

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

Date: June 7, 2007

DEVELOPMENT NAME

Rashimiben S. Patel

SUBDIVISION NAME

Olsson Motel Subdivision

LOCATION

4137 Government Boulevard
(South side of Government Boulevard, 1750' ± East of
Crestview Drive).

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot / 3.2 ± Acres

CONTEMPLATED USE

Subdivision Approval to create 1 lot, Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single Family Residential to B-2, Neighborhood Business District, to allow a motel.

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**

Immediate

ENGINEERING

COMMENTS

The storm water ordinance prohibits the concentration of storm water onto an adjacent property, without a release agreement. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands. If wetlands are present, no work allowed without a Corps of Engineers permit. 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

No Details Shown on Plans for Parking or Access.

Revised for the July 5th meeting: 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).

Preservation status is to be given to the 45" Live Oak Tree located behind the open porch dwelling of Lot 1. 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

No comments.

REMARKS

The applicant is requesting Subdivision Approval to create 1 lot, Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single Family Residential to B-2, Neighborhood Business District, to allow a motel. Hotels and motels are prohibited in R-1 and B-2 districts, but are allowed by right in B-3, Community Business Districts.

The purpose of this application is to legitimize the operation of an existing motel, which requires rezoning, the creation of a legal lot of record, and Planned Unit Development approval due to existing multiple buildings on a single building site.

Previous discussions between staff and the applicant and others associated with this site also indicated that the existing single-family residence on the site would be expanded to include additional space for a motel-related office, however no expansion of the house is depicted in the applications under consideration. As Planned Unit Development approval is site plan specific, the site plan should be revised to reflect the anticipated expansion of the residential structure (if still planned): otherwise a new PUD application and approval will be required prior to the applicant obtaining a building permit. The PUD site plan should also be revised to show any existing parking spaces, number of motel rooms and size of any office space and residential space in square feet, and any proposed landscape improvements that will be required as part of the rezoning of the property.

Since January 1, 2007, the Urban Development Department has required that all applications to the Planning Commission and the Board of Adjustment have the adjacent property owner information required as part of any application verified by the applicant at the Mobile County Probate Court. The purpose of this requirement is to ensure that the most recent owner for every property receives any legally mandated notification. The verification through Mobile County Probate Court is in response to an Alabama Court Decision. Staff was notified on May 22, 2007

that property ownership on an adjacent lot changed on May 2, 2007. Mobile County Probate Court records show that the deed was recorded on May 8, 2007, thus it appears that the information should have been available for the applications under consideration. Therefore, the applications should be heldover until the July 5, 2007 meeting so that the applicant can provide new labels and postage, with all addresses verified with Mobile County Probate Court Records.

RECOMMENDATION

Rezoning: The rezoning request is recommended for Holdover until the Holdover until the July 5th meeting, with revisions due to the Planning Section of Urban Development by June 12th, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners within 300 feet, as verified by Mobile County Probate Court records, and postage for the labels; and
- 2) revision of the application to request B-3, Community Business District zoning classification; and
- 3) revision of the site plan per the PUD requirements.

Planned Unit Development: The PUD request is recommended for Holdover until the July 5th meeting, with revisions due to the Planning Section of Urban Development by June 12th, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners within 300 feet, as verified by Mobile County Probate Court records, and postage for the labels;
- 2) revision of the site plan to reflect any proposed expansion of the existing residence (for office space);
- 3) revision of the site plan to depict existing parking (number of spaces and location) and circulation;
- 4) revision of the site plan to indicate the number of motel rooms per building;
- 5) revision of the site plan to indicate in square feet the amount of office area and residential areas; and
- 6) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance.

Subdivision: The Subdivision request is recommended for Holdover until the July 5th meeting, with revisions due to the Planning Section of Urban Development by June 12th, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners adjacent to or across the street from the site, as verified by Mobile County Probate Court records, and postage for the labels.

Revised for the July 5th meeting:

The applicant submitted revised site plans and labels, per the above recommendations. The applicant has also changed the rezoning request to B-3, Community Business District, which is the minimum required for "by-right" hotel and motel uses.

The revised site plan depicts the motel facility that contains 25 units, 1 apartment, and office space, as well as the existing 1,708 square foot residence and the proposed 1,240 square foot

office expansion to the existing residence, and a total of 5 habitable structures and 2 accessory structures. A total of 34 parking spaces are depicted on the site plan, as is a one-way circulation system through the site.

The Zoning Ordinance requires 7 parking spaces for every 10 motel units and 1 ½ parking spaces for each dwelling unit (for multi-family). The site exceeds the minimum required number of parking spaces.

No landscape improvements are depicted on the site plan. As the primary purpose of the applications is to legitimize the existing motel, and to allow expansion of the existing residence to include office space related to the operation of the motel, it is recommended that required landscape improvements be limited to frontage trees, to be coordinated with Urban Forestry. Full compliance will be required if the site is redeveloped, or if improvements are made that exceed the 50% threshold, as defined by Section 64-4.E.2.b. of the Zoning Ordinance.

In order to provide protection to adjacent single-family residences in the Crestview Subdivision, a 6-foot high wooden privacy fence and 10-foot wide natural vegetative buffer should be provided along the Southeast boundary of the site. Building permits will be required for the privacy fence.

The site has approximately 350 feet of frontage onto Government Boulevard, also known as U. S. Highway 90. As a Federal facility, the Alabama Department of Transportation maintains primary authority regarding access management. The site has two existing curb-cuts, thus it is recommended that the site be limited to its existing curb-cuts, with the size, design and location of any modifications to the curb-cuts to be approved by Traffic Engineering and ALDOT, and to comply with AASHTO standards.

RECOMMENDATION

Rezoning: *The revised rezoning request, from R-1 to B-3, is recommended for Approval, subject to the following conditions:*

- 1) revision of the site plan to depict frontage trees, to be coordinated with Urban Forestry;*
- 2) revision of the site plan to depict a 6-foot high wooden privacy fence and a 10-foot wide natural vegetative buffer where the site abuts single-family residences in the Crestview Subdivision, along the Southeast property line;*
- 3) provision of a revised site plan to the Planning Section of Urban Development prior to the signing of the final plat, or the obtaining of building permits;*
- 4) compliance with Urban Forestry comments, and placement of those comments as a note on the site plan (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). Preservation status is to be given to the 45" Live Oak Tree located behind the open porch dwelling of Lot 1. 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.); and*
- 5) full compliance with all other municipal codes and ordinances.*

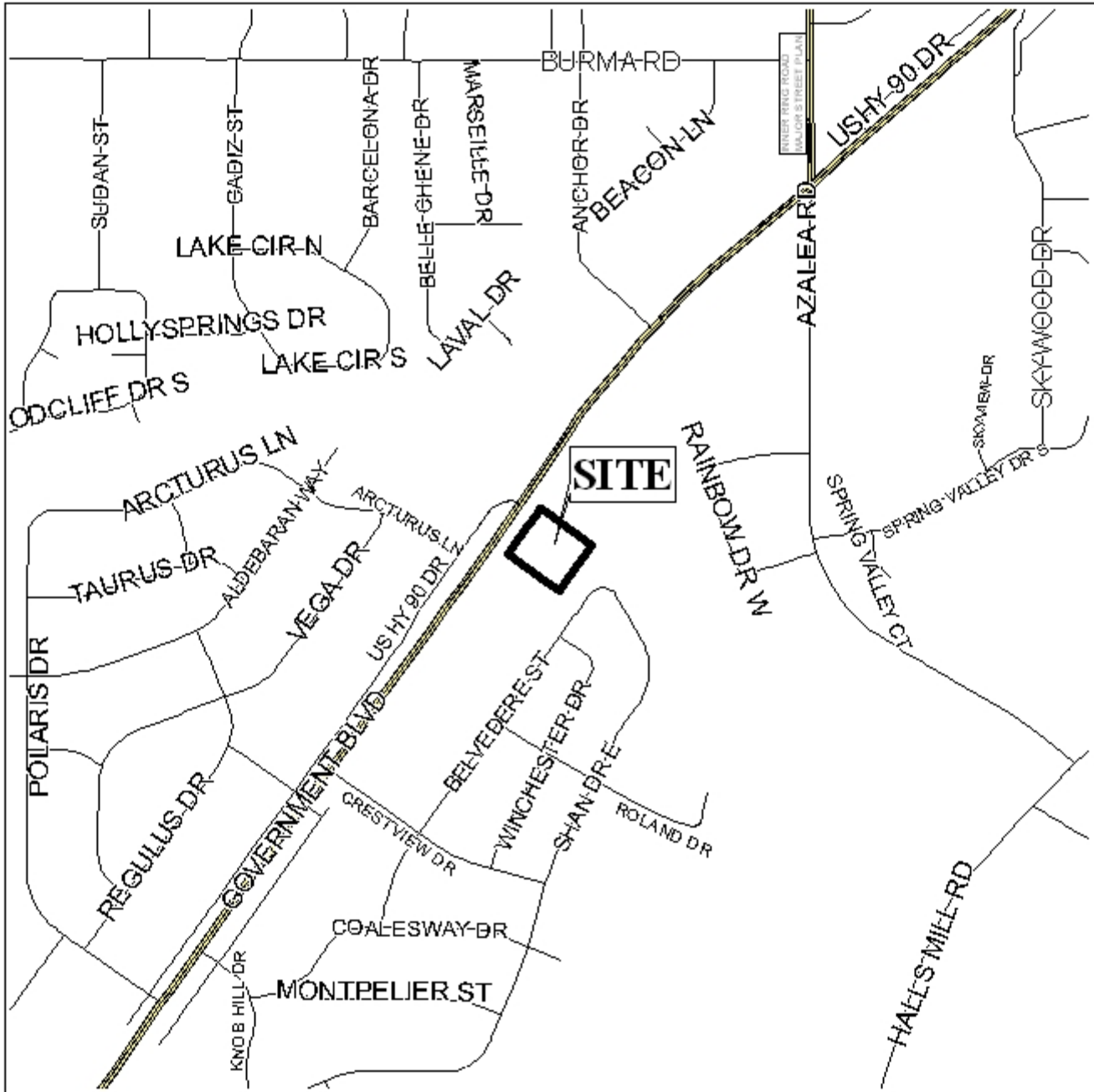
Planned Unit Development: Based upon the revised site plan, the PUD request is recommended for Approval, subject to the following conditions:

- 1) revision of the site plan to depict frontage trees, to be coordinated with Urban Forestry;
- 2) revision of the site plan to depict a 6-foot high wooden privacy fence and a 10-foot wide natural vegetative buffer where the site abuts single-family residences in the Crestview Subdivision, along the Southeast property line;
- 3) placement of a note on the site plan stating that the site is limited to the existing curb-cuts, with the size, design and location of any modifications to the curb-cuts to be approved by Traffic Engineering and ALDOT, and to comply with AASHTO standards;
- 4) provision of a revised site plan to the Planning Section of Urban Development prior to the signing of the final plat, or the obtaining of building permits;
- 5) compliance with Urban Forestry comments, and placement of those comments as a note on the site plan (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). Preservation status is to be given to the 45" Live Oak Tree located behind the open porch dwelling of Lot 1. 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.); and
- 6) full compliance with all other municipal codes and ordinances.

Subdivision: The Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) placement of a note on the final plat stating that the site is limited to the existing curb-cuts, with any modifications subject to the approval of Traffic Engineering and ALDOT, and to comply with AASHTO standards;
- 2) placement of a note on the final plat stating that a 6-foot high wooden privacy fence and a 10-foot wide natural vegetative buffer shall be provided where the site abuts single-family residences in the Crestview Subdivision, along the Southeast property line;
- 3) compliance with Urban Forestry comments, and placement of those comments as a note on the site plan (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). Preservation status is to be given to the 45" Live Oak Tree located behind the open porch dwelling of Lot 1. 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.); and
- 4) provision of a revised Zoning site plan and PUD site plan to the Planning Section of Urban Development prior to the signing and recording of the final plat.

LOCATOR MAP



APPLICATION NUMBER 5, 6, & 7 DATE July 5, 2007

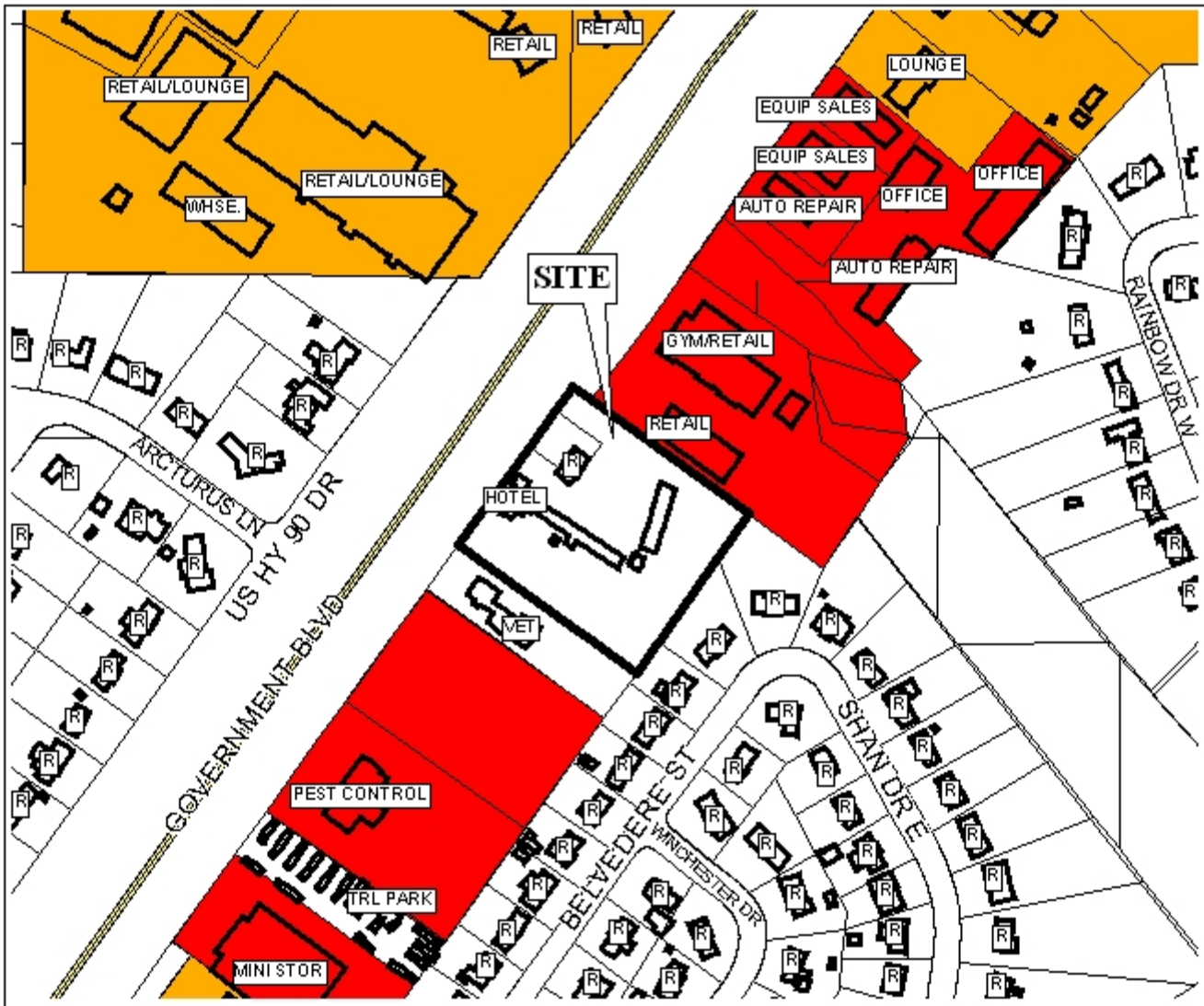
APPLICANT Rashimiben S. Patel

REQUEST Subdivision, Rezoning from R-1 to B-2, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed landuse.

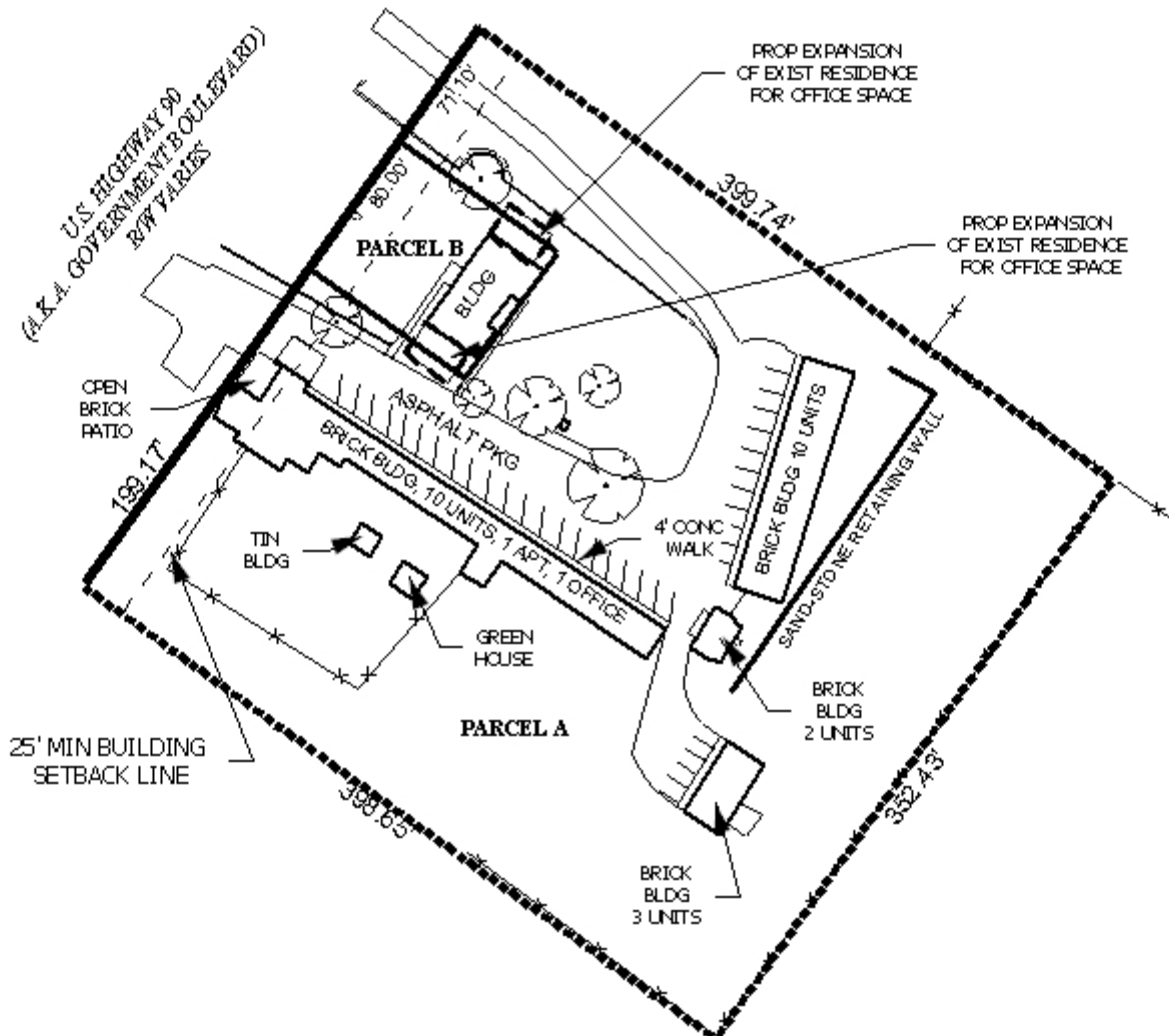
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APPLICANT Rashimiben S. Patel

REQUEST Subdivision, Rezoning from R-1 to B-2, Planned Unit Development

LEGEND NTS

SITE PLAN



The site plan illustrates proposed buildings, walks, parking and building setback line.

APPLICATION NUMBER 5, 6, & 7 DATE July 5, 2007

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REQUEST Subdivision, Rezoning from R-1 to B-2, Planned Unit Development



NTS