

ZONING AMENDMENT STAFF REPORT**Date: October 3, 2019****NAME**

LCM Motorcars, LLC

LOCATION5569 Plantation Road
(South side of Plantation Road, 210'± East of U.S.
Highway 90 West).**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

B-3, Community Business District

AREA OF PROPERTY

0.9± Acres

PRESENT ZONINGRezoning from R-1, Single-Family Residential District, to
B-3, Community Business District.

It should be noted 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**

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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
5. 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.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

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). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

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 District, to B-3, Community Business District.

The subject site is developed with a single family dwelling, and a few storage sheds. To the North, across Plantation Road, and to the East, are properties zoned R-1, Single-Family Residential District and used residentially. To the West, is zoned B-3, Community Business District; with B-3, Community Business District and I-2, Heavy Industry District to the South all developed commercially and industrially.

The applicant states the following:

THE OWNER IS REQUESTING THIS REZONING TO ALLOW THE PROPERTY TO BE USED FOR STORAGE OF MOTORHOMES, CAMPERS, BOATS, BOAT TRAILERS, ETC. THERE WILL NOT BE ANY COVERED STORAGE AREAS. THE EXISTING BUILDING (FORMERLY A DWELLING) WILL BE USED AS AN

OFFICE FOR THE SITE AND ADEQUATE PARKING HAS BEEN PROVIDED FOR EMPLOYEES.

THIS ZONING CHANGE IS NECESSARY DUE TO THE INCREASED NEED FOR THIS TYPE OF BUSINESS SITE. THIS SITE IS ADJACENT TO B-3 ZONING ALONG THE WEST SIDE WITH B-3 AND I-2 ZONING ADJACENT TO THE SOUTH PROPERTY LINE. THERE IS I-1 ZONING 500 FEET EAST OF THIS SITE.

THE QUIET NATURE OF THIS TYPE OF BUSINESS SHOULD NOT HAVE AN ADVERSE AFFECT ON THE NEIGHBORHOOD.

YOUR CONSIDERATION FOR APPROVAL OF THIS REQUEST IS APPRECIATED.

Section 64-9. of the Zoning Ordinance states that 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 site has been given a Low Density Residential land use designation per the 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 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.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should also 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.

The site plan depicts the existing 817 square foot dwelling that is to be converted to an office, three standard parking spaces (9' x 18'), a gate, and 32 oversized parking spaces (12' x 35') to be utilized for storing boats and motorhomes. It should be noted that while the site plan does depict the three minimum required parking spaces to serve the office, an accessible parking space is not provided. It should also be noted that a photometric site plan will be required at the time of permitting.

Landscape area information is provided on the site plan, and shows that the site will be in compliance, as proposed. Although there is no mention of tree plantings, it does not appear that the development as illustrated would have sufficient room to space the required trees so that they are able to thrive. The site plan should be altered to provide required tree plantings.

The site plan shows a gate to restrict access to the storage area; however it is approximately 42.5' from the front property line. A minimum of 60 feet is required to accommodate three 9' x 20' queueing spaces. Therefore, the site plan will need to be revised to show compliance with this requirement.

It appears that a sidewalk is illustrated on the site plan, and will be required at the time the site is developed commercially.

A note on the site plan states that curbside pick-up will be used instead of a dumpster. If the applicant does decide to utilize a dumpster, it must be connected to sanitary sewer, with a compliant enclosure.

As the site abuts residentially used property to the East, a compliant residential buffer should be provided. The site plan states that a privacy fence will be provided, but does not state the height. If approved, a six-foot high privacy fence that reduces to three-feet high within the front setback, should be provided. Furthermore, due to the nature of the proposed business storing boats and motorhomes, a six foot high, ten foot wide, evergreen vegetative buffer should also be provided to help further reduce the impacts on the residential lot to the East.

Furthermore, the applicant should be made aware that converting a residential structure to a commercial building requires the structure to be brought into compliance with commercial building, mechanical, electrical, and plumbing code requirements. Also, if any existing shed or trees are to be removed from the site, the necessary demo and tree permits should be obtained.

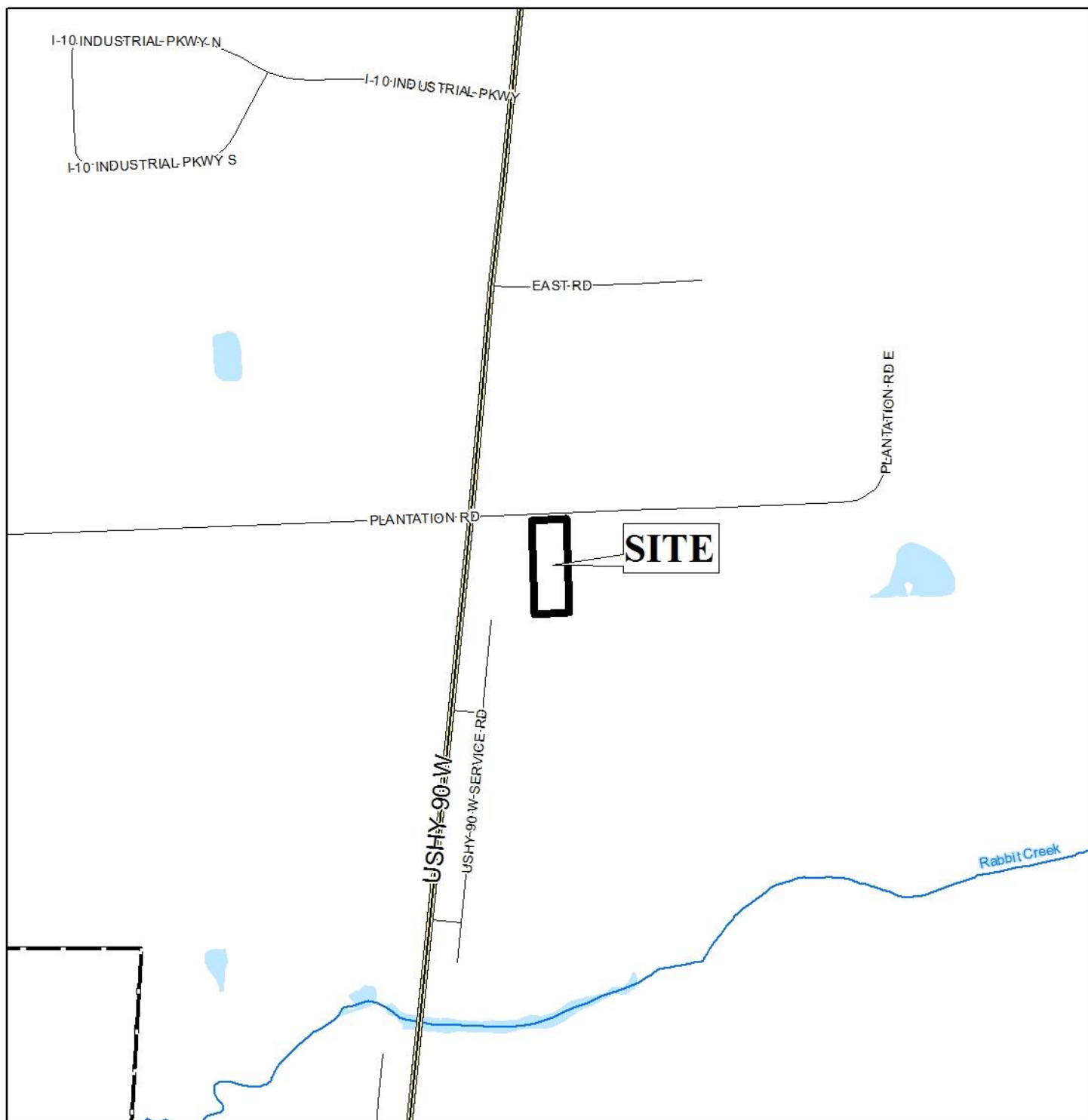
Regarding rezoning, the site is bounded by residential uses on two sides (North and East), and commercial/industrial uses on the other two sides. Based on aerial photos, it appears as if some type of storage similar to that currently proposed has existed on the site since prior to annexation. However, it should be noted that the subject site is one of ten residential properties along Plantation Road that is “sandwiched” between commercial and industrial zoning districts. Additionally, the industrial development to the East of the subject site, has an application on this same agenda to further develop their property.

RECOMMENDATION

Based on the preceding, the application is recommended for Approval subject to the following:

- 1) provision of a six foot high, ten foot wide, evergreen vegetative buffer as well as a six foot high privacy fence (reduced to three feet within the front setback) along the East property line; and
- 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



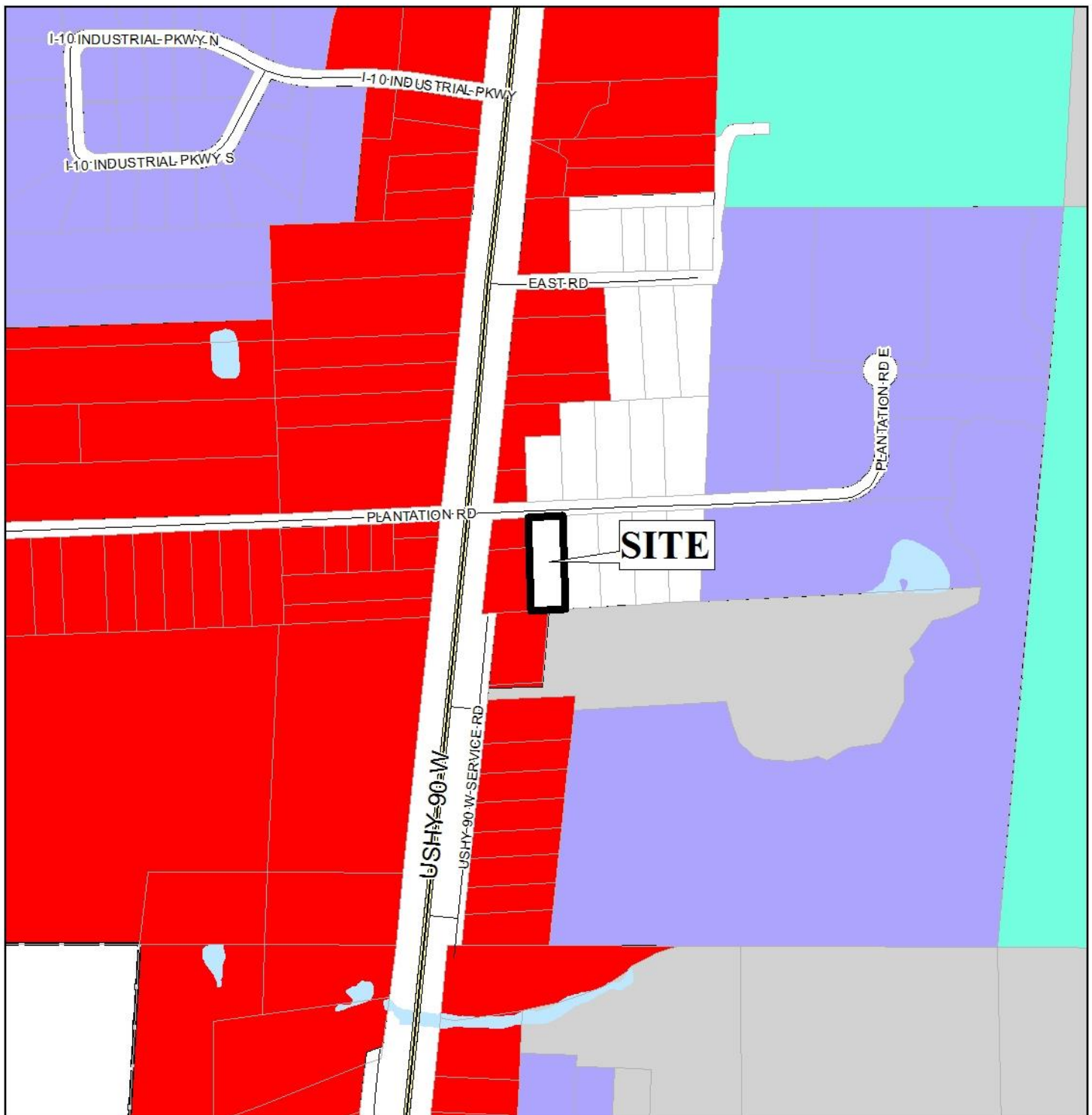
APPLICATION NUMBER 8 DATE October 3, 2019

APPLICANT LCM Motorcars, LLC

REQUEST Rezoning from R-1 to B-3



LOCATOR ZONING MAP



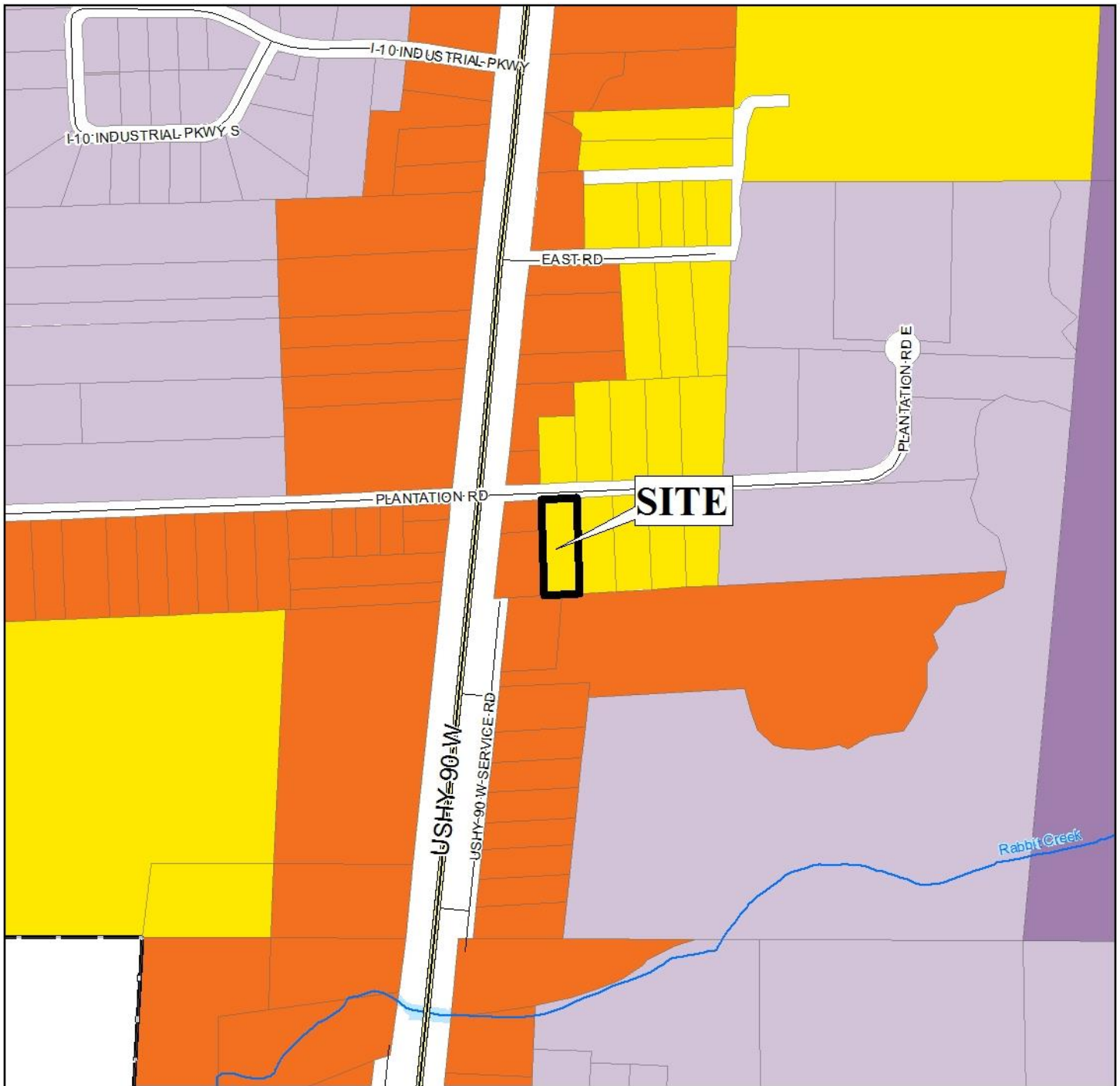
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FLUM LOCATOR MAP



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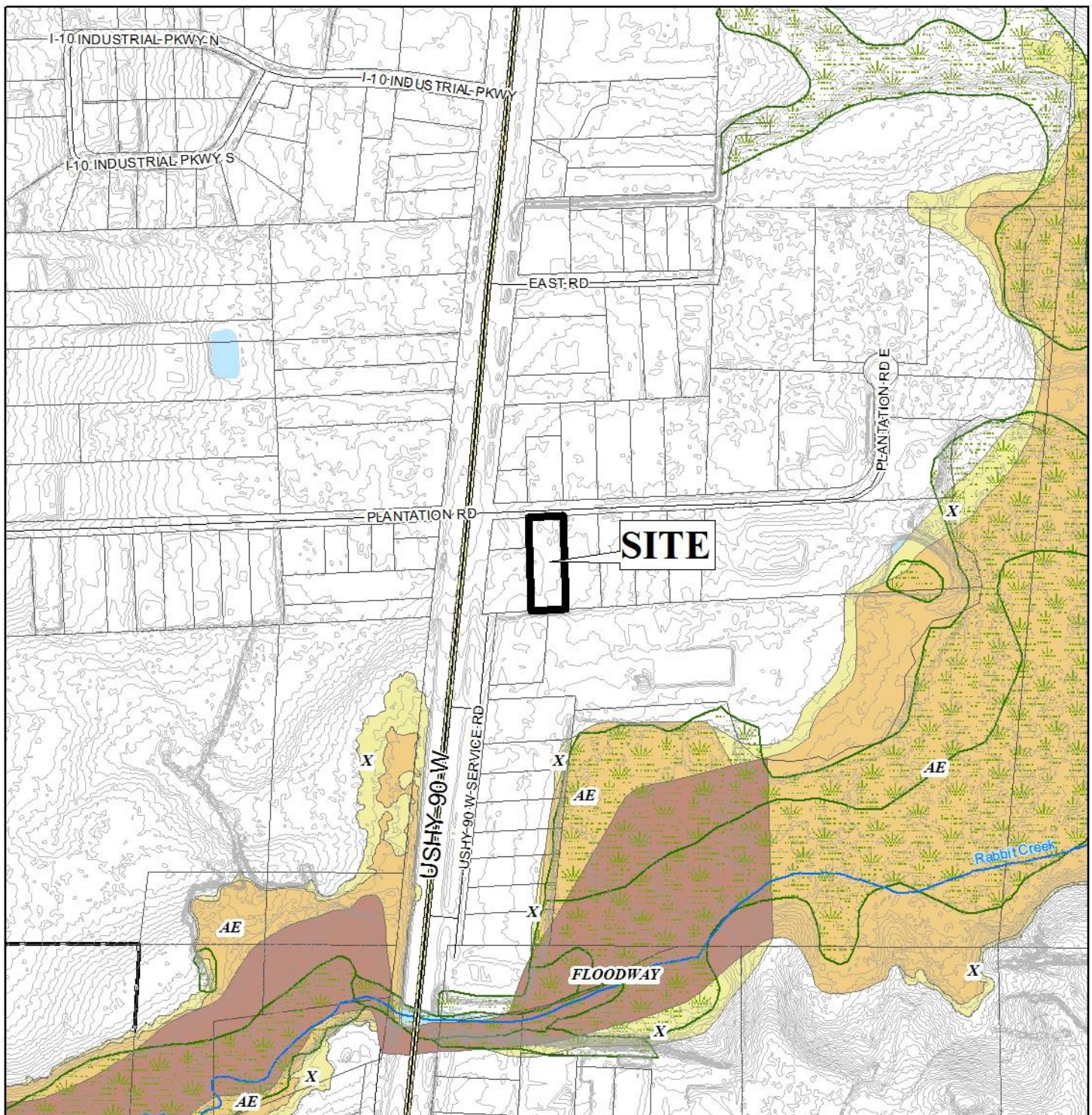
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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REQUEST Rezoning from R-1 to B-3

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



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

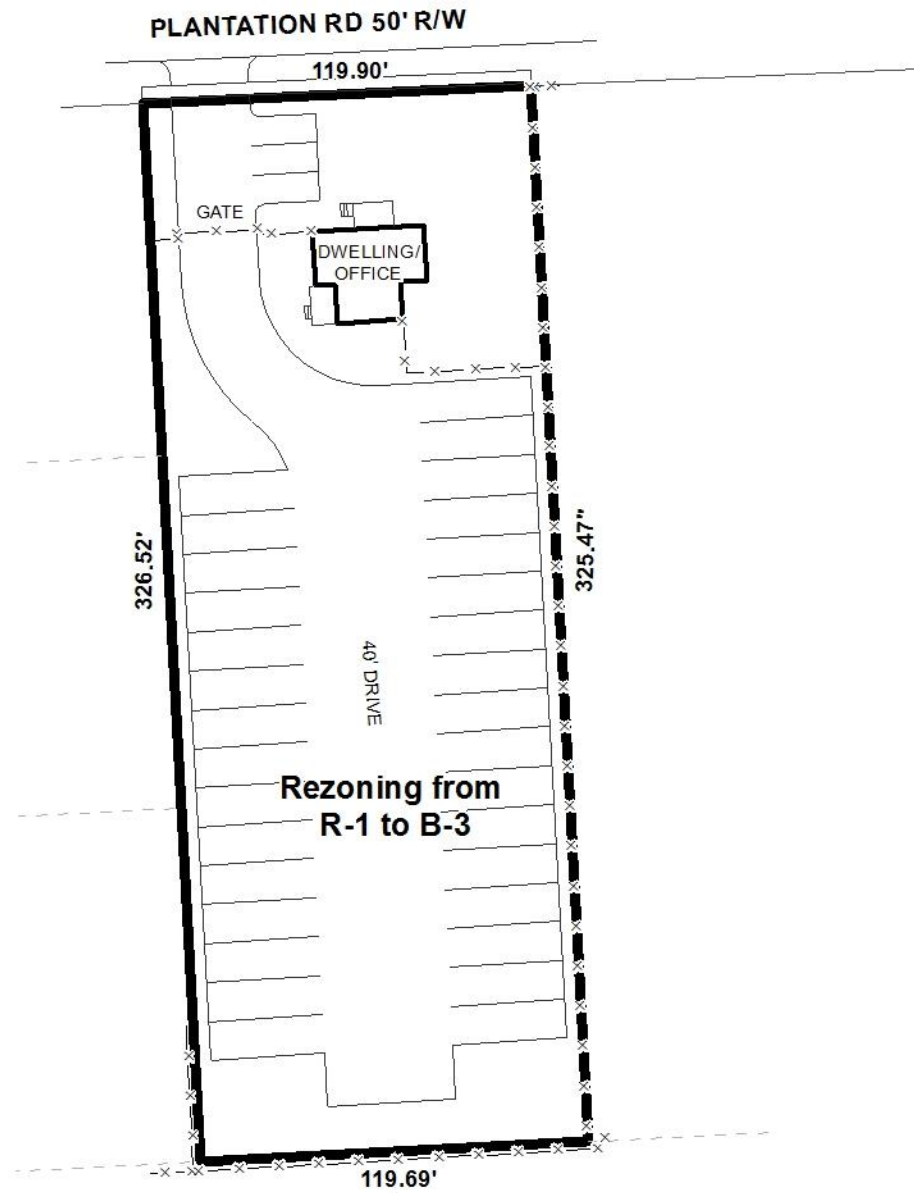
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SITE PLAN



The site plan illustrates the existing building, parking, and fences.

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REQUEST Rezoning from R-1 to B-3



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