

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

Date: June 17, 2010

<u>NAME</u>	Don Williams
<u>DEVELOPMENT NAME</u>	Rich's Car Wash
<u>LOCATION</u>	1066 Hillcrest Road (Northwest corner of Hillcrest Road and Johnston Lane)
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	R-1, Single-Family Residential and B-2, Buffer Business District
<u>PROPOSED ZONING</u>	B-2, Buffer Business District
<u>REASON FOR REZONING</u>	Rezoning from R-1, Single-Family Residential District and B-2, Buffer Business District to B-2, Buffer Business District eliminate split zoning for an existing car wash.
<u>AREA OF PROPERTY</u>	1 Lot / 1.9 ± Acres
<u>CONTEMPLATED USE</u>	<p>Planned Unit Development to allow a car drying/vacuuming shed, oil change building, office and customer waiting area on a single building site, and Rezoning from R-1, Single-Family Residential District and B-2, Buffer Business District to B-2, Buffer Business District eliminate split zoning for an existing car wash.</p> <p>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.</p>
<u>TIME SCHEDULE</u>	Existing
<u>ENGINEERING COMMENTS</u>	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**

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).

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.

REMARKS

The applicant is requesting Planned Unit Development to allow a car drying/vacuuming shed, oil change building, office and customer waiting area on a single building site, and Rezoning from R-1, Single-Family Residential District and B-2, Buffer Business District to B-2, Buffer Business District eliminate split zoning for an existing car wash.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

As stated in Section 64-9. of the Zoning Ordinance, 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 entire site appears to be depicted 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 request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The site is bounded to the North by general offices (zoned B-2), to the South by general offices (zoned B-2), to the East by more general offices (zoned B-2) and to the West by undeveloped land (zoned R-1).

The applicant states that they would like to resolve the split zoning (R-1 and B-2) to reflect current usage of the site. It should be noted that the site is already a legal lot of record and that there is no proposed construction for the site.

The property has been utilized as a car wash for over 10 years. The site itself is developed with a 5,000 square foot main building for office, wash tunnel, customer waiting room, bathrooms and oil change bays. The entire site has asphalt pavement, three independent roofed car drying/vacuumping sheds which are open sided supported by metal columns and a portable shed. Twenty three parking spaces are delineated on the site plan in the rear (R-1 zoned portion) used for employee parking with no independent driveway to Johnston Lane. It should be noted that concrete sidewalks adjoin Hillcrest Road, but not Johnston Lane. It should also be noted that a 6' high wooden privacy fence adjoins the adjacent residentially zoned lot to the West, but only to the limit of the current paved parking lot. It should be further noted that a buffer will be required along the entire Eastern portion of the site to comply with Section 64-4.D.1, if approved.

It should be pointed out that the applicant has applied for a variance due to the fact that one of the car drying/vacuumping sheds sits 11' closer to Johnston Lane than the 20' minimum minor street frontage setback allows.

Full compliance with the tree and landscaping requirements of the Zoning Ordinance is typically required for properties going through the rezoning process. Full compliance for this site would require 16 overstory frontage trees, and 9,930 square feet total landscape area, of which 5,960 square feet to be provided as front landscape area. It should be noted that the site plan submitted illustrates full compliance with the tree and landscape requirements of the Zoning Ordinance.

Dumpster locations for the site are not depicted on the site plan to comply with Section 64-4.D.9 of the Zoning Ordinance; therefore, the applicant should make a provision for dumpster locations and place a note on the site plan stating that dumpsters will be completely screened from view. If dumpsters will not be used, provide a statement indicating such, and how garbage will be removed from the site. It should be noted that aerial photographs show that the site has a dumpster placed in the right-of-way of Johnston Lane.

Any new lighting on the site must comply with the requirements of Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance, and a note stating such should be placed on the revised PUD site plan, if approved.

RECOMMENDATION

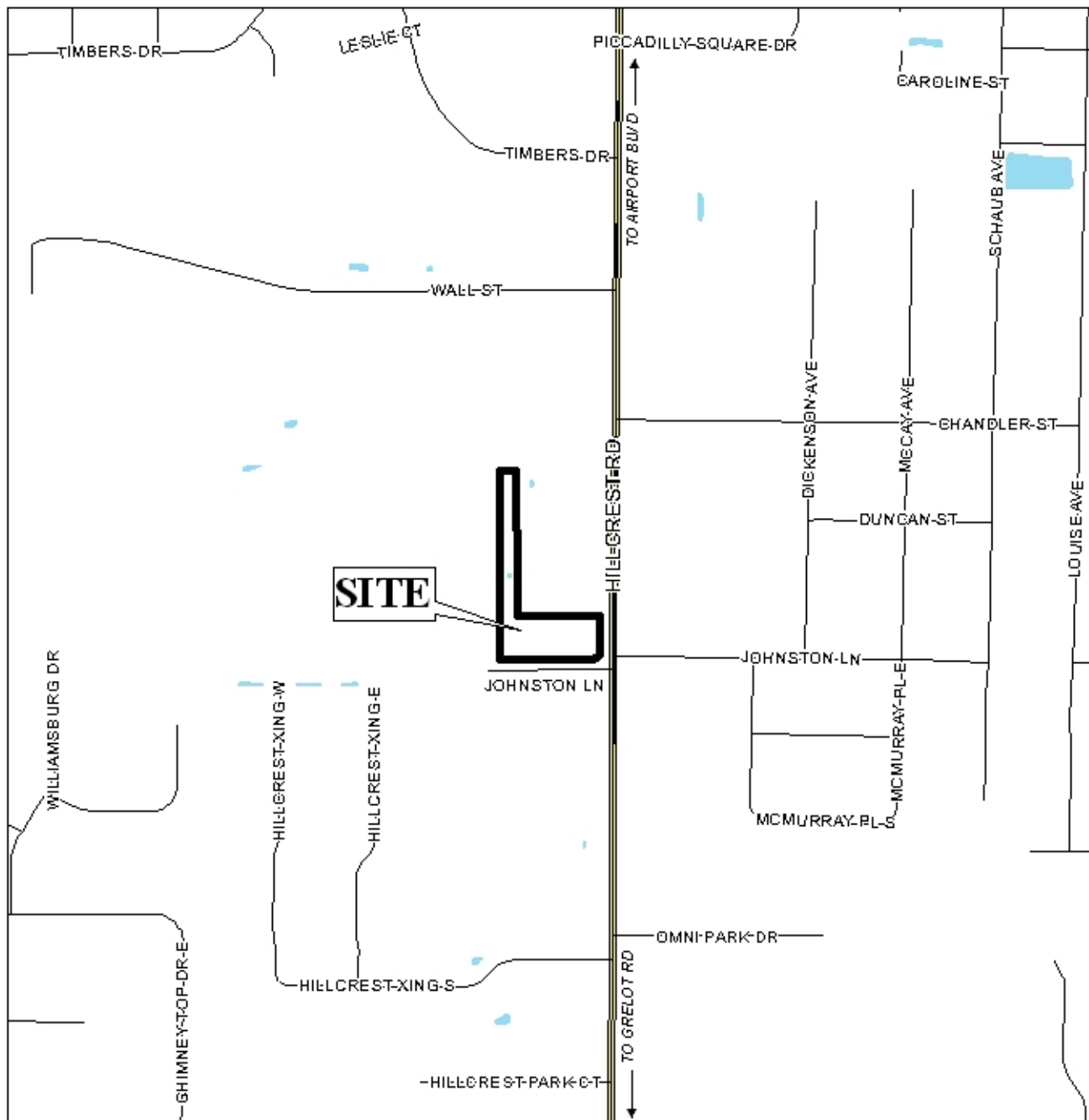
Rezoning: The request is recommended for Approval, subject to the following conditions:

- 1) limited to an approved Planned Unit Development; and
- 2) full compliance with all other municipal codes and ordinances.

Planned Unit Development: The request is recommended for Approval, subject to the following conditions:

- 1) provision of a 6' high wooden privacy fence along the entire Western portion of the site to comply with Section 64-4.D.1;
- 2) depiction of dumpster location on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance and placement of a note on the site plans stating that dumpsters will be completely screened from view or placement of a note stating how garbage will be removed and that drainage from any new dumpster pads must connect to the sanitary sewer system via a grease trap/oil separator;
- 3) placement of a note on the site plan stating that the runoff from the vehicle washing facility must drain to the sanitary sewer system, and the connection must include an oil separator;
- 4) placement of a note on the site plan stating that any new lighting on the site will comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance; and
- 5) submittal of two copies of the revised PUD site plan to the Planning Section of Urban Development.

LOCATOR



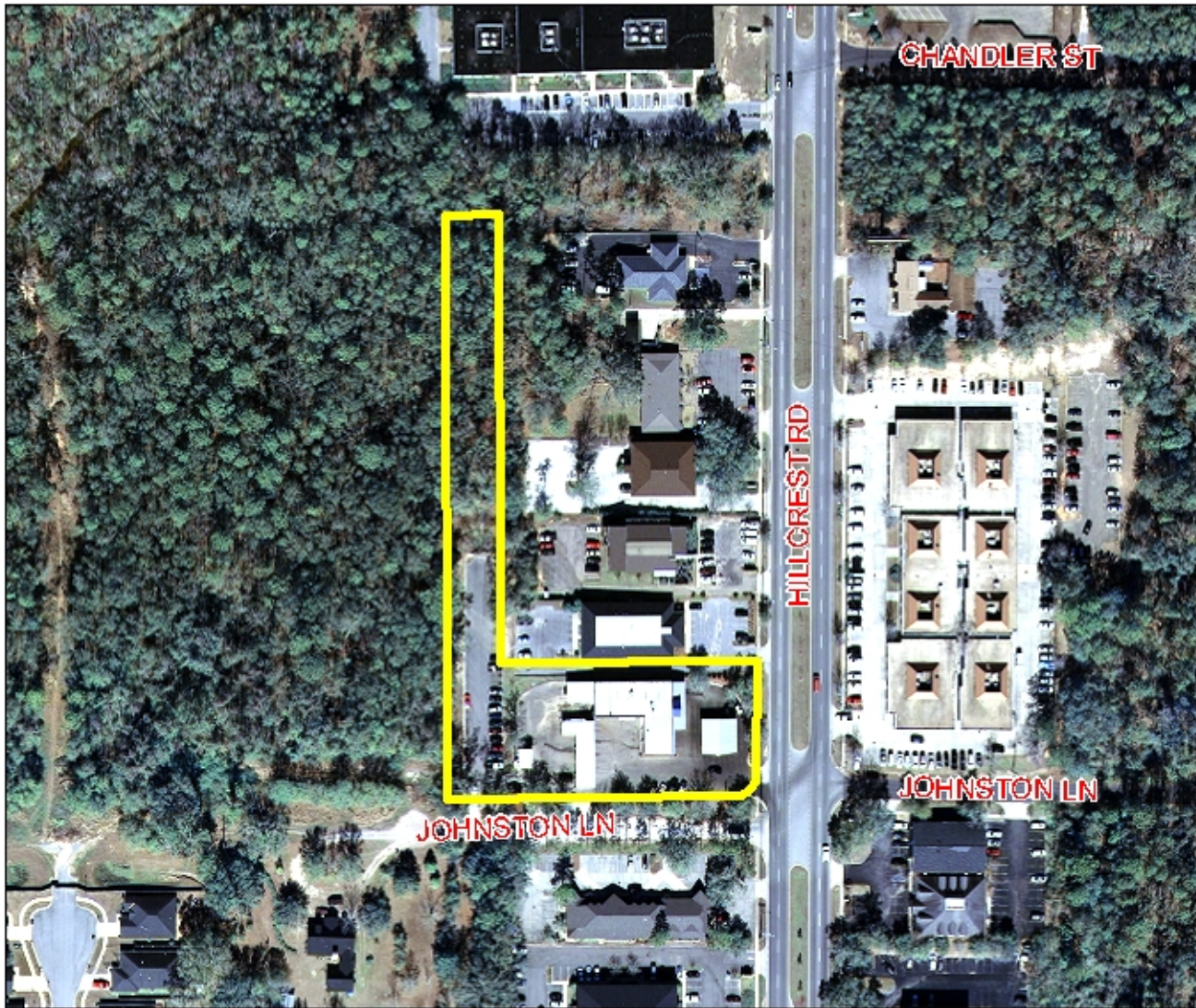
APPLICATION NUMBER 15 & 16 DATE June 17, 2010

APPLICANT Rich's Car Wash

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by commercial land use with residential land use to the west.

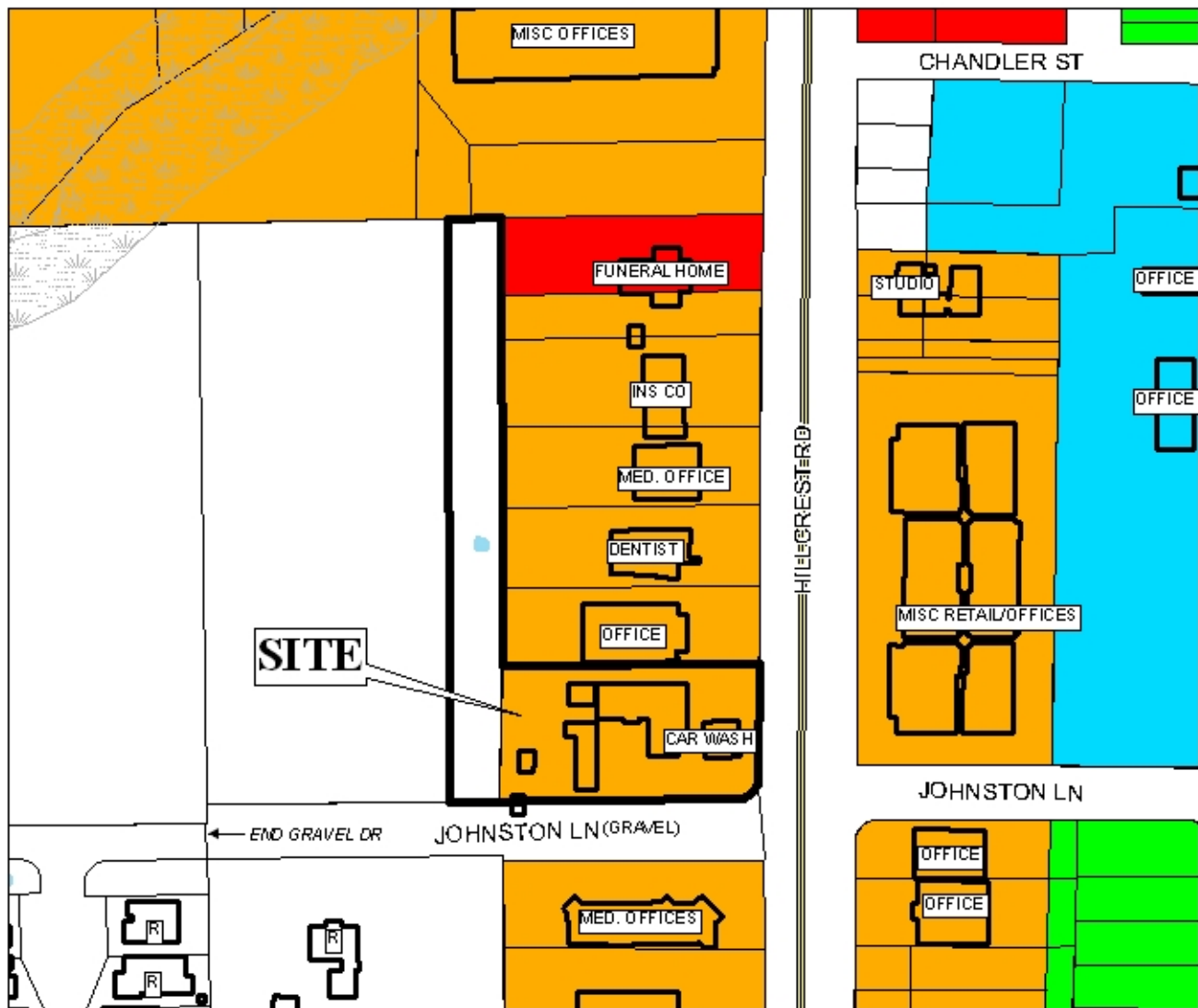
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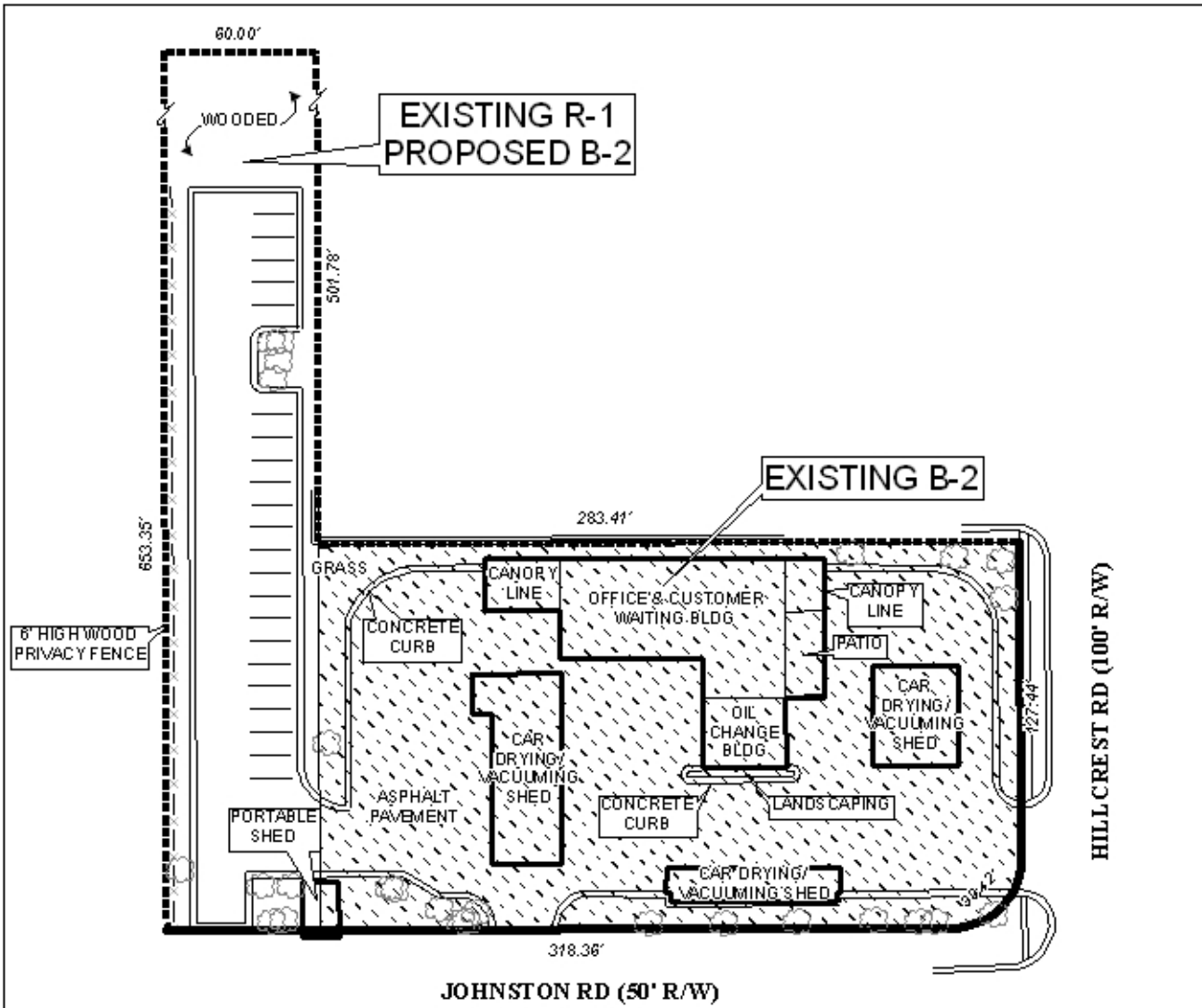
LEGEND

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
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SITE PLAN



This site plan illustrates the proposed planned unit development and proposed zoning change.

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