

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: January 6, 2020****CASE NUMBER**

6302/5670

APPLICANT NAME

A & R Thomas Holdings

LOCATION2409 Wolf Ridge Road
(Southwest corner of Wolf Ridge Road and Feed Mill Road
[private street])**VARIANCE REQUEST****USE:** To allow parking of semi-trailer trucks (transit vehicle storage).**SURFACING:** To allow gravel parking surfacing.**LANDSCAPE AREA:** To allow reduced landscaped area.**TREE PLANTING:** To allow reduced tree plantings.**ZONING ORDINANCE
REQUIREMENT****USE:** The Zoning Ordinance requires Planning Approval for transit vehicle storage in a B-3, Community Business District.**SURFACING:** The Zoning Ordinance requires all parking to be paved with asphalt, concrete, or an approved alternative paving surface.**LANDSCAPE AREA:** The Zoning Ordinance requires full compliance with front landscaped area.**TREE PLANTING:** The Zoning Ordinance requires full compliance with tree planting requirements.**ZONING**

B-3, Community Business District.

AREA OF PROPERTY

3.4± Acres

**CITY COUNCIL
DISTRICT**

District 1

ENGINEERING**COMMENTS****USE VARIANCE:**

If the VARIANCE is approved for use the applicant will need to have the following conditions met:

1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development.
2. Submit a ROW Permit for the work within the Public ROW.

SURFACING VARIANCE:

If the aggregate surfacing is approved for use the applicant will need to have the following conditions met:

1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development.
2. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
3. Submit a ROW Permit for any site work within the Public ROW. Aggregate surfacing will NOT be allowed within the public ROW.
4. Designated handicapped accessible spaces and routes must be paved (i.e. concrete, asphalt).

LANDSCAPING AND TREE PLANTING VARIANCE:

NO COMMENTS

TRAFFIC ENGINEERING**COMMENTS**

It appears that the site plan has provided enough space for a typical tractor trailer to pull into the driveway and not adversely impact traffic on Wolf Ridge Road. If the surface variance is approved, it should be contingent upon the construction of a proper asphalt or concrete driveway within the right-of-way and any gravel in the right-of-way to be removed.

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 2015-116 and City Code Chapters 57 and 64).

FIRE DEPARTMENT**COMMENTS**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. 2012 International Fire Code.

ANALYSIS

The applicant is requesting Use, Surfacing, Landscaping and Tree Planting Variances to allow parking of semi-trailer trucks (transit vehicle storage) on a gravel surface, with reduced landscaping and tree plantings in a B-3, Community Business District; the Zoning Ordinance requires Planning Approval for transit vehicle storage, with

surfaces to be paved in asphalt, concrete or an approved alternative paving surface, and full compliance with the landscaping and tree planting requirements in a B-3, Community Business District.

The Zoning Ordinance states no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship; and, no variance shall be granted where economics are the basis for the application. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

The site has been given a Low Density Residential land use designation per the Future Land Use Plan and Map, adopted by the Planning Commission at its May 18, 2017 meeting. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting. This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map 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, where applicable, the zoning classification.

It should be noted that the site also has a pending rezoning application before the Planning Commission. The rezoning application is an attempt to have the property re-zoned to I-1, which would allow the use by right, as well as gravel surfacing and reduced tree plantings, was heard at the Planning Commission's November 21st meeting. The Planning Commission decided heldover the application until its January 23rd meeting to allow the applicant time to seek variances in lieu of rezoning the property.

The applicant states:

- *2409 Wolf Ridge Road: This lot will be used as a gravel lot for parking semi-trailers. We are proposing the lot remain B-3 but allow gravel parking area to park their trucks and to waive Landscape requirements. This was suggested by the Planning Commission to avoid re-zoning the parcel to I-1. There is a need in Mobile for truck drivers to have a place to park their trucks and rigs while not in use to reduce the amount of trucks being parked in shopping center parking lots and along public road.*
- *As Planning Commission was ready to approve, Margaret Pappas brought of the point that if it is re-zoned I-1 it could later be turned into a manufacturing plant instead of a gravel truck parking area. The Planning Commission came up with the solution to do a variance to allow it to remain B-3 but accommodate the current proposed plans.*

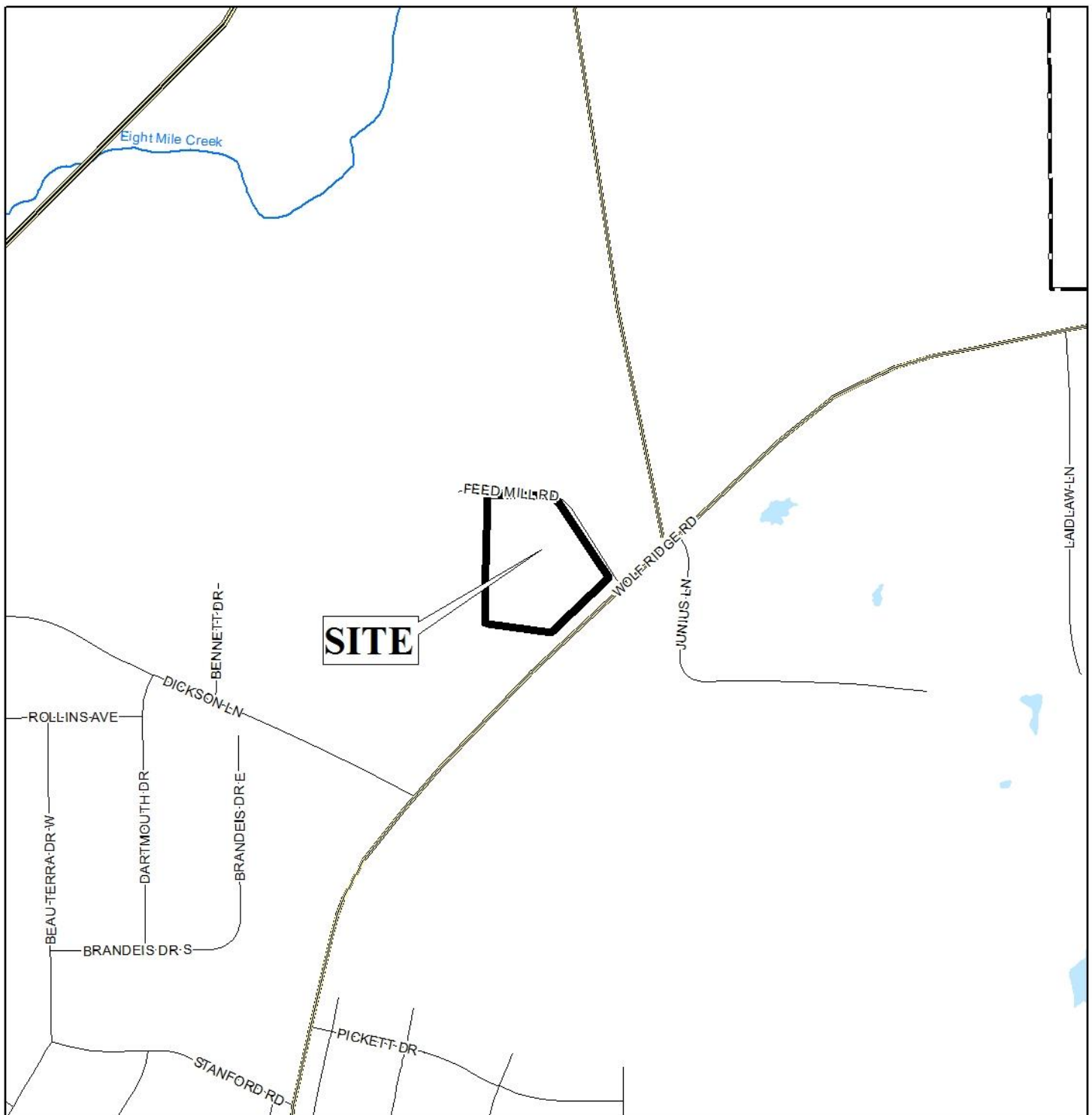
Regarding the use variance, it seems there is no hardship associated with the site preventing it from being utilized for a compliant use. It was however, thought by the Planning Commission, that a variance would be more preferable in order to reduce the potential businesses that could occupy the site.

As to the surfacing request, as mentioned previously, if the site were re-zoned to I-1, gravel surfacing would be allowed by right for the proposed transit vehicle storage. Any required parking would still be required to be paved in an I-1 district, but without a structure proposed at this time, there is no required parking. Given that the applicant intends on having 18-wheelers coming and going from this property, in time, asphalt or concrete surfacing would deteriorate and need steady maintenance and repairs. The Board has, in the past, approved surfacing variances for businesses using large vehicles that would cause damage to the standard required surfacings.

Regarding the tree and landscaping requests, the site plan depicts six required frontage trees along Wolf Ridge Road, and shows a portion of the property that has a substantial number of trees. It is possible that there may be enough existing trees on the site to provide tree credits for the required plantings, but insufficient information was provided for staff to determine that. Furthermore, no landscape area calculations were provided, so staff cannot determine how much of a shortage of landscaped the site may have. It appears to staff, that the site may indeed have sufficient landscape area to comply. If this is accurate, then both the tree planting and landscape area variance requests may be moot.

RECOMMENDATION: Based on the preceding, staff recommends that the Board consider all relevant facts prior to making a decision.

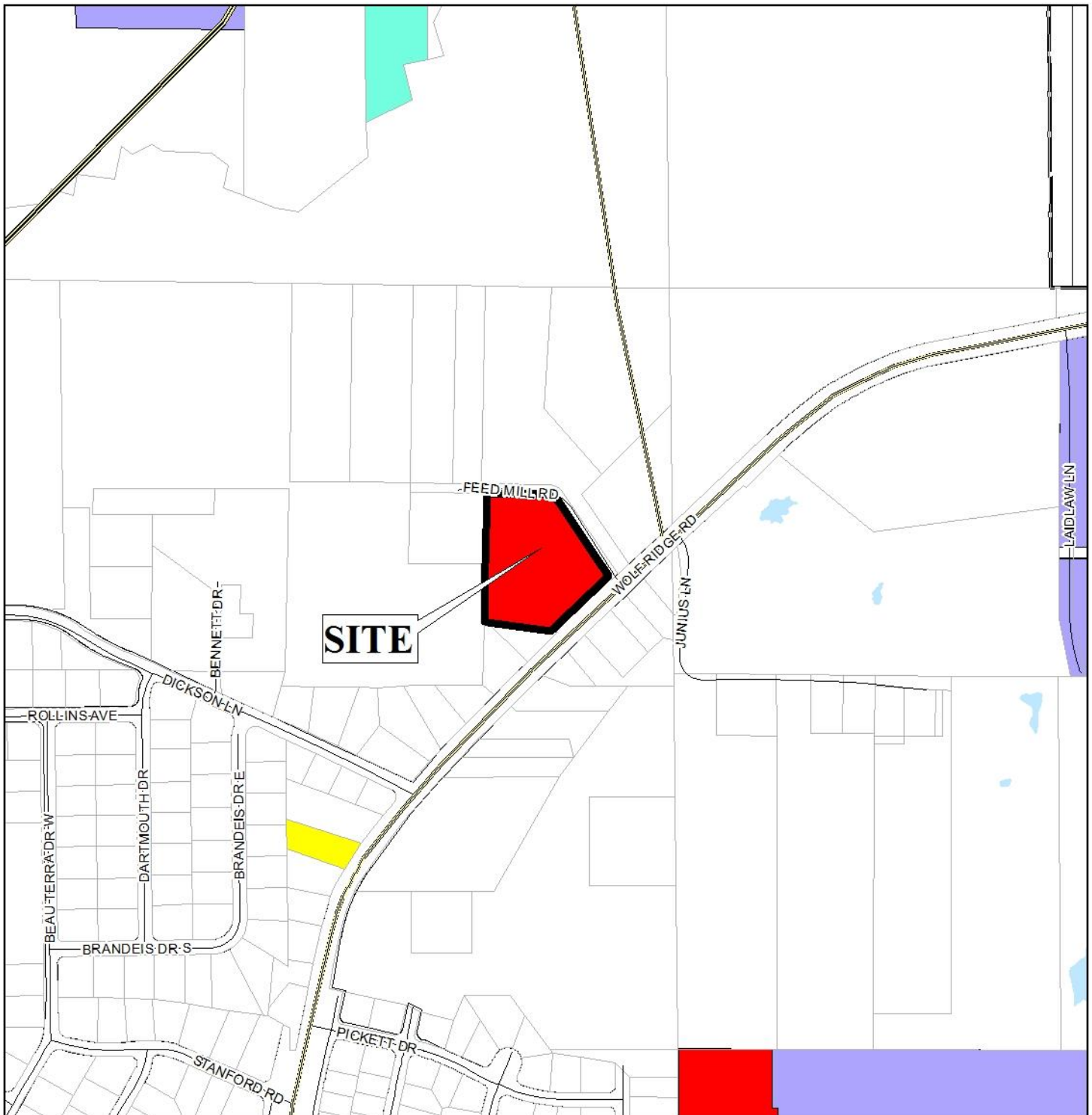
LOCATOR MAP



APPLICATION NUMBER 6302 DATE January 6, 2020
APPLICANT A & R Thomas Holdings
REQUEST Use, Surfacing, Landscaping & Tree Planting Variances



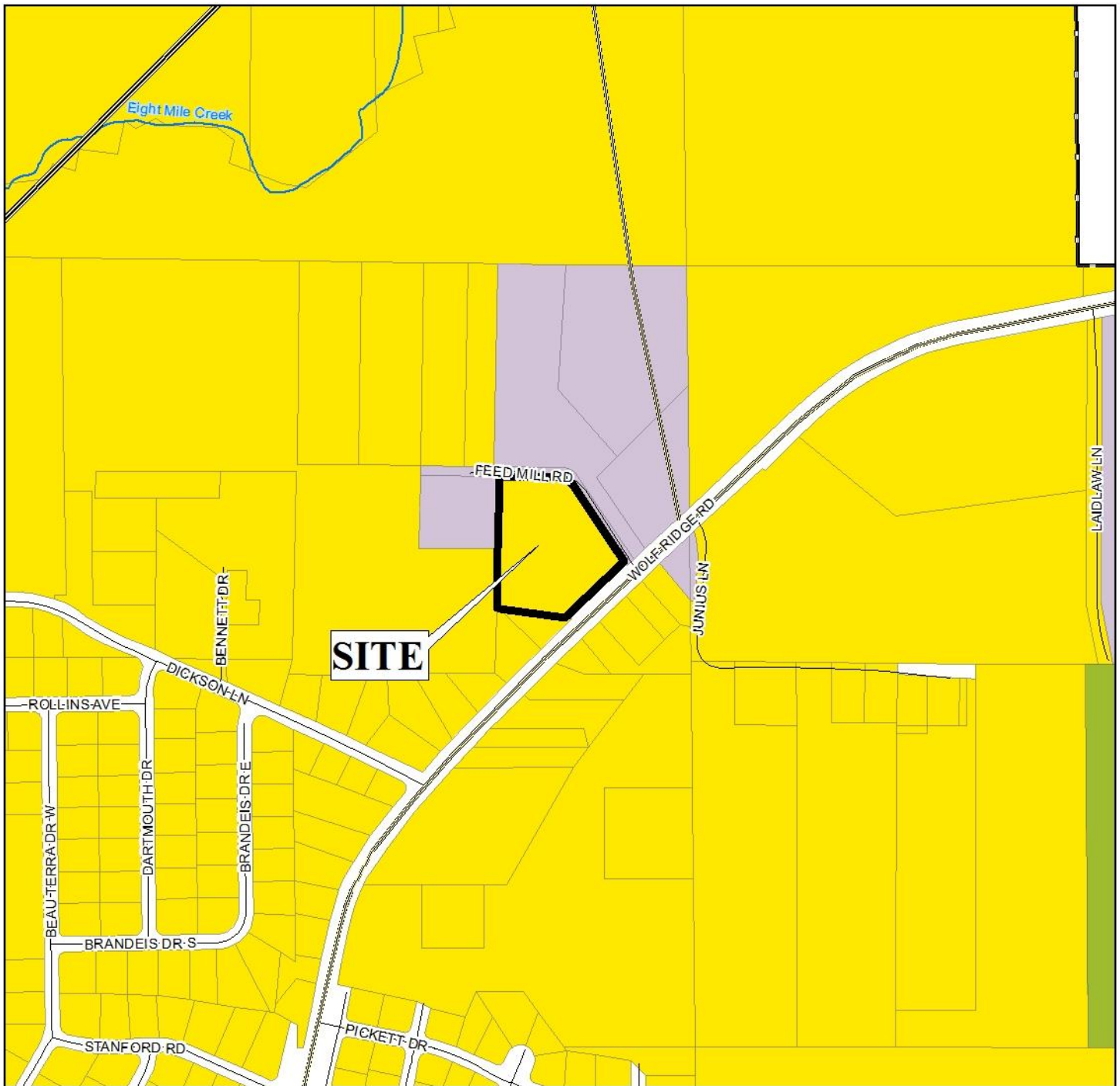
LOCATOR ZONING MAP



APPLICATION NUMBER 6302 DATE January 6, 2020
APPLICANT A & R Thomas Holdings
REQUEST Use, Surfacing, Landscaping & Tree Planting Variances



FLUM LOCATOR MAP



APPLICATION NUMBER 6302 DATE January 6, 2020

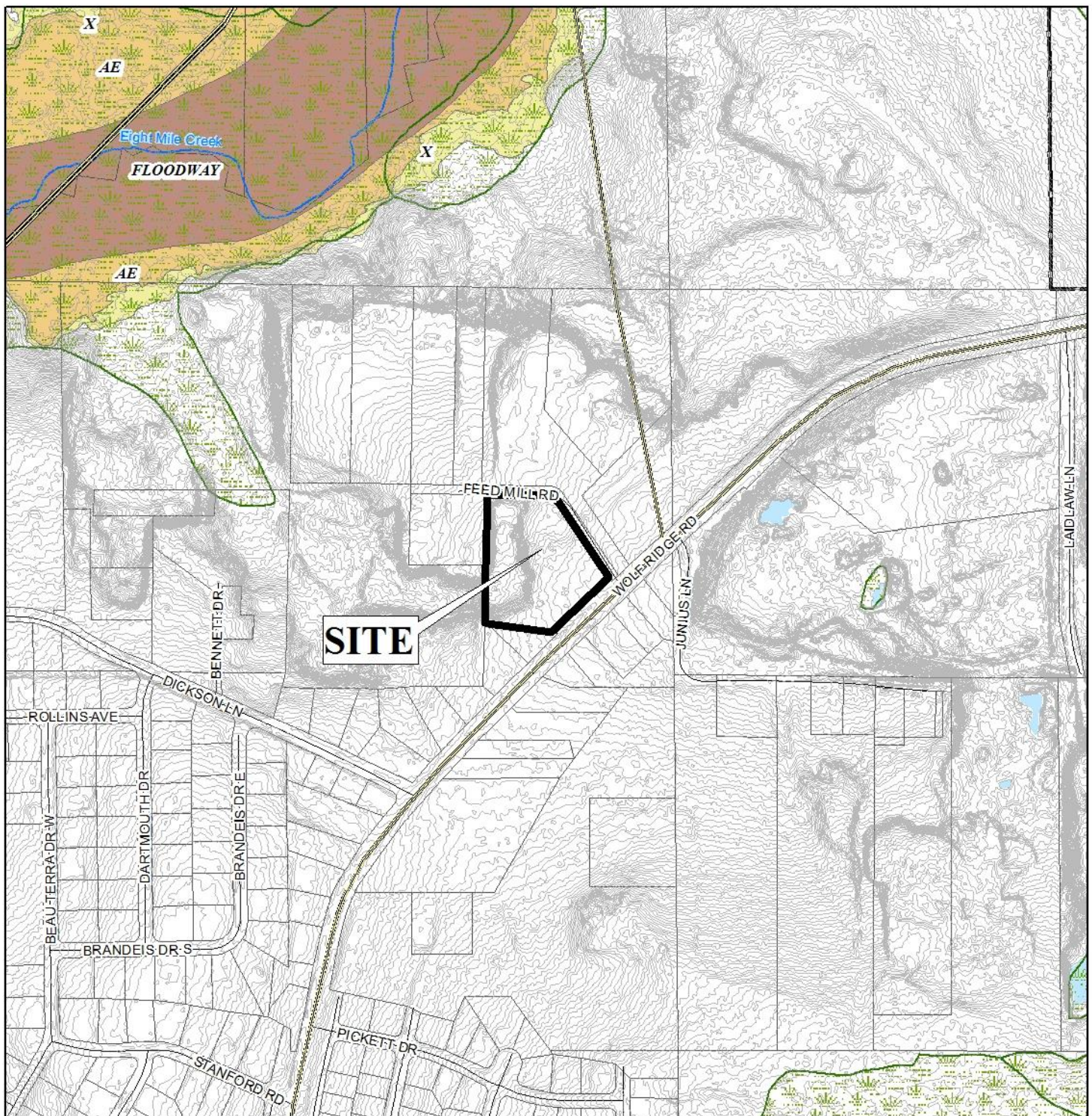
APPLICANT A & R Thomas Holdings

REQUEST Use, Surfacing, Landscaping & Tree Planting Variances

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



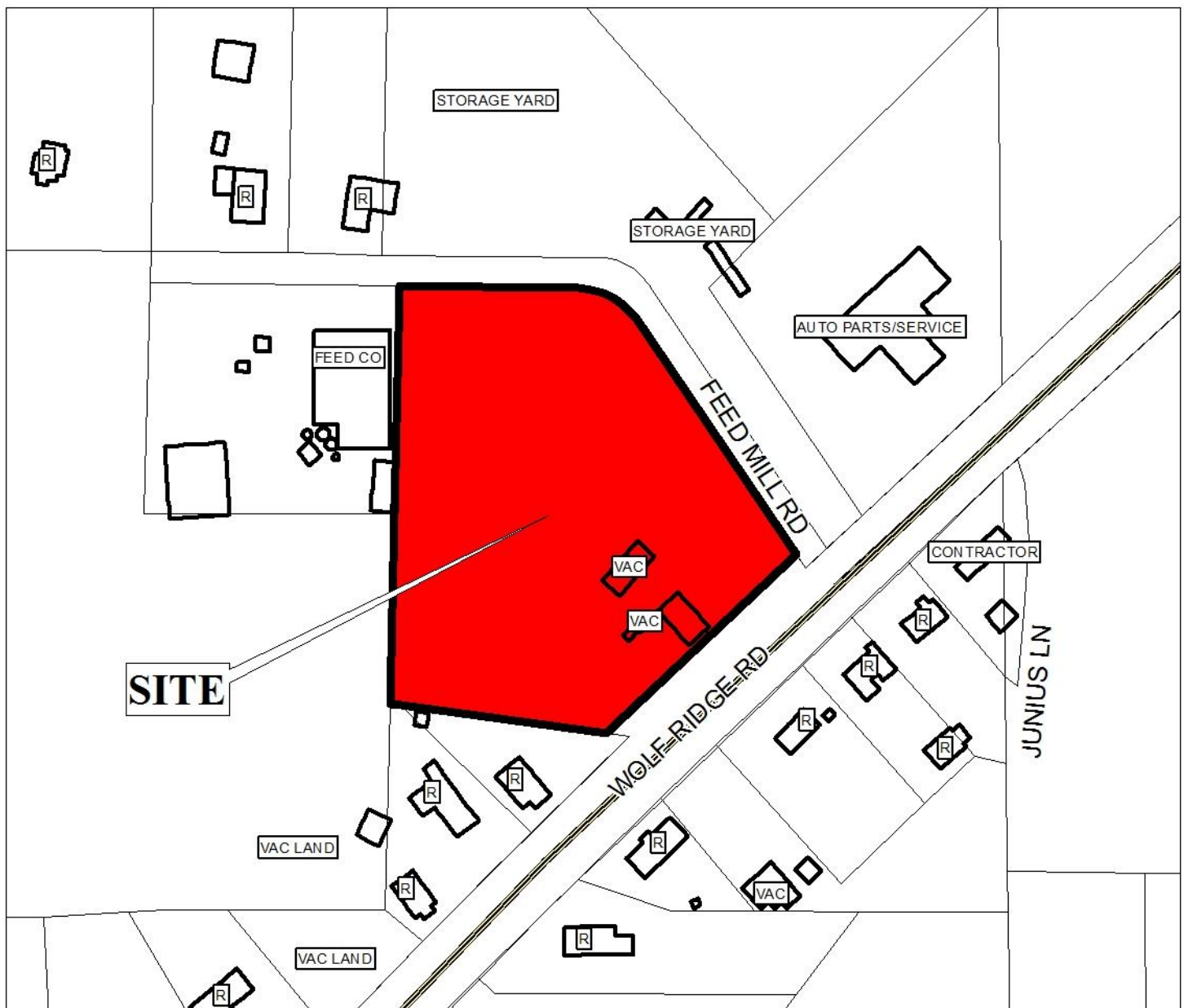
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6302 DATE January 6, 2020
APPLICANT A & R Thomas Holdings
REQUEST Use, Surfacing, Landscaping & Tree Planting Variances



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

APPLICATION NUMBER 6302 DATE January 6, 2020

APPLICANT A & R Thomas Holdings

REQUEST Use, Surfacing, Landscaping & Tree Planting Variances

 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

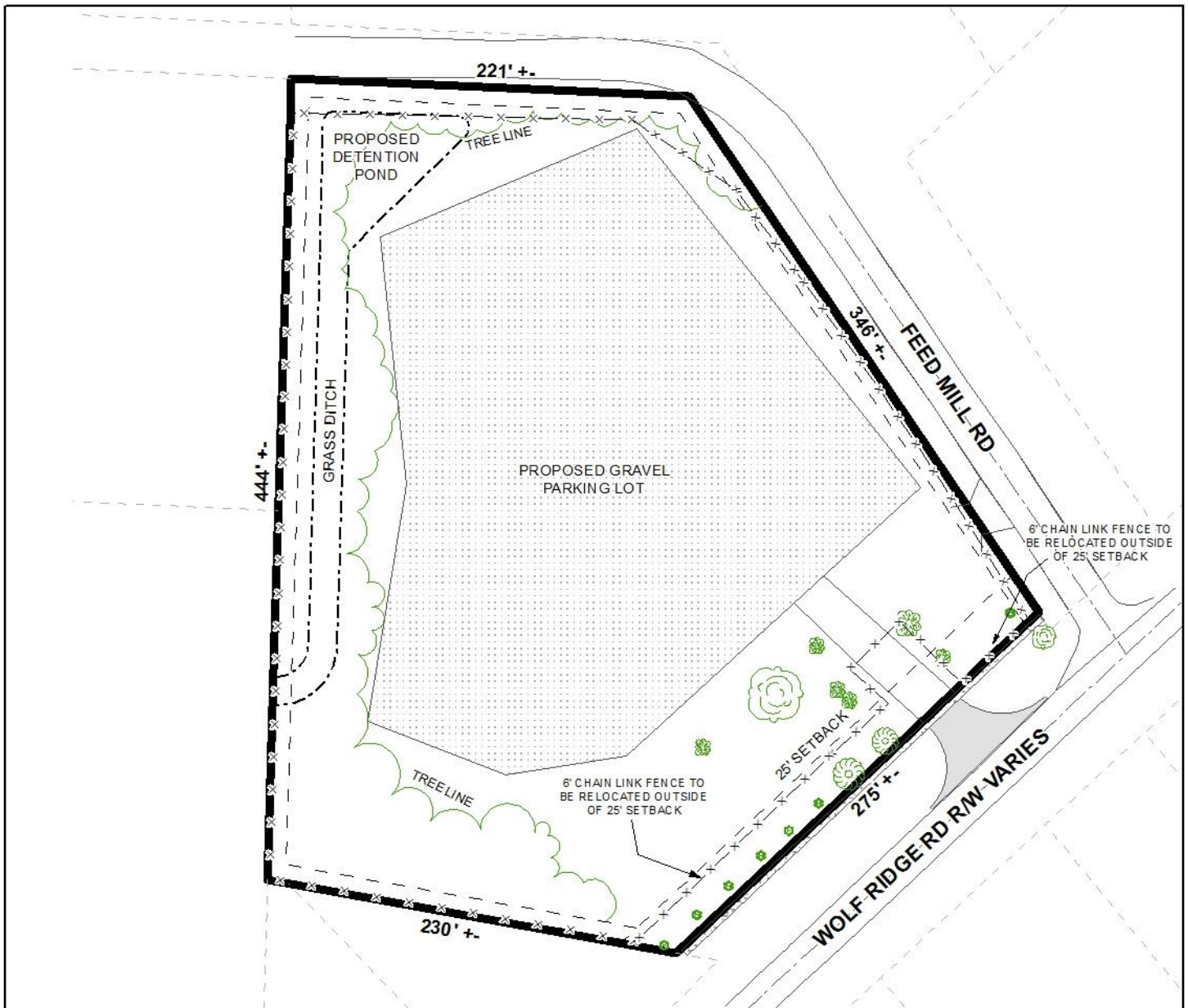


The site is surrounded by residential and commercial units.

APPLICATION NUMBER 6302 DATE January 6, 2020
 APPLICANT A & R Thomas Holdings
 REQUEST Use, Surfacing, Landscaping & Tree Planting Variances



SITE PLAN



The site plan illustrates the proposed gravel parking lot, the proposed detention pond and setbacks.

APPLICATION NUMBER 6302 DATE January 6, 2020
 APPLICANT A & R Thomas Holdings
 REQUEST Use, Surfacing, Landscaping & Tree Planting Variances

