

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

Date: August 16, 2007

NAME Stratford LLC

LOCATION North side of Grelot Road, 160'+ West of Chimney Top Drive West

CITY COUNCIL DISTRICT District 6

PRESENT ZONING R-1, Single-Family Residence District

PROPOSED ZONING B-1, Buffer Business District

AREA OF PROPERTY 1 Lot / 5.6 + Acres

CONTEMPLATED USE Planned Unit Development Approval to allow two buildings on a single building site and Rezoning from R-1, Single-Family Residential, to B-1, Buffer Business, to allow a two-building office complex.
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 Within one year of rezoning approval for the first building, with the second building being undertaken as needed by market demand.

ENGINEERING COMMENTS Need floodplain easement, approved by City Engineering. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.

TRAFFIC ENGINEERING

COMMENTS

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

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 within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code, as appropriate.

REMARKS

The applicant is requesting Planned Unit Development Approval to allow two buildings on a single building site and Rezoning from R-1, Single-Family Residential, to B-1, Buffer Business, to allow a two-building office complex. Offices are allowed by right in B-1 districts.

North of the site is vacant land in an R-1, Single-Family Residential District, East of the site are single-family homes in an R-1 District, while South of the site are apartments and vacant land in a B-1, Buffer Business District, and West of the site is vacant land in a B-1 District.

The site itself is part of the Stratford Place Subdivision which was approved by the Planning Commission at its May 3, 2007 meeting, but which has not yet been recorded. As part of the May 3rd approval, the site, proposed Lot 19, is limited to one curb-cut onto Grelot Road. The preliminary plat also depicts a 30-foot minimum building setback line along Grelot Road.

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.

Regarding the zoning application, the entire site appears to be depicted 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 request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

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. It should be pointed out that PUD approval is site plan specific, so significant changes to an approved plan will require new PUD approval.

The applicant states that the anticipated use is “speculative professional office building.” The applicant goes on to state that:

“The subject property is situated in one of the fastest growing areas in the City of Mobile. With the expansion and eventual connection of Grelot Road the highest and best use of the subject property indicates a commercial use for vacant parcels fronting and with access to Grelot Road. The rezoning request is consistent with converging uses of similar parcels in the general area.”

The Zoning and PUD site plans provided for the current application depicts two one-story 11,080 square foot office buildings and 120 parking spaces. The site plan also depicts the extension of the existing service road East of the site onto the property, and one curb-cut onto Grelot Road. It appears that the proposed service road would be private, however it is not clear if this is the case.

There appears to be an extensive amount (50 ± acres) of vacant commercial land on the North and South sides of Grelot Road, in the vicinity of the site. A review of permit activity does not imply that development activity is imminent on these adjacent commercial sites, thus it is possible that the market is not ripe for the site under review to be converted to a commercial zoning district for speculative development.

Regarding the PUD site plan, the parking requirements in the Zoning Ordinance state that each 11,080 square foot office building would require 37 parking spaces, for a total of 74 spaces. The site plan states that 111 spaces are “required.” The site will exceed the minimum number of parking spaces.

The site plan also shows that the two proposed buildings and parking area will be situated on the wetlands that exist on the site, as well as the primary natural drainage, which goes from the East side of the site to the West side of the site, draining into a branch of Milkhouse Creek. It appears that the development could be redesigned to reduce the impact to the existing wetlands and natural drainage system.

The proposed parking areas contain more than 10 spaces. Light for the parking areas must comply with Section 64-6.A.3.c. of the Zoning Ordinance, *Lighting*, which states that “*if they contain ten (10) or more cars, lighting shall be provided and maintained during their operation, and shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic.*”

There is no indication on the site plan as to the proposed location of any dumpster or other waste storage facility. If the applicant utilizes a dumpster, the location of the storage area for the dumpster must be indicated on the site plan, and the location and required screening must comply Section 64-4.D.9. of the Zoning Ordinance, as well as with all other applicable regulations.

There is no indication of storm water detention facilities on the site plan, but such facilities will likely be required. The site plan should depict the general location of these facilities.

The site plan does not depict the 30-foot minimum building setback line from Grelot Road, as depicted on the approved preliminary plat. The site plan does depict, however, a 20-foot wide undisturbed natural buffer along the East side of the site, to protect the existing single-family residences to the East.

Regarding the proposed extension of the service road from the East onto the site, it will facilitate the access for the site, but it may increase the traffic volume for the access from the service road to Grelot Road where the service road intersects with Grelot and Chimney Top Drive West (where there is also a break in the median of Grelot Road). The access onto Grelot Road at Chimney Top Drive West is across the street from the entry/exit of an existing apartment development, thus there appears to be a high probability of traffic conflicts at this location. Also, a determination should be made as to whether the “service road” extension will be public or private. If public, the right-of-way should be dedicated to the City of Mobile.

A sidewalk along Grelot Road will be required as part of the development, if approved. The site plan should be revised to show the sidewalk.

The site will have adequate area to meet the minimum requirements for landscape area, as required by the Zoning Ordinance. The site plan does not, however, show specific compliance with the tree requirements of the Ordinance.

Finally, the approved Subdivision plat must be recorded prior to completion of the Zoning process.

RECOMMENDATION

Rezoning: Based upon the preceding, this application is recommended for Denial for the following reasons:

- 1) The site is depicted as residential on the General Land Use plan; and
- 2) There appears to be abundant vacant, commercially-zoned property in the vicinity.

Planned Unit Development: Based upon the preceding, this application is recommended for Denial for the following reason:

- 1) based upon the denied Zoning application; and
- 2) the site plan does not appear to take into account the natural features of the site.

Revised for the September 20, 2007 meeting:

These applications were heldover from the August 16th meeting at the applicant's request.

No additional information or revised plans have been provided by the applicant.

RECOMMENDATION

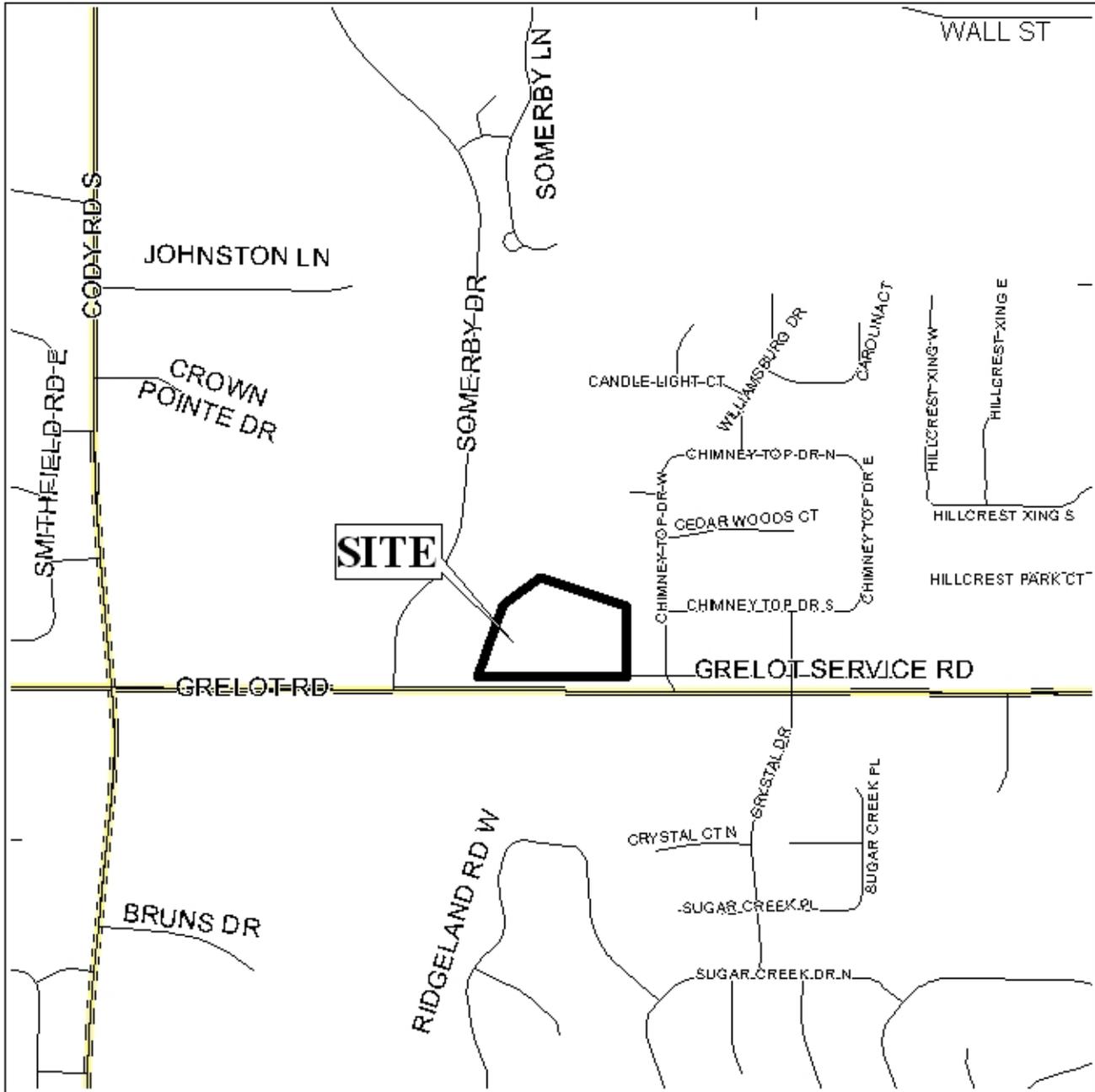
Rezoning: *Based upon the preceding, this application is recommended for Denial for the following reasons:*

- 3) The site is depicted as residential on the General Land Use plan; and*
- 4) There appears to be abundant vacant, commercially-zoned property in the vicinity.*

Planned Unit Development: *Based upon the preceding, this application is recommended for Denial for the following reason:*

- 3) based upon the denied Zoning application; and*
- 4) the site plan does not appear to take into account the natural features of the site.*

LOCATOR MAP



APPLICATION NUMBER 4 & 5 DATE September 20, 2007

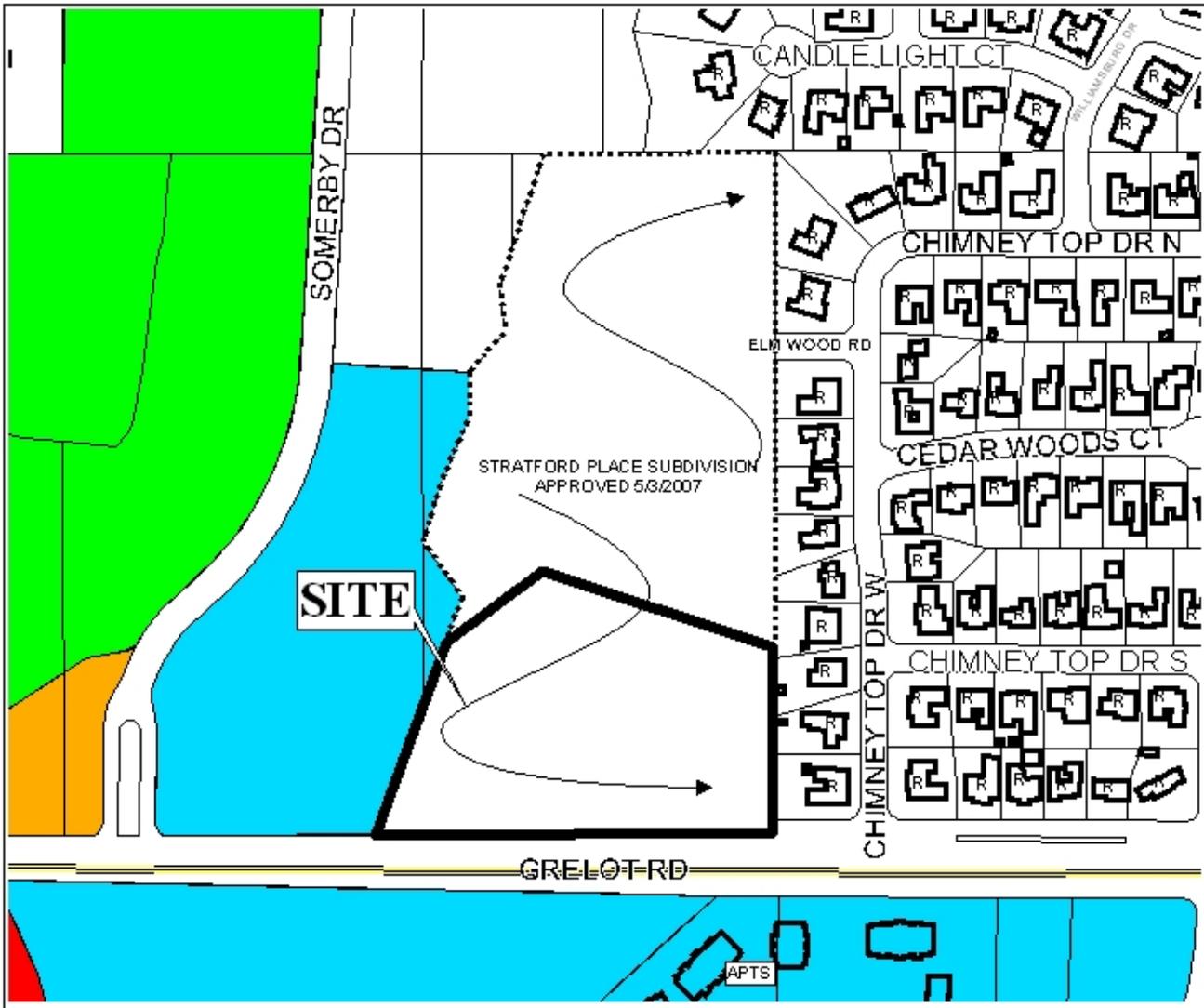
APPLICANT Stratford LLC

REQUEST Planned Unit Development, Rezoning from R-1 to B-1



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use

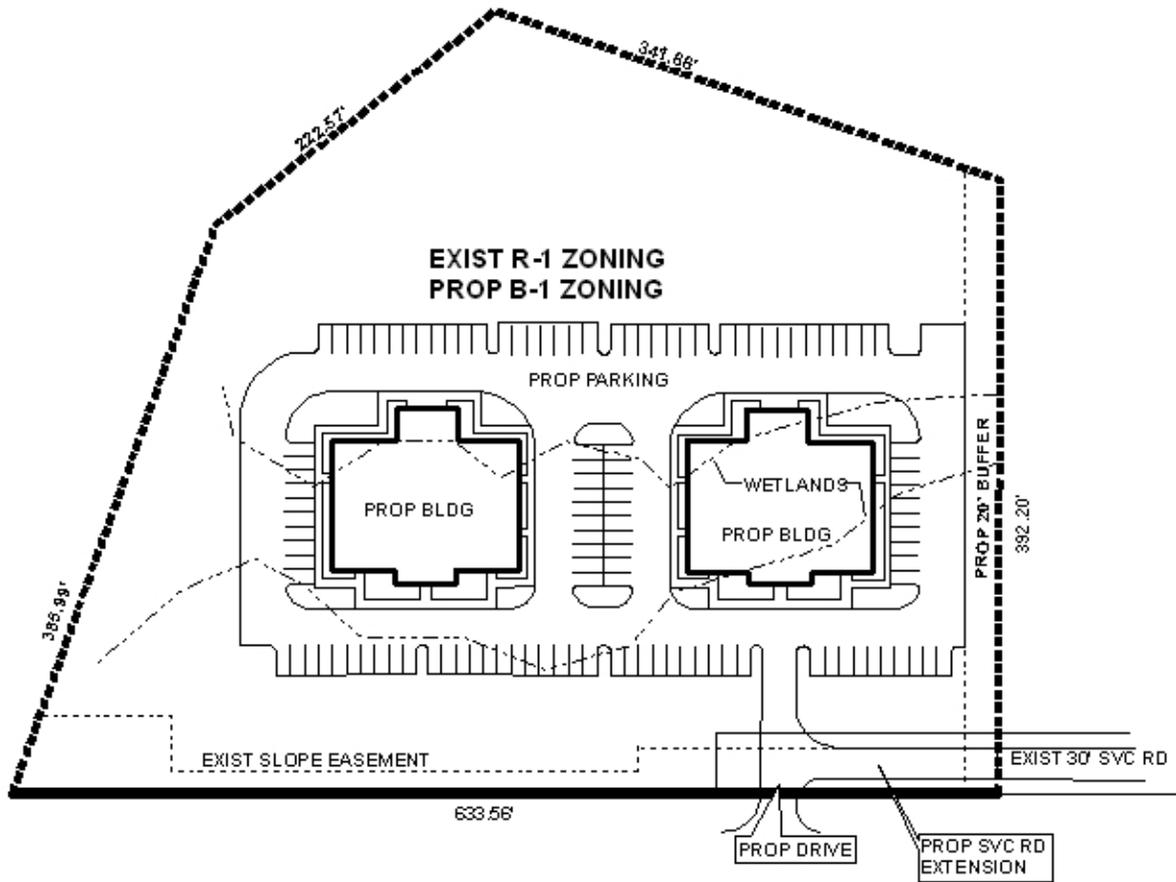
APPLICATION NUMBER 4 & 5 DATE September 20, 2007 N

APPLICANT Stratford LLC

REQUEST Planned Unit Development, Rezoning from R-1 to B-1

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 NTS

SITE PLAN



The site plan illustrates the proposed buildings, parking, and drives

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NTS