

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

**Date: March 15, 2012**

<b><u>NAME</u></b>	KV Properties
<b><u>SUBDIVISION NAME</u></b>	Vaughan's Dauphin Subdivision
<b><u>LOCATION</u></b>	2715 Dauphin Street (South side of Dauphin Street, 67'± East of Dauphinwood Drive).
<b><u>CITY COUNCIL DISTRICT</u></b>	District 1
<b><u>PRESENT ZONING</u></b>	R-1 Single-Family Residential District & R-3, Multiple-Family Residential district
<b><u>PROPOSED ZONING</u></b>	B-3, Community Business District
<b><u>REASON FOR REZONING</u></b>	None given.
<b><u>AREA OF PROPERTY</u></b>	1 Lot/6.8± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Subdivision approval to create one legal lot of record from three existing metes and bounds parcels, Planned Unit Development Approval to allow existing multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District and R-3, Multiple-Family Residential District, to B-3, Community Business District, to allow a storage facility to include recreational vehicle and boat storage facility.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE</u></b>	Immediately after approvals
<b><u>ENGINEERING COMMENTS</u></b>	<p>A 4' wide sidewalk shall be installed along Dauphin Street along the entire property frontage.</p> <p>Any work performed in the existing ROW (right-of-way)</p>

such as driveways, sidewalks, utility connections, 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 ROW code and ordinances. On-site detention is required and must be in conformance with the City of Mobile Storm Water Management and Flood Control Ordinance. If any improvements increase the total impervious area of the site to over 4,000 square feet the owner will be required to provide on-site detention, which must comply with all storm water and flood control ordinances Of the City of Mobile.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Access to Dauphin Street should be limited to one curb cut, with 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).

Preservation status is to be given to the two 50" Live Oak Trees located on the South East side of Lot 1 along the Illinois Central Gulf Railroad easement. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

## **FIRE DEPARTMENT**

### **COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

## **REMARKS**

The applicant is requesting Subdivision approval to create one legal lot of record from three existing metes and bounds parcels, Planned Unit Development Approval to allow multiple existing buildings on a single building site, and Rezoning from R-1, Single-Family Residential District and R-3, Multi-Family Residential District, to B-3, Community Business District, to allow a storage facility to include recreational vehicle and boat storage.

The site appears as commercial and residential as depicted on the General Land Use Component of the Comprehensive Plan, which is 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.

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.

B-3, Community Business Districts are composed of land and structures used to furnish, in addition to the retail goods and services found in neighborhood business districts, such less frequently needed goods and services to satisfy all the household and personal needs of the residents of a group or community of neighborhoods. Usually located on a thoroughfare or near the intersection of two (2) thoroughfares, these districts are large and within convenient driving distances of groups of neighborhoods, they will serve. The district regulations are designed to permit the development of the districts for their purpose in a spacious arrangement.

The area to the North is zoned B-3 and developed with B-3 type occupants, and has approximately 947± feet of frontage along an existing Illinois Central Gulf Railroad. To the South and West of the site is R-3, Dauphine Apartments, zoned R-3, Multi-Family Residential. However, research into the area's use history does indicate this site has been used as a non-conforming light manufacturing for several decades, which may warrant rezoning.

It should be pointed out that the rezoning of the site to B-3, Community Business could be considered by extending the level of commercial zoning, complimenting the existing apartment development in reducing the level of commercial activity from manufacturing to mini-warehousing and storage of recreational vehicles and boats.

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.

The site plan submitted indicates a basic design for the existing site; however, does not indicate the number of mini storage units, recreation vehicles and boat storage spaces. Nor does it indicate any proposed changes to the site such as vehicle stacking at the entrance to the site, buffering, maneuvering and access to allow circulation of vehicles and boats within the site. Considering that vehicles entering the site would be towing boats in many instances, this could potentially cause traffic to back-up into Dauphin Street.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the

minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site fronts Dauphin Street, which is a planned major street and as such 100-feet of right-of-way is required; therefore, dedication to provide 50-feet from the centerline of Dauphin Street would be required. Additionally, the proposed Florida Street/Mobile Street Connector is proposed to follow the railroad track and as such 40-feet of additional right-of-way is required (the Major Street Plan for this portion of Florida Street/Mobile Street calls for an 80-foot wide right-of-way). This situation is similar to the rezoning of adjacent properties in 1999 and 2002, the staff recommended that no dedication be required. As a means of access management, a note should be required on the Final Plat stating that the site should be limited to one curb cut to Dauphin Street with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. As on the preliminary plat, the 25' minimum building setback line and the size in square feet and acres of the lot, or a table are illustrated and should be retained on the Final Plat, if approved.

Finally, the geographic area defined by the City of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

The proposed Subdivision meets the technical requirements of the Subdivision Regulations; however, if the rezoning is not approved, the PUD and Subdivision are not necessary.

Finally, landscaping and trees requirements are not indicated on the site plan; therefore, the site plan should reflect the compliance or to the best degree possible for this type of development.

**RECOMMENDATION**      **Rezoning:** The request for Rezoning approval is recommended for Holdover until the April 19<sup>th</sup> meeting, with revisions submitted no later than April 2nd for the following reasons:

- 1) the applicant does not clearly illustrate that there is a change in conditions within the area which would make rezoning necessary or desirable;
- 2) the illustration of the number of storage units, location of recreational vehicle and boat storage area;
- 3) submission of a written synopsis and more detailed site plan of the proposed access, circulation, storage, buffering and times of operation; and
- 4) the plan, as submitted, does not illustrate sufficient queuing area between the gates and the right-of-way, exacerbating traffic congestion.

**Planned Unit Development:** The request for Planned Unit Development Approval is recommended for denial for the following reasons:

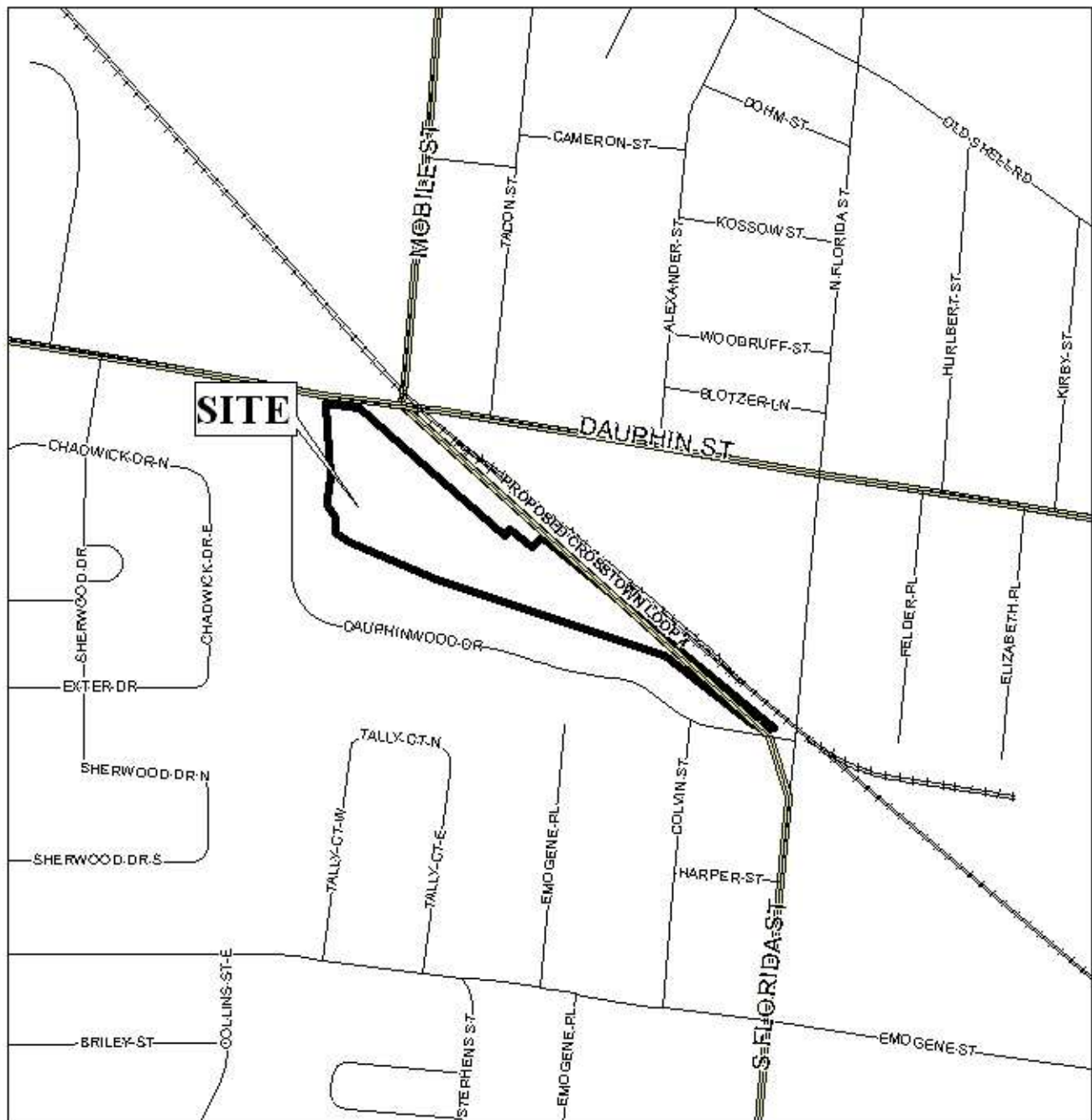
- 1) the illustration of the number of storage units, location of recreational vehicle and boat storage area;

- 2) submission of a written synopsis and more detailed site plan of the proposed access, circulation, storage, buffering and times of operation; and
- 3) the plan, as submitted, does not illustrate sufficient queuing area between the gates and the right-of-way, exacerbating traffic congestion.

**Subdivision:** The Subdivision request is recommended for tentative approval, subject to the following conditions:

- 1) dedication to provide 50-feet from the centerline of Dauphin Street on the Final Plat;
- 2) placement of a note on the Final Plat stating that the development is limited to one curb cut to Dauphin Street, with the size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) illustration of the 25' minimum building setback line on the Final Plat;
- 4) revision of the plat to label the lot with its size in square feet and acres, or the furnishing of a table on the final plat providing the same information;
- 5) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 6) compliance with the Engineering comments: *(A 4' wide sidewalk shall be installed along Dauphin Street along the entire property frontage. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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 ROW code and ordinances. On-site detention is required and must be in conformance with the City of Mobile Storm Water Management and Flood Control Ordinance. If any improvements increase the total impervious area of the site to over 4,000 square feet the owner will be required to provide on-site detention, which must comply with all storm water and flood control ordinances Of the City of Mobile.);*
- 7) compliance with 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). Preservation status is to be given to the two 50" Live Oak Trees located on the South East side of Lot 1 along the Illinois Central Gulf Railroad easement. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);* and
- 8) compliance with Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*

## LOCATOR MAP



APPLICATION NUMBER 16, 17 & 18 DATE March 15, 2012

APPLICANT KV Properties, LLC

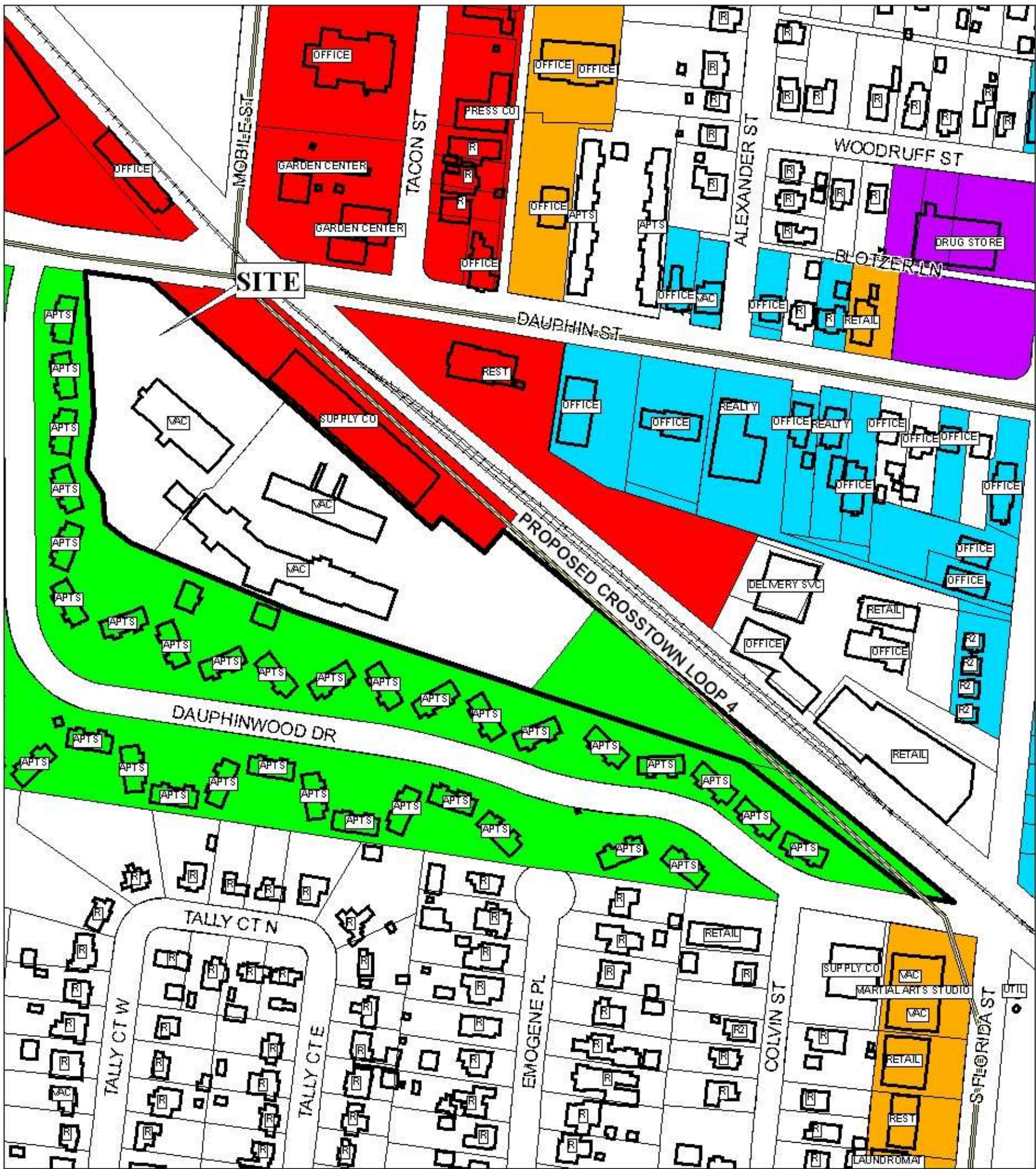
REQUEST Subdivision, PUD, Rezoning from R-1 and R-3 to B-3





PLANNING COMMISSION

VICINITY MAP - EXISTING ZONING

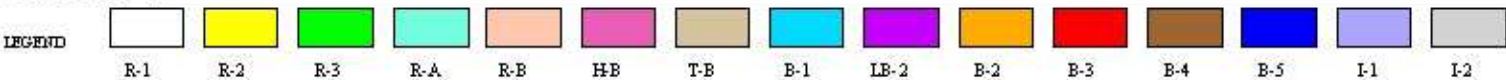


Businesses are located to the north of the site.  
Apartments are located to the south of the site.

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APPLICANT    KV Properties, LLC

REQUEST    Subdivision, PUD, Rezoning from R-1 and R-3 to B-3





PLANNING COMMISSION

VICINITY MAP - EXISTING ZONING



Businesses are located to the north of the site.  
Apartments are located to the south of the site.

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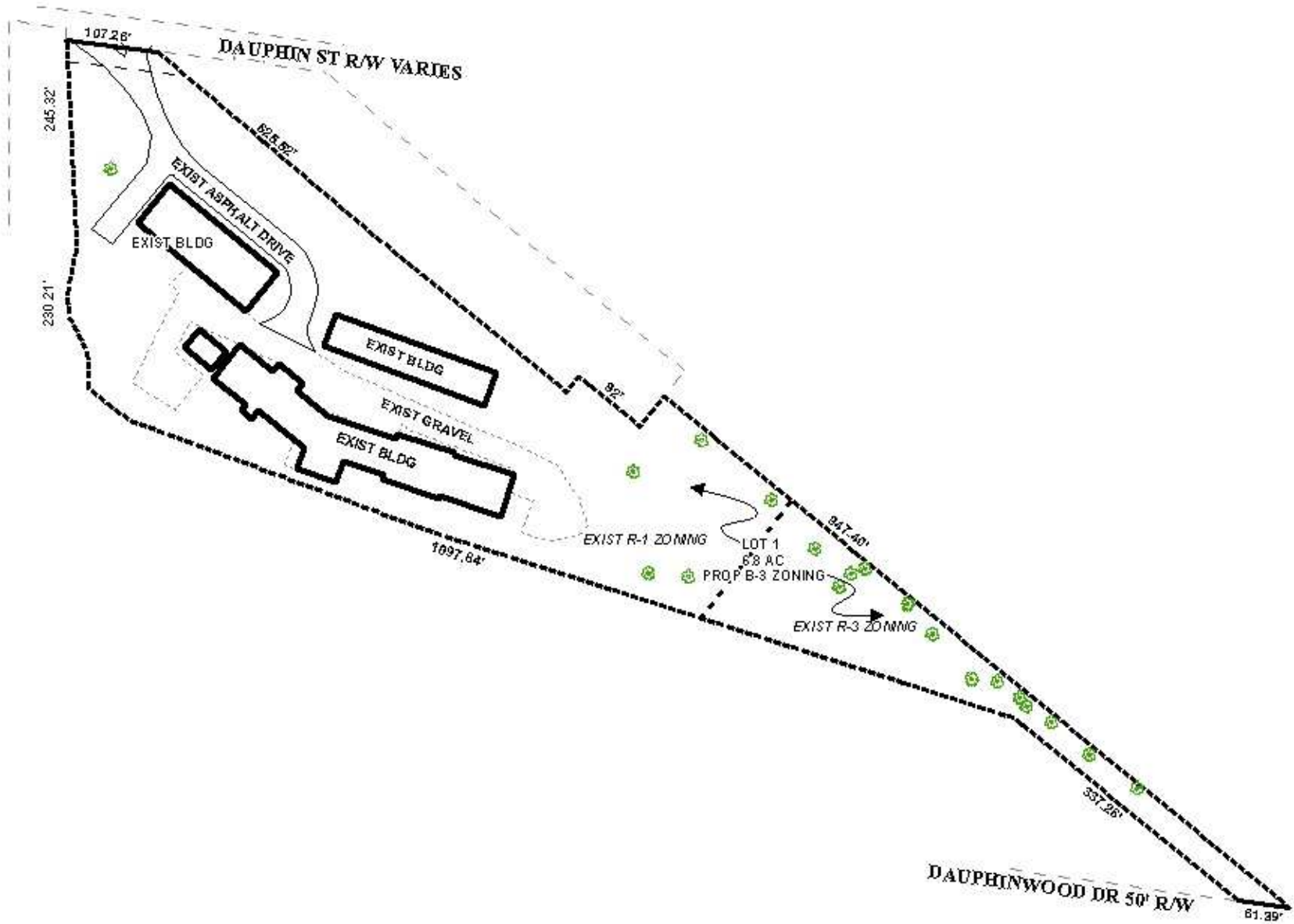
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SITE PLAN



The site plan illustrates the existing development and proposed zoning.

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