

**PLANNING APPROVAL,  
PLANNED UNIT DEVELOPMENT &  
SUBDIVISION STAFF REPORT****Date: July 10, 2008**

<b><u>NAME</u></b>	APUMC Subdivision
<b><u>SUBDIVISION NAME</u></b>	APUMC Subdivision
<b><u>LOCATION</u></b>	5, 7 and 15 Wisteria Avenue, 2315 Old Shell Road, 2312, and 2314 Dauphin Street (Southwest corner of Old Shell Road and Wisteria Avenue, extending to the North side of Dauphin Street, 160'± West of Wisteria Avenue, and 380'± West of Wisteria Avenue)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 1
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District
<b><u>AREA OF PROPERTY</u></b>	3 Lots / 4.6± Acres – Subdivision 1 Lot / 4.2± Acres – PUD and Planning Approval
<b><u>CONTEMPLATED USE</u></b>	Planning Approval to amend a previously approved Planning Approval to allow expanded parking and green space for an existing church in an R-1, Single-Family Residential District, Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow the expansion of an existing church to include church office parking and expanded green space, and Subdivision approval to create three lots.
<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, a private drainage easement or providing detention for a 100 year storm event with a two year release rate per the revised COM Storm Water Ordinance. 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(s) to accept drainage from this property.

**TRAFFIC ENGINEERING****COMMENTS**

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.

**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**

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 allow expanded parking and green space for an existing church in an R-1, Single-Family Residential District, Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow the expansion of an existing church to include church office parking and expanded green space, and Subdivision approval to create three lots. Churches require Planning Approval when located in R-1 districts.

The majority of the site was the subject of Subdivision, Planned Unit Development and Planning Approval applications that were approved with conditions by the Planning Commission at its December 7, 2006 meeting. The applications presented in 2006 included proposed building expansion plans for the church, however, the applications at hand do not indicate any of the building expansions approved in 2006: approval of the applications at hand will supersede previous approvals, thus new applications to adopt an overall site plan showing proposed new construction will be required.

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 purpose of the applications are to allow the church to expand the site included within the Planning Approval and PUD site plan areas. The church proposes to subdivide its various properties and one additional property into three lots: two lots will be for single-family residential use, while the remaining lot will encompass the remainder of the church facilities, which include three single-family residential structures (one of which is used as a church office).

The applicant states that two of the single-family residential structures fronting Wisteria Avenue will eventually be demolished, however, the applicant has no timeframe for their removal. Should the church utilize the structures for non-residential purposes, a new application for Planning Approval will be required, and appropriate improvements to bring the structures into compliance with applicable Building and Fire Code requirements will also be necessary. Demolition of the structures will require permits as well.

As the site plan depicts no future development of the church site, new PUD and Planning Approval applications will be required to accommodate any new parking, construction, playground or other uses.

It should also be pointed out that removal of the existing residences on Wisteria Avenue may degrade the existing architectural “fabric” of the street, which was a concern also expressed in the staff review prepared for the 2006 applications. Churches, schools and any other non-residential uses located within residential districts should be acutely aware of the potentially negative impacts that facility expansions or increasing activities can create within the local residential context. At the same time, adjacent residents should understand that successful churches, schools, etc, have a tendency to expand facilities and uses over time. Maintaining open communications between non-residential uses and the neighborhood can facilitate good relations.

A six-foot high wooden privacy fence should be provided where the church abuts adjacent residential properties. A permit will be necessary to construct the fence where required.

The site plan indicates approximately 88 parking spaces, but no information is provided regarding the number of seats in the sanctuary nor calculations regarding existing tree and landscape information. As no facility expansion is proposed at this time, the lack of this information is not critical (especially due to previous approvals). However, future Planning Approval and PUD applications proposing expansion must provide detailed information.

The site fronts onto three streets: Dauphin Street, Old Shell Road and Wisteria Avenue. Dauphin Street is a proposed major street, and as such should have a right-of-way width of 100 feet according to the Major Street Plan component of the General Land Use Plan. As the widening of Dauphin Street at this location is unlikely due to existing development, the minimum building setback line should instead be depicted to accommodate a proposed 100-foot wide right-of-way. Old Shell Road and Wisteria Avenue are minor streets with adequate rights-of-way.

Regarding the subdivision, three lots are proposed. Two lots will be created from portions of two existing metes and bounds parcels, and will accommodate existing single-family residences that front onto Dauphin Street. The existing widths will not be altered: only the depths will be changed (rear portion of parcels will be incorporated into church lot), thus a waiver of Section V.D.2. of the Subdivision Regulations for lot width would be appropriate for proposed Lots 2

and 3. These two lots should also be limited to their one existing curb-cut each, and the minimum building setback line should be depicted so that it is 75-feet from the centerline of Dauphin Street.

As for proposed Lot 1, which has frontages onto Dauphin Street, Old Shell Road and Wisteria Avenue, access management is a concern. The lot will contain the church, an existing church office, and two unutilized single-family residences. The Subdivision approval in December 2006 limited the church lot to one curb-cut onto each street: the existing site has two curb-cuts onto Old Shell Road, two onto Wisteria Lane, and one onto Dauphin Street. If approved, Lot 1 should be limited, as before, to one curb-cut onto each abutting street.

The size, design and location of all curb-cuts are to be approved by Traffic Engineering and conform to AASHTO standards. Any existing curb-cuts that are in excess of the allowed number of curb-cuts should be removed, the sidewalks replaced if necessary, and the right-of-way area landscaped with grass.

Wisteria Avenue is mislabeled on the plat and site plan as Wisteria "Lane" – the plat and site plan should be revised with the correct name.

Finally, 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 Approval, subject to the following conditions:

- 1) Limited to the site plan submitted, and the following revisions;
- 2) Provision, depiction and labeling of a 6-foot high wooden privacy fence where the site abuts residential uses, with appropriate permits;
- 3) Lot 1 is limited to one curb-cut to each road frontage (Old Shell Road, Wisteria Avenue, and Dauphin Street), with other curb-cuts to be removed and landscaped to match existing (with appropriate permits);
- 4) 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, a private drainage easement or providing detention for a 100 year storm event with a two year release rate per the revised COM Storm Water Ordinance. 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(s) to accept drainage from this property.*);
- 5) Compliance with 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)*);
- 6) Depiction and labeling of the 25-foot minimum building setback line along the Old Shell Road and Wisteria Avenue frontages, and depiction of the setback line as 75-feet from the centerline along the Dauphin Street frontage;

- 7) Revision of the site plan to depict correct street names;
- 8) Provision of a revised Planning Approval site plan to the Planning Section of Urban Development prior to the signing of the Subdivision plat;
- 9) Completion of the Subdivision process prior to any future applications to the Planning Commission; and
- 10) Full compliance with all other municipal codes and ordinances.

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

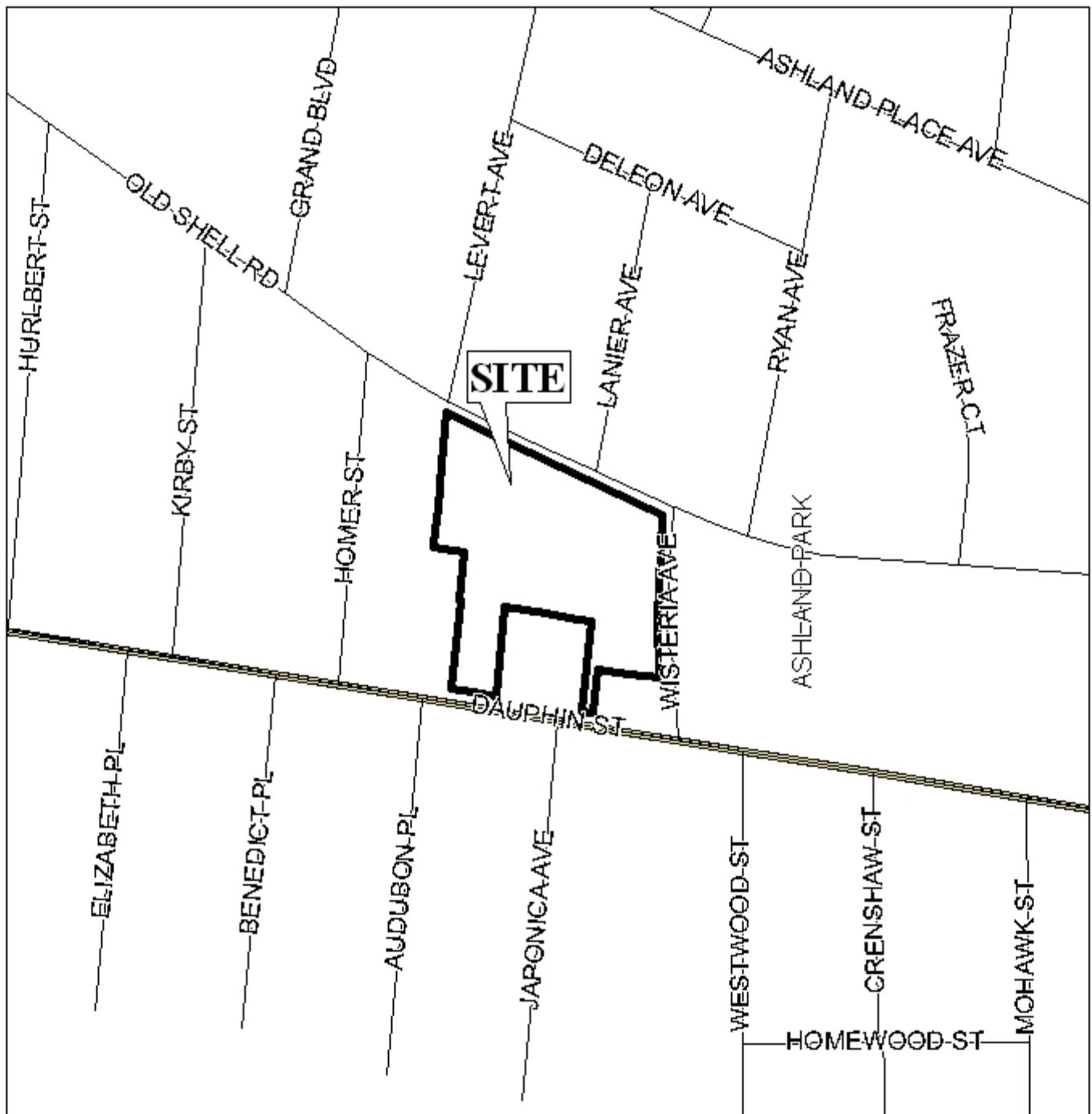
- 1) Limited to the site plan submitted, and the following revisions;
- 2) Provision, depiction and labeling of a 6-foot high wooden privacy fence where the site abuts residential uses, with appropriate permits;
- 3) Lot 1 is limited to one curb-cut to each road frontage (Old Shell Road, Wisteria Avenue, and Dauphin Street), with other curb-cuts to be removed and landscaped to match existing (with appropriate permits);
- 4) 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, a private drainage easement or providing detention for a 100 year storm event with a two year release rate per the revised COM Storm Water Ordinance. 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(s) to accept drainage from this property.*);
- 5) Compliance with 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)*);
- 6) Depiction and labeling of the 25-foot minimum building setback line along the Old Shell Road and Wisteria Avenue frontages, and depiction of the setback line as 75-feet from the centerline along the Dauphin Street frontage;
- 7) Revision of the site plan to depict correct street names;
- 8) Provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the Subdivision plat;
- 9) Completion of the Subdivision process prior to any future applications to the Planning Commission; and
- 10) Full compliance with all other municipal codes and ordinances.

**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 one curb-cut to each road frontage (Old Shell Road, Wisteria Avenue, and Dauphin Street), with other curb-cuts to be removed and landscaped to match existing (with appropriate permits), and that Lots 2 and 3 are limited to one existing curb-cut each, with the size, location and design of all curb-cuts to conform to AASHTO standards and to be approved by the Traffic Engineering Department;
- 2) Provision of a buffer in compliance with Section V.A.7. of the Subdivision Regulations, where Lot 1 abuts residential uses;

- 3) Depiction and labeling of the 25-foot minimum building setback line from Old Shell Road and Wisteria Avenue, and depiction and labeling of the minimum building setback line along Dauphin Street so that it is 75-feet from the centerline;
- 4) 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, a private drainage easement or providing detention for a 100 year storm event with a two year release rate per the revised COM Storm Water Ordinance. 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(s) to accept drainage from this property.*);
- 5) Revision of the plat to depict correct street names;
- 6) Placement of a note on the plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 7) Provision of a revised Planning Approval and PUD site plan (one copy of each) prior to the signing of the final plat.

## LOCATOR MAP



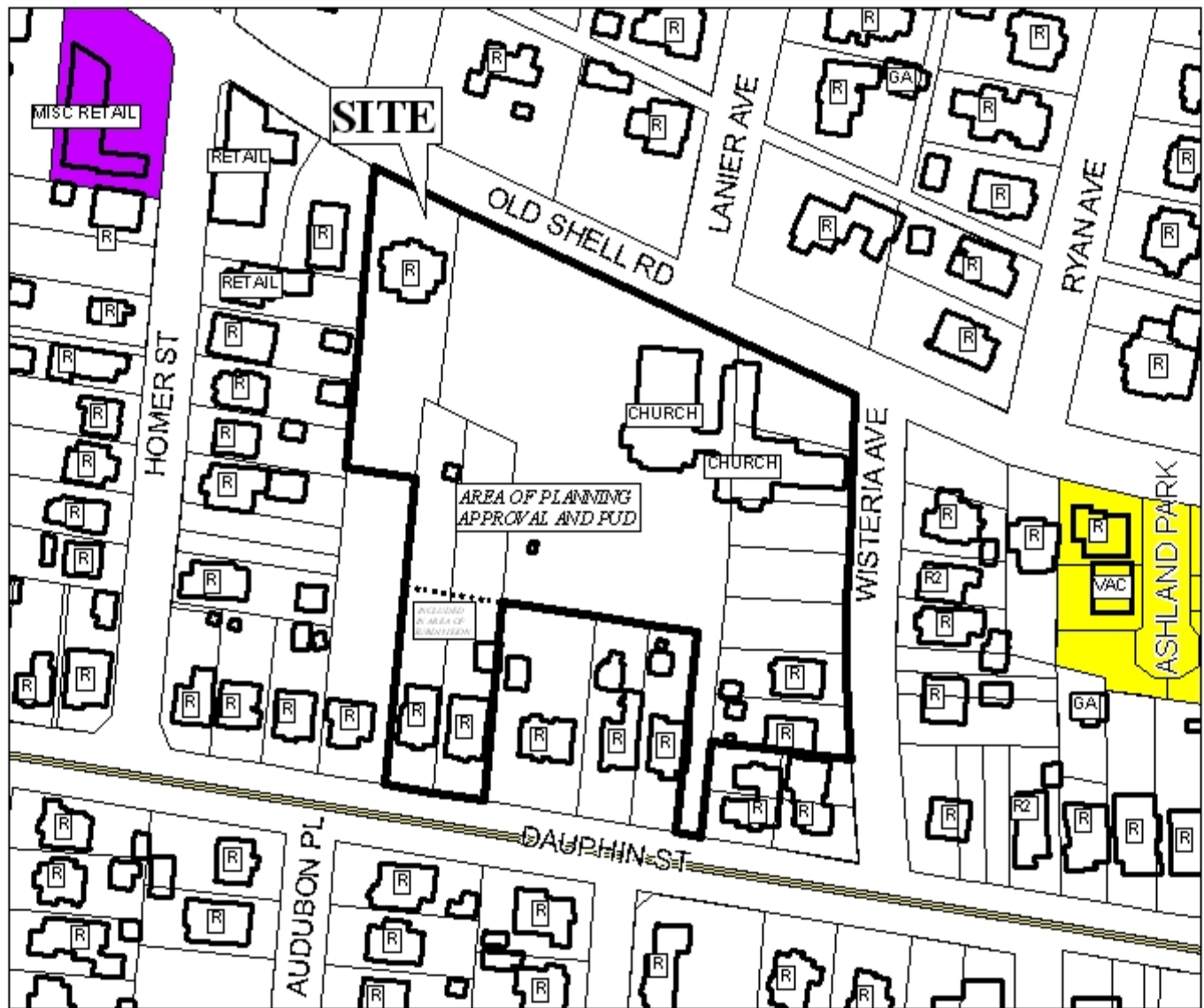
APPLICATION NUMBER 24,25,& 26 DATE July 10, 2008

APPLICANT APUMC Subdivision

REQUEST Subdivision, Planning Approval, PUD



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units, with retail at northwest corner and a duplex to the east.

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APPLICANT APUMC Subdivision

REQUEST Subdivision, Planning Approval, PUD

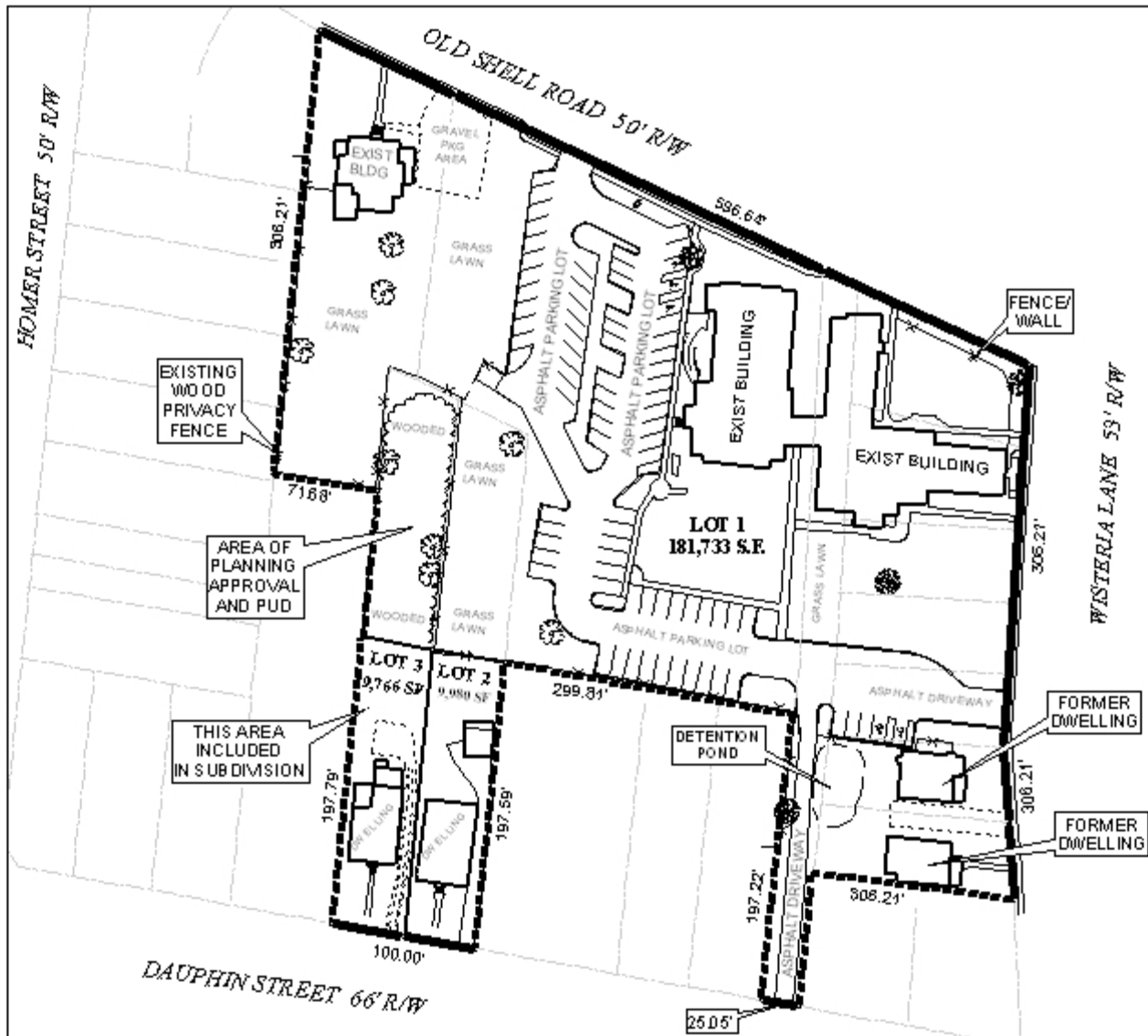
LEGEND 

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



The site plan illustrates the existing buildings, parking fences, and sidewalks.

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