

REZONING STAFF REPORT**Date: December 4, 2003****APPLICANT NAME**

Saad Development Corporation

LOCATION

1450 Center Street
(Northwest corner of Center Street and Lafayette Street, extending to the South side of St. Stephens Road, 140'± West of Lafayette Street)

PRESENT ZONING

B-2, Neighborhood Business
R-1, Single-Family Residential

PROPOSED ZONING

B-3, Community Business

AREA OF PROPERTY

2.44± Acres

CONTEMPLATED USE

To bring zoning into conformance for an existing medical supplies and equipment sales, service and warehousing facility, and to allow for its future expansion.

TIME SCHEDULE

Existing

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**

Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY**COMMENTS**

Urban Forestry would like to request preservation status (Any work around, including trimming or removal of this tree, requires approval from the Mobile Planning Commission.) for the 60" Live Oak Tree located on Parcel C and 80" (approximate) Live Oak Tree on Parcel F. All work under the canopies to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. 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).

REMARKS

The applicant is requesting the site be rezoned to B-3 in conformance with the present use of the site. A portion of the site is, and has been for a number of years, a medical supply and equipment sales, service and warehousing

facility. While sales and service of some medical equipment is allowed in B-2 districts (which is the current zoning for a portion of the site), the warehousing/distribution aspect of the business requires B-3 zoning. Also, it appears that additional properties along St. Stephens Road have been acquired since the property was originally developed.

St. Stephens Road, which has an existing right-of-way of 50' is a major street as shown on the Major Street Plan and as such requires a minimum right-of-way of 100' and may require either a 40' parallel service road or some alternative method of access management. This section of St. Stephens Road, which replaced Congress/Donald Street as an East West Arterial, is shown on the MATS 2025 Plan as a priority one project. Priority one projects are planned for construction before 2005.

The site does not meet the minimum size guidelines (four acres) and locational standards (at or near intersection of two major streets) for the creation of a new B-3 district. However, the historical use of the property and its proximity to existing B-3 uses and zonings indicates that the proposed rezoning may not be out of character for the neighborhood.

The application indicates that the use of the property will be the same as the previous use, however, there will also be outside storage of trucks and possible expansion of the building in three to five years. The existing facility consists of approximately 33,160 sq.ft. of office and warehouse space. The Zoning Ordinance allows a maximum of 40,000 sq.ft. for office/warehouse in B-3 districts by right; over 40,000 sq.ft. requires Planning Approval.

When approving a rezoning it is typical that the Commission require a site to be brought into compliance with all municipal codes and ordinances, including but not limited to landscaping and tree plantings. There are also issues relating existing parking facilities along Center Street and Lafayette Street which back into the right-of-way which should be addressed and unused curb cuts that should be closed.

As indicated by Urban Forestry Comments, there are several large trees on the site – two of which are requested to be given preservation status. While these trees may be claimed for credit towards tree planting requirements, there are no frontage trees on Center Street or Lafayette Street; there are two trees on St. Stephens Road that may be eligible as frontage trees and whose canopy may preclude the planting of other frontage trees in that area.

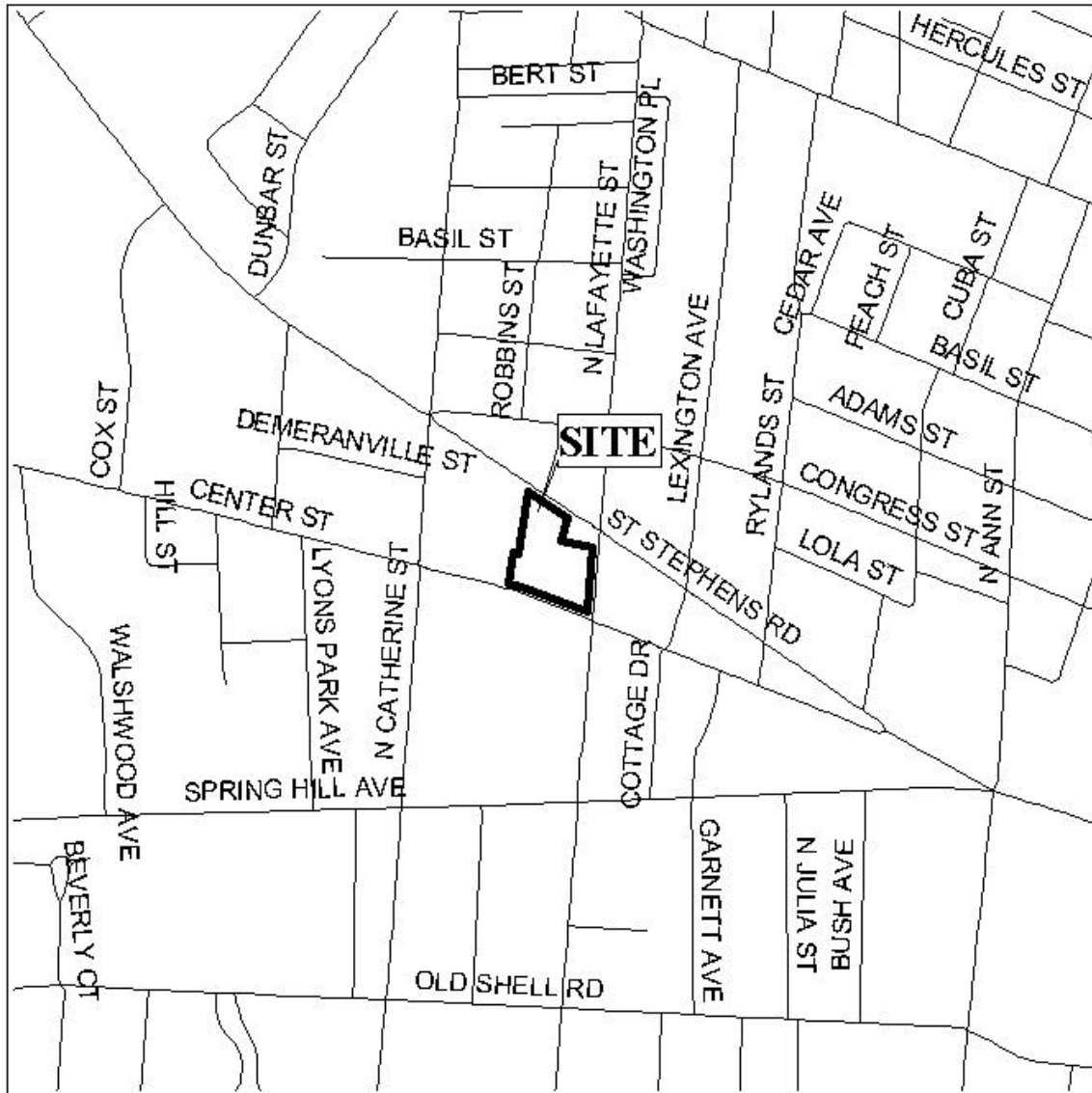
The site currently exists as multiple parcels. As the proposal is for a single development, the submission of a one-lot subdivision to incorporate all parcels into one legal lot of record should be required.

RECOMMENDATION

Based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) dedication of sufficient right-of-way along St. Stephens Road to provide a minimum of 50' from centerline; 2) submission, approval and recording of a one lot subdivision, incorporating the entire site

into one legal lot of record; 3) existing parking facilities be reconfigured to prohibit vehicles from backing into the right-of-way; 4) removal of unused curb cuts, including curb replacement, backfill and necessary plantings; 3) the site be brought into compliance with the landscaping and tree planting requirements of the Zoning Ordinance – to the greatest degree practicable; and 4) full compliance with all municipal codes and ordinances.

LOCATOR MAP

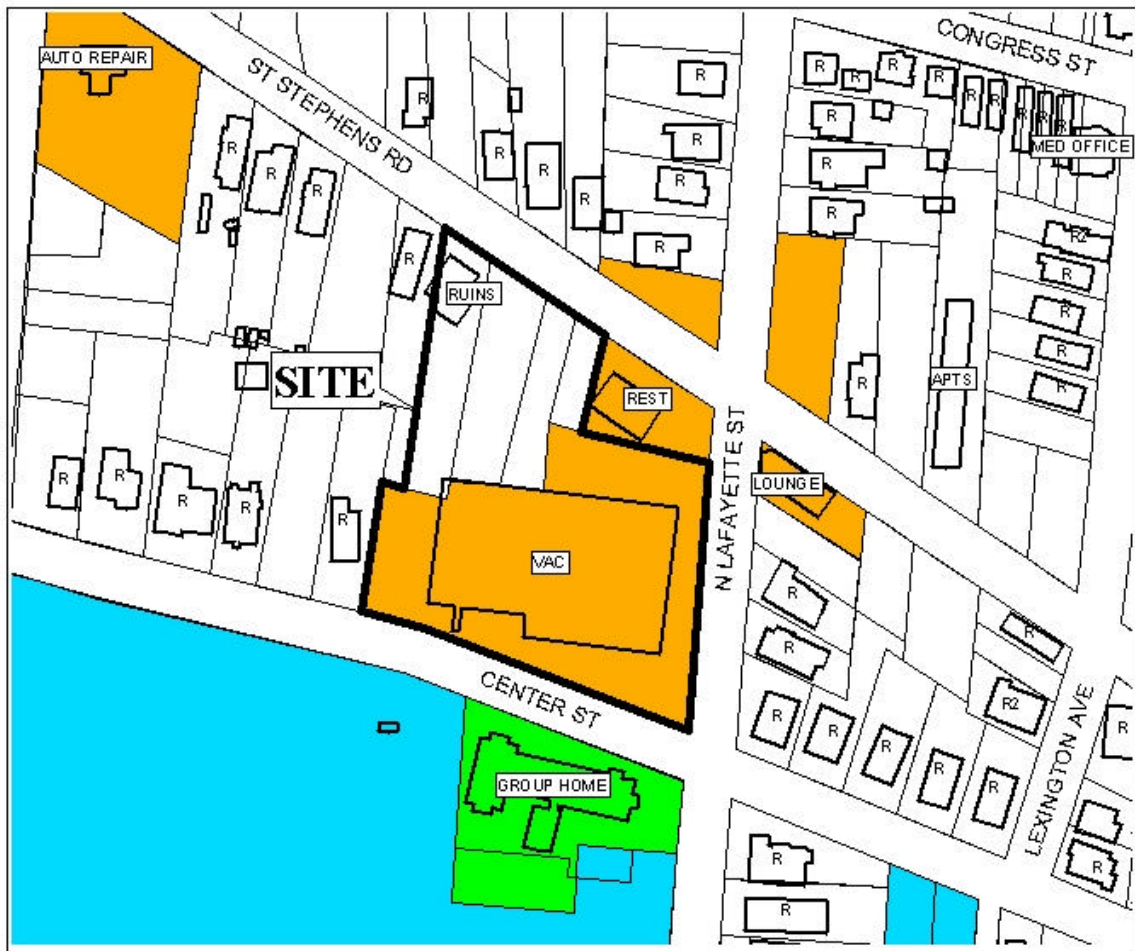


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NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed residential and commercial land uses.

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LEGEND



SITE PLAN



The site is located at the Northwest corner of Center Street and Lafayette Street, extending to the South side of Saint Stephens Road, 140' West of Lafayette Street. The plan illustrates the existing structures and trees larger than 24" diameter.

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