

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

**Date: October 4, 2007**

<b><u>NAME</u></b>	Creekline Subdivision, Twelfth Addition
<b><u>SUBDIVISION NAME</u></b>	Creekline Subdivision, Twelfth Addition
<b><u>LOCATION</u></b>	Northeast corner of Higgins Road and Shipyard Road, extending Northwardly 3415'± along the East side of Shipyard Road.
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>PRESENT ZONING</u></b>	B-1, Buffer Business District
<b><u>PROPOSED ZONING</u></b>	B-3, Community Business District
<b><u>AREA OF PROPERTY</u></b>	12 Lots / 7.3± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Rezoning from B-1, Buffer Business District to B-3, Community Business District, to allow offices with light warehousing, Planned Unit Development Approval to allow reduced building setbacks and increased site coverage and Subdivision of three metes and bounds parcels into twelve lots.</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>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	<p>All storm drainage must tie to City storm drainage system or release agreement required to be concentrated onto adjacent property owner. Show minimum finished floor elevation on each lot touched by special flood hazard area(s). No fill allowed in special flood hazard area without flood study. Downstream drainage system should be analyzed to verify capacity to convey additional runoff. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to</p>

confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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. Standard driveway width is twenty-four feet. Changes should be made to accommodate these 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 60" Live Oak Tree located on the East side of Lot 3. Any work on or under this tree 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 must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code. Fire hydrants shall be installed as per 2003 IFC section 508.5.1. Automatic sprinkler system may be required.

## **REMARKS**

The applicant is requesting rezoning from B-1, Buffer Business District, to B-3, Community Business District, to allow offices with light warehousing, Planned Unit Development Approval for allow reduced building setbacks and increased site coverage and Subdivision approval to create twelve legal lots of record from three metes and bounds parcels. Offices with light warehousing are allowed by right in B-3, Community Business Districts.

This site was the subject of a combined Zoning, and Subdivision application, approved by the Planning Commission and adopted by City Council on February 25<sup>th</sup>, 1997. The application and subsequent approval rezoned a large area from R-1, Single-Family Residential to B-1, Buffer Business, B-3, Community Business and B-5, Office-Distribution.

The site, which is undeveloped, is bounded to the Southeast by a 100-foot right-of-way for L & N Railroad, with single-family homes in an existing R-1, Single-Family Residential District to the southeast of the 100-foot railroad right-of-way, to the Southwest and West by developed land with B-3 and B-5 zoning districts, and to the Northwest and North by undeveloped land that is zoned B-5 and B-1 zoning districts.

The site fronts onto Shipyard Road and Higgins Road, both minor streets with adequate right-of-way illustrated for Shipyard Road, and none illustrated for Higgins Road. Therefore, the

accurate right-of-way should be illustrated on the Final Plat, with the dedication if necessary to provide 30-feet from the centerline of Higgins Road. As illustrated on the preliminary plat each lot provides in excess of 250 linear feet of road frontage, two curbs cuts would be allowed for each lot. However, Lot 1 provides road frontage along two streets (Higgins Road and Shipyard Road); therefore, the position of the curb cut closest to Higgins Road should be approved by Traffic Engineering and conform to AASHTO standards.

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.

Planned Unit Development review, stated in Section 64-5. of the Zoning Ordinance, 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 any changes to the site plan must be approved by the Planning Commission.

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 is depicted as residential uses 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 applicant is proposing a 12-lot commercial subdivision. Lot 10, the smallest with approximately 22,626 square feet and Lot 8, the largest providing approximately 34,926 square feet. As illustrated on the preliminary site plan all lots show a 5,000 square foot office/warehouse with the required parking spaces, landscaping and tree planting requirements. However, the site plan does not illustrate the location of any dumpster or buffering as required.

Access management is not a concern due to the location of the proposed lots along a minor street; however, each lot should be limited to a maximum of two curb cuts, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

It should be noted that the applicant is requesting Planned Unit Development approval to allow the reduction of front setback requirements from 25-feet to 15-feet and to increase the site coverage to 50 percent. As illustrated on the preliminary site plan the development does not come close to exceeding the front setback and site coverage limits of the Zoning Ordinance; therefore, because Planned Unit Development (PUD) approval is site specific the request to reduce the front yard setback and increase the site coverage limit is not needed, so the request should be denied.

### **RECOMMENDATION**

**Rezoning:** Based upon the preceding, the rezoning request from B-1, Buffer Business to B-3, Community Business is recommended for approval, subject to the following conditions:

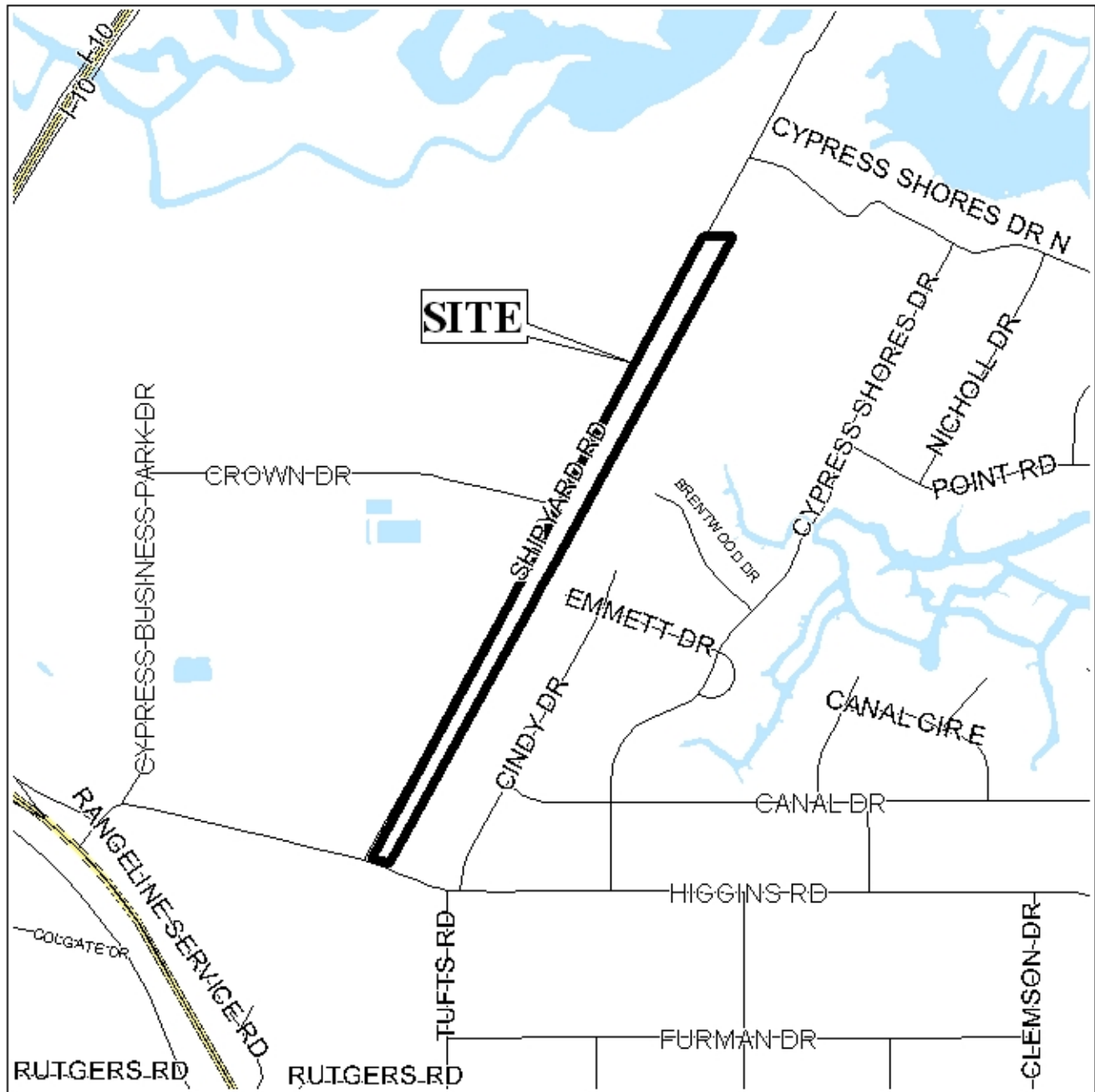
- 1) completion of the Subdivision process;
- 2) that each lot is limited to two curb-cut onto Shipyard Road, with the size, design and location to be approved by Traffic Engineering, and conform to AASHTO standards;
- 3) full compliance with the tree and landscaping requirements of Section 64-4.E. of the Zoning Ordinance;
- 4) provision of a 6-foot high solid wooden fence along the railroad right-of-way; and
- 5) full compliance with all other municipal codes and ordinances.

**Planned Unit Development:** The PUD request is recommended for denial, due to the request is not required.

**Subdivision:** The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) illustration of the right-of-way of all road frontages on the Final Plat;
- 2) depiction of the 25' minimum building setback line on all road frontages;
- 3) placement of a note on the final plat stating that each lot is limited to two curb cuts to Shipyard Road, with the size, location, and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information; and
- 5) the provision of a 6-foot high solid wooden fence along the railroad right-of-way.

# LOCATOR MAP



APPLICATION NUMBER 17 & 18 & 19 DATE October 4, 2007

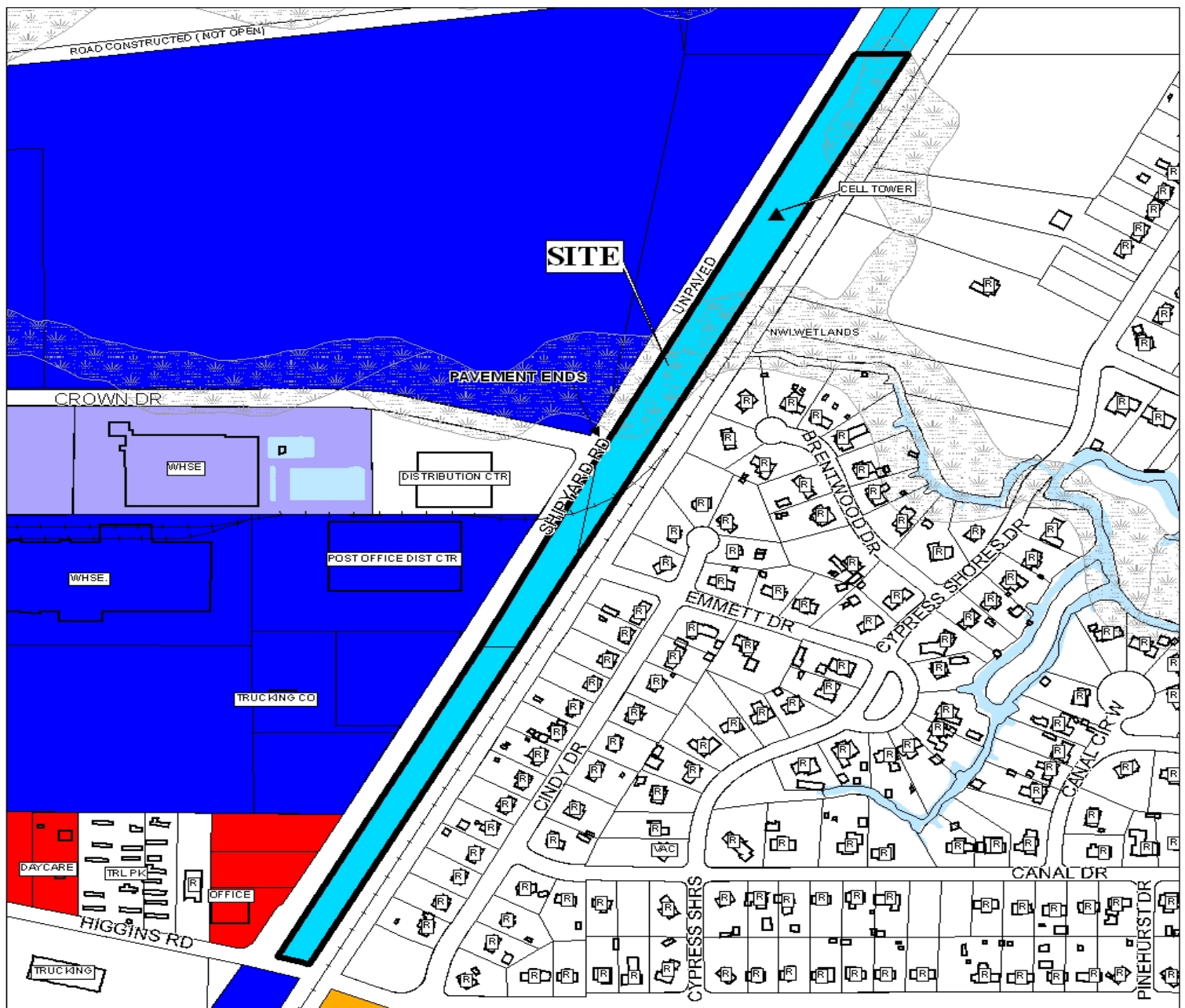
APPLICANT Creekline, L.L.C. (W. M. Lyon)

REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the east of the site.  
Distribution facilities are located to the west and south of the site.

APPLICATION NUMBER 17 & 18 & 19 DATE October 4, 2007

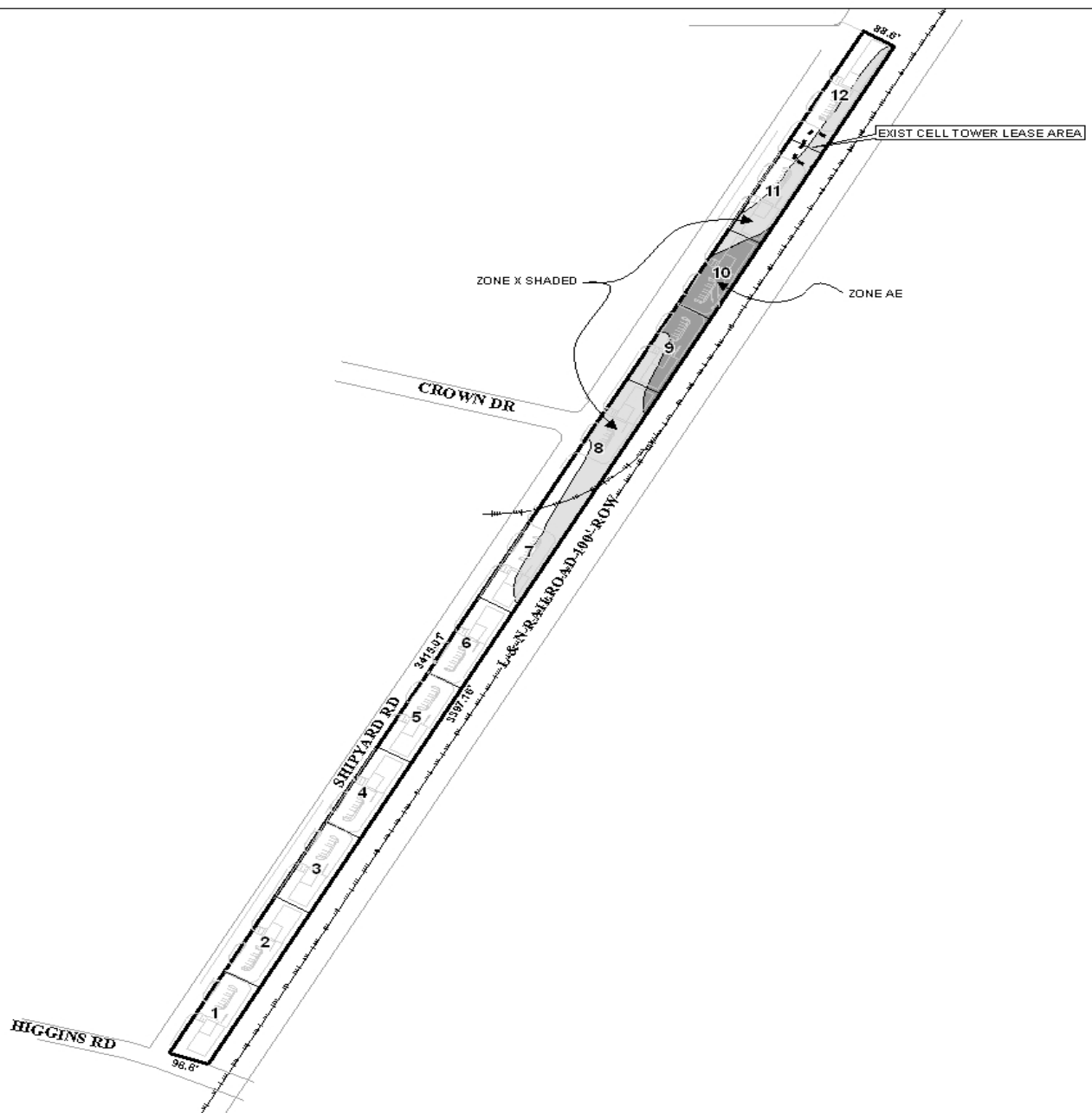
APPLICANT Creekline, L.L.C. (W. M. Lyon)

REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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## SITE PLAN



The site plan illustrates the overall proposed development

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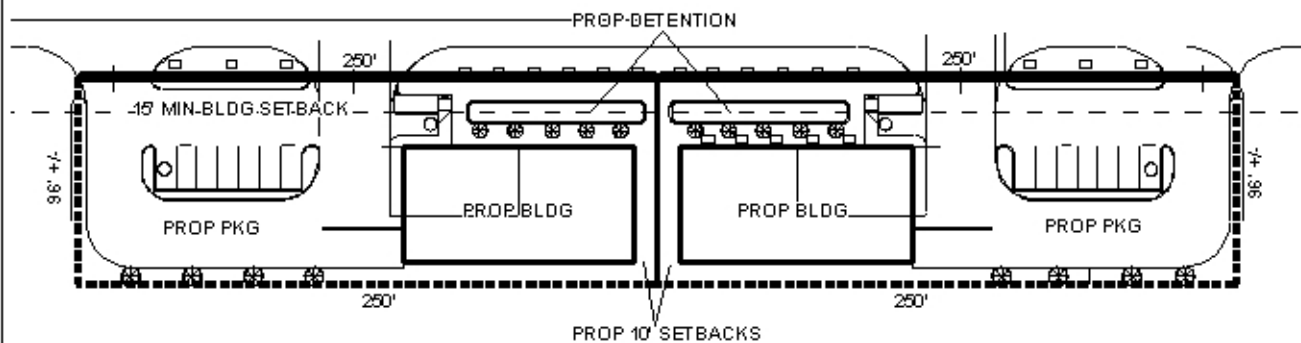
REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3



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# TYPICAL LOT LAYOUT

## LOTS 1, 2, 3, 4, 5, 6, 9, AND 10



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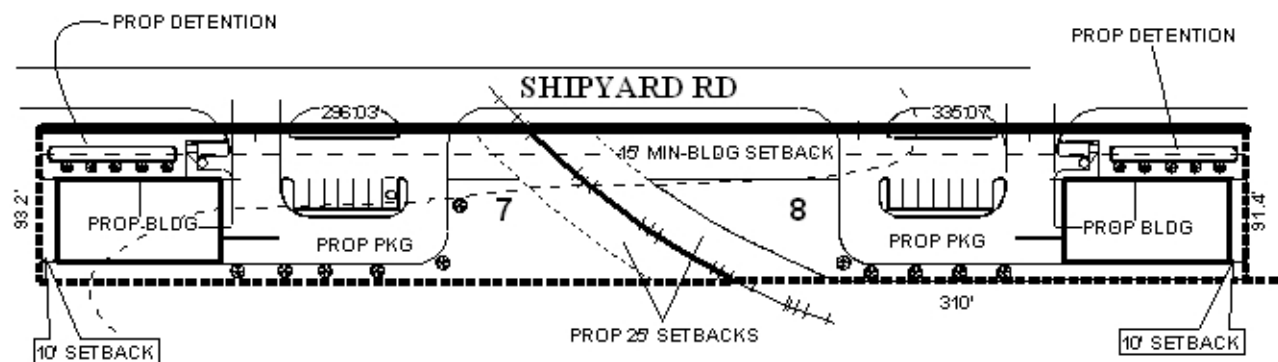
REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3



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# TYPICAL LOT LAYOUT LOTS 7 AND 8

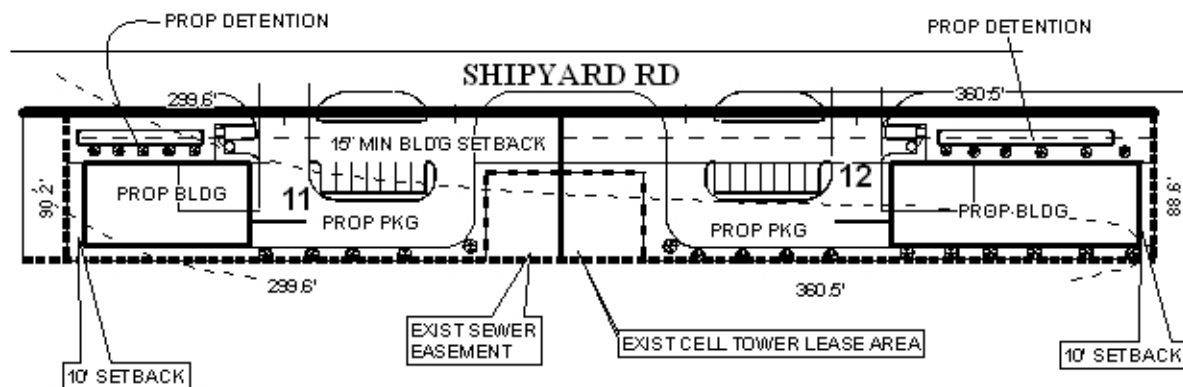


APPLICATION NUMBER 17 & 18 & 19 DATE October 4, 2007  
 APPLICANT Creekline, L.L.C. (W. M. Lyon)  
 REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3



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# TYPICAL LOT LAYOUT LOTS 11 AND 12



APPLICATION NUMBER 17 & 18 & 19 DATE October 4, 2007

APPLICANT Creekline, L.L.C. (W. M. Lyon)

REQUEST Subdivision, Planned Unit Development, Rezoning from B-1 to B-3



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