

ZONING AMENDMENT STAFF REPORT**Date: March 4, 2010****APPLICANT NAME**

Thompson Properties

LOCATION5890 Rangeline Road
(Southwest corner of Rangeline Service Road and
Rabbit Creek Drive)**CITY COUNCIL
DISTRICT**

Council District 4

PRESENT ZONING

B-5, Office-Distribution

PROPOSED ZONING

I-1, Light Industry

AREA OF PROPERTY

5.4± Acres

CONTEMPLATED USERezoning from B-5, Office Distribution Districts, to
I-1, Light Industry District, to allow a refrigeration
service and supply company.

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**

Already developed

ENGINEERING

Lot is partially located in the X-Shaded and AE Flood Zone as determined by scaling from FIRM. There is to be no fill placed within the limits of the flood plain without providing compensation. Need to label the minimum FFE on the plat and on any construction plans. 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.

COMMENTS**TRAFFIC ENGINEERING**

COMMENTS

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Standard driveway width is twenty-four feet with twenty foot radii. Changes should be made to the driveway to meet the standard.

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).

Full compliance with landscaping and tree requirements of the Zoning Ordinance.

FIRE DEPARTMENT**COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

Full compliance with landscaping and tree requirements of the Zoning Ordinance.

REMARKS

The applicant is requesting rezoning from B-5, Office Distribution Districts, to I-1, Light Industry District, to allow a refrigeration service and supply company.

The subject site is currently developed with two structures and a 4.5 acre storage yard with aggregate surfacing. The applicant wishes to operate a refrigeration company on-site, which sells, services, and rents highway refrigeration equipment. Since the site is located within the newly annexed Theodore territory, no site plans or other applications have been required (through March 31, 2010 – City Council resolution).

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: 1) there is a manifest error in the ordinance; 2) changes in conditions in a particular area make a change in the ordinance necessary and desirable; 3) an increased need for business or industrial sites in addition to sites that are available make it necessary and desirable to rezone an area or extend the boundaries of an existing district; 4) the subdivision of land into urban building sites makes reclassification necessary and desirable.

It should be noted that the applicant proposes no improvements to bring the property into compliance with the commercial site requirements of the Zoning Ordinance. All properties annexed into the City come with various non-conforming attributes, such as parking, landscaping and signage. When the rezoning plan for the annexed area was approved by the City Council, there were no requirements to improve sites – the non-conforming attributes were allowed to continue (although compliance over time is expected to occur due to site improvements through building permit, Planning Commission, or Board of Adjustment actions, or site redevelopment). Typically, however, when a specific site (versus a broad area) is considered by the Planning

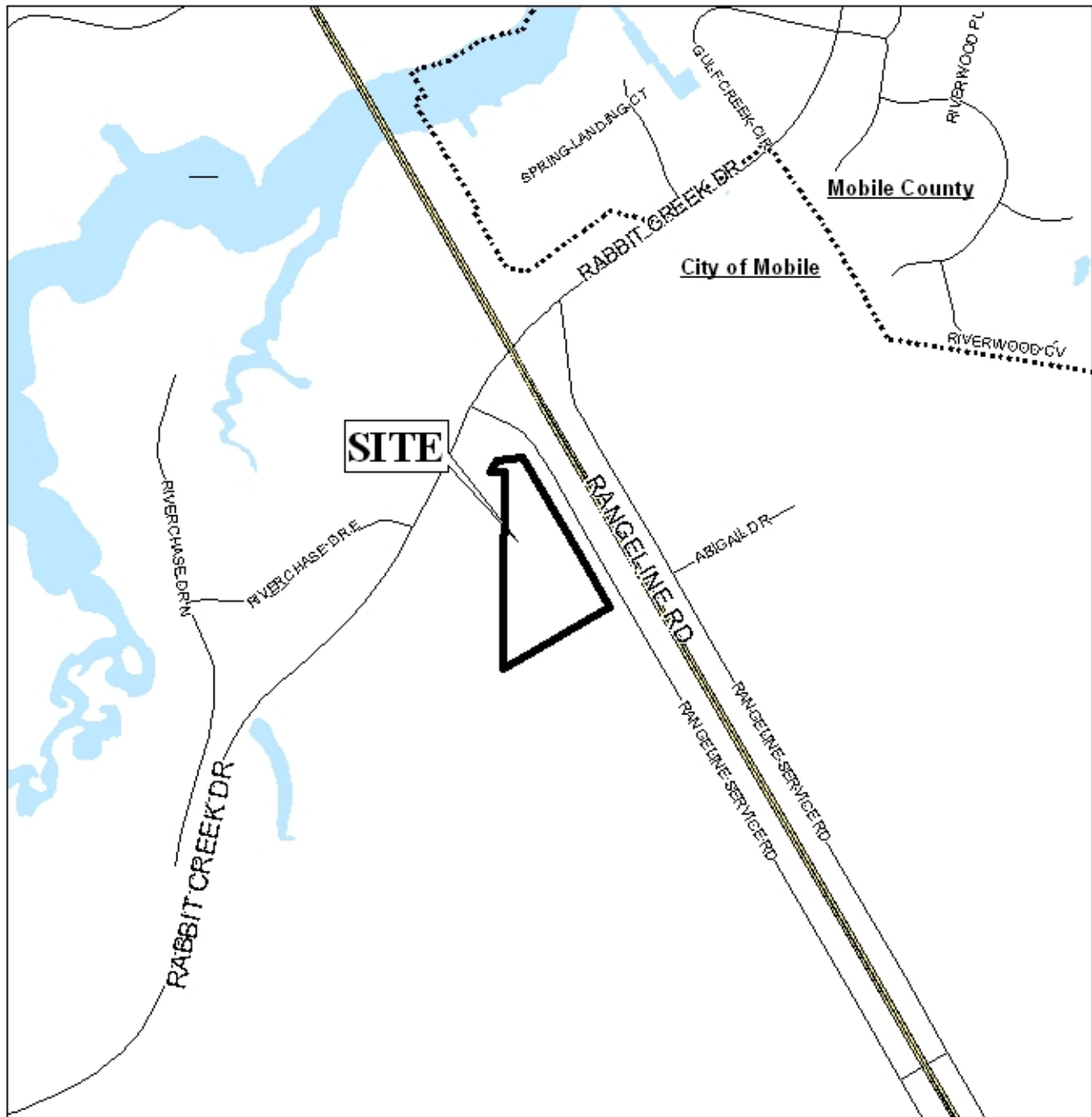
Commission for rezoning, a condition of the rezoning is to bring the site(s) into compliance with all requirements of the Zoning Ordinance, which in this case would include trees, landscaping, parking, and buffering

It should be further noted that no information was submitted justifying the request for a zoning change. The applicant simply states that the change is needed to operate the proposed use. On the other hand, given the proposed use, a rezoning may not even be necessary. Before proceeding, a detailed scope of operations, highlighting the amount of the business devoted to sales versus rentals and servicing, should be submitted.

RECOMMENDATION Based on the preceding, it is recommended that this application be held over until the April 1st meeting to allow the applicant to submit the following by March 15th:

- 1) scope of operations detailing the proposed use in terms of sales versus rentals and servicing; and
- 2) narrative justifying the request for rezoning.

LOCATOR MAP



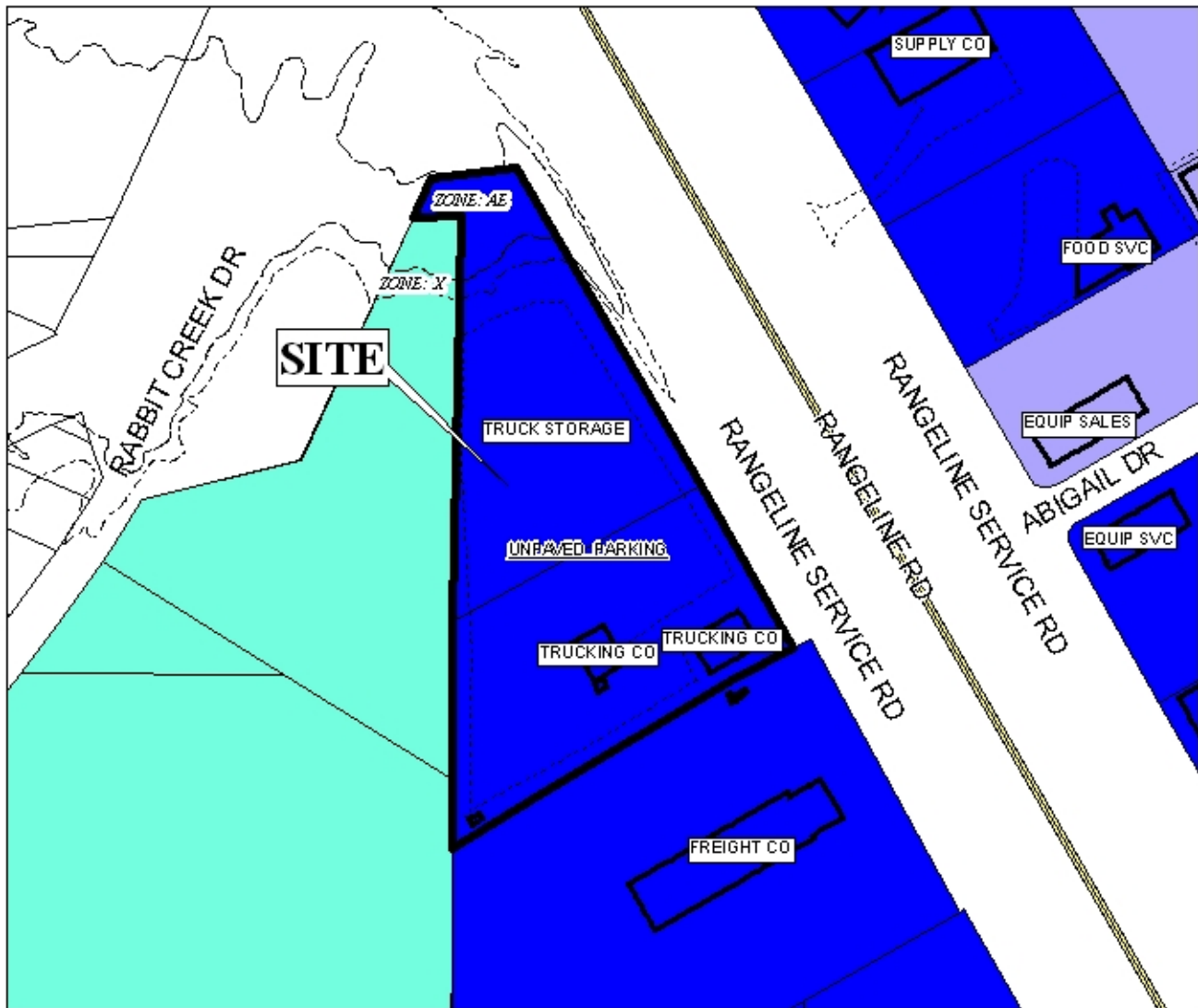
APPLICATION NUMBER 10 DATE March 4, 2010

APPLICANT Thompson Properties

REQUEST Rezoning from B-5 to I-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Commercial and industrial land uses are located to the south and east of the site. Undeveloped land is located to the west of the site.

APPLICATION NUMBER 10 DATE March 4, 2010

APPLICANT Thompson Properties

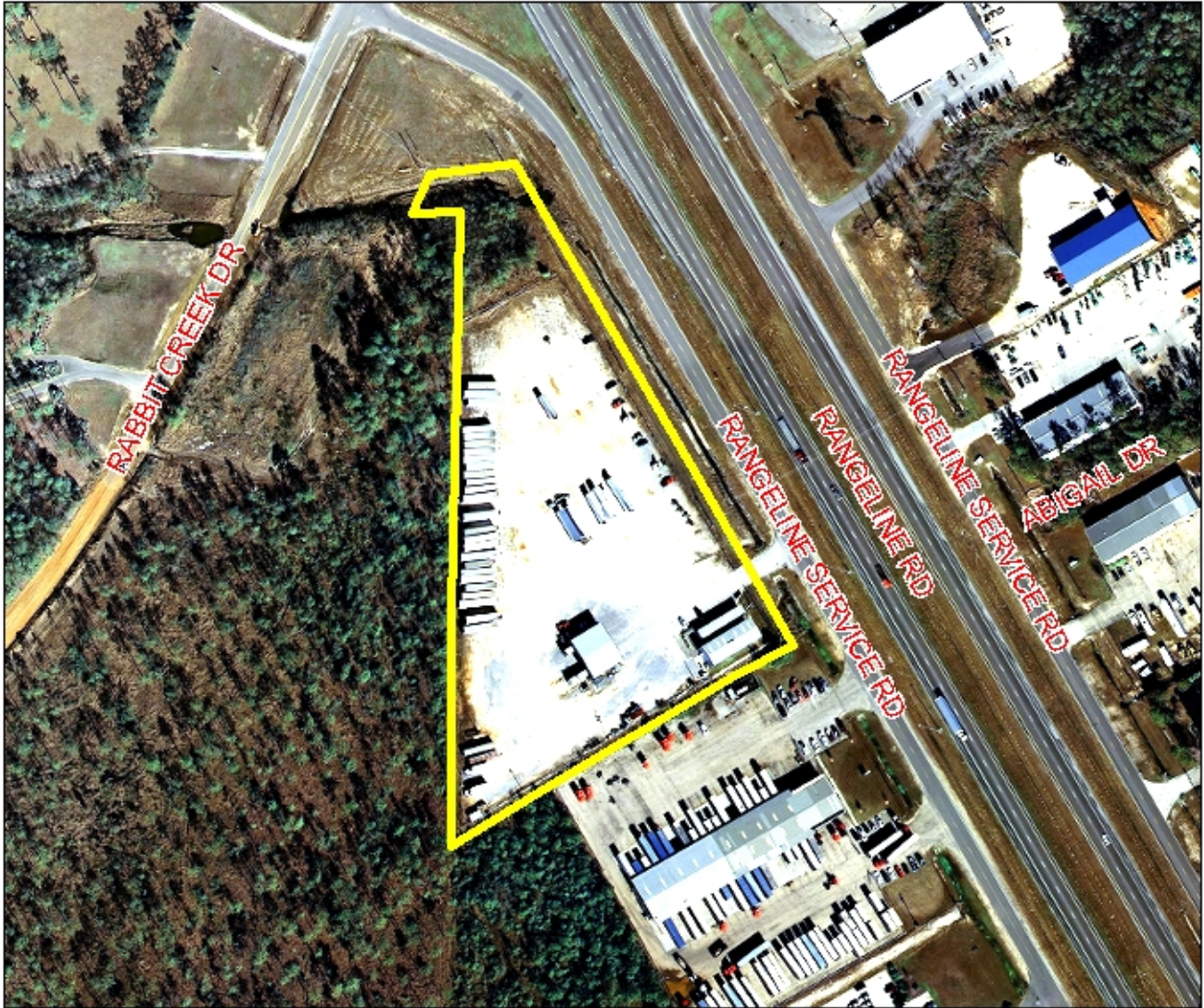
REQUEST Rezoning from B-5 to I-1

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
-----	-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	-----	-----	-----	-----



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Commercial and industrial land uses are located to the south and east of the site. Undeveloped land is located to the west of the site.

APPLICATION NUMBER 10 DATE March 4, 2010

APPLICANT Thompson Properties

REQUEST Rezoning from B-5 to I-1



NTS

ZONING DETAIL

Rezoning Request – Theodore Annexation Area
No site plan due to waiver of requirement by
City Council until March 31, 2010

APPLICATION NUMBER 10 DATE March 4, 2010

APPLICANT Thompson Properties

REQUEST Rezoning from B-5 to I-1



NTS