

**REZONING &
SUBDIVISION STAFF REPORT****Date: March 2, 2006****APPLICANT NAME**

William L. Demetropoulos

SUBDIVISION NAME

Ferndell Park Subdivision, Phase 2

LOCATION

Rezoning B-3 to B-3 to remove condition requiring construction of a service road: Northwest corner of Demetropolis Road and Halls Mill Road, extending to the East Side of Government Boulevard, at the East termini of Lansdowne Drive and Drexel Drive.

Subdivision: East side of Government Boulevard, at the East termini of Lansdowne Drive and Drexel Drive .

COUNCIL DISTRICT

District 4

PRESENT ZONING

B-3, Community Business

PROPOSED ZONING

B-3, Community Business

AREA OF PROPERTY**Rezoning:** 33.2± Acres**Subdivision:** 9.4± Acres 13 Lots**CONTEMPLATED USE**

Commercial Development.

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.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Limit site to three curb cuts with access between lots to be provided by internal circulation road.

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. 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. 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.

REMARKS

The applicant is proposing development of commercial properties along Government Boulevard. 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. The purpose of these applications is to remove the condition(s) requiring construction of a service road.

An application which included a request for removal of the service road condition was submitted to the Commission in 2004. However, as no action was taken after the Planning Commission approvals, those applications have expired.

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 accessed via a new street near the southern end of the site, and two drives to Government Boulevard, one in Phase I (which has been recorded) and one at Lots 6 & 7. As this request is similar to the 2004 request, many of the comments regarding removal of the condition and standards for the internal circulation drive remain unchanged.

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 applicant is aware that due to the internal circulation drive, Administrative PUD applications will be required as each lot develops (or an overall PUD maybe submitted at a future date).

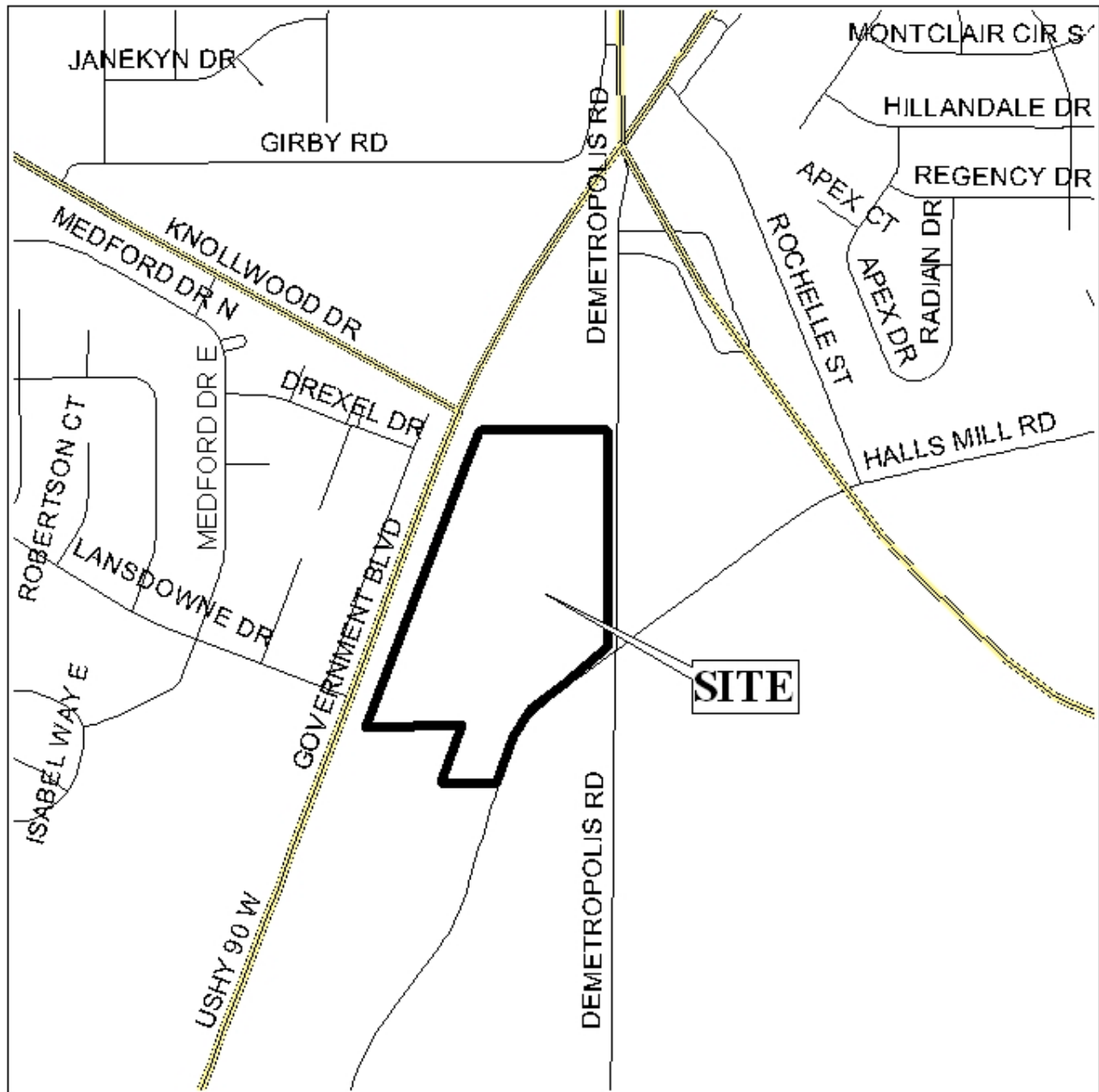
RECOMMENDATION

Rezoning: based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) submission and approval of Administrative PUD applications as each lot develops (or an overall PUD maybe submitted at a future date), 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) Preservation status granted for all 50" and larger trees. 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. 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 4) 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 be constructed in compliance with the Private Street standards as specified in the Subdivision Regulations (as a minimum standard), including signage and maintenance requirements; 2) limited to access points to Government Boulevard as shown on the plat submitted, with exact location and design to be approved by Traffic Engineering and ALDOT; and 3) placement of a note on the final plat stating Preservation status granted for all 50" and larger trees. 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. 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



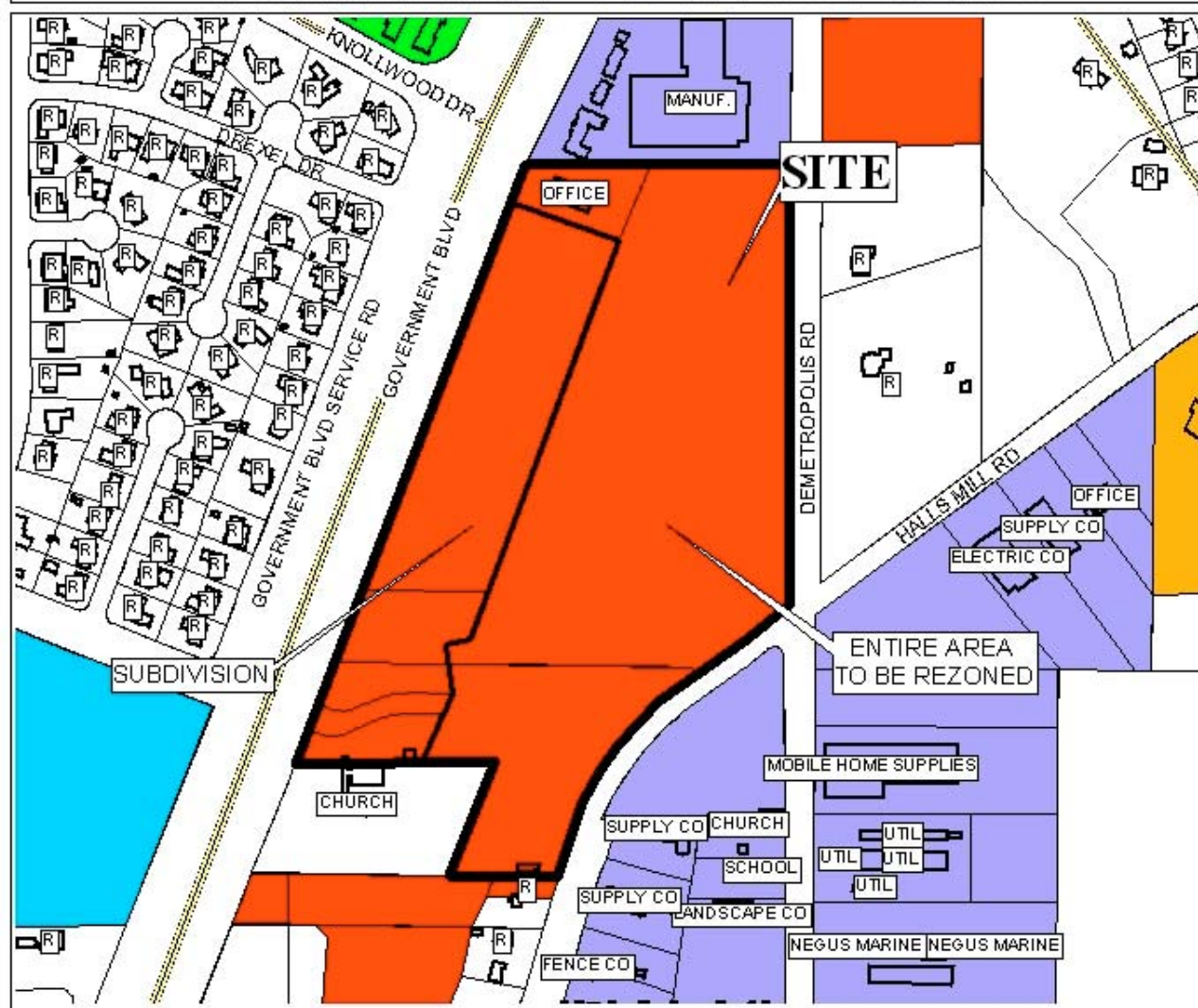
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REQUEST Rezoning and Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed land use and zoning.

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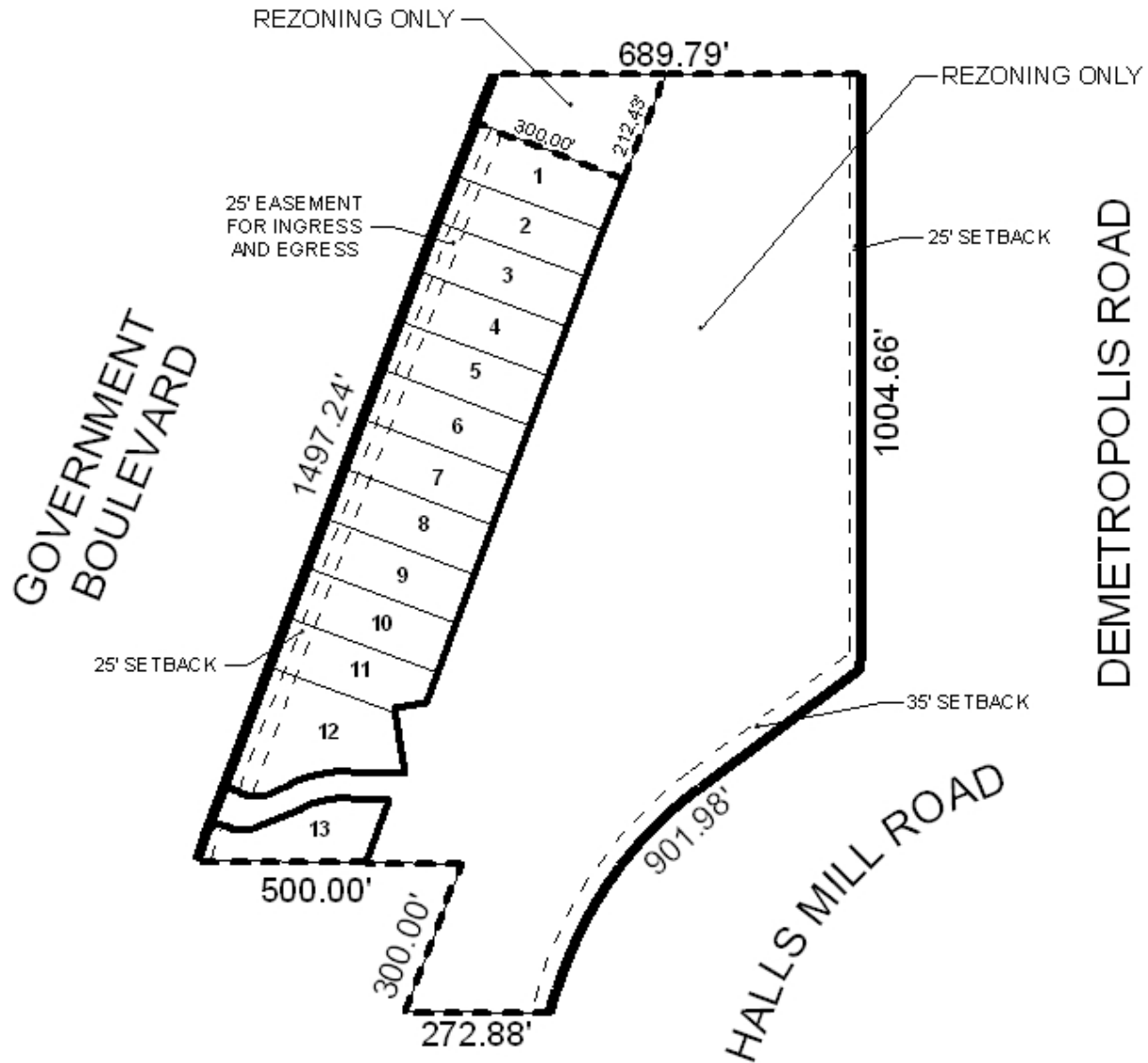
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LEGEND

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	NTS
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DETAIL SITE PLAN



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