

**ZONING AMENDMENT &
SUBDIVISION STAFF REPORT****Date: June 19, 2003**

NAME The Mitchell Company, Inc. (Lindsey Walker, Agent)

SUBDIVISION NAME Forrest Cove Park Subdivision

LOCATION South side of Moffett Road, ¼ mile± East of Forest Hill Drive

PRESENT ZONING R-1, Single-Family Residential

PROPOSED ZONING B-2, Neighborhood Business

AREA OF PROPERTY 4.4± Acres

CONTEMPLATED USE Retail shopping center
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** Immediately

**ENGINEERING
COMMENTS** Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS** All driveway widths and locations to be approved by Traffic Engineering; and design to meet AASHTO Standards

REMARKS The applicant is requesting rezoning from R-1, Single-Family Residential to B-2, Neighborhood Business for a retail shopping center, and subdivision approval to create a single lot of record.

The site is illustrated as commercial 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 requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

Although illustrated as residential on the General Land Use Plan, there is existing commercial zoning to West and to the North across Moffett Road. The site would be separated from the existing commercial district to the West by a new road serving the proposed residential subdivision to the South. Access to the new road should be denied, and a buffer in compliance with Section IV.D.1. should be required along the South and East property lines.

Moffett Road is a planned major street as illustrated on the Major Street Plan, and has an existing right-of-way in compliance with the Plan. However, as a means of access management, the site should be limited to two curb cuts to Moffett Road, with the location and design to be approved by Traffic Engineering and the Alabama Department of Transportation (ALDOT).

As this will be a newly developed site, full compliance with the landscaping and tree planting requirements, as well as the provision of sidewalks would be required.

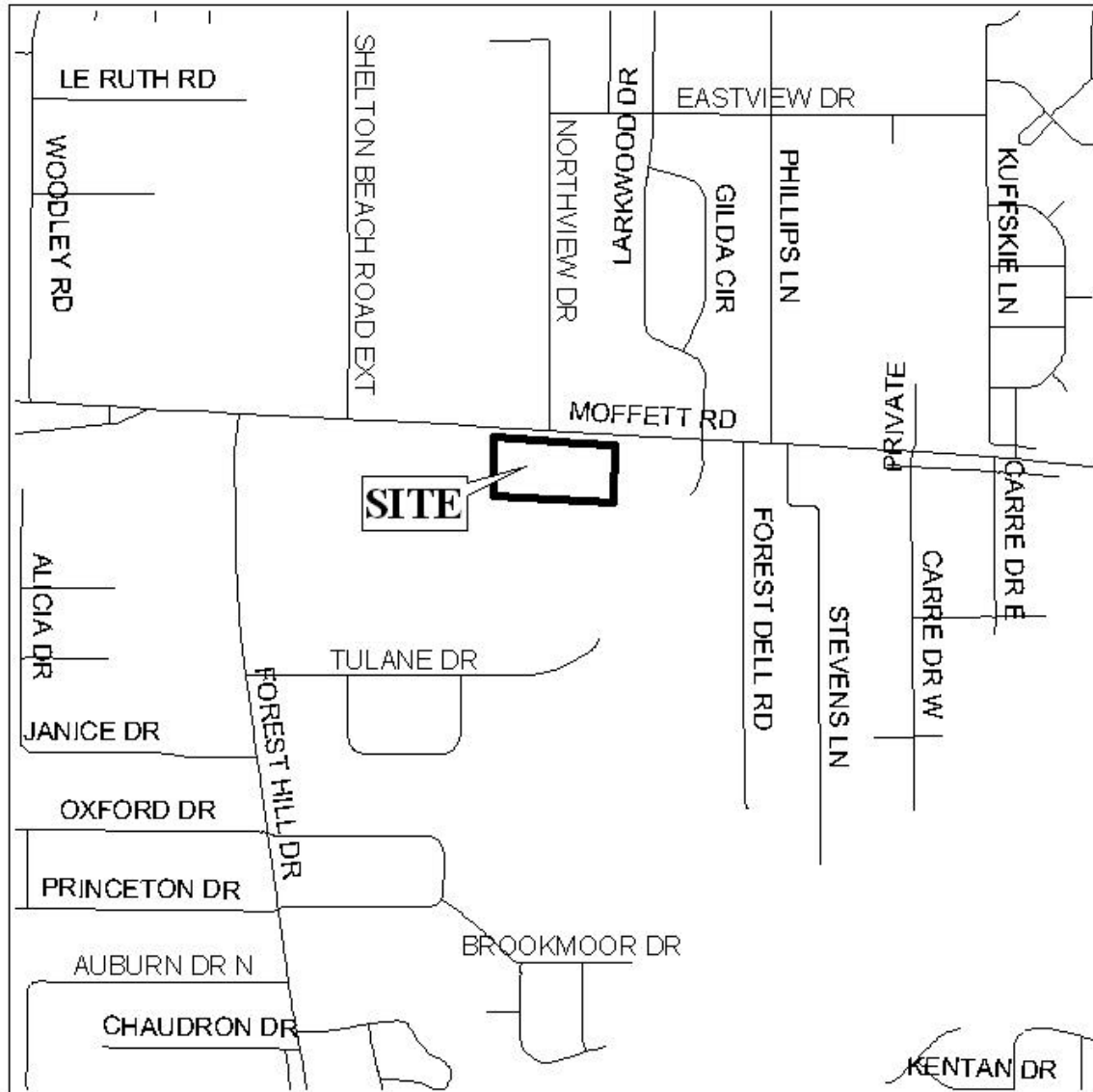
Regarding the subdivision request, with the appropriate notes regarding access, the plat will meet the minimum requirements of the Subdivision Regulations.

RECOMMENDATION

Rezoning: Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) that the site be denied direct access to the new street to the West; 2) that the site be limited to two curb cuts to Moffett Road, with the location and design to be approved by Traffic Engineering and ALDOT; 3) the provision of buffers in compliance with Section IV.D.1. along the South and East property lines; 3) full compliance with the landscaping and tree planting requirements of the Ordinance; 4) provision of sidewalks; and 5) full compliance with all municipal codes and ordinances.

Subdivision: With modifications, the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) placement of a note on the final plat stating that the site is denied direct access to the proposed road (along the West property line); and 2) placement of a note on the final plat stating that the site is limited to two curb cuts to Moffett Road, with the location and design to be approved by Traffic Engineering and ALDOT.

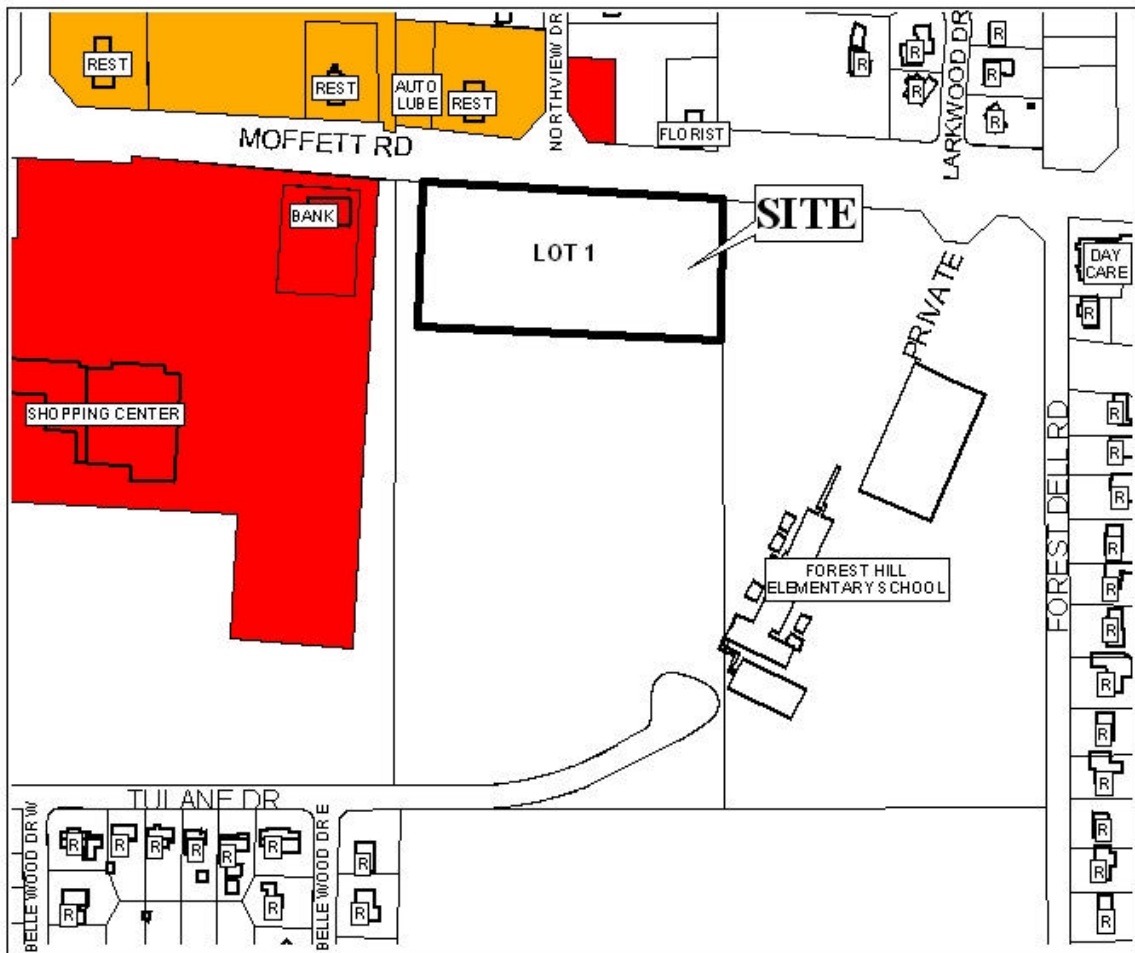
LOCATOR MAP



APPLICATION NUMBER 5 & 6 DATE June 19, 2003
APPLICANT The Mitchell Company, Inc. (Lindsay Walker, Agent)
REQUEST Rezoning from R-1 to B-2 and Subdivision



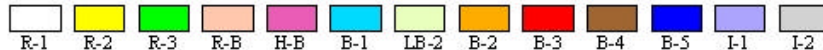
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



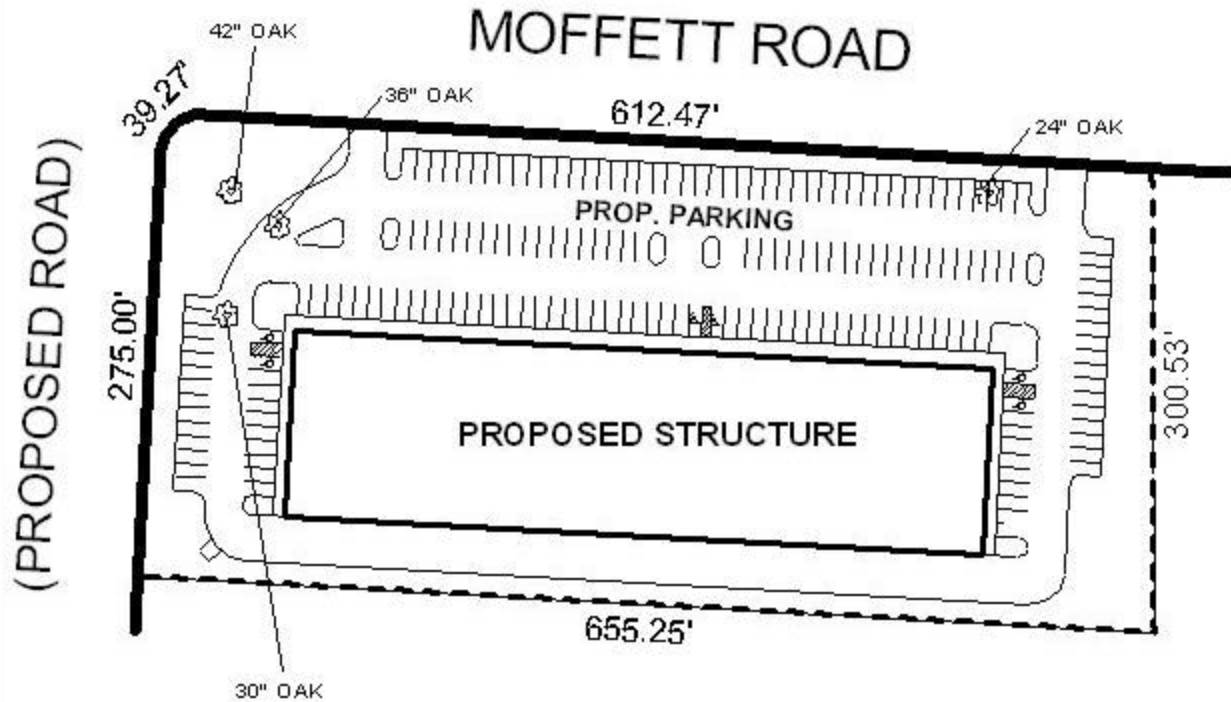
The site is located in an area of mixed land use. Single-family residential dwellings are to the north, a school is to the east and retail is to the west.

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LEGEND



SITE PLAN



The site is located on the South side of Moffett Road, 1/4 mile East of Forest Hill Drive.
The plan illustrates the proposed structure and parking.

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USE/REQUEST Rezoning from R-1 to B-2 and Subdivision



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