

**ZONING AMENDMENT STAFF REPORT****Date: March 5, 2015****NAME**

Robert Brown

**LOCATION**7054 Howells Ferry Road  
(Northeast corner of Howells Ferry Road and Cody Road).**CITY COUNCIL  
DISTRICT**

District 7

**PRESENT ZONING**

B-2, Neighborhood Business District and R-1, Single-Family Residential District

**PROPOSED ZONING**

B-2, Neighborhood Business District

**AREA OF PROPERTY**

1.6± Acres

**CONTEMPLATED USE**

Rezoning from B-2, Neighborhood Business District and R-1, Single-Family Residential District, to B-2, Neighborhood Business District, to allow a banquet hall.

**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**

Summer 2015

**ENGINEERING  
COMMENTS**

No Comments

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

**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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

**REMARKS**

The applicant is requesting rezoning from B-2, Neighborhood Business District and R-1, Single-Family Residential District, to B-2, Neighborhood Business District, to allow a banquet hall. It should be noted that the subject site consists of two metes-and-bounds parcels, and is proposed to either have multiple structures on a single building site or shared access and parking between two sites; therefore applications for Subdivision and Planned Unit Development approvals should be submitted prior to the Planning Commission considering the rezoning request.

The applicant states that they wish to remove an existing warehouse building on site, and construct a new metal building over the existing slab. The new building is proposed to serve as an event center to accommodate weddings, family reunions, etc. The existing office building also on the site is proposed to remain.

The submitted site plan does not provide any information on the amount of parking to be provided on the site, nor is any landscaping and tree planting information provided. The site plan should also be revised to illustrate any existing or proposed dumpster with compliant enclosures such as required by Section 64-4.D.9. of the Zoning Ordinance, or state that curbside pickup will be used.

A fence is illustrated around a portion of the site, with no mention of the height or materials. The property located along the rear property line of the subject site is residential in nature, therefore the site plan should be revised to illustrate a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance.

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 applicant does not state which of the four conditions exist, however the required Subdivision would result in a split-zoned lot, making rezoning necessary.

The entire site appears to be depicted as residential 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

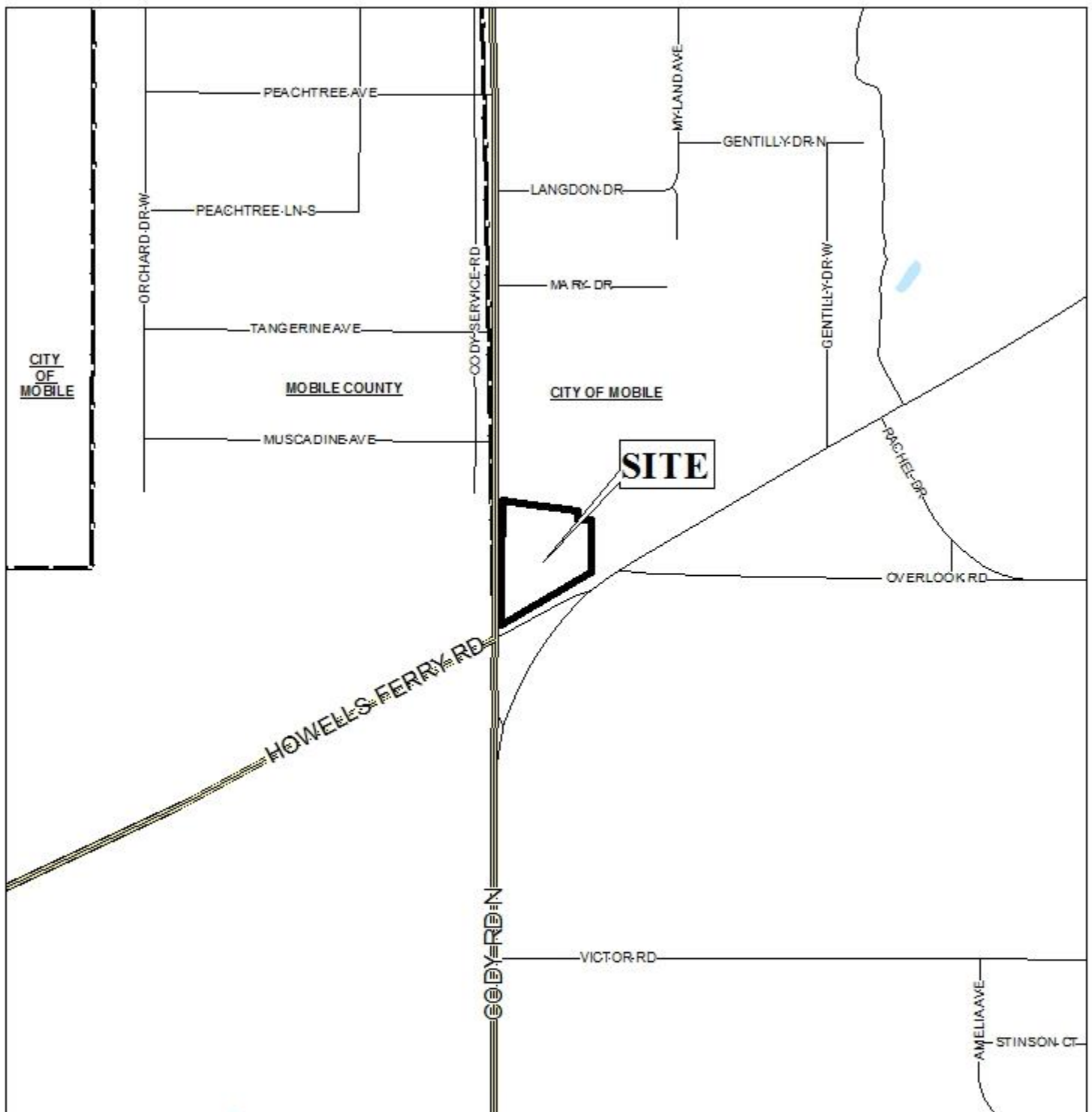
Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

**RECOMMENDATION**

Based on the preceding, the request for rezoning is recommended for Holdover until the April 16, 2015 meeting, with additional information to be submitted by March 16, 2015 to address the following:

- 1) submittal of a Subdivision application;
- 2) submittal of a Planned Unit Development application;
- 3) revision of the site plan to illustrate all parking on site;
- 4) revision of the site plan to provide landscaping and tree planting information;
- 5) revision of the site plan to illustrate any existing or proposed dumpster with compliant enclosures such as required by Section 64-4.D.9. of the Zoning Ordinance, or state that curbside pickup will be used; and
- 6) revision of the site plan to illustrate a compliant residential buffer as required by Section 64-4.D.1. of the Zoning Ordinance.

# LOCATOR MAP



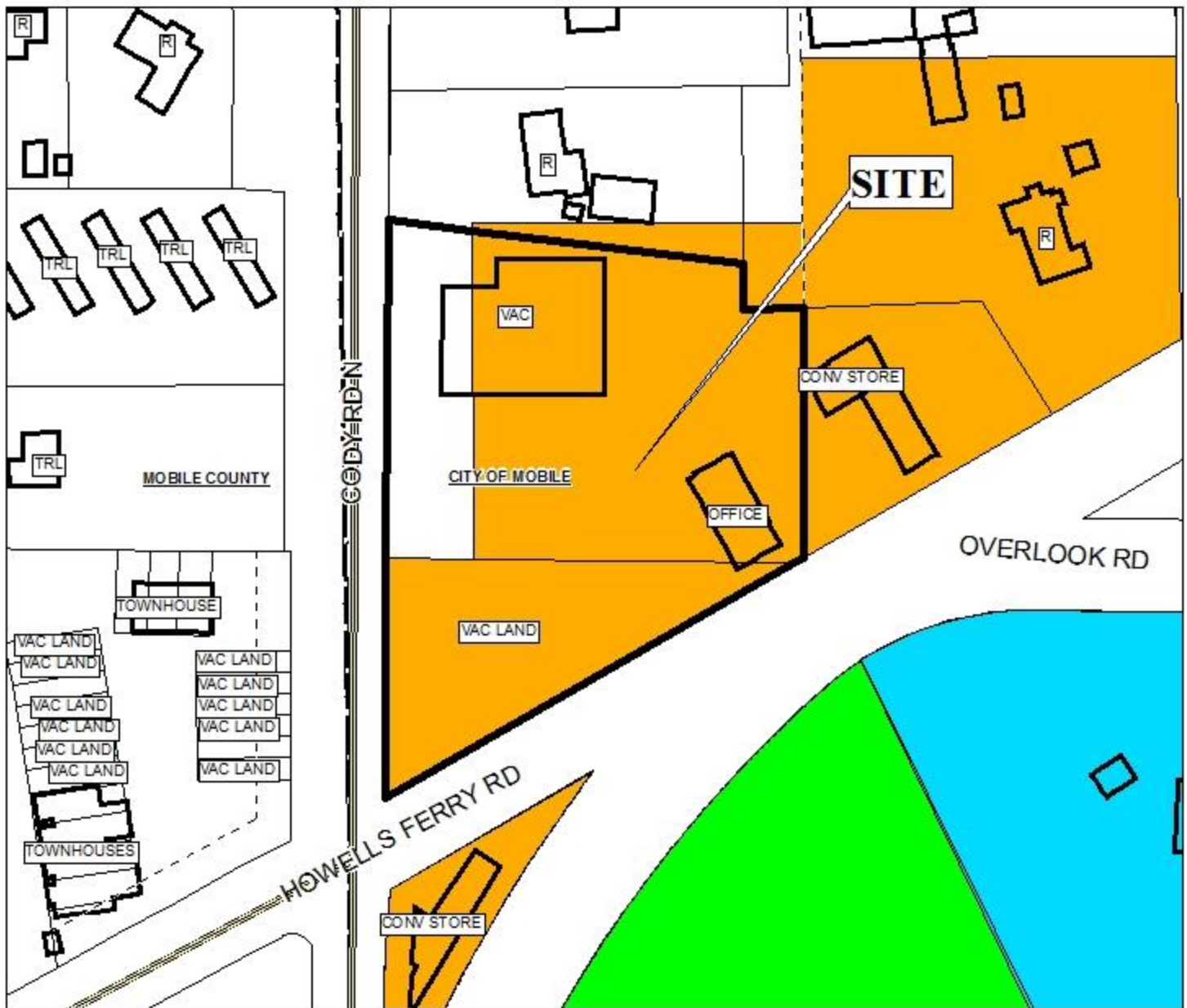
APPLICATION NUMBER 17 DATE March 5, 2015

APPLICANT Robert Brown

REQUEST Rezoning from R-1 and B-2 to B-2



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Convenience stores lie to the east and south of the site.

APPLICATION NUMBER 17 DATE March 5, 2015

APPLICANT Robert Brown

REQUEST Rezoning from R-1 and B-2 to B-2

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Convenience stores lie to the east and south of the site.

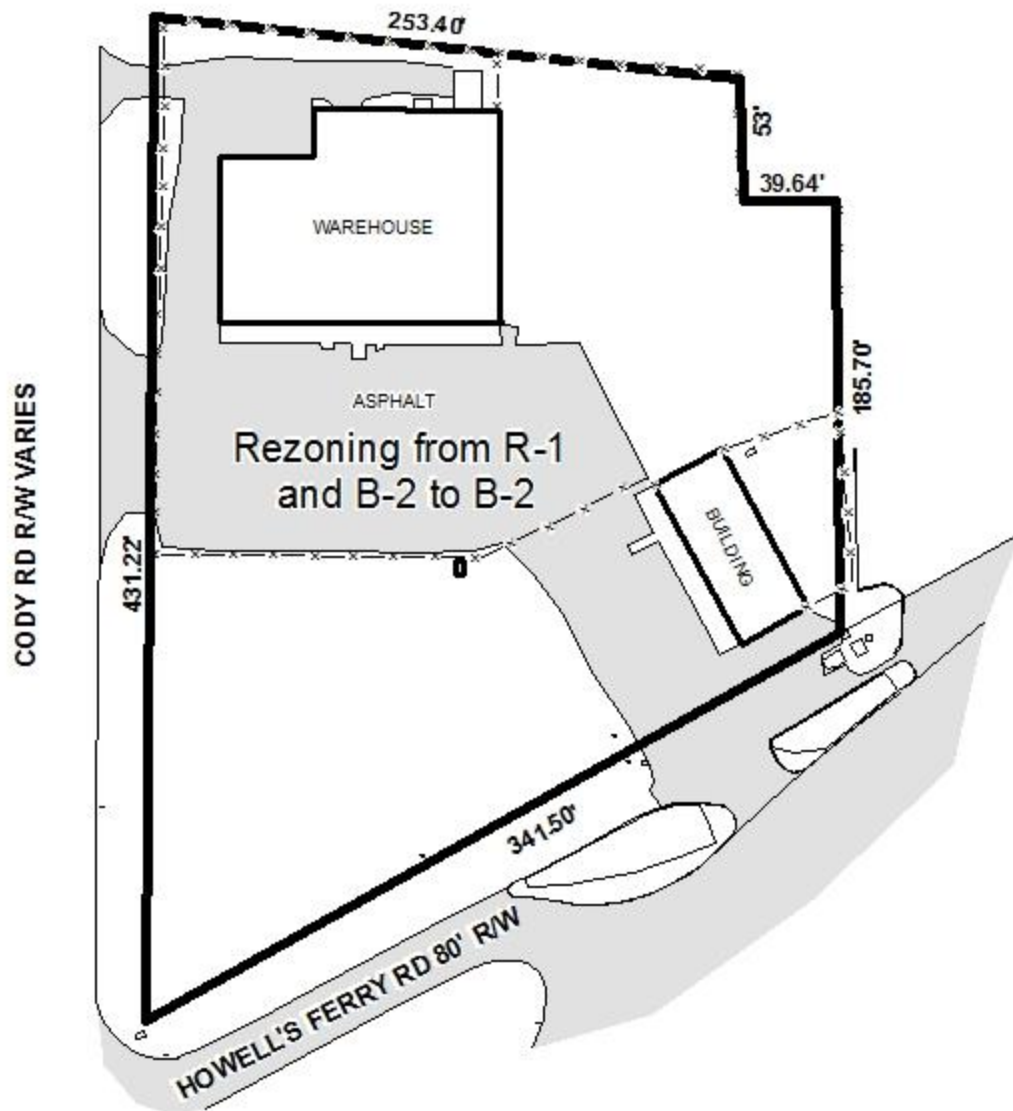
APPLICATION NUMBER 17 DATE March 5, 2015

APPLICANT Robert Brown

REQUEST Rezoning from R-1 and B-2 to B-2



# SITE PLAN



The site plan illustrates the existing buildings, fence, and proposed zoning changes.

APPLICATION NUMBER 17 DATE March 5, 2015

APPLICANT Robert Brown

REQUEST Rezoning from R-1 and B-2 to B-2

