

**ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: October 21, 2010

<u>NAME</u>	Douglas Roy Parker, III
<u>SUBDIVISION NAME</u>	South Jones Subdivision
<u>LOCATION</u>	1926 & 2000 Telegraph Road (Southeast corner of Telegraph Road and New Bay Bridge Road.)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	B-2, Neighborhood Business District, and I-1 Light Industry District
<u>PROPOSED ZONING</u>	I-1, Light Industry District
<u>REASON FOR REZONING</u>	To eliminate split zoning to allow the expansion of a welding shop in phases.
<u>AREA OF PROPERTY</u>	2 Lots / 3.4 Acres ±
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create 2 legal lots of record, Planned Unit Development Approval to allow multiple buildings on a single building site as well as shared access and parking between two building sites, and Rezoning from B-2, Neighborhood Business District, and I-1 Light Industry District, to I-1, Light Industry District, to eliminate split zoning and allow for the expansion of a welding shop in phases.</p> <p>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.</p>
<u>TIME SCHEDULE</u>	<p>Phase One – Begin December 2010</p> <p>Phase Two – Begin January 2012</p>

ENGINEERING**COMMENTS**

Must comply with all storm water and flood control ordinances. Detention must be provided for all impervious area(s) added to the site in excess of 4,000 square feet since 1984. Any work performed in the right of way will require a right of way permit in addition to any required land disturbance permit. Drainage from any new dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

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. Fire hydrants shall be installed to comply with 2003 IFC 508.5.1

REMARKS

The applicant is requesting Subdivision approval to create two legal lots of record from five existing legal lots of record, one metes and bounds parcel, and a vacated street; Planned Unit Development Approval to allow multiple buildings on a single building site as well as shared access and parking between two building sites; and Rezoning from B-2, Neighborhood Business District, and I-1 Light Industry District, to I-1, Light Industry District, to eliminate split zoning and allow for the expansion of a welding shop in phases.

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 is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

The applicant is proposing to construct a new building for a pattern cutting facility. The site plan also illustrates a proposed future addition to the building, and the applicant states that construction for the future addition is expected to begin in January 2012. It should be noted that,

if approved, an extension application would be necessary for the future addition. The applicant also proposes to pave a large area, and tie in the newly paved area to existing paved areas for both the buildings to the North and South.

There are several deficiencies with the site plan that has been submitted. Regarding the existing development on the site, the site plan does not appear to depict the entirety of the paved area for maneuvering on the site. The site plan should be revised to depict all areas which are paved, or proposed to be paved. The site plan indicates existing and proposed curb cuts, including the large, continuous curb cut at 1926 Telegraph Road. Also indicated is a new vehicle gate at the proposed new curb cut. The site plan does not indicate whether the gate also includes a fence, and whether or not any of the other curb cuts will be gated. Additionally, gated access requires 51 feet of queuing area for vehicle stack-up. The site plan should be revised to address these issues.

Regarding the Southernmost two curb cuts, one is approximately 55 feet wide and the other is approximately 130 feet wide with only a small 30-foot wide break between them. It should be noted that it appears that this situation developed without benefit of approvals, and required landscaping was removed improperly. This situation should be remedied reducing the curb cuts to two standard 24-foot width cuts. Also, as mentioned previously, information should be provided to indicate whether or not these curb cuts will be gated.

The site plan contradicts itself regarding parking. The site plan indicates that 17 parking spaces will be provided, however, 32 parking spaces are depicted. This discrepancy should be corrected, and all parking spaces that will remain should be indicated as such on the site plan.

Dumpsters are not indicated on the site plan. The location of all dumpsters, with dumpster/recycle pads, appropriate enclosures, and appropriate amenity hookups should be depicted on the site plan. Any fencing on the site, regardless of type, should be indicated.

As mentioned earlier, it appears that landscaping area and tree plantings were improperly removed on the southernmost portion of the site. This situation should be resolved by bringing that portion of the site back into compliance. The new building area must meet full compliance with landscaping area and tree planting requirements of the ordinance as it represents at least a 50% expansion. Additionally, it has been the policy of the Commission to require full compliance with landscaping areas and tree plantings for the entire site that is included in the PUD. Since the two building sites will essentially function as one, full compliance for both sites should be required, and the site plan should be revised to indicate this.

The site appears to be depicted as industrial and residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component 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 zoning classification.

As stated in Section 64-9 of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The applicant did not state which of the four acceptable conditions are occurring to warrant rezoning of the site. As such, the applicant should provide this information, as well as any additional justification as the applicant may want to provide.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The subdivision request is to create two legal lots of record from five existing legal lots of record, one metes and bounds parcel, and a vacated street. The applicant states that the subdivision is served by public water and public sanitary sewer

The proposed lots meet the minimum size requirements as regulated by Section V.D.2 of the Subdivision Regulations. The proposed lot size is indicated on the plat in square feet, and this information should be retained on the Final Plat, if approved.

The site fronts Telegraph Road to the West and the CSX Railroad right-of-way to the East. Telegraph Road is a planned major street as shown on the Major Street Plan component of the Comprehensive Plan. The Plan requires a right-of-way of 100 feet for Telegraph Road in this area. The plat does not indicate the actual right-of-way for Telegraph Road in this area, and, as such, dedication sufficient to provide 50 feet from the centerline of Telegraph Road should be provided. As this dedication may affect the PUD site plan, the PUD site plan should be modified to reflect any required dedication.

As Telegraph Road is a planned major street, access management is a concern. The PUD proposes four curb cuts for the site, including the previously mentions 55-foot and 130-foot wide curb cuts. Given the proposed layout of the site, two curb cuts for the entire site should be sufficient. As the site will function as a PUD, the curb cuts should not be limited to specific lots, but shared between the two lots. The size, design, and exact location of all curb cuts are to be approved by Traffic Engineering and conform to AASHTO standards.

The 25-foot minimum building line is depicted on the preliminary plat and should be retained on the Final Plat, with appropriate modifications as necessary due to right-of-way dedication.

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. A note should be placed on the final plat stating this.

RECOMMENDATION

Planned Unit Development: The request for Planned Unit Development approval is recommended for holdover until the November 18, 2010, meeting with revisions due to the Planning Section by noon on November 5, 2010, to address the following:

- 1) depict the entirety of the paved area for maneuvering on the site, including the boundaries of all paved areas;
- 2) revise the site plan to depict location of all proposed fencing and gates;
- 3) where gates will be installed at curb cuts, indicate 51 feet of queuing space between the right-of-way and the gate;
- 4) revise the site plan to indicate two shared curb cuts to the site with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) revise the parking data to match what is shown on the site plan;
- 6) clearly indicate parking areas, number of spaces, and maneuvering areas;
- 7) indicate location of dumpsters on the site with appropriate dumpster pads and enclosures;
- 8) indicate full compliance for the entire site with tree planting and landscaping area requirements for the entire site; and
- 9) revise the site plan as appropriate to account for dedications which may be required by the subdivision application.

Rezoning: The request for Rezoning approval is recommended for holdover until the November 18, 2010, meeting with revisions due to the Planning Section by noon on November 5, 2010, to address the following:

- 1) depict the entirety of the paved area for maneuvering on the site, including the boundaries of all paved areas;
- 2) revise the site plan to depict location of all proposed fencing and gates;
- 3) where gates will be installed at curb cuts, indicate 51 feet of queuing space between the right-of-way and the gate;
- 4) revise the site plan to indicate two shared curb cuts to the site with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) revise the parking data to match what is shown on the site plan;
- 6) clearly indicate parking areas, number of spaces, and maneuvering areas;
- 7) indicate location of dumpsters on the site with appropriate dumpster pads and enclosures;
- 8) indicate full compliance for the entire site with tree planting and landscaping area requirements for the entire site; and
- 9) revise the site plan as appropriate to account for dedications which may be required by the subdivision application.

Subdivision: The Subdivision request is recommended for holdover until the November 18, 2010, meeting with revisions due to the Planning Section by noon on November 5, 2010, to address the following:

- 1) indicate on the plat dedication sufficient to provide 50 feet from the centerline of Telegraph Road;
- 2) revision of the 25-foot minimum building setback line and lot sizes to reflect any required dedications;
- 3) placement of a note on the plat stating that the site is limited to two shared curb cuts between the two lots, with the size, design, and exact location of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards; and
- 4) placement of a note on the plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

Revised for the November 18, 2010, meeting

The applicant has submitted a revised site plan and a revised plat. The site plan depicts the changes that were requested.

Regarding the gate at the northern curb cut, the gate is depicted without adequate queuing space, however, there is no gate at the southern curb cut, and the secure area of the site can be reached through a gate with an appropriate amount of queuing space from that curb cut. The applicant has also indicated that they are willing to leave the gate at the northern curb cut open during business hours, and as such, a note should be placed on the site plan indicating such.

With the revisions to the site plan, parking and circulation will be adequate for the uses proposed on the site.

The applicant has indicated that the request for rezoning is due to subdivision of land, namely incorporating a vacant lot and a vacated right-of-way into two existing industrial sites. There are existing industrial sites throughout the vicinity, and, as such, rezoning may be appropriate.

RECOMMENDATION

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

- 1) *placement of a note on the site plan stating that the gate for the northern curb cut will remain open during business hours;*
- 2) *full compliance with tree planting and landscaping requirements to be coordinated with Urban Forestry;*
- 3) *provision of two copies of the revised site plan to the Planning Section of the Urban Development Department prior to the issuance of any permits; and*
- 4) *full compliance with all municipal codes and ordinances.*

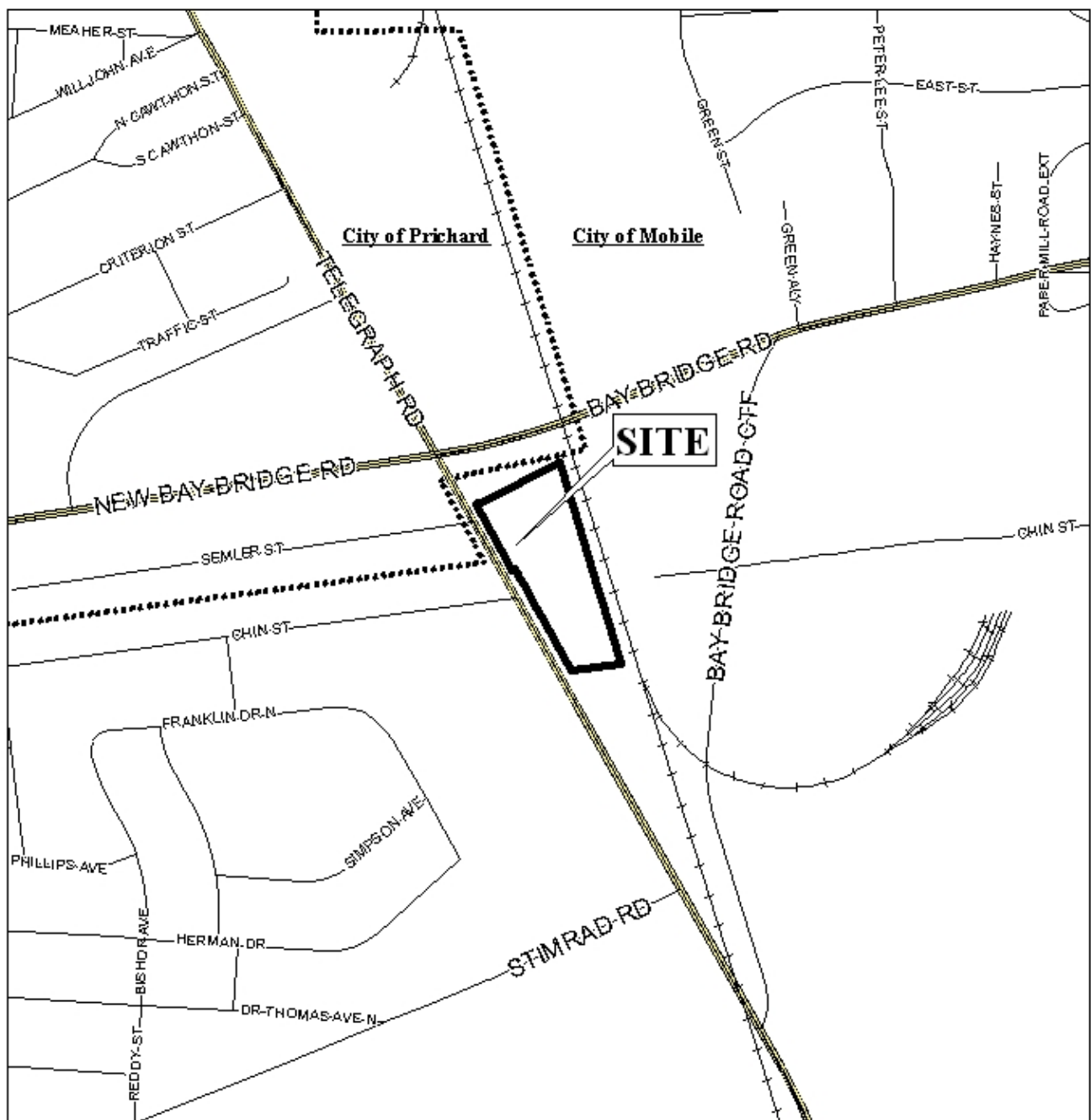
Rezoning: *The request for Rezoning approval is recommended for approval subject to the following conditions:*

- 1) completion of the subdivision process; and*
- 2) full compliance with all municipal codes and ordinances.*

Subdivision: *The Subdivision request is recommended for tentative approval subject to the following conditions:*

- 1) retention of the indicated right-of-way dedications;*
- 2) retention of the 25-foot minimum building setback line and lot area sizes;*
- 3) retention of a note on the plat stating that the site is limited to two shared curb cuts between the two lots, with the size, design, and exact location of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards; and*
- 4) retention of a note on the plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.*

LOCATOR MAP



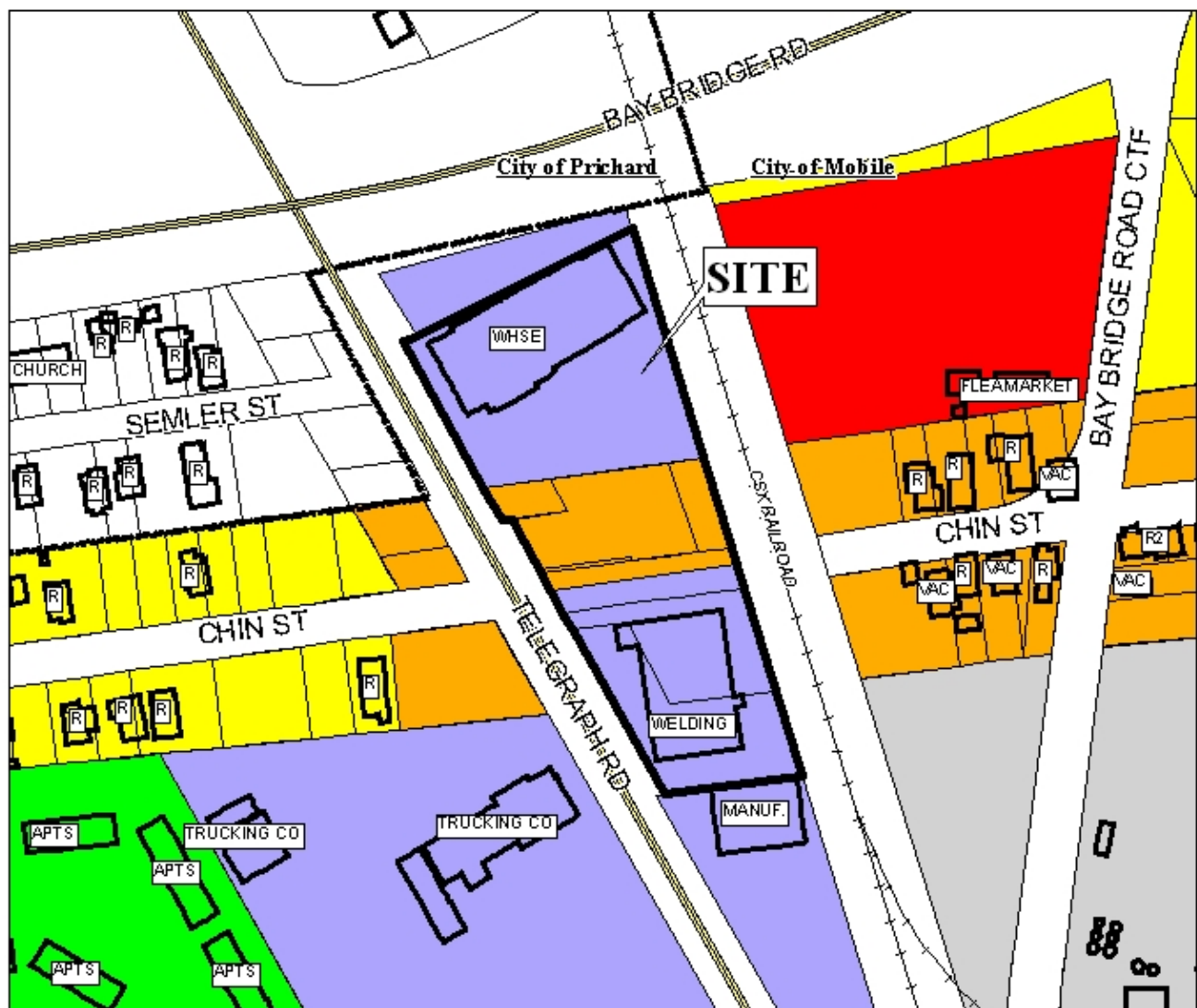
APPLICATION NUMBER 1, 2 & 3 DATE November 18, 2010

APPLICANT Douglas Roy Parker, III

REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1

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NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous residential and industrial land use.

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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



The site is surrounded by miscellaneous residential and industrial land use.

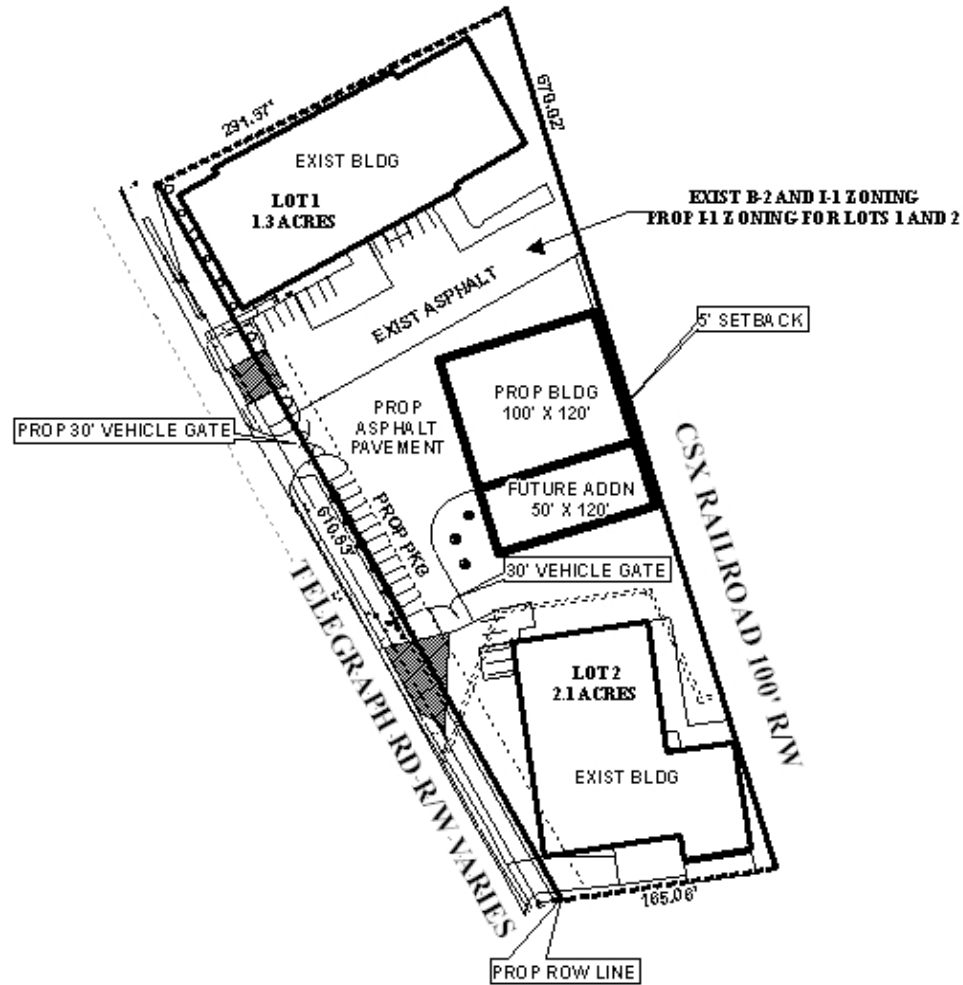
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SITE PLAN



The site plan illustrates the proposed lot configuration, proposed buildings, and proposed parking.

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