

ZONING AMENDMENT STAFF REPORT**Date: February 21, 2019****NAME**

Rack Service Company, Inc.

LOCATION3801 Moffett Road
(West side of Moffett Road at the West terminus of
Stimpson Lane).**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONINGR-1, Single-Family Residential District; B-2,
Neighborhood Business District; and B-3, Community
Business District**PROPOSED ZONING**

B-3, Community Business District

AREA OF PROPERTY

1 Lot / 6.5± Acres

CONTEMPLATED USERezoning from R-1, Single-Family Residential District; B-
2, Neighborhood Business District; and B-3, Community
Business District to B-3, Community Business District.**It should be noted 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**

1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. Any and all proposed land disturbing activity within the property will need to be submitted for review and 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. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Moffett Road (US Highway 98) is an ALDOT maintained roadway. Lot limited to one curb cut, with any changes in size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

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). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

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).

REMARKS

The applicant is requesting rezoning from R-1, Single-Family Residential District; B-2, Neighborhood Business District; and B-3, Community Business District to B-3, Community Business District.

The subject site is developed with a single building and was most recently used for heavy equipment sales/rental. The site received a surfacing variance at the Board of Zoning Adjustment's January 7, 2013 meeting to allow a partially paved parking area for heavy equipment. It should be noted that one of the conditions of the variance approval was that no more than ten (10) vehicles be stored at the facility at one time. The applicant does not state a specific proposed use for the property, but rather states that the purpose of the current application is to eliminate the existing split-zoned condition of the property.

Section 64-9. of the Zoning Ordinance states that 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 site has been given a Mixed Commercial Corridor (MCC) and Parks & Open Space (POS) land use designations per the recently adopted Future Land Use Plan and Map. 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.

The MCC 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.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to: raise design quality; improve connectivity to surrounding neighborhoods; improve streetscapes; and, improve mobility and accessibility for all users of the corridor.

The POS designation applies to parkland maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. Parks may include squares, playgrounds, playfields, gardens, greens, greenways and blueways, and other recreational areas and facilities that are accessible to the public. Open space may include any open piece of land, publicly or privately held, that is undeveloped (has no buildings or other built structures). This designation is not intended to identify public land acquisition or to prohibit the development potential of individual properties.

The designation applies to all existing and future parks and open space within the City, including both active and passive uses. Open space, including public access to water bodies, is generally consistent with all other land use categories, i.e., a park can be located within any other land use category, either incidental to a development or as part of a publicly-owned or publicly-sponsored local, community or regional park. Therefore, a Parks and Open Space designation is deemed consistent with all land use categories in the Future Land Use Map.

It should also 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.

No trees or landscape area information is illustrated on the site plan, but the site was developed prior to current regulations and the applicant is not proposing to change the footprint of the building in such a way that would require compliance with current tree and landscape area ordinances.

No sidewalk is illustrated on the site plan, and one is not required at this time. However, it should be noted that re-development of the property may require the provision of sidewalks.

A dumpster is not depicted on the site plan. Any dumpster placed on the property must be in compliance with the current enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance, and must be illustrated on any revised site plan(s); or, placement of a note on the site plan stating that curbside pickup will be utilized may suffice, if approved.

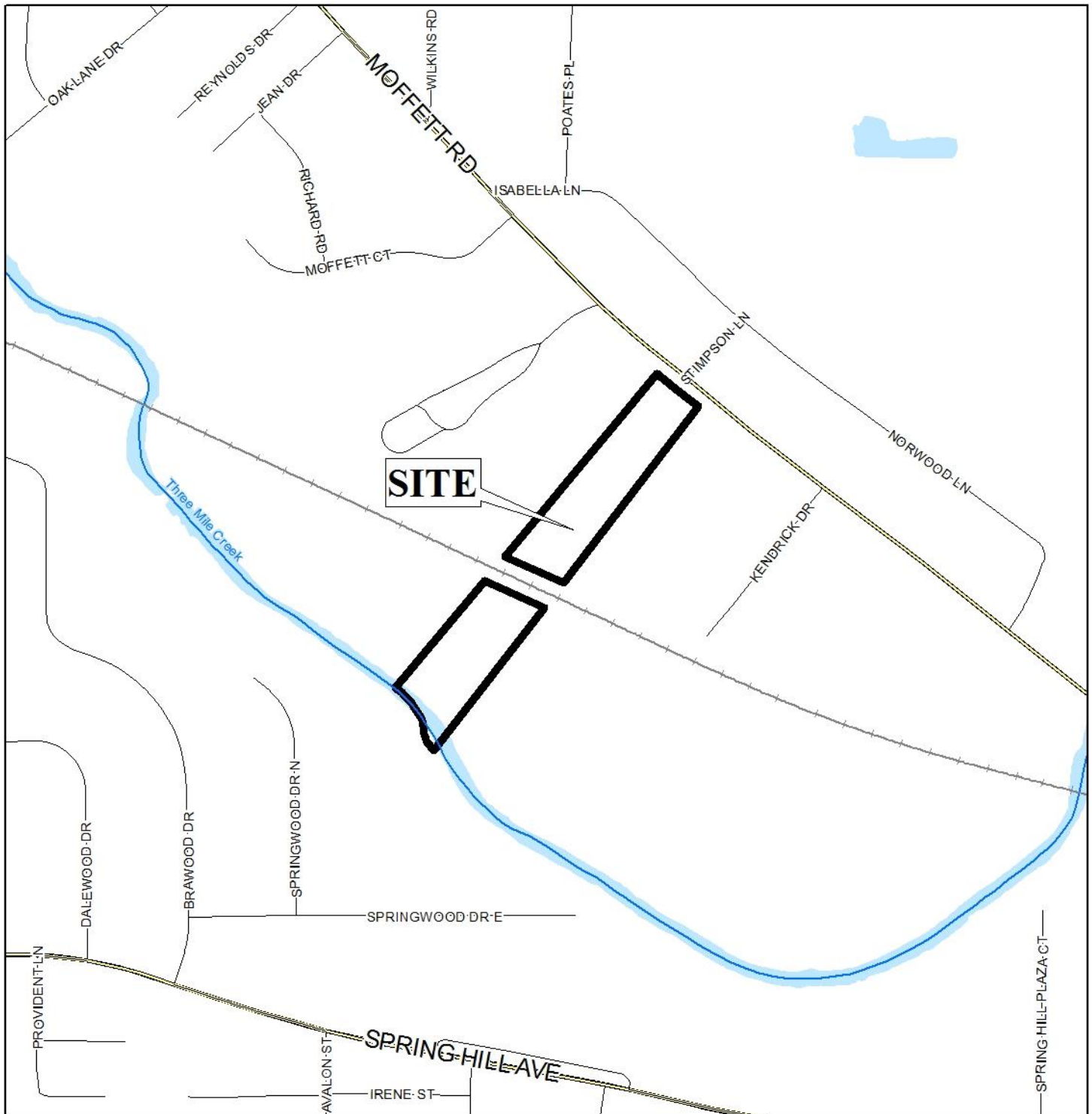
Regarding rezoning, the site is bisected by a right-of-way for the Canadian National Railroad. The portion of the site between the railroad and Three Mile Creek is zoned R-1, and is depicted as POS due to the presence of floodplains associated with Three Mile Creek. The site is adjacent to property zoned B-1, Buffer Business District to the North; B-3, Community Business District to the South; R-1, Single-Family Residential to the West across Three Mile Creek; and R-1 Single-Family Residential District and B-3, Community Business District to the East across Moffett Road. Rezoning the entire property to one district would resolve the existing split-zoning situation, which could be considered a “manifest error”.

RECOMMENDATION

Based on the preceding, the application is recommended for Approval due to the following:

- 1) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 2 DATE February 21, 2019

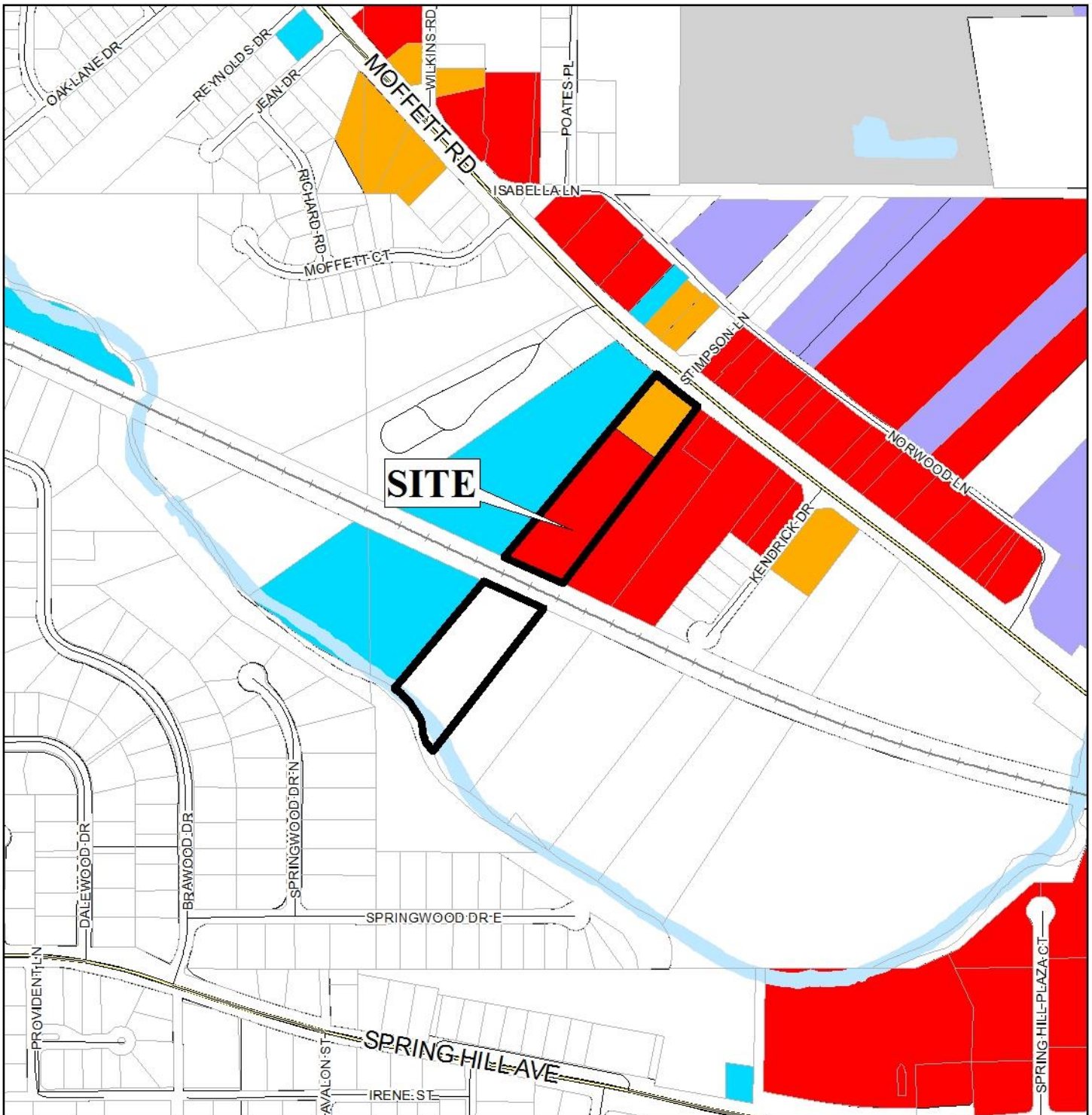
APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3



NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 2 DATE February 21, 2019

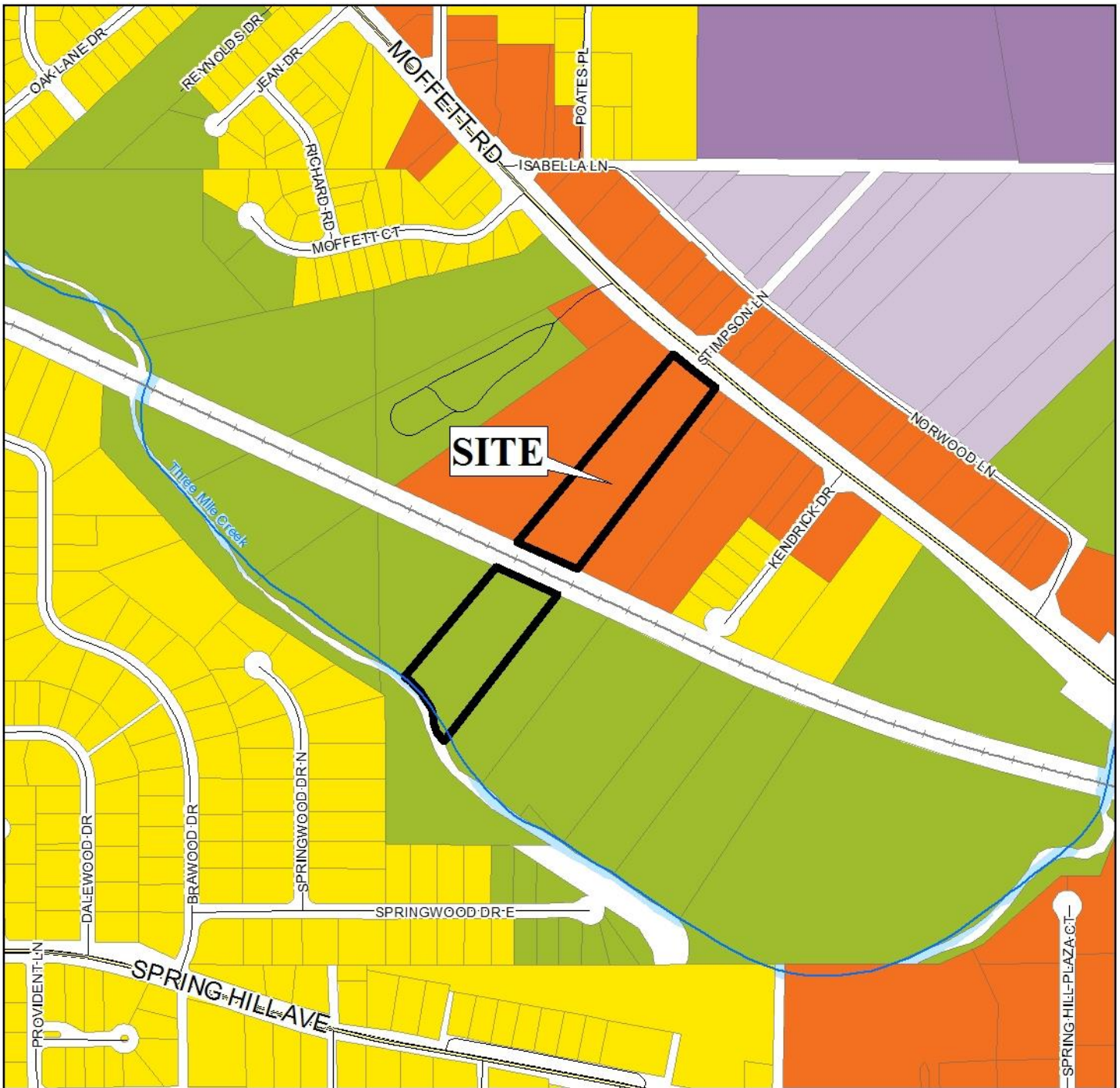
APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 2 February 21, 2019

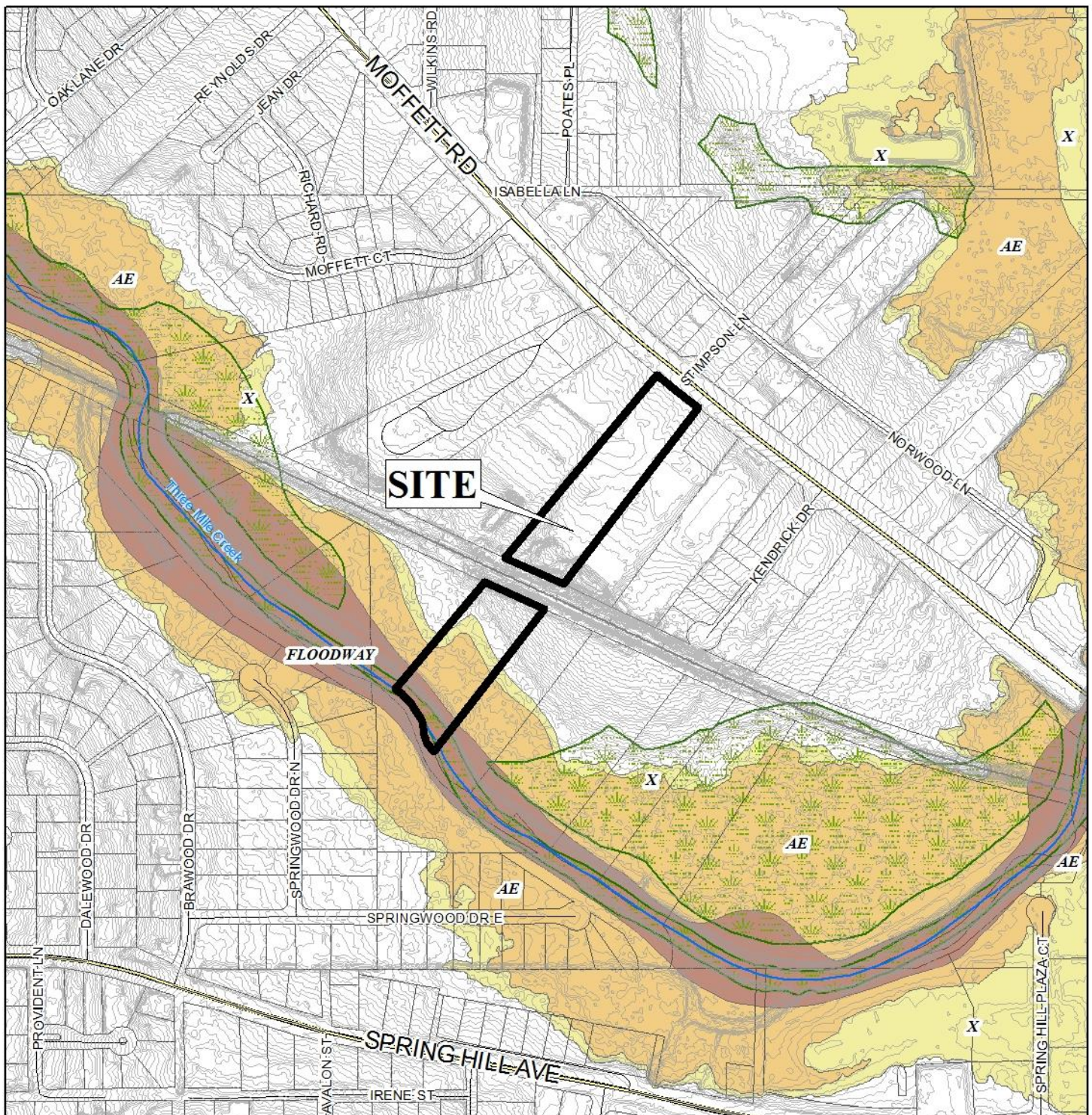
APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3

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



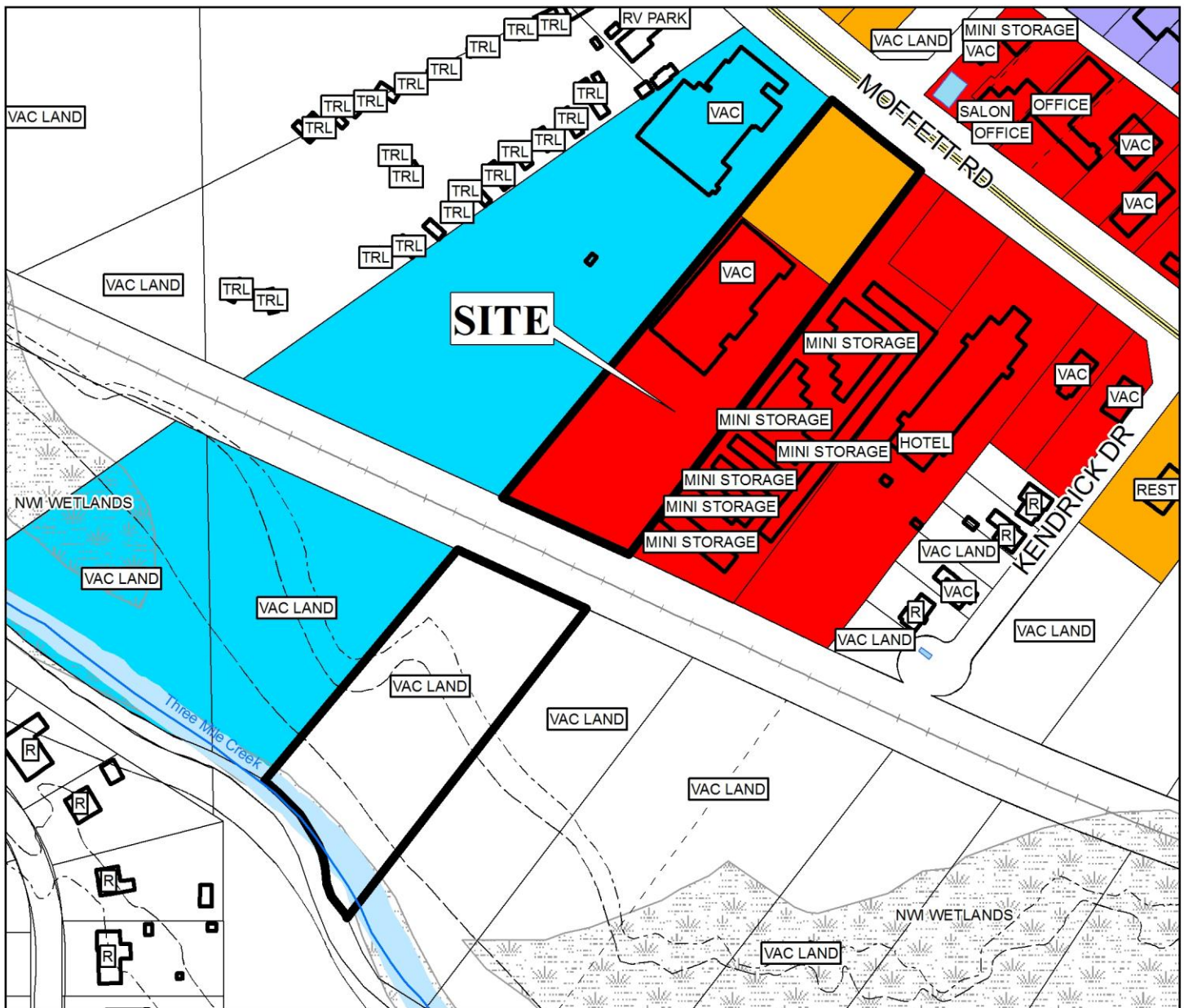
APPLICATION NUMBER 2 DATE February 21, 2019

APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous residential and commercial units.

APPLICATION NUMBER 2 DATE February 21, 2019

APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3

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



PLANNING COMMISSION

VICINITY MAP - EXISTING AERIAL



The site is surrounded by miscellaneous residential and commercial units.

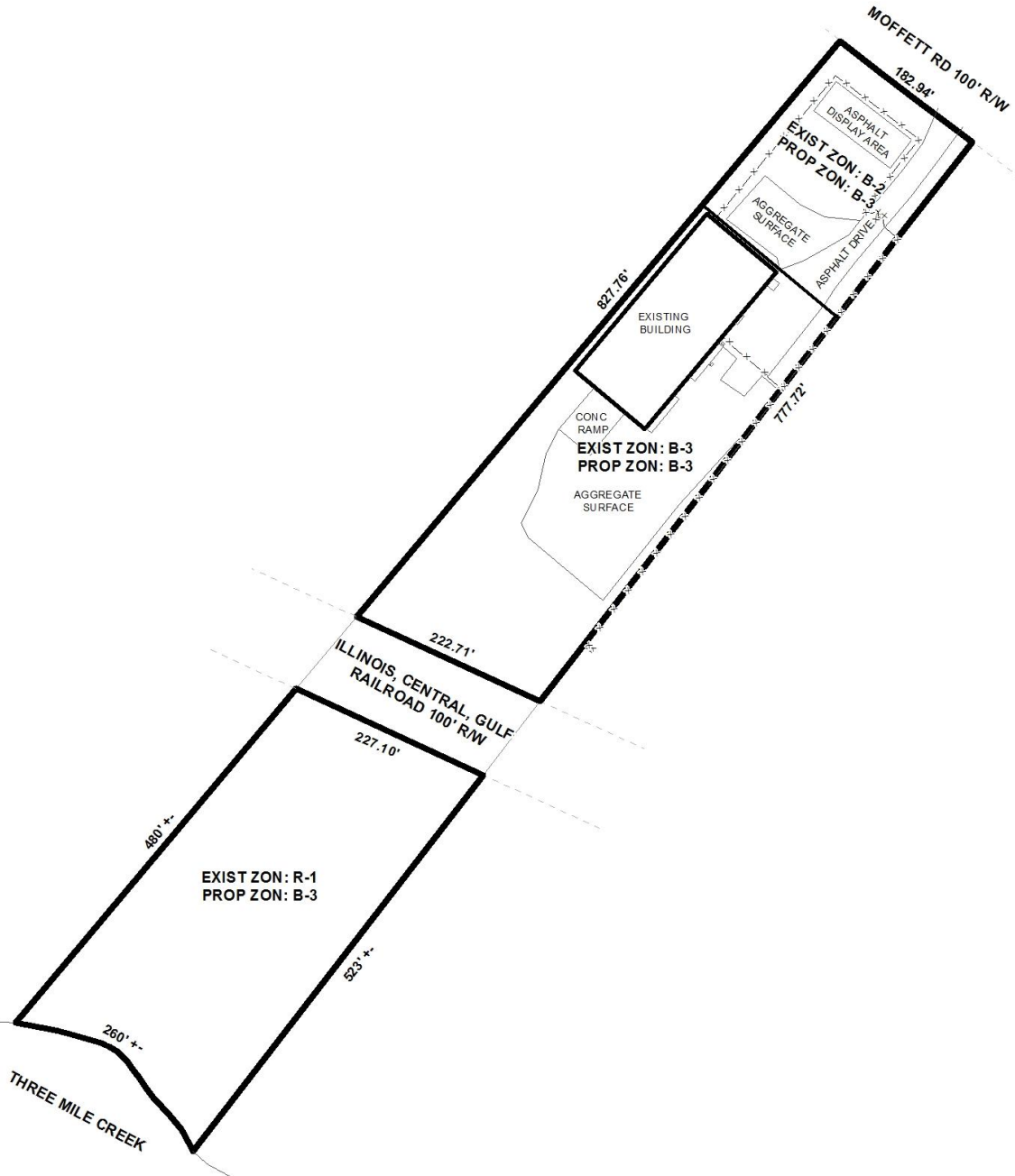
APPLICATION NUMBER 2 DATE February 21, 2019

APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3



SITE PLAN



The site plan illustrates the existing building, and the proposed zoning districts.

APPLICATION NUMBER 2 DATE February 21, 2019

APPLICANT Rack Service Company, Inc.

REQUEST Rezoning from R-1, B-2 and B-3 to to B-3



NTS

