

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

Date: October 7, 2010

<u>NAME</u>	Ashland Place UMC Subdivision 2
<u>SUBDIVISION NAME</u>	Ashland Place UMC Subdivision 2
<u>LOCATION</u>	5, 7 and 15 Wisteria Avenue, 2315 Old Shell Road, 2302 Dauphin Street and 2314 Dauphin Street (Southwest corner of Old Shell Road and Wisteria Avenue, extending to the North side of Dauphin Street, 87'± West of Wisteria Avenue, and 432'± West of Wisteria Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>AREA OF PROPERTY</u>	3 Lots / 4.6± Acres – Subdivision 1 Lot / 4.1 ± Acres – PUD and Planning Approval
<u>CONTEMPLATED USE</u>	Planning Approval to amend a previously approved Planning Approval to modify property boundaries at an existing church in an R-1, Single-Family Residential District, Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to modify property boundaries, and Subdivision approval to create three lots.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	No Comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.
<u>URBAN FORESTRY COMMENTS</u>	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 amend a previously approved Planning Approval to modify property boundaries at an existing church in an R-1, Single-Family Residential District, Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to modify property boundaries, and Subdivision approval to create three lots. Churches require Planning Approval when located in R-1 districts.

The site was most recently the subject of Subdivision, Planned Unit Development and Planning Approval applications that were approved with conditions by the Planning Commission at its April 2, 2009 meeting. The plans approved at that time included the removal of two existing residential structures, the construction of an addition onto the existing church facility, and subdivision to create two lots.

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.

Ashland Place United Methodist Church, or APUMC, proposes to create a three lot subdivision that will result in the selling off of a portion of their site, and the addition of land, and revising the PUD and Planning Approval for the church to match the new lot boundaries. APUMC intends to sell a portion of their site, a driveway to Dauphin Street, to an abutting neighbor. The church has also recently purchased the rear portion of a property that fronts onto Dauphin Street, thus the Subdivision application will legitimize the transaction through the creation of legal lots. The PUD is required because the church has multiple buildings on a single site.

The PUD and Planning Approval site plan shows the existing church facilities and parking: no new construction is proposed. The sanctuary seats 270 people, and 81 parking spaces are provided, which exceeds the minimum requirement of 68 spaces. A separate structure, a former residence, is labeled as a church office facility (it should be noted that the most recent Planning

Approval included the following requirement: *no future use of residential structure on Old Shell Road without new Planning Approval, and any future non single-family residential use subject to full compliance with all applicable Building and Fire Codes).*

Some of the larger existing trees are depicted on the site plan, but trees planted as part of the most recent PUD and Planning Approval requirements are not depicted: these trees must also be shown. Also, it should be noted that any trees or shrubs planted to meet previous requirements, which have died, must be replaced.

A buffer fence is shown where the site abuts adjacent residences, with the exception of along the Southern boundary where there is an existing hedge, near the detention pond. The property owners at the location of the hedge have requested in writing that no fence be installed in the area of the hedge until such time as requested by the property owner. The site plan shows that the church's former drive to Dauphin Street, being sold to the adjacent property owner, will be blocked off with a wooden fence. A new buffer fence is also proposed to the Southwest, where the lot boundaries will be changed due to the Subdivision.

The PUD and Planning Approval site plans should also be changed to show the correct dimension next to the "driveway to be removed" and on the Southwest portion of the site.

A Land Disturbance permit should be required to remove paving associated with the driveway that will be removed. A new tree and landscape plan should be submitted with the Land Disturbance application, so that tree and landscape compliance issues mentioned earlier in the staff report can be addressed.

Regarding the Subdivision, the site has frontage onto Old Shell Road, Wisteria Avenue and Dauphin Street. Old Shell Road and Wisteria Avenue each have 50-foot rights-of-way, and Dauphin Street has a 66-foot right-of-way. This portion of Dauphin Street is illustrated on the Major Street Plan and requires a 100-foot right-of-way; however, due to existing development, widening of this street in the future is improbable. In such situations, setbacks are typically recommended instead of dedication; thus to be consistent with previous setback requirements, the final plat should show a setback of 75 feet from the centerline of Dauphin Street for proposed Lots 2 and 3, as shown on the preliminary plat: the depicted 25-foot setbacks along Old Shell Road and Wisteria Avenue are adequate.

Access management is a concern due to the presence of a proposed major street, and due to the church use located within a neighborhood. The church on Lot 1 should be limited to the two existing curb-cuts depicted on the PUD and Planning Approval site plans, while proposed Lots 2 and 3 should be limited to the single existing curb-cuts. Any changes to the curb-cuts for Lots 2 and 3 will require the approval of Traffic Engineering. Changes to curb-cuts on Lot 1 will require new PUD and Planning Approval applications.

RECOMMENDATION

Planning Approval: The request is recommended for Approval, subject to the following conditions:

- 1) Revision of the site plan to depict compliance with the tree and landscaping requirements of Section 64-4.E. of the Zoning Ordinance, including depiction of the full width of

- existing tree canopies that overhang street frontage areas, and provision of information regarding total landscape area and required front landscape area;
- 2) Depiction and provision of a 6-foot high wooden privacy fence along all boundaries where the site abuts adjacent residences (fence not to impact existing hedge), except within the minimum building setback along Wisteria Avenue and Old Shell Road, where the fence shall only be 3-feet in height, and the obtaining of permits to build any required new sections of fence;
 - 3) Depiction of the tree buffering between the detention facility and the residential properties to the South, as part of compliance with condition # 1;
 - 4) Revision of the site plan to show correct dimensions and bearings for all boundary segments;
 - 5) Application and receipt of a Land Disturbance permit, after the recording of the final plat, for the removal of the driveway paving, to include the submission of a new tree and landscape plan for the site;
 - 6) No future use of residential structure on Old Shell Road without new Planning Approval, and any future non single-family residential use subject to full compliance with all applicable Building and Fire Codes; and
 - 7) Provision of a revised Planning Approval site plan prior to the signing of the final plat.

Planned Unit Development: The request is recommended for Approval, subject to the following conditions:

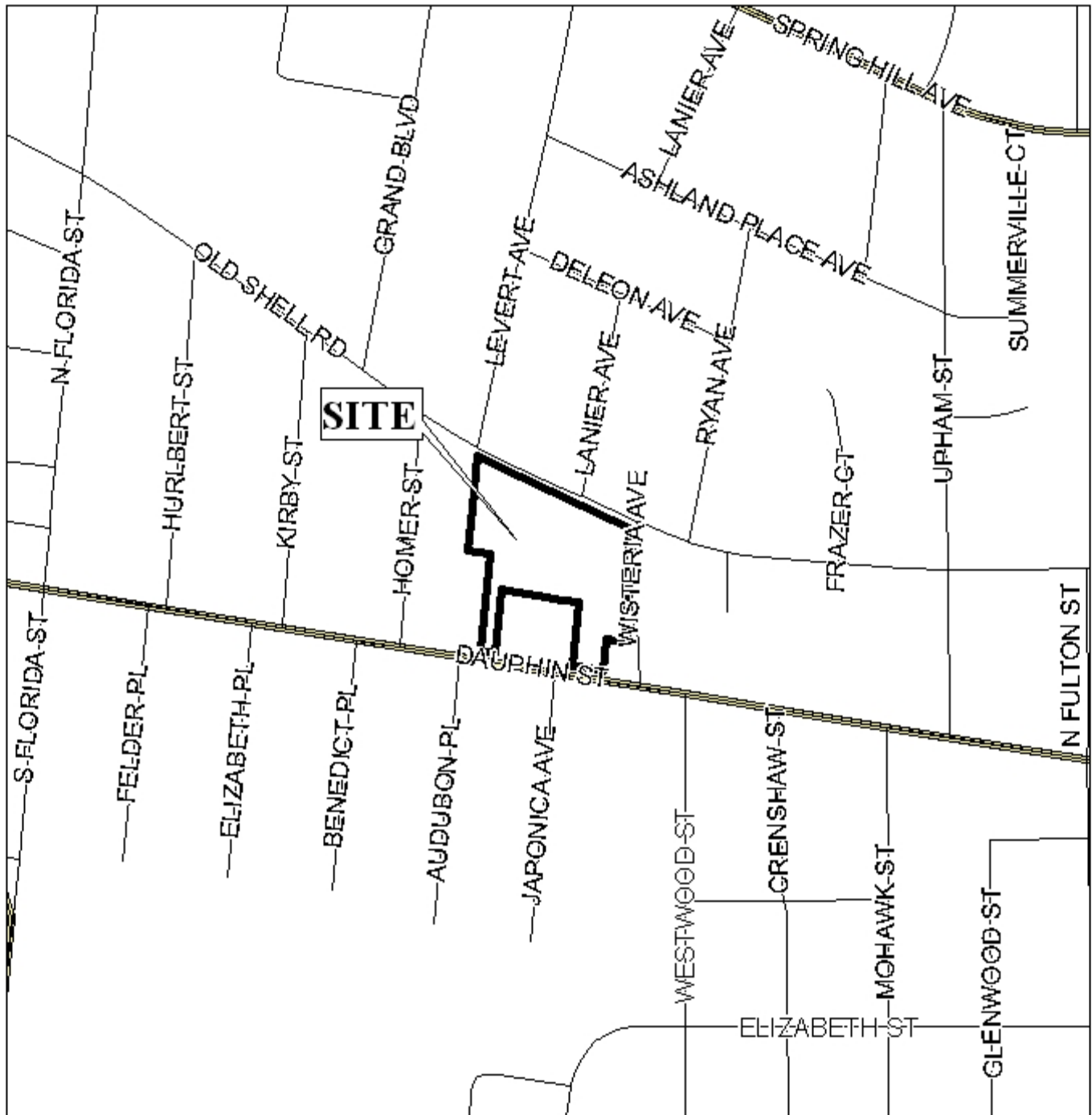
- 1) Revision of the site plan to depict compliance with the tree and landscaping requirements of Section 64-4.E. of the Zoning Ordinance, including depiction of the full width of existing tree canopies that overhang street frontage areas, and provision of information regarding total landscape area and required front landscape area;
- 2) Depiction and provision of a 6-foot high wooden privacy fence along all boundaries where the site abuts adjacent residences (fence not to impact existing hedge), except within the minimum building setback along Wisteria Avenue and Old Shell Road, where the fence shall only be 3-feet in height, and the obtaining of permits to build any required new sections of fence;
- 3) Depiction of the tree buffering between the detention facility and the residential properties to the South, as part of compliance with condition # 1;
- 4) Revision of the site plan to show correct dimensions and bearings for all boundary segments;
- 5) Application and receipt of a Land Disturbance permit, after the recording of the final plat, for the removal of the driveway paving, to include the submission of a new tree and landscape plan for the site; and
- 6) Provision of a revised Planned Unit Development site plan prior to the signing of the final plat.

Subdivision: The request is recommended for Tentative Approval, subject to the following conditions:

- 1) Placement of a note on the final plat stating that Lot 1 is limited to the curb-cuts depicted on approved PUD and Planning Approval site plans;

- 2) Placement of a note on the final plat stating that Lots 2 and 3 are limited to the existing single curb-cut each, with any changes to the size, design and location of the curb-cuts to be approved by Traffic Engineering and to comply with AASHTO standards, if modified;
- 3) Submission of a revised Planning Approval and Planned Unit Development site plan (1 of each) prior to the signing of the final plat; and,
- 4) Recording of the final plat prior to the obtaining of the necessary permits to build any new required buffer fences, and prior to any application for Land Disturbance permits to remove the driveway on Lot 1.

LOCATOR MAP



APPLICATION NUMBER 21, 22 & 23 DATE October 7, 2010

APPLICANT Ashland Place UMC Subdivision 2

REQUEST Subdivision, Planning Approval, PUD



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use

APPLICATION NUMBER 21, 22 & 23 DATE October 7, 2010

APPLICANT Ashland Place UMC Subdivision 2

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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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

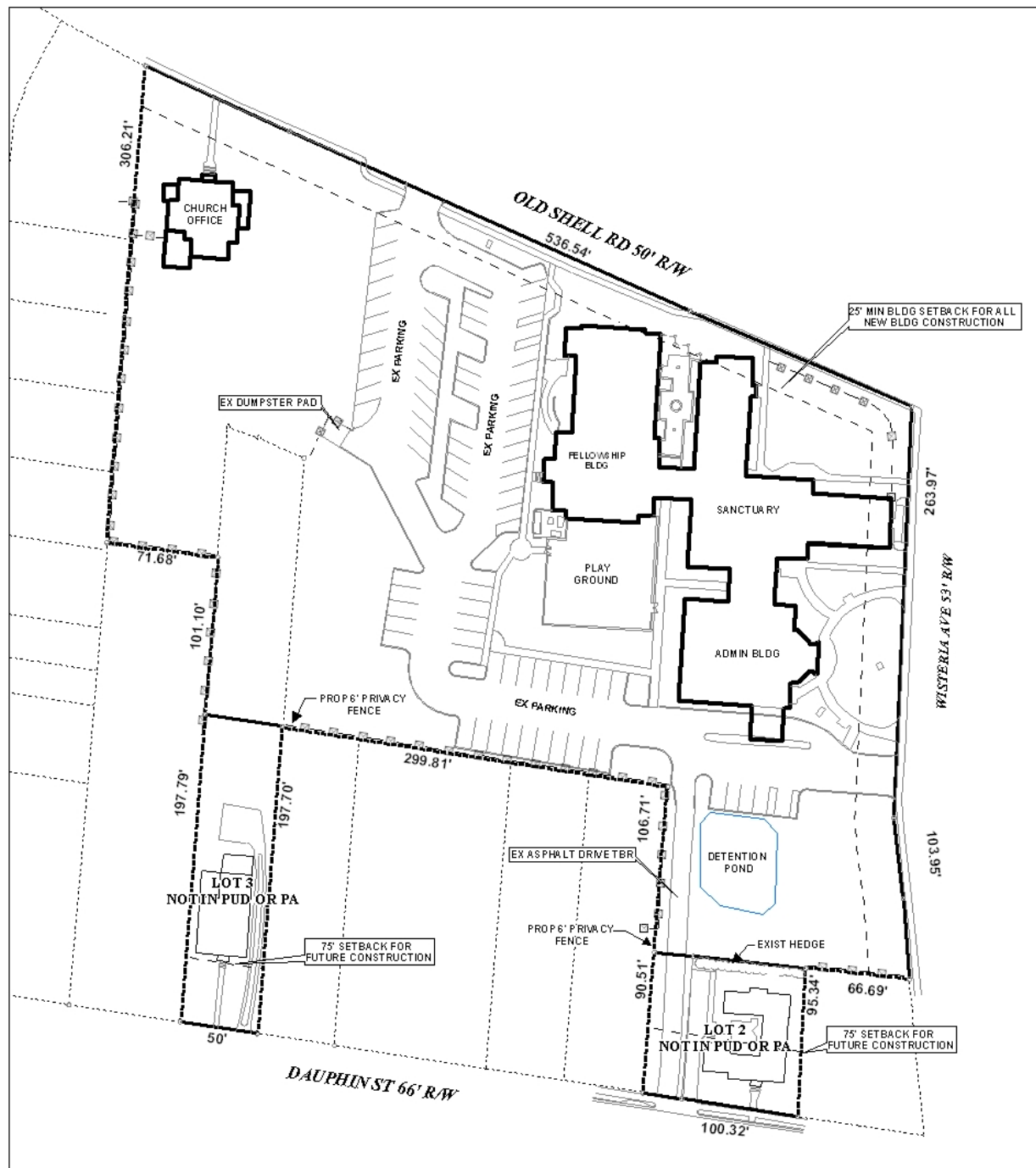


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APPLICATION NUMBER 21, 22 & 23 DATE October 7, 2010
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REQUEST Subdivision, Planning Approval, PUD

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SITE PLAN



The site plan illustrates the existing church facility and proposed property boundaries.

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REQUEST Subdivision, Planning Approval, PUD

