

ZONING AMENDMENT STAFF REPORT**Date: March 15, 2018****NAME**

Gulf State Engineering

LOCATION

(North side of Government Boulevard, 350'± of Arcturus Drive.)

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family District and B-2, Neighborhood Business District

PROPOSED ZONING

B-3, Community Business District

**REASON FOR
REZONING**

To accommodate existing businesses.

AREA OF PROPERTY

2 Lot / 15.65 ± Acre

CONTEMPLATED USE

Rezoning from R-1, Single-Family Residential and B-2, Neighborhood Business District to B-3, Community Business District to eliminate split zoning and accommodate existing businesses.

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

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. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will

need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.

3. 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.
4. 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.
5. Any proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Government Boulevard (US Highway 90) is an ALDOT maintained roadway. Site is limited to no more than its existing curb cuts 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).

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 and B-2, Neighborhood Business District to B-3, Community Business District to eliminate split zoning and accommodate existing businesses.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, 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.

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

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.

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

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.

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 provided the following statement:

“On behalf of the owner(s) of the property listed above, this firm requests a change in zoning for the properties known by the City of Mobile as parcel 33 01 02 4 002 018.001 and 33 01 01 4 002 018. Currently the property is classified as B-2, given the use of the property we respectfully request that the zoning be changed to B-3

There are no site improvements or modifications proposed with this change therefore no site plan has been developed nor submitted.”

Prior to the adoption of the current Zoning Ordinance in 1967, this site was designated as a B-1, Neighborhood Business District. With the 1967 adoption, the zoning designation changed to the current B-2 district. The largest of the 6 major buildings on the site was built prior to 1960, not long after Government Boulevard was opened adjacent to the site.

The properties to the North, South and West of the subject site zoned R-1, Single-Family Residential District. The properties to the East are all zoned B-2, Neighborhood Business District and B-3, Community Business District.

The applicant has provided a site plan illustrating a total of seven buildings on the two legal lots of record. Aerial images show that there are six (6) buildings on Lot 1 and two (2) buildings on Lot 2. Details have not been provided by the applicant regarding the current or proposed uses at this location that would necessitate a change in zoning. Lot 2, however, is split zoned R-1, Single Family Residential and B-2, Neighborhood Business District.

It should also be noted that Lot 2 currently has no street frontage, and such was the case when the two lots were created in a 1993 application to the Planning Commission. The site has been the subject of several Administrative Planned Unit Development (PUD) reviews, the most recent of which was in 2015, to allow an event center to occupy the existing buildings on Lot 2, and utilize existing parking on Lot 1. The survey site plan presented with this rezoning request does not appear to reflect current existing conditions: more buildings are depicted than currently exist on the site. As such, a full Planning Unit Development (PUD) application with an up to date site plan may be advisable.

RECOMMENDATION

Based upon the preceding, the Rezoning request is recommended for Holdover until the May 3, 2018 meeting so that a PUD application can be submitted by the April 2, 2018 deadline. Also, an expanded narrative to justify the rezoning should be provided.

Revised for the May 3, 2018 Meeting:

The application was heldover to allow the applicant time to provide a detailed narrative to justify the request for rezoning and to allow for the submittal of a PUD application. At this time, Staff has not received any revisions or applications.

RECOMMENDATION

Based on the preceding, the request is recommended for Denial for the following:

- 1) Failure to provide an expanded narrative to justify one or more reasons for rezoning;
and*
- 2) Failure to provide a PUD application, as requested.*

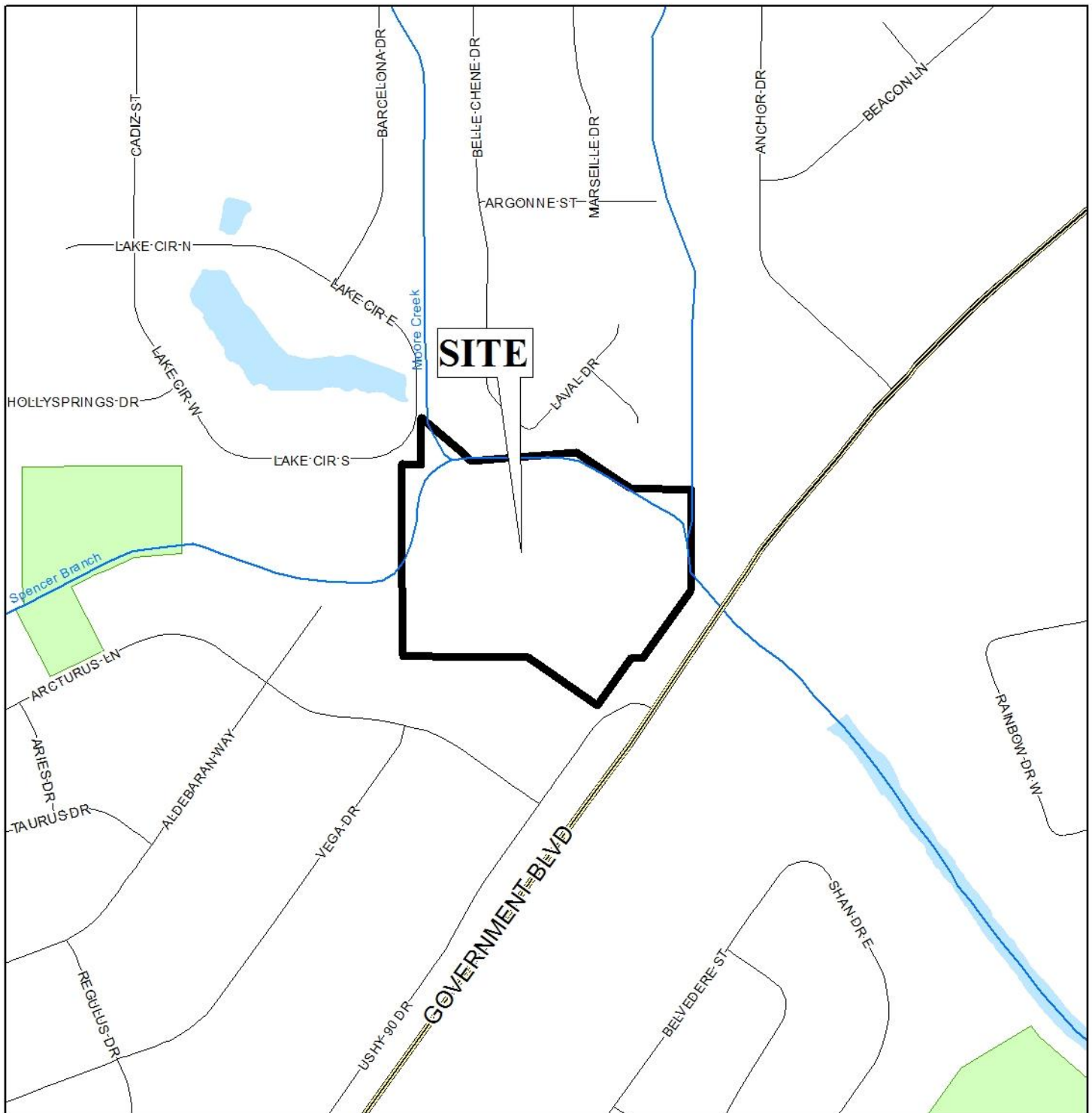
Revised for the June 7, 2018 Meeting:

The application was heldover to allow the applicant time to provide a detailed narrative to justify the request for rezoning and to allow for the submittal of a PUD application. Staff did not receive the necessary revisions prior to the filing deadline. However, the revised narrative and PUD application have been received and the application has been placed on the June 21st agenda.

RECOMMENDATION

Based on the preceding, the request is recommended for Holdover to the June 21, 2018 meeting to allow both applications to be heard at the same meeting.

LOCATOR MAP



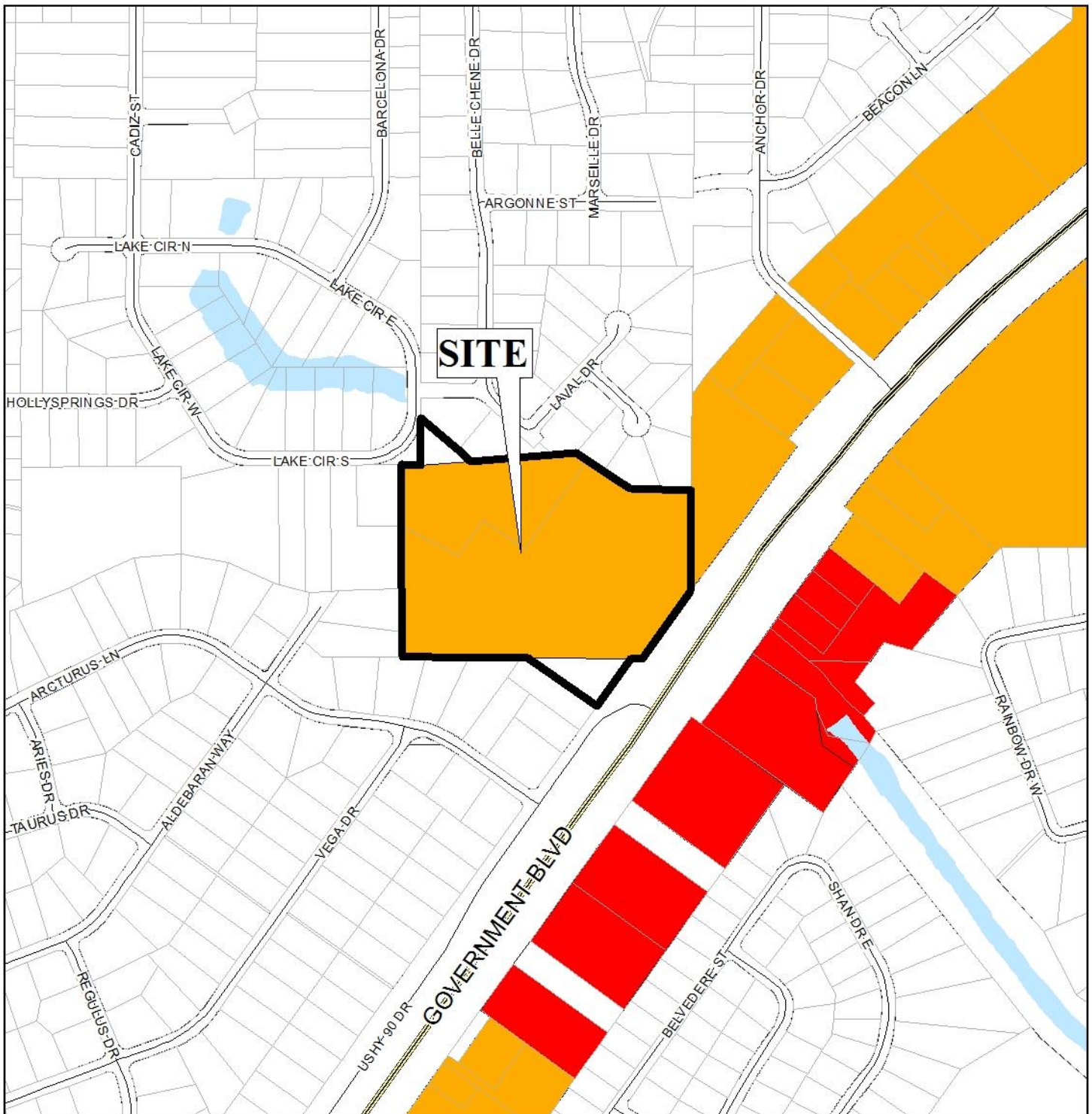
APPLICATION NUMBER 2 DATE June 7, 2018

APPLICANT Gulf State Engineering

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



LOCATOR ZONING MAP



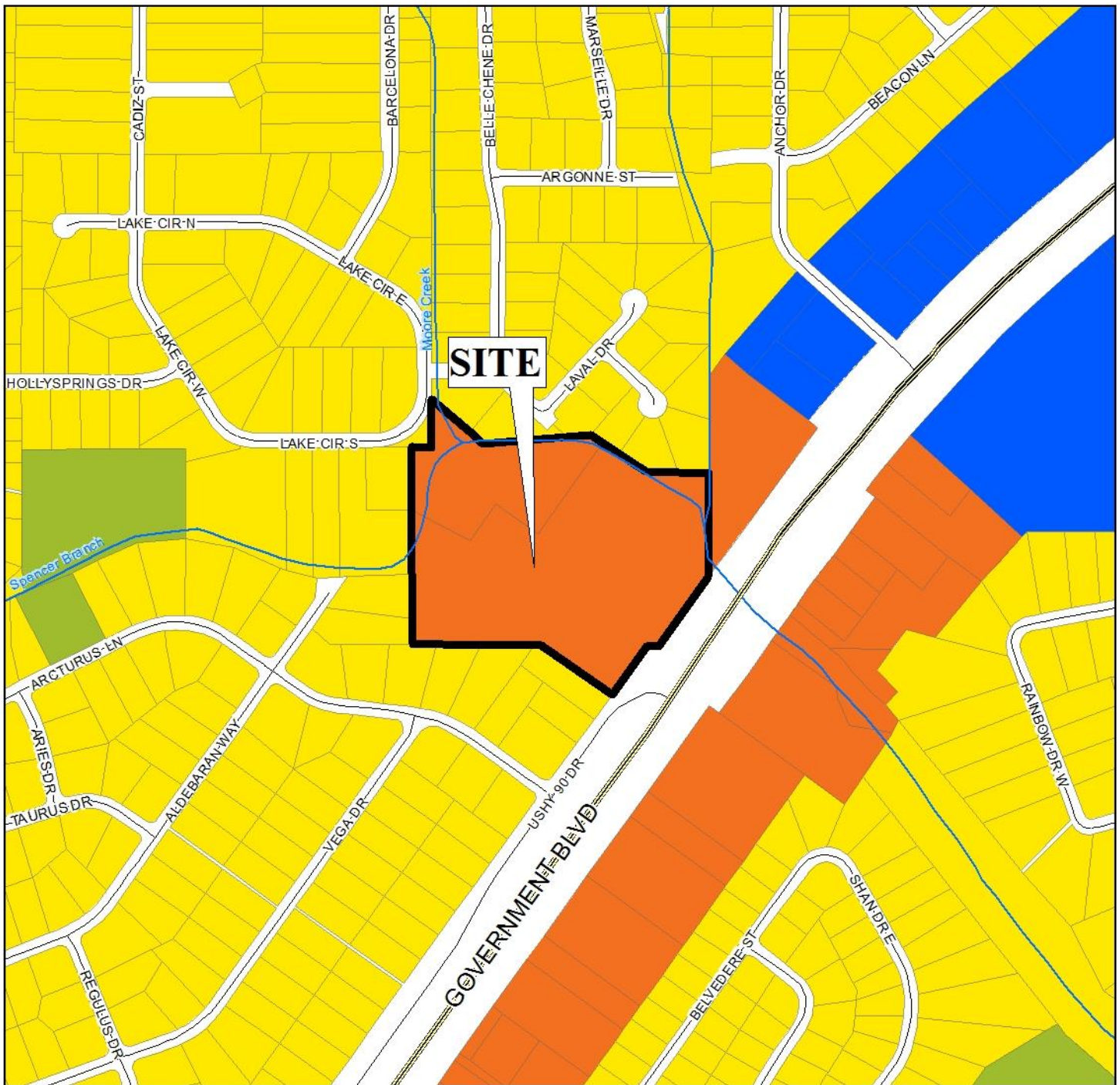
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FLUM LOCATOR MAP



APPLICATION NUMBER 2 DATE June 7, 2018

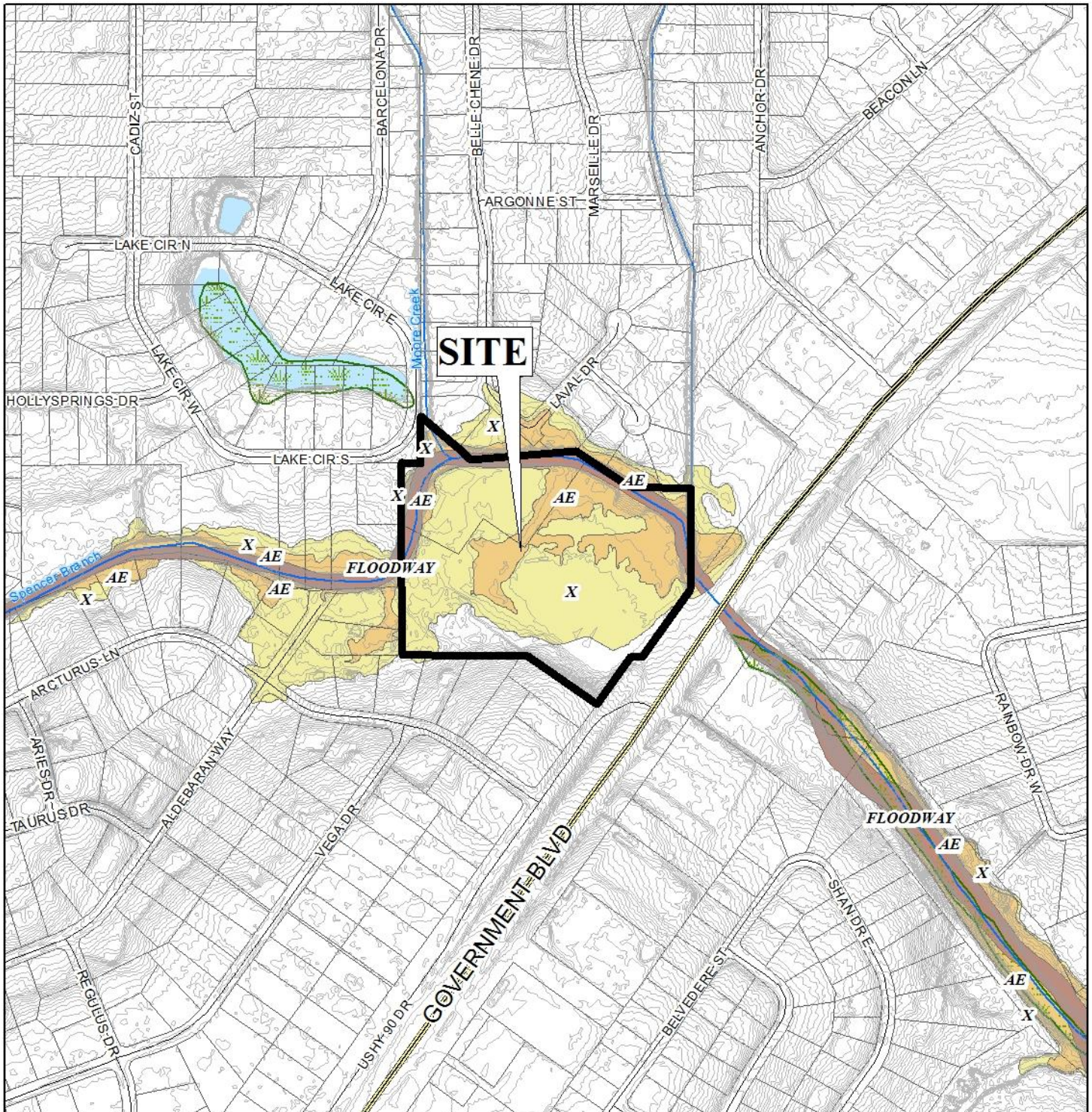
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



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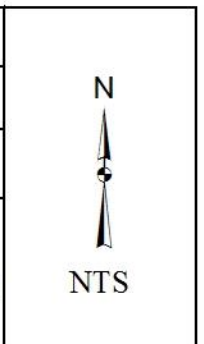
The site is surrounded by commercial units to the east and residential units to the west.

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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

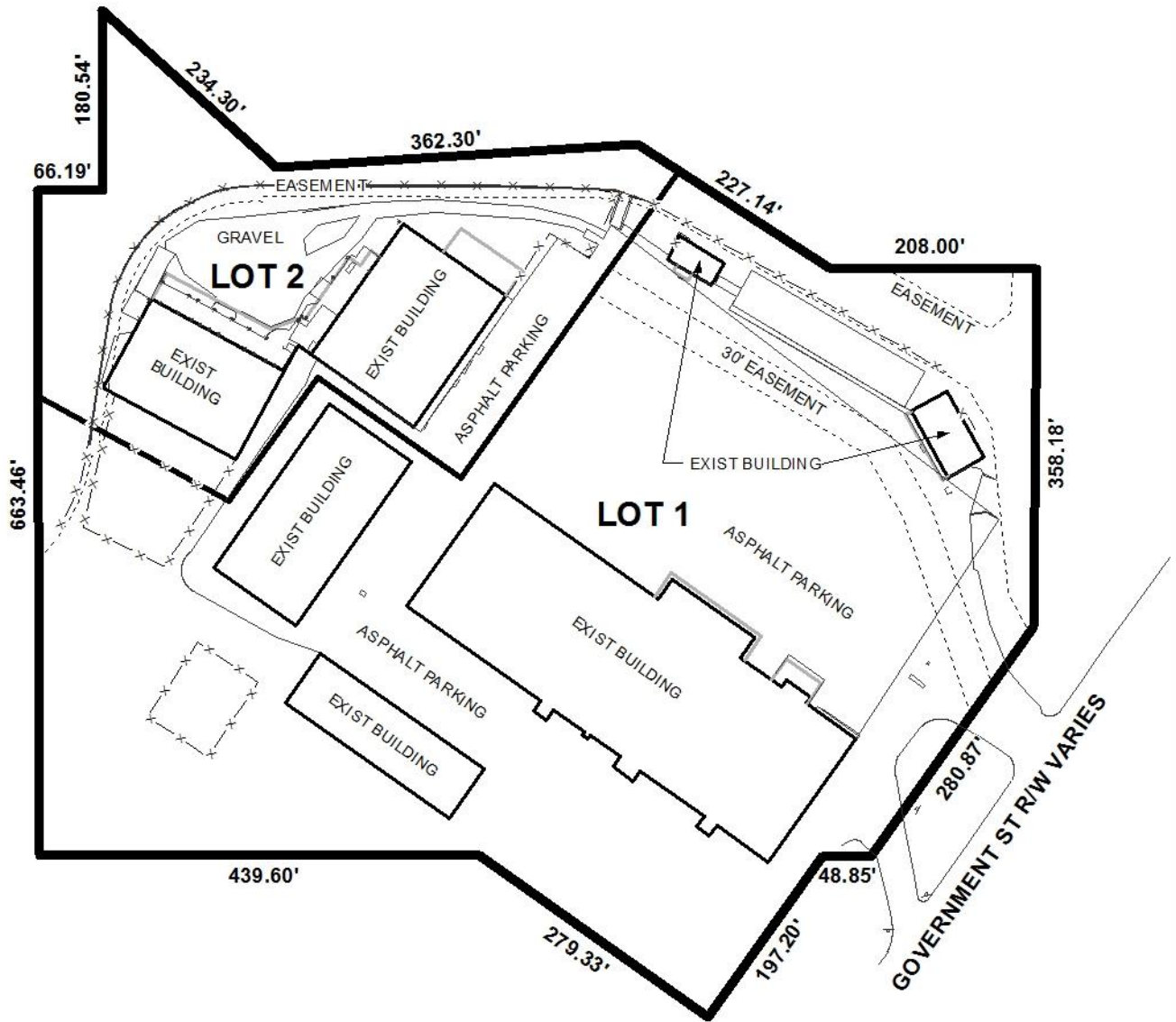


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SITE PLAN



The site plan illustrates the existing buildings, existing parking, and easements.

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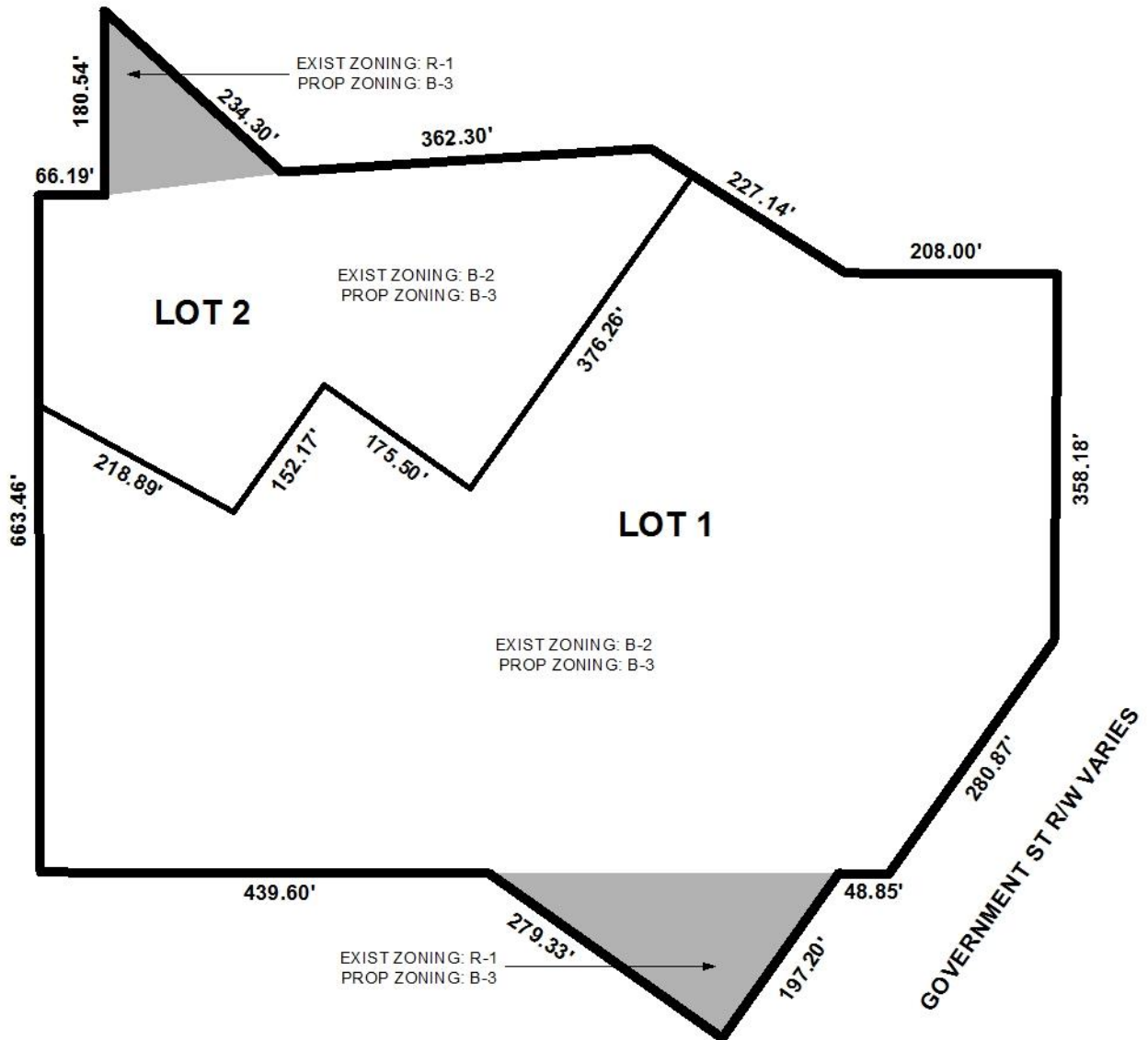
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NTS

DETAIL SITE PLAN



APPLICATION NUMBER 2 DATE June 7, 2018

APPLICANT Gulf State Engineering

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



