

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

**Date: November 17, 2011**

<b><u>NAME</u></b>	Mr. Rooter Plumbing
<b><u>SUBDIVISION NAME</u></b>	Mr. Rooter Subdivision
<b><u>LOCATION</u></b>	2409 Wolf Ridge Road (Southwest corner of Wolf Ridge Road and Feed Mill Road [private street]).
<b><u>CITY COUNCIL DISTRICT</u></b>	District 1
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District
<b><u>PROPOSED ZONING</u></b>	B-3, Community Business District
<b><u>REASON FOR REZONING</u></b>	Changing conditions.
<b><u>AREA OF PROPERTY</u></b>	3.4 Acres ±
<b><u>CONTEMPLATED USE</u></b>	<p>Subdivision approval to create one legal lot of record from an existing metes-and-bounds parcel, Planned Unit Development Approval to allow multiple buildings on a single building site with shared access between multiple building sites, and Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow a commercial plumbing business.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE</u></b>	Currently being used.

## **ENGINEERING**

### **COMMENTS**

If the proposed improvements increase the total impervious area of the site to over 4,000 square feet the owner will be required to provide on-site detention. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Drainage from any 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).

## **MAWSS COMMENTS**

MAWSS has only water services available.

Preservation status is to be given to the 48" Live Oak Tree located on the Lot along Wolf Ridge Road. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

## **FIRE DEPARTMENT**

### **COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

## **REMARKS**

The applicant is requesting Subdivision Approval to create one legal lot of record from an existing metes-and-bounds parcel, Planned Unit Development Approval to allow multiple buildings on a single building site with shared access between multiple building sites, and Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow a commercial plumbing business. The property had been used as a single-family residence until 2006, when the applicant purchased it. At some time after the purchase, the applicant began to use the site for a plumbing business and obtained a home occupation business license in April, 2009. In February, 2011, it was discovered by Planning Staff that the site was not being used as a home occupation, but actually a full-scale commercial operation developed without any of the required plan reviews, permits, or Zoning approvals. The applicant attempted to obtain variances for the use and various site non-compliance issues, but was denied such by the Board of Zoning Adjustment in July, 2011. Now, Rezoning with associated Subdivision and Planned Unit Development approvals is sought.

The site plan/preliminary plat submitted has many deficiencies which can be bundled into a common review of revisions required before an in-depth analysis for the viability of the individual applications can be attempted.

The proposed lot meets the minimum size requirements, as regulated by the Subdivision Regulations. However, Wolf Ridge is indicated to currently have a 70' right-of-way width. As this is a component of the Major Street Plan with a planned 100' right-of-way, dedication would be required to provide 50' from the centerline of Wolf Ridge Road, with the 25' minimum building setback measured from any required dedication. As this would impact structures placed near the front along Wolf Ridge Road without proper permits after the applicant's purchase, the plat should be revised to indicate the un-permitted structures relocated to a compliant location on the site. The proposed 6' high wood privacy fence should also be relocated to meet the required setback after dedication.

Access management is also a concern. The plat illustrates a substandard 10' wide driveway along Wolf Ridge Road leading to a 2-stall substandard parking area. The driveway should be revised to a compliant 24' width with a compliant parking area outside of the required dedication. Since the site shares access to other commercial and residential sites in the area via Feed Mill Road, a private street with a substandard 30' right-of-way, and the fact that the owner of the street does not wish to participate in the P.U.D., such access to Feed Mill Road cannot be considered. Therefore, the site plan should be revised to eliminate all access to Feed Mill Road. The parking area associated with the Feed Mill Road entrance should be incorporated into any parking area associated with a revised Wolf Ridge Road access. The gravel pavement should be revised to compliant paving as gravel surfaces are not allowed in B-3 districts.

The site plan does not indicate a dumpster, a sidewalk along Wolf Ridge Road, landscaping calculations, tree planting, or parking calculations. For the Planned Unit Development and Rezoning, the site plan should be revised to include such.

Due to the many deficiencies found in the site plan/preliminary plat, this application should be heldover to the meeting of October 20<sup>th</sup> to allow the applicant to make necessary revisions.

## **RECOMMENDATION**

**Subdivision:** The Subdivision request is recommended for Holdover until the October 20, 2011, meeting, with revisions due to the Planning Section by September 26, 2011, to address the following:

- 1) revision of the plat to provide dedication of 50' from the centerline of Wolf Ridge Road;
- 2) revision of the plat to illustrate the 25' minimum building setback line along Wolf Ridge Road as measured from any required dedication; and
- 3) revision of the plat to indicate the lot size after dedication.

**Planned Unit Development:** The Planned Unit Development request is recommended for Holdover until the October 20, 2011, meeting, with revisions due to the Planning Section by September 26, 2011, to address the following:

- 1) revision of the site plan to provide dedication of 50' from the centerline of Wolf Ridge Road;

- 2) revision of the site plan to illustrate the 25' minimum building setback line along Wolf Ridge Road as measured from any required dedication;
- 3) revision of the site plan to relocate un-permitted structures to a compliant location on the site meeting the revised 25' minimum building setback;
- 4) revision of the site plan to relocate the 6' wood privacy fence along Wolf Ridge Road to a compliant location on the site meeting the revised 25' minimum building setback;
- 5) revision of the 10' driveway along Wolf Ridge Road to a compliant 24' width;
- 6) revision of the front parking area to be out of any required dedication;
- 7) revision of the site plan to eliminate any access to Feed Mill Road;
- 8) revision of the site plan to incorporate the parking area off Feed Mill Road into any parking area associated with a revised Wolf Ridge Road access;
- 9) revision of the site plan to indicate compliant paved parking in the area indicated as gravel parking;
- 10) revision of the site plan to include a compliant dumpster, or the placement of a note on the site plan stating that refuse service will be either private or curbside;
- 11) revision of the site plan to indicate a compliant City-standard sidewalk along Wolf Ridge Road;
- 12) revision of the site plan to include landscaping area calculations; and
- 13) revision of the site plan to include required parking calculations.

**Rezoning:** The rezoning request is recommended for Holdover until the October 20, 2011, meeting, with revisions due to the Planning Section by September 26, 2011, to address the following:

- 1) revision of the site plan to accommodate the PUD and Subdivision revisions.

***Revised for the October 20<sup>th</sup> meeting:***

*These applications were heldover from the September 15<sup>th</sup> meeting to allow the applicant to make required revisions to the site plan/preliminary plat to correct numerous deficiencies, with revisions due to Planning by September 26<sup>th</sup>. As no revisions or additional information has been submitted as required, an in-depth analysis for the viability of the individual applications cannot be attempted. Therefore, all applications should be considered for denial.*

**RECOMMENDATION**

***Subdivision:*** *The Subdivision request is recommended for denial for the following reasons:*

- 1) the revisions to the preliminary plat were not submitted as required;*
- 2) dedication of right-of-way along Wolf Ridge Road is not provided; and*
- 3) insufficient information was submitted for staff to conduct an in-depth analysis of the viability of the application.*

***Planned Unit Development:*** *The Planned Unit Development request is recommended for denial for the following reasons:*

- 1) *the revisions to the site plan were not submitted as required;*
- 2) *the site plan does not comply with the requirements of the Zoning Ordinance; and*
- 3) *insufficient information was submitted for staff to conduct an in-depth analysis of the viability of the application.*

**Rezoning:** *The Rezoning request is recommended for denial for the following reasons:*

- 1) *the revisions to the site plan were not submitted as required; and*
- 2) *insufficient information was submitted for staff to conduct an in-depth analysis of the viability of the application.*

**Revised for the November 17<sup>th</sup> meeting:**

*These applications were heldover from the October 20<sup>th</sup> meeting at the applicant's request with revisions due to Planning by November 3rd. As there still have been no revisions or additional information submitted as required at the September 15<sup>th</sup> and October 20<sup>th</sup> meetings, an in-depth analysis for the viability of the individual applications cannot be attempted. Therefore, all applications should be considered for denial.*

### **RECOMMENDATION**

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- 2) *dedication of right-of-way along Wolf Ridge Road is not provided; and*
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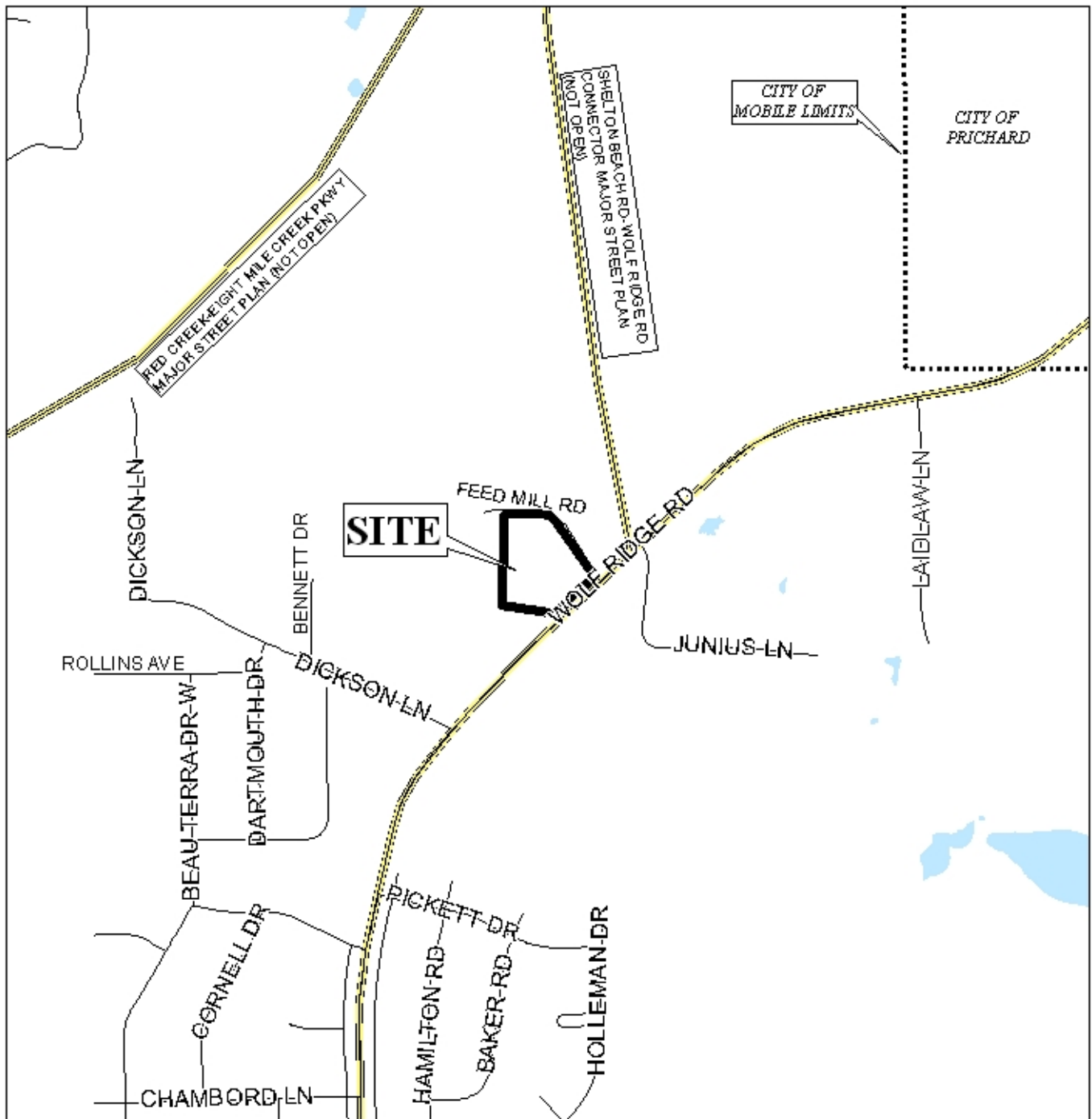
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# LOCATOR MAP



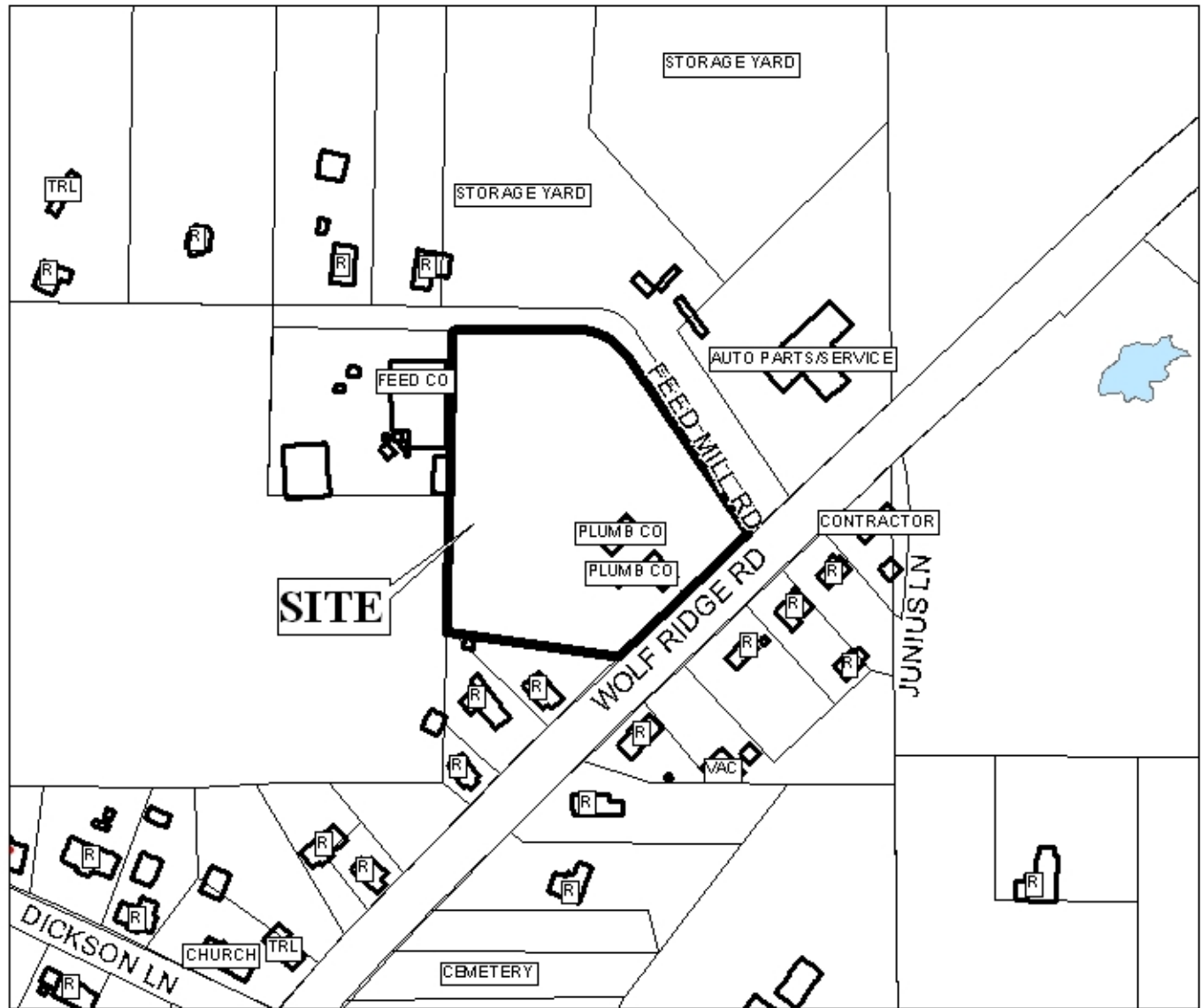
APPLICATION NUMBER 4,5&6 DATE October 20, 2011

APPLICANT Mr. Rooter Plumbing

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



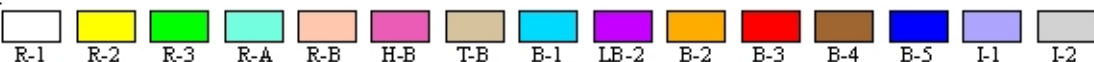
There is an auto repair business to the northeast of the site, single family residential units are to the south and southeast, and a storage yard is to the north.

APPLICATION NUMBER 4,5&6 DATE November 17, 2011

APPLICANT Mr. Rooter Plumbing

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3

LEGEND



NTS



## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There is an auto repair business to the northeast of the site, single family residential units are to the south and southeast, and a storage yard is to the north.

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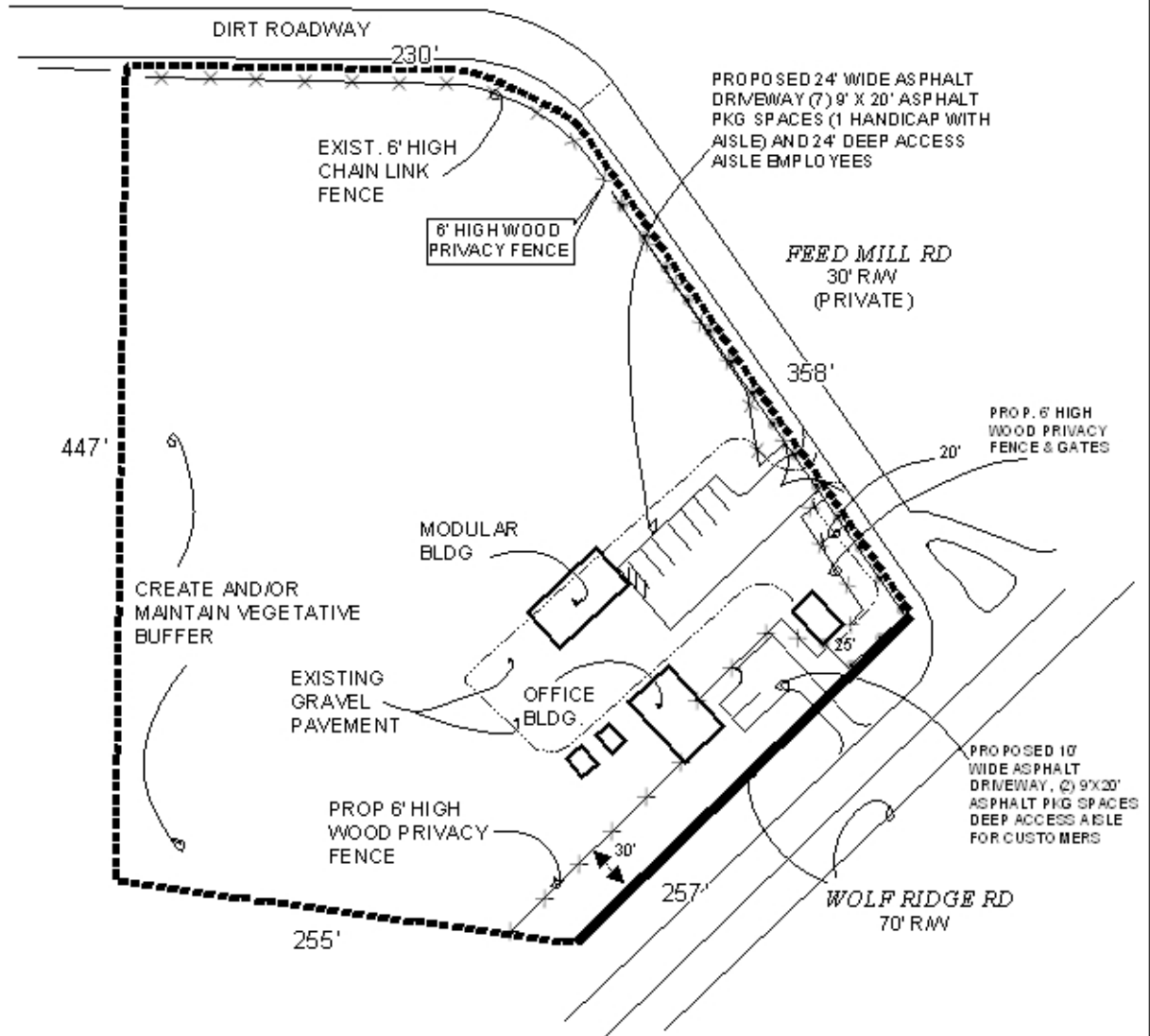
REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



NTS



# SITE PLAN



Buildings, parking, drives, and fences are illustrated in the site plan.

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REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



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