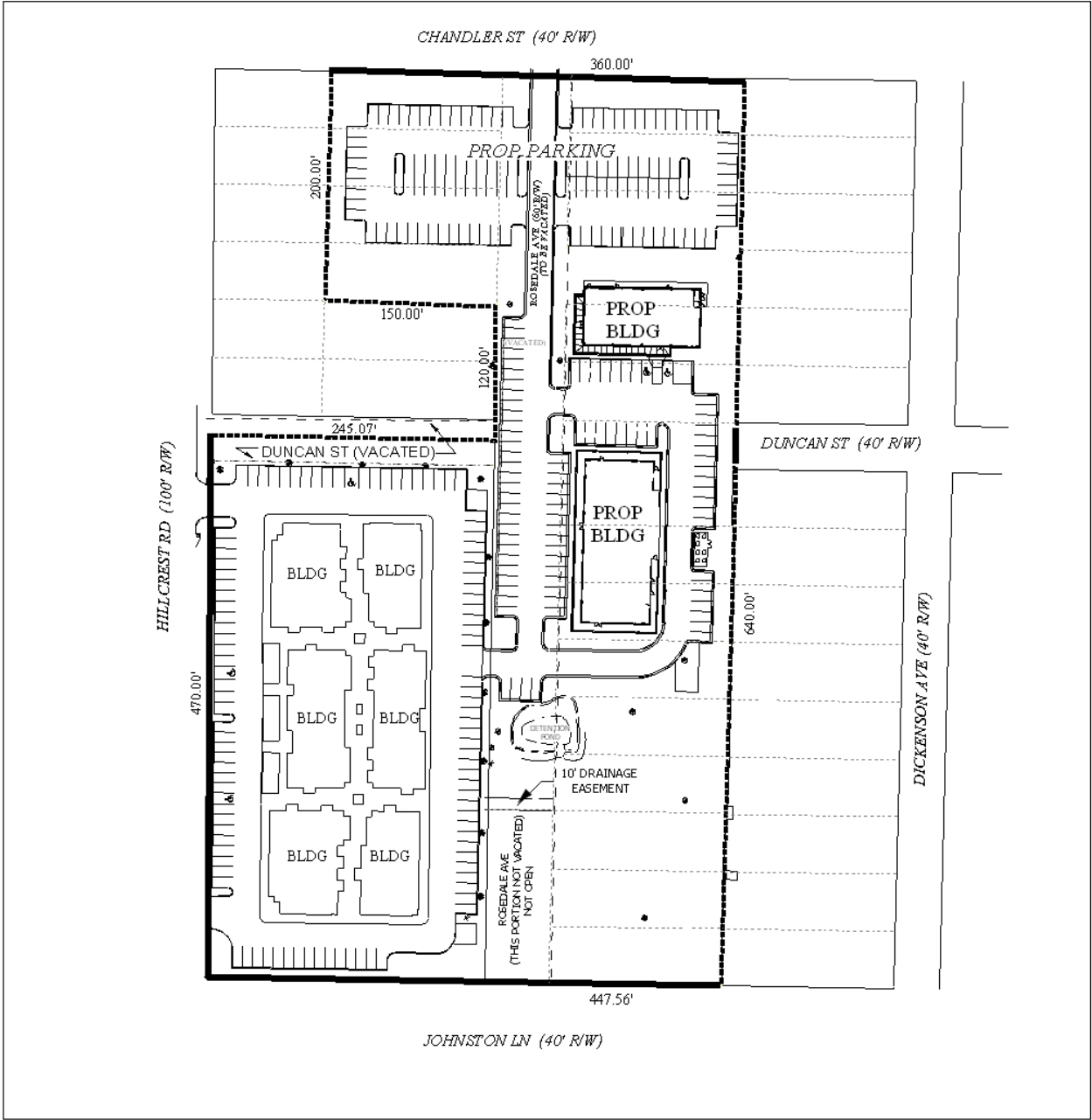
REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2, PUD

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



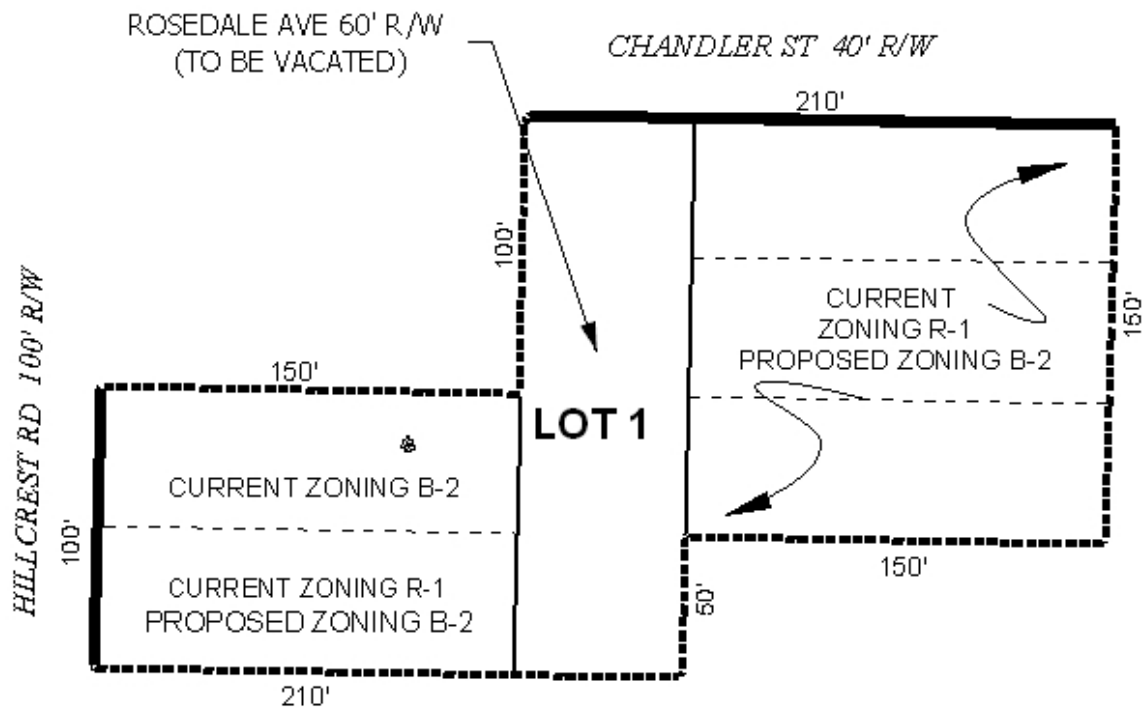
SITE PLAN



The site plan illustrates existing buildings, parking and vacated right of way, proposed buildings, and proposed parking.

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SUBDIVISION AND ZONING DETAIL



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