

**REZONING, PUD &
SUBDIVISION STAFF REPORT****Date: February 5, 2004****APPLICANT NAME**

Mike Daniels

DEVELOPMENT NAME

Ferndell Park

SUBDIVISION NAMEFerndell Park Subdivision, Resubdivision of Lots 1
& 2**LOCATION****Subdivision & PUD:** Northwest corner of
Demetropolis Road and Halls Mill Road, extending to
the East Side of Government Boulevard.**Rezoning B-3 to R-1:** 300'± West of the Northwest
corner of Demetropolis Road and Halls Mill Road,
extending to 300'± East of Government Boulevard.**Rezoning B-3 to B-3, to remove Service Road
conditions:** East side of Government Boulevard,
extending from the East terminus of Knollwood Drive
to the East terminus of Lansdowne Drive.**PRESENT ZONING**

B-3, Community Business

PROPOSED ZONINGR-1, Single-Family Residential &
B-3, Community Business**AREA OF PROPERTY****Subdivision & PUD:** 35.2± Acres 64 Lots**Rezoning to R-1:** 10.1± Acres**Rezoning to B-3:** 10.5± Acres**CONTEMPLATED USE**Commercial Development on Major Street/Collector
Street Frontages, with shared access; and Single-
Family Residential Subdivision on Interior, with
reduced setbacks and increased site coverage.**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.****TIME SCHEDULE**

Immediate

**ENGINEERING
COMMENTS**Must comply with all stormwater and flood control
ordinances. Any work performed in the right of way will require a right of way permit.

Need contours to properly evaluate drainage concerns and possible existence of wetlands, marshes etc., as required by the **Subdivision Regulations**. If City of Mobile Right of Way is not required for access to the 13 B3 zoned lots (lots 2C through 14C) construction of the road should be to the Private Street standards as specified in the Subdivision Regulations. It should also be made clear, with a note on the final plat and written into the Property Owners Association Articles of Incorporation, that maintenance of the road is solely the responsibility of the developer and future property owners and not the City of Mobile. Maintenance requirements should be specified by the engineer and written on the Final Plat and into the Property Owners Articles of Incorporation.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Incorporate some form of traffic calming into subdivision. Developer to pay for a share of signalizing the southern most access. Signalization to be coordinated with ALDOT. Limit access to Highway 90 to three drives with location to be approved by Traffic Engineering. Limit access to Demetropolis Road to five curb cuts and Halls Mill Road to five curb cuts.

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 (City Code Chapters 57 and 64 and State Act 61-929). Preservation status granted for all 50" and larger trees including three Live Oaks located on Lot 24 C, Lot 15 C, and approximately Lot 18 C. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger.

REMARKS

The applicant is proposing development of commercial properties along Government Boulevard, Halls Mill Road and Demetropolis Road frontages; and a single-family residential subdivision on the interior of the site. The site was rezoned to B-3 in 1991 with conditions requiring dedication along Halls Mill Road to provide 35' from centerline, the construction of a service road along Government Boulevard with one point of access to Government Boulevard and the submission/completion of a subdivision. These conditions have not been met.

The applications before the Commission are to rezone the interior of the site to R-1, Single-Family Residential for a residential subdivision with reduced setbacks and increased site coverage; and to remove conditions relating to service road construction along Government Boulevard that were placed on the original rezoning.

With regard to the request for rezoning to R-1 for the interior of the site, it is not uncommon for residential properties to be located behind commercial properties that front on major or collector streets. In this particular instance, the overall site is bounded on three sides by major or collector streets, and is somewhat unique in its configuration.

Typically, an isolated pocket of any zoning classification would not be desirable. However, the proposed R-1 is in excess of 10 Acres, and is adjacent to existing R-1 zoning.

The B-3 request is to remove conditions relating to the construction of a service road along Government Boulevard with only one point of access to Government Boulevard. The applicant is proposing an internal circulation drive that is to be located within a 25' nonexclusive easement for ingress and egress. The internal circulation drive will be access via the new residential street and two drives to Government Boulevard located at lot 8C and lot 14C.

The application does not indicate the nature of the improvements for the internal circulation drive. Since the internal circulation drive is in lieu of a service road and is the sole means of access for multiple lots, a minimum standard of construction should be required.

The request for PUD approval is to allow the shared access (internal circulation drive) between the commercial properties on Government Boulevard and to allow the reduced front setbacks (15') and increased site coverage (40%) for the residential subdivision.

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.

Comments from the Traffic Engineering Department indicate that the access as proposed for the residential subdivision and the internal circulation drive are acceptable. However, limitations on the number of curb cuts to Halls Mill Road and Demetropolis Road are requested.

Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.

With regard to protection and buffering, given the uniqueness of this proposed development, buffering should be two-fold. The commercial properties should provide a natural, undisturbed buffer adjacent to the residential properties, and to ensure that an effective buffer is maintained and the natural buffer undisturbed, the residential properties should provide a 6' wooden privacy fence where they abut the commercial development.

RECOMMENDATION

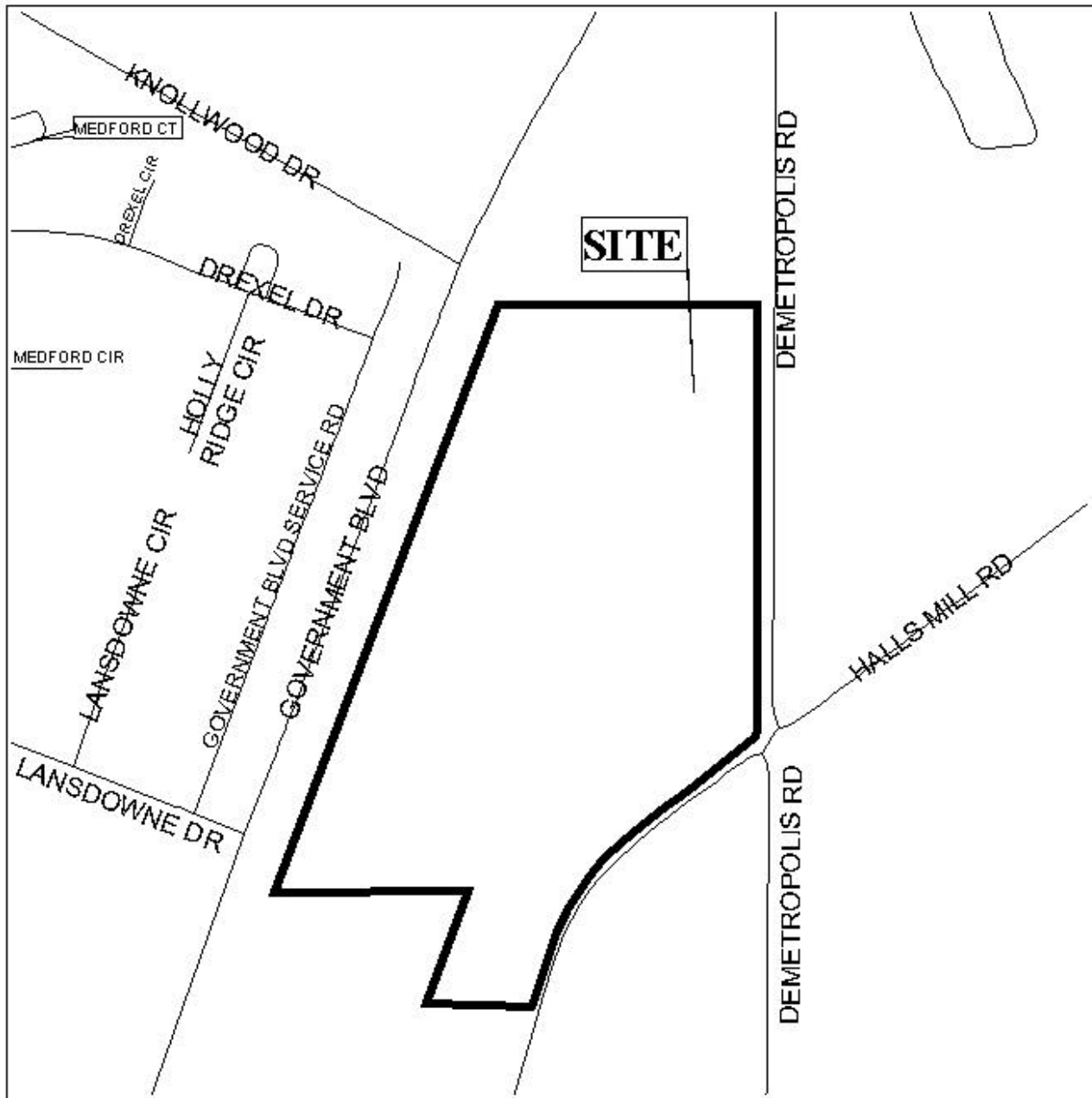
Rezoning B-3 to B-3: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) limited to the accompanying PUD, which is to allow the shared access and internal circulation drive; 2) the internal circulation be improved to Private Street standards as specified in the Subdivision Regulations; 3) provision of a 15' buffer to remain in it natural vegetative state where the site abuts residential properties; and 4) full compliance with all municipal codes and ordinances.

Rezoning B-3 to R-1: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) limited to the accompanying PUD, which is to allow the reduced front setback and increased site coverage; 2) provision of a 6' wooden privacy fence where the site abuts commercial properties; and 3) full compliance with all municipal codes and ordinances.

Planned Unit Development: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) the internal circulation drive be improved to Private Street standards as specified in the Subdivision Regulations, and maintained by the property owners; 2) limited to three access points to Government Boulevard with location to be approved by Traffic Engineering and ALDOT; 3) dedication along Halls Mill Road sufficient to provide 35' from centerline (as required by the original rezoning); 4) limited to a maximum of five curb cuts to Halls Mill Road and five curb cuts to Demetropolis Road, exact location and design to be approved by Traffic Engineering; 5) commercially zoned properties to provide a 15' buffer to remain in its natural vegetative state adjacent to residential properties; 6) residential properties to provide a 6' wooden privacy fence adjacent to commercial properties; 7) Preservation status granted for all 50" and larger trees including three Live Oaks located on Lot 24 C, Lot 15 C, and approximately Lot 18 C. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger; 8) Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected; and 9) full compliance with all municipal codes and ordinances.

Subdivision: the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) the internal circulation drive comply with the Private Street standards as specified in the Subdivision Regulations, including signage and maintenance requirements; 2) limited to three access points to Government Boulevard with location to be approved by Traffic Engineering and ALDOT; 3) dedication along Halls Mill Road sufficient to provide 35' from centerline (as required by the original rezoning); 4) limited to a maximum of five curb cuts to Halls Mill Road and five curb cuts to Demetropolis Road, exact location and design to be approved by Traffic Engineering; 5) commercially zoned properties to provide a 15' buffer to remain in its natural vegetative state adjacent to residential properties; 6) residential properties to provide a 6' wooden privacy fence adjacent to commercial properties; 7) Preservation status granted for all 50" and larger trees including three Live Oaks located on Lot 24 C, Lot 15 C, and approximately Lot 18 C. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger; and 8) Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.

LOCATOR MAP



APPLICATION NUMBER 1&2&3&4 DATE February 5, 2004

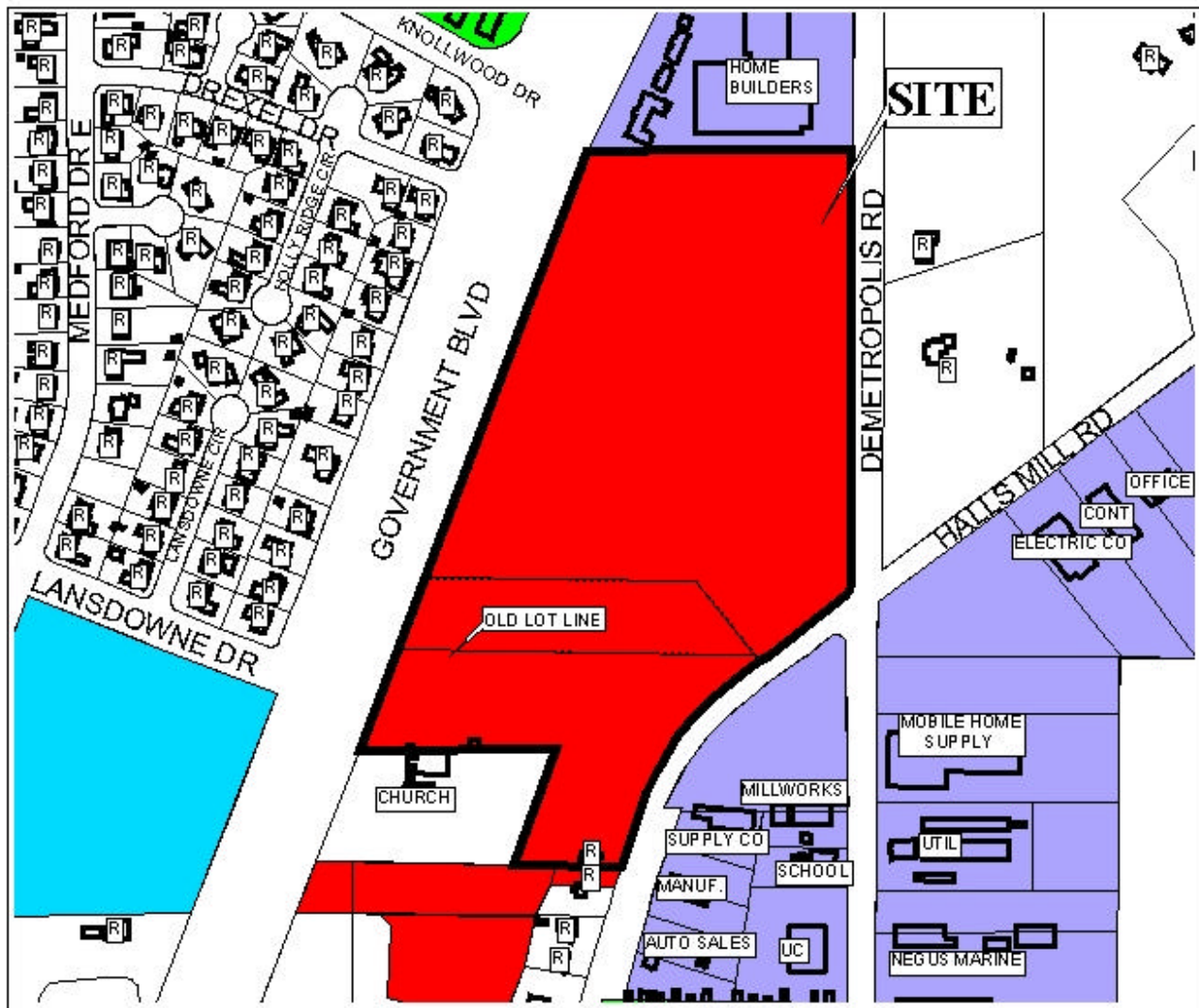
APPLICANT Michael Daniels

REQUEST Rezoning, Planned Unit Development, Subdivision



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the south and west of the site. A church is located to the south of the site and commercial sites are located to the north, south, and east of the site.

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LEGEND




NTS

SITE PLAN



The site plan illustrates the proposed lot configuration, area to be rezoned, proposed setbacks, and existing easements.

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