

**ZONING AMENDMENT,  
PLANNED UNIT DEVELOPMENT &  
PLANNING APPROVAL STAFF REPORT**

**Date: April 21, 2011**

<b><u>NAME</u></b>	MAWSS Stickney Plant
<b><u>LOCATION</u></b>	4800 and 4900 Moffett Road (Northwest corner of Moffett Road and Shelton Beach Road Extension)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 1
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential and B-2, Buffer Business
<b><u>PROPOSED ZONING</u></b>	R-1, Single-Family Residential
<b><u>REASON FOR REZONING</u></b>	To correct a split-zoning condition
<b><u>AREA OF PROPERTY</u></b>	41.3 $\pm$ Acres (PUD and Planning Approval site) 0.2 $\pm$ Acres (Zoning site)
<b><u>CONTEMPLATED USE</u></b>	<p>Planning Approval to allow the operation of a water treatment plant in an R-1, Single-Family Residential District, Planned Unit Development Approval to allow the addition on a bulk silo at a water treatment facility with multiple buildings on a single building site, and Rezoning from B-2, Neighborhood Business District, to R-1, Single-Family Residential District to eliminate split zoning and allow the operation of a water treatment plant.</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>	Detention must be provided for all impervious area constructed post-1984. Dumpster pads on-site must be tied to the sanitary sewer system. 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 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 Planning Approval to allow the operation of a water treatment plant in an R-1, Single-Family Residential District, Planned Unit Development Approval to allow the addition on a bulk silo at a water treatment facility with multiple buildings on a single building site, and Rezoning from B-2, Neighborhood Business District, to R-1, Single-Family Residential District to eliminate split zoning and allow the operation of a water treatment plant. Water treatment plants require Planning Approval in R-1, Single-Family Residential Districts.

The applicant specifically proposes to construct a 14-foot diameter, 50-foot tall silo to contain powder activated carbon at the existing water treatment facility, the E.M. Stickney Filtration Plant. The applicant states that the project is required in order to comply with new regulatory requirements issued by the Alabama Department of Environmental Management.

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 review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. It is very important to note that the Planning Approval review is site plan specific; therefore any future changes to the site plan or to the scope of operations for the school, as approved, by current or future applicants must be submitted for Planning Approval.

The existing water treatment plant and associated facilities have been at this location since 1944, according to the applicant. Water from the J. B. Converse Reservoir (Big Creek Lake), 9 miles

to the West, arrives at the treatment plant via two 60-inch diameter pipes. Finished water from the Stickney facility is then piped into covered reservoirs for distribution to consumers.

The site is composed of a mixture of tax parcels and lots of record. The applicant will make an application for Subdivision approval at a later date in order to create a single legal lot of record for the overall site: staff recommends that the Subdivision application be made within six months of this request, if approved. It should also be noted that a Sidewalk Waiver request should be submitted with the Subdivision application, if such a waiver is desired.

It should also be pointed out that a lot to the West of the site shown on the submitted site plan should also be included (Lot 7, Block 3, Forest Heights), as it is owned by MAWSS, and there appears to be access to the main site via a dirt drive to Woodley Road. The lot does not need to be included in any Subdivision application, but should be depicted on the PUD and Planning Approval site plans.

The existing site is composed of two surface reservoirs, several settling ponds, a chlorination building, a pumping building, an office building, several underground reservoirs, and a variety of silos. Much of the site is encumbered with underground pipes transporting either raw or finished water, as well as above-ground and below-ground reservoirs.

The site fronts onto Moffett Road, a proposed major street with adequate right-of-way, and Shelton Beach Road Extension, a minor street with adequate right-of-way. The site has one paved entrance on Moffett Road, and one unpaved entrance on Shelton Beach Road Extension: these two entrances are gated. A third unpaved entrance may exist, as previously mentioned, from Woodley Road, however, this is not shown on the site plan. The site plan should be revised to include the property fronting onto Woodley Road (Lot 7, Block 3, Forest Heights), and indicate if there is fencing or access via this property.

The site plan also does not appear to depict the recently added telecommunications tower, which was approved by the Board of Zoning Adjustment at its November 2, 2009 meeting. The site plan should be revised to depict the tower location.

The proposed addition of the silo should not cause any significant changes to the public's perception of the site, or impact the public or adjacent property owner's health, safety or welfare. Furthermore, the proposed silo will not reduce any existing landscape area or negatively impact vehicular circulation. The site plan depicts trees larger than 24 inches in diameter, and it is recommended that the removal of any of these trees in the future be coordinated with Urban Forestry.

Regarding the Zoning request, 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 “public” 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. A rezoning of the site to R-1, in association with the required Planning Approval to allow the proposed use, would be consistent with the General Land Use Component of the Comprehensive Plan.

The portion of the site that is commercially zoned was once associated with a bank, and in fact was the location of the bank’s drive-through facilities. The bank has since been converted into a doctor’s office, and the drive-through facilities removed. MAWSS’ acquisition of the drive-through site necessitates the rezoning to eliminate a split-zoning condition, which will become an issue when a Subdivision application is submitted to create a legal lot for the site.

The site contains some large trees along its Moffett Road frontage, as well as on the Northern-most portion of the site. Vegetation where the site abuts existing single-family residences to the West and Northwest is somewhat scarce, however, and it appears that a number of pine trees were removed in early 2010. There do not appear to be any trees along the Shelton Beach Road Extension frontage, primarily due to the proximity of the embankment for the large surface reservoir. MAWSS has stated that underground utilities and security issues limit their ability to add any trees to the site beyond what now exist, and that future clearing, while not planned, may be necessary due to future regulatory or capacity requirements.

Finally, while the water treatment plant has been at this location a long time, perhaps longer than the adjacent residences, a buffer fence or vegetative buffer would typically be required where the site abuts the residences to the West and Northwest of the site. It is recommended that the applicant provide a 6-foot high wooden privacy fence along its Western and Northwestern boundaries where the site abuts residences, only where there is no existing privacy fence. Where the site is heavily vegetated on the Northern-most portion, no privacy fence should be required. Any existing security fencing should remain around the perimeter of the site, however, it should be noted that new barbed-wire, razor-wire or similar fencing should be approved by the Board of Zoning Adjustment, prior to placement with appropriate permits.

## **RECOMMENDATION**

**Rezoning:** The rezoning request is recommended for approval, subject to the following condition:

- 1) Limited to an approved Planned Unit Development.

**Planned Unit Development:** The PUD request is recommended for approval, subject to the following conditions:

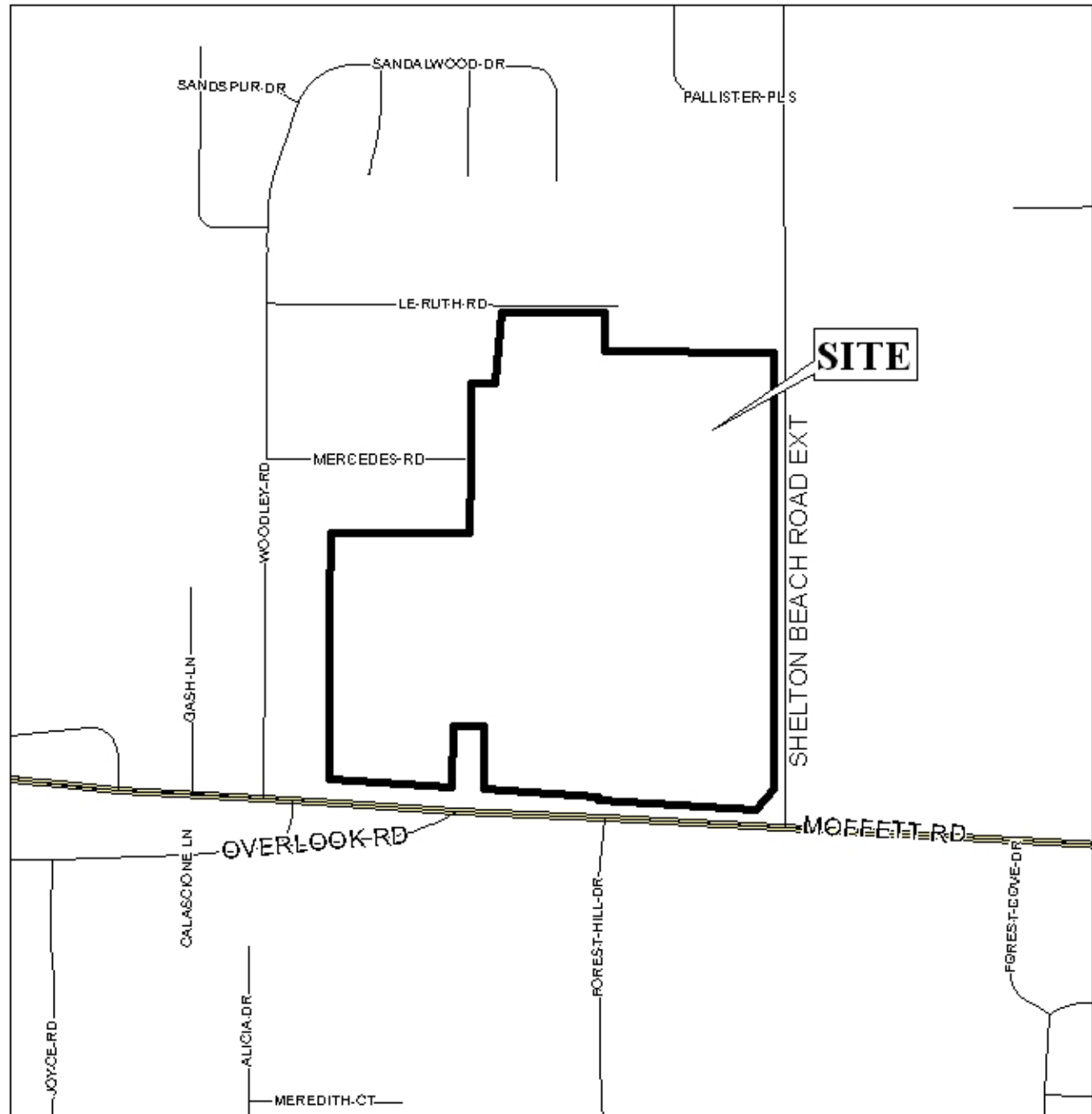
- 1) Revision of the site plan to include the adjacent lot (Lot 7, Block 3, Forest Heights);
- 2) Revision of the site plan to depict the recently constructed telecommunications tower;
- 3) Placement of a note on the site plan stating that the removal of any 24-inch and larger diameter tree depicted on the site plan shall be coordinated with Urban Forestry;

- 4) Depiction and provision of a 6-foot high wooden privacy fence where the site abuts existing single-family residences, where there is no existing privacy fence – existing security fencing to remain;
- 5) Any new barbed-wire, razor-wire or similar security fencing to be approved via a successful application to the Board of Zoning Adjustment prior to placement; and
- 6) Application for Subdivision approval (and Sidewalk Waiver, if desired) by the end of October 2011.

**Planning Approval:** The Planning Approval request is recommended for approval, subject to the following conditions:

- 1) Revision of the site plan to include the adjacent lot (Lot 7, Block 3, Forest Heights);
- 2) Revision of the site plan to depict the recently constructed telecommunications tower;
- 3) Placement of a note on the site plan stating that the removal of any 24-inch and larger diameter tree depicted on the site plan shall be coordinated with Urban Forestry;
- 4) Depiction and provision of a 6-foot high wooden privacy fence where the site abuts existing single-family residences, where there is no existing privacy fence – existing security fencing to remain;
- 5) Any new barbed-wire, razor-wire or similar security fencing to be approved via a successful application to the Board of Zoning Adjustment prior to placement; and
- 6) Application for Subdivision approval (and Sidewalk Waiver, if desired) by the end of October 2011.

## LOCATOR MAP



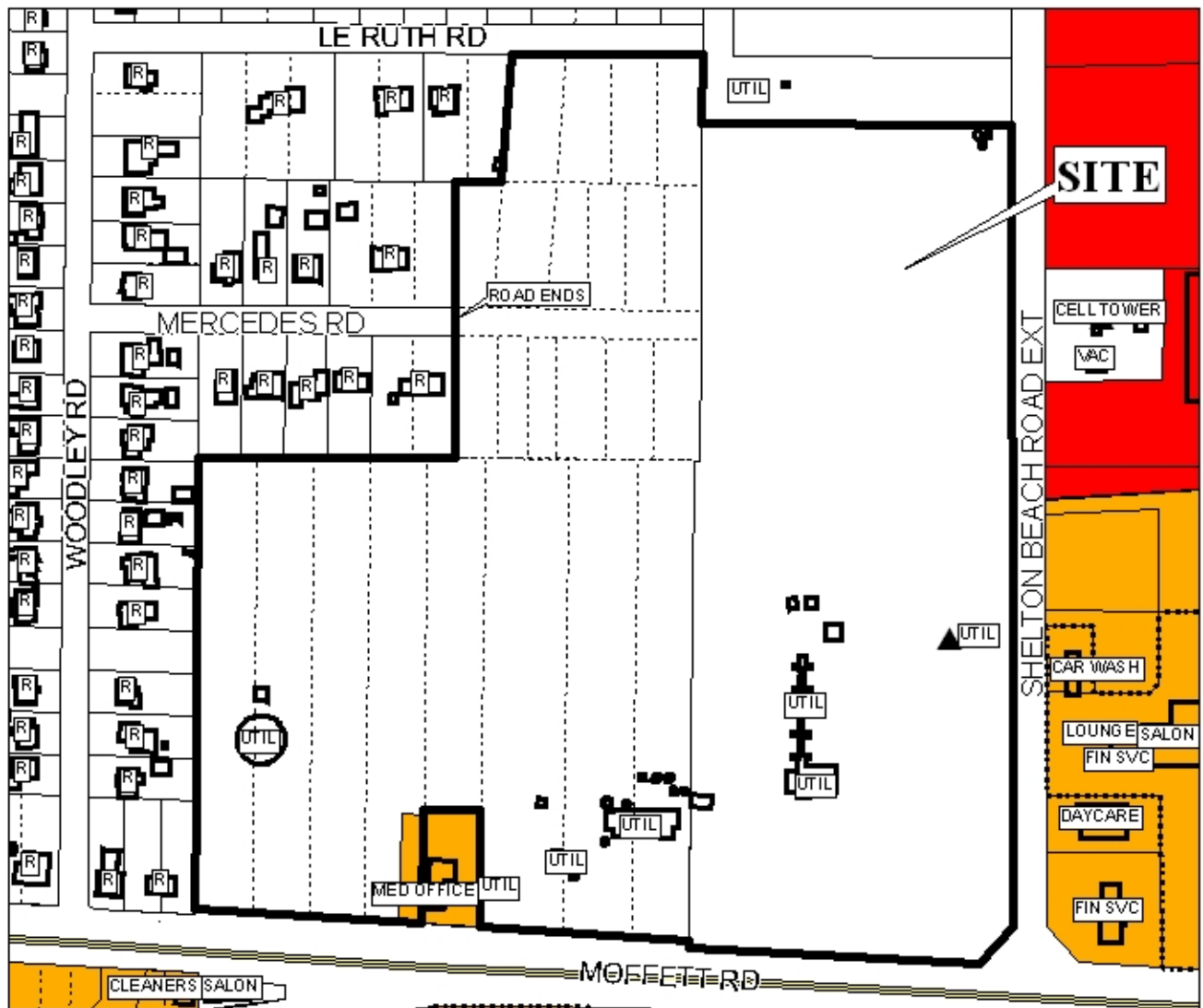
APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011

APPLICANT MAWSS

REQUEST PUD, Planning Approval, Rezoning from B-2 to R-1



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the west of the site.  
Commercial land use is located to the east and south of the site.

APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011

APPLICANT MAWSS

REQUEST PUD, Planning Approval, Rezoning from B-2 to R-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
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## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the west of the site.  
Commercial land use is located to the east and south of the site.

APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011

APPLICANT MAWSS

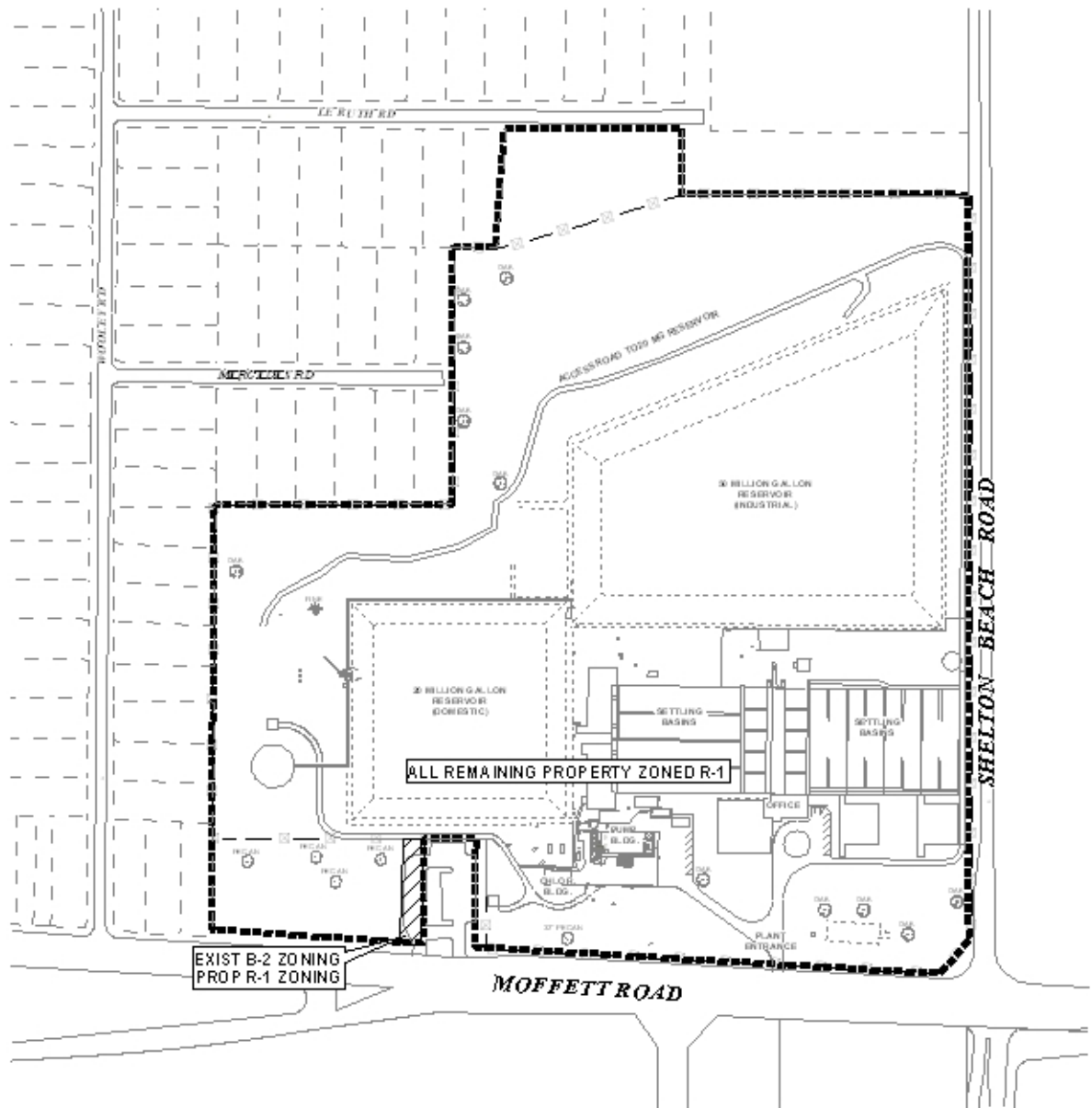
REQUEST PUD, Planning Approval, Rezoning from B-2 to R-1



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# ZONING DETAIL



APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011

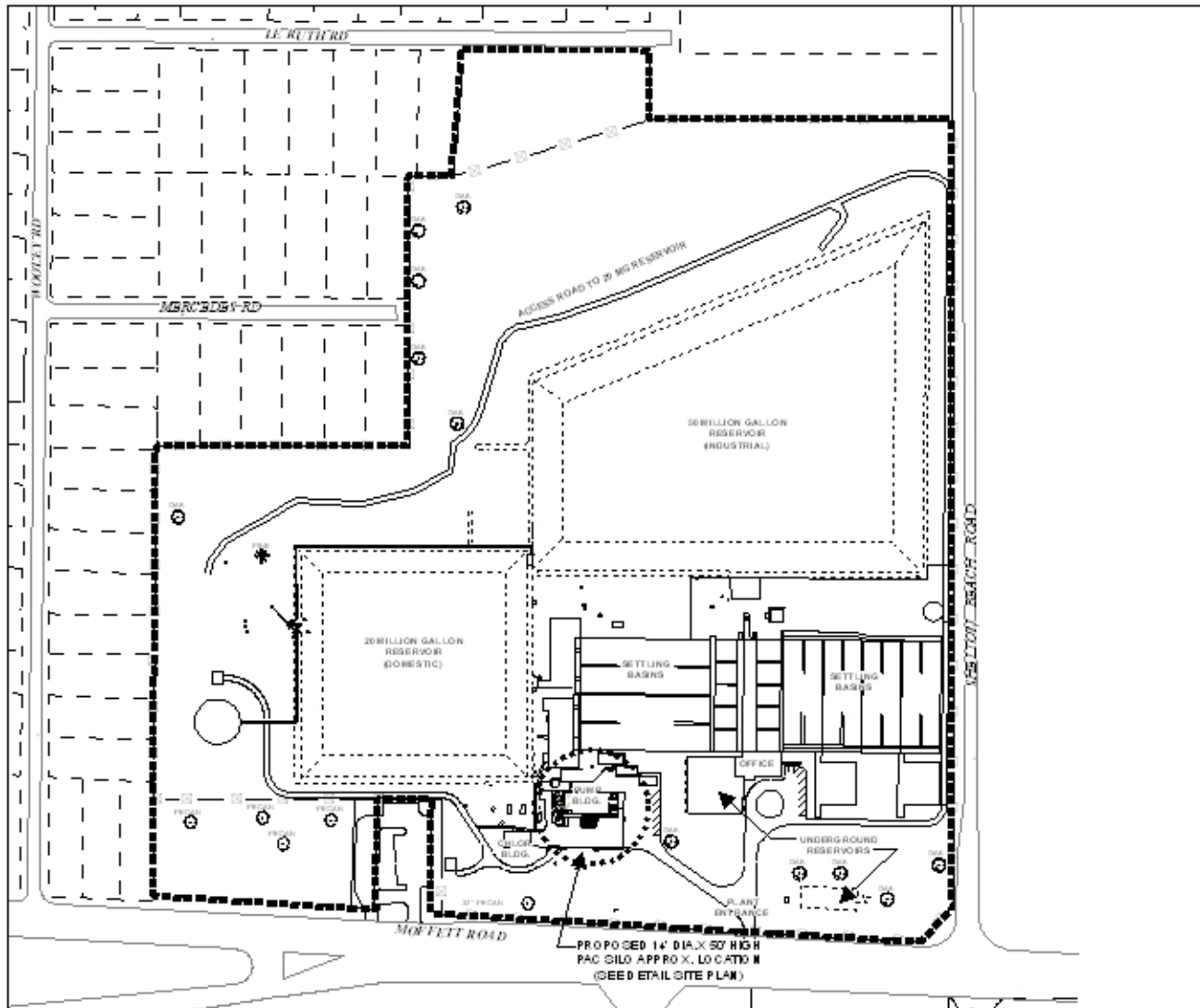
APPLICANT MAWSS

REQUEST PUD, Planning Approval, Rezoning from B-2 to R-1



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# SITE PLAN

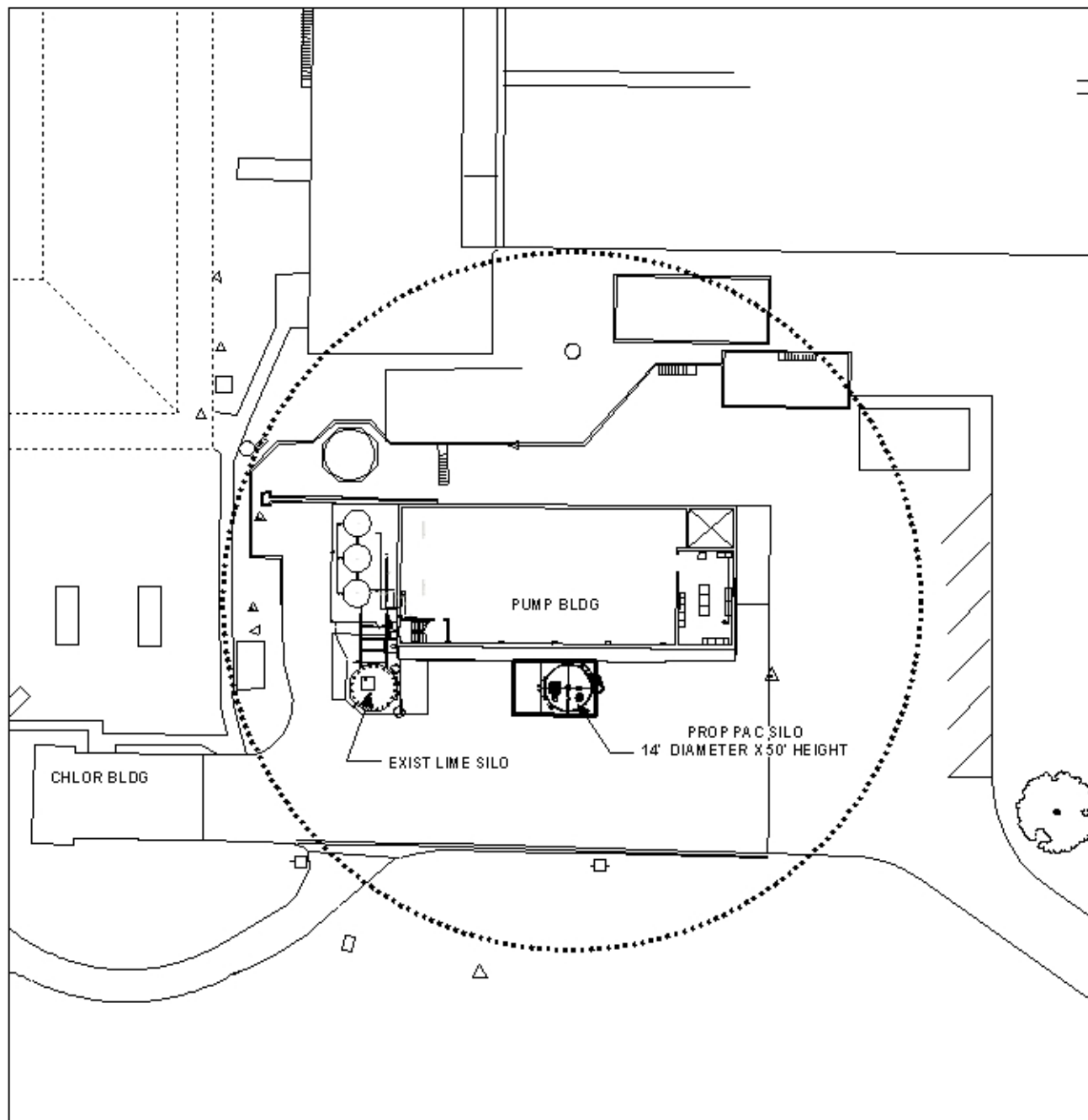


The site plan illustrates the existing water treatment facility and proposed silo.

APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011  
 APPLICANT MAWSS  
 REQUEST PUD, Planning Approval, Rezoning from B-2 to R-1

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## DETAIL SITE PLAN



APPLICATION NUMBER 17, 18 & 19 DATE April 21, 2011

APPLICANT MAWSS

REQUEST PUD, Planning Approval, Rezoning from B-2 to R-1

