

**ZONING AMENDMENT &
SUBDIVISION STAFF REPORT****Date: October 2, 2003****NAME**

Alabama Realty Co., Inc.

SUBDIVISION NAME

Alabama West Subdivision

LOCATION

Southeast corner of Halls Mill Road and McVay Drive, extending East and South to the North side of Bolton Branch and McLaughlin's 2nd Addition to Navco Road Subdivision

PRESENT ZONING

R-1, Single-Family Residential

PROPOSED ZONING

B-3, Community Business

AREA OF PROPERTY

15 Lots / 26.2± Acres

CONTEMPLATED USE

Commercial Subdivision

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
FOR DEVELOPMENT**

None Given

**ENGINEERING
COMMENTS**

The flood zone information provided by the applicant is incorrect. FEMA designated Floodway, Flood Zones AE, x-shaded and x-unshaded occur on this property and should be shown on the plat. The minimum finished floor requirement for structures on any lot that is located within the Floodway, Flood Zone AE and x-shaded should be shown on each lot. The drainage easement along the detention pond (common area), and lots 14 and 15 should be defined. 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**

All driveway widths and locations to be approved by Traffic Engineering; and design to meet AASHTO Standards

URBAN FORESTRY**COMMENTS**

Property is 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). All ingress and egress from Halls Mill Road is to be coordinated with Urban Forestry. All work on existing trees on city right of way [will] require a Mobile Tree Commission permit.

REMARKS

The applicant is requesting rezoning and subdivision approvals from R-1, Single-Family Residential to B-3, Community Business for a 15 lot commercial subdivision.

The site is illustrated as 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 requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The trend in the overall area is toward heavy commercial as evidenced by the existing B-3 districts along McVay Drive, Halls Mill Road and Boltons Branch Drive. Moreover, the rezoning of this site would simply expand an existing B-3 district.

When the property to the West (adjacent to Crown Products) was rezoned, the provision of a 25-foot wide buffer, exclusive of any easement(s), was required where the property adjoins residential property. The same condition should apply to this site. It should also be noted that there are residences across Halls Mill Road, and the provision of a 3-foot high wall or vegetative hedge should be required to screen all parking from these residences. Additionally, access to McLaughlin Drive West should be denied.

Halls Mill Road functions as a collector street and the dedication of adequate right-of-way to provide 35-feet from the centerline should be required. Additionally, a 25-foot minimum setback from all street frontages is not shown, but would be required on the final subdivision plat. It should be noted that the setback along Halls Mill Road would be from the dedication.

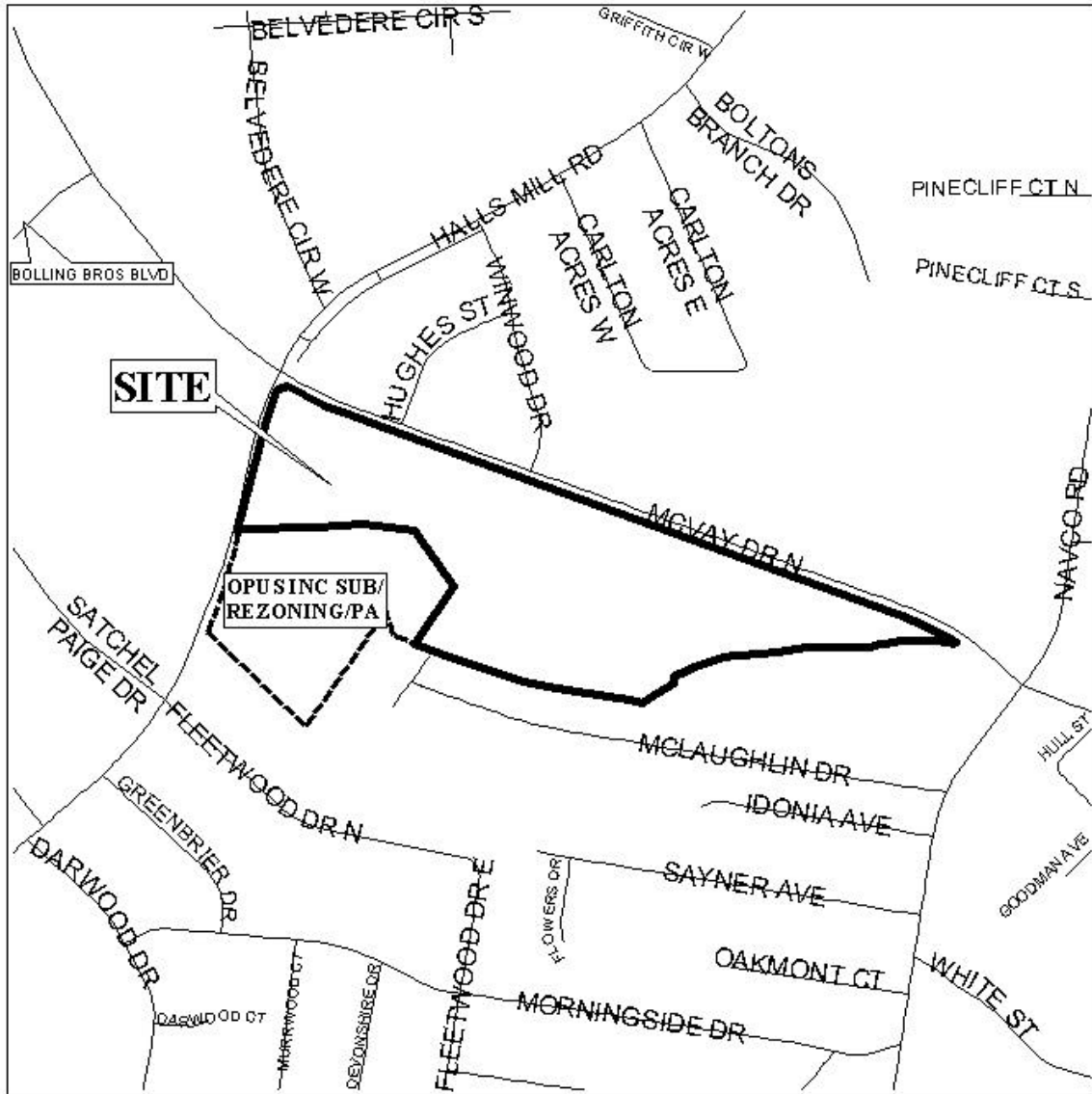
Access management to both Halls Mill Road and McVay Drive is a concern, as the site has over 2100-feet of frontage on McVay Drive and 560-feet on Halls Mill Road. In preliminary discussions with the applicant, there is potential for construction of an internal circulation drive(s) in an effort to provide functional access management; therefore, Administrative PUD approval would be required prior to the issuance of any permits.

RECOMMENDATION

Rezoning: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the Engineering Comments as follows--corrected flood zone information; compliance with the minimum finished floor requirement for structures on any lot that is located within the Floodway; that Flood Zone AE and xshaded be shown on each lot; that the drainage easement along the detention pond (common area) and lots 14 and 15 be defined; compliance with all stormwater and flood control ordinances; and that any work performed in the right of way obtain a right of way permit; 2) full compliance with Urban Forestry Comments as follows--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); all ingress and egress from Halls Mill Road to be coordinated with Urban Forestry; and all work on existing trees on city right of way obtain a permit from the Mobile Tree Commission; 3) the provision of a 25-foot wide buffer, exclusive of any easement(s), where the site adjoins residential property; 4) the provision of a 3-foot high wall or vegetative hedge along McVay Drive to screen all parking from the residences across McVay Drive; 5) denial of access to McLaughlin Drive West; 6) dedication of adequate right-of-way to provide 35-feet from the centerline of Halls Mill Road; 7) the submission and approval of an Administrative PUD(s) for all curb cuts and internal circulation between lots; and 8) full compliance with all municipal codes and ordinances.

Subdivision: With modifications, the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) dedication of adequate right-of-way to provide 35-feet from the centerline of Halls Mill Road; 2) placement of a note on the final plat stating that access to McLaughlin Drive West is denied; 3) provision of 25-foot minimum building setback lines (from any dedication along Halls Mill Road); and 4) placement of a note on the final plat stating that all curb cuts must be approved by both the Urban Development Department (including Urban Forestry) and Traffic Engineering.

LOCATOR MAP

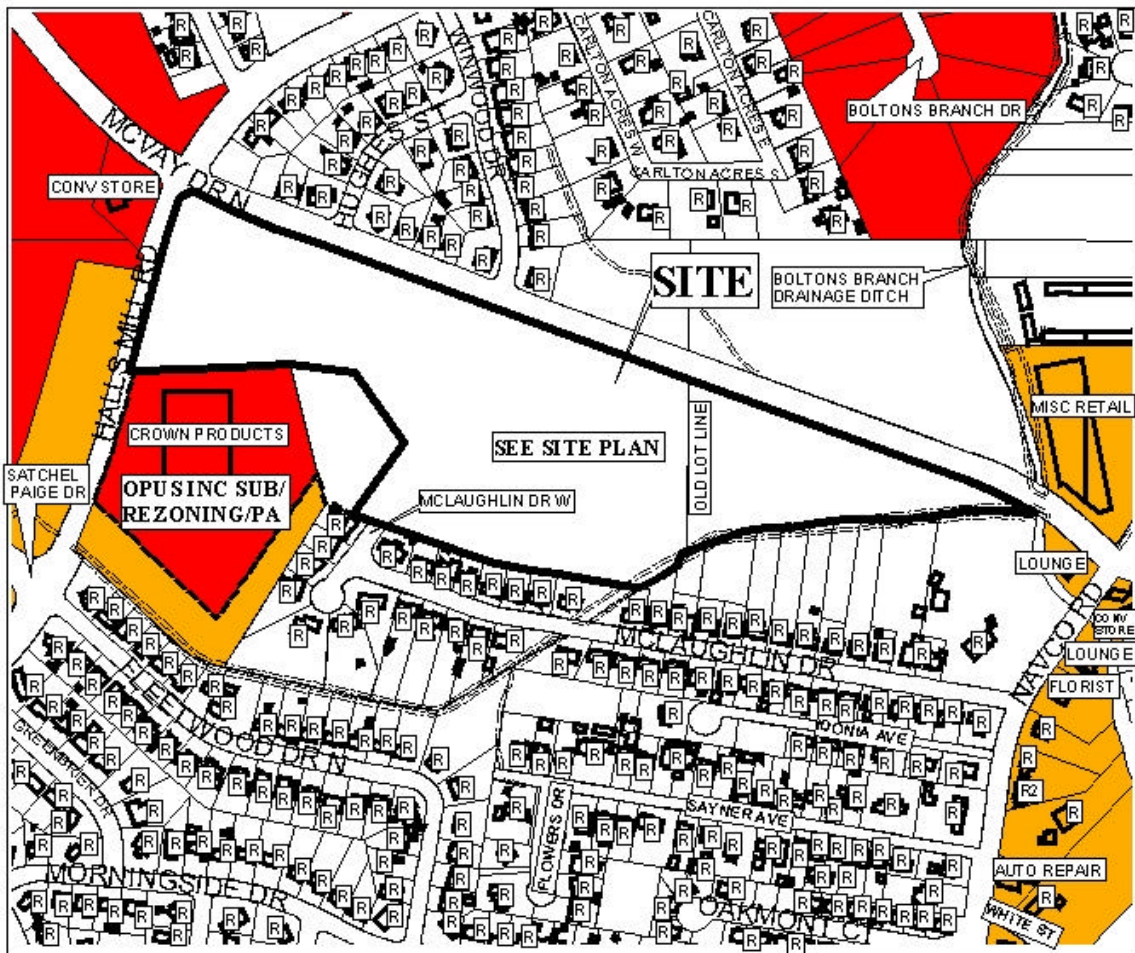


APPLICATION NUMBER 1 & 2 DATE October 2, 2003
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REQUEST Rezoning from R-1 to B-3, Subdivision



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial sites and single-family, residential dwellings.

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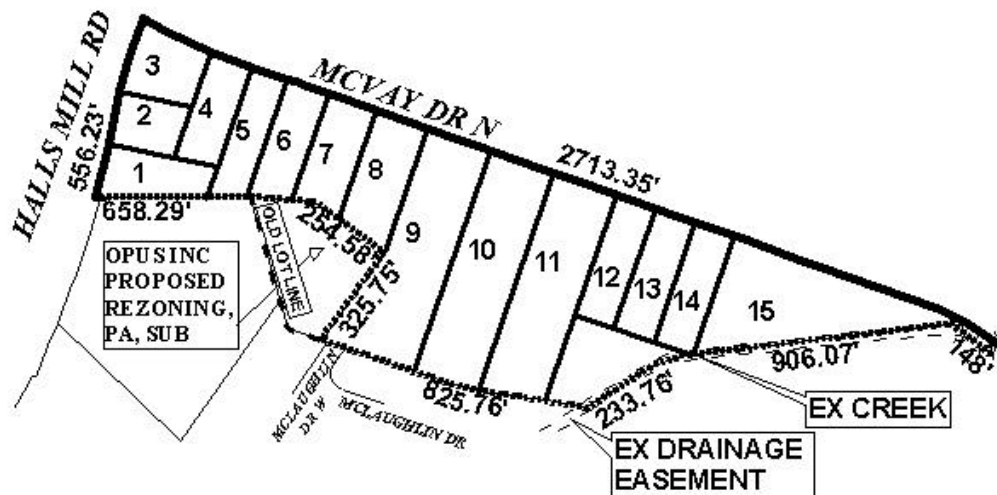
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LEGEND



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SITE PLAN



Southeast corner of Halls Mill Road and McVay Drive, extending east and south to the north side of Bolton Branch and McLaughlin's 2nd Addition to Navco Road Subdivision, the site plan illustrates the proposed lot configuration, existing drainage easements and creeks.

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