

**REZONING &  
SUBDIVISION STAFF REPORT**

**Date: July 10, 2003**

**APPLICANT NAME**

Vernon Humphrey

**SUBDIVISION NAME**

Fox Trolling Motor Subdivision

**LOCATION**

4401 Government Boulevard  
(South side of Government Boulevard, 620'± West  
of Knob Hill Drive)

**PRESENT ZONING**

R-1, Single-Family Residential

**PROPOSED ZONING**

B-3, Community Business

**AREA OF PROPERTY**

0.9± Acres                      1 Lot

**CONTEMPLATED USE**

Electric Trolling Motor Sales and Repair Shop  
**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**

Immediately upon approval

**ENGINEERING  
COMMENTS**

Outfall for stormwater drainage appears to be onto property owners to the south. Therefore, drainage cannot be concentrated or increased without a hold harmless agreement from adjacent property owner. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, sizes, location and design to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards.

**URBAN FORESTRY  
COMMENTS**

Crushed limestone to be removed from critical root zone of 38" Live Oak; and all work under canopy to be coordinated with Urban Forestry.

**REMARKS**

The applicant is proposing redevelopment of the site, which was originally developed as a motel and is currently used under a Use Variance for trolling motor and electronics repair. As Variance approval is site plan specific, redevelopment of the site requires either rezoning or a reapplication to the Board of Zoning Adjustment.

This area is shown on the General Land Use component of the Comprehensive Plan as commercial. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request and the appropriateness and compatibility of the proposed use and zoning classification.

Government Boulevard, which is a major street as shown on the Major Street Plan, has an existing right-of-way of 250' in compliance with the Plan. While a service road is adjacent to the Northeast, it serves several residential properties. At this juncture, service road access would be inappropriate due to the residential nature of the existing service road. Therefore, limiting the site to one curb cut, with location and design to be approved by Traffic Engineering and ALDOT would be a more appropriate method of access management.

The Zoning Ordinance recommends that new B-3 districts be located on a major street, at or near the intersection of two major streets, and that the new district contain a minimum of four acres. In this particular instance, the site in question while on a major street is not at a major street intersection, nor does it contain at least four acres. However, given the B-3 character of uses along this section of Government Boulevard – the site in question with a variance for a B-3 use, the property adjacent to the Southwest with auto repair (nonconforming B-3 use), and a recently demolished motel (a nonconforming B-3 use), residential development of any of these sites is highly unlikely.

While there may be some concern about certain B-3 uses, adequate buffering and appropriate site design should lessen their impact.

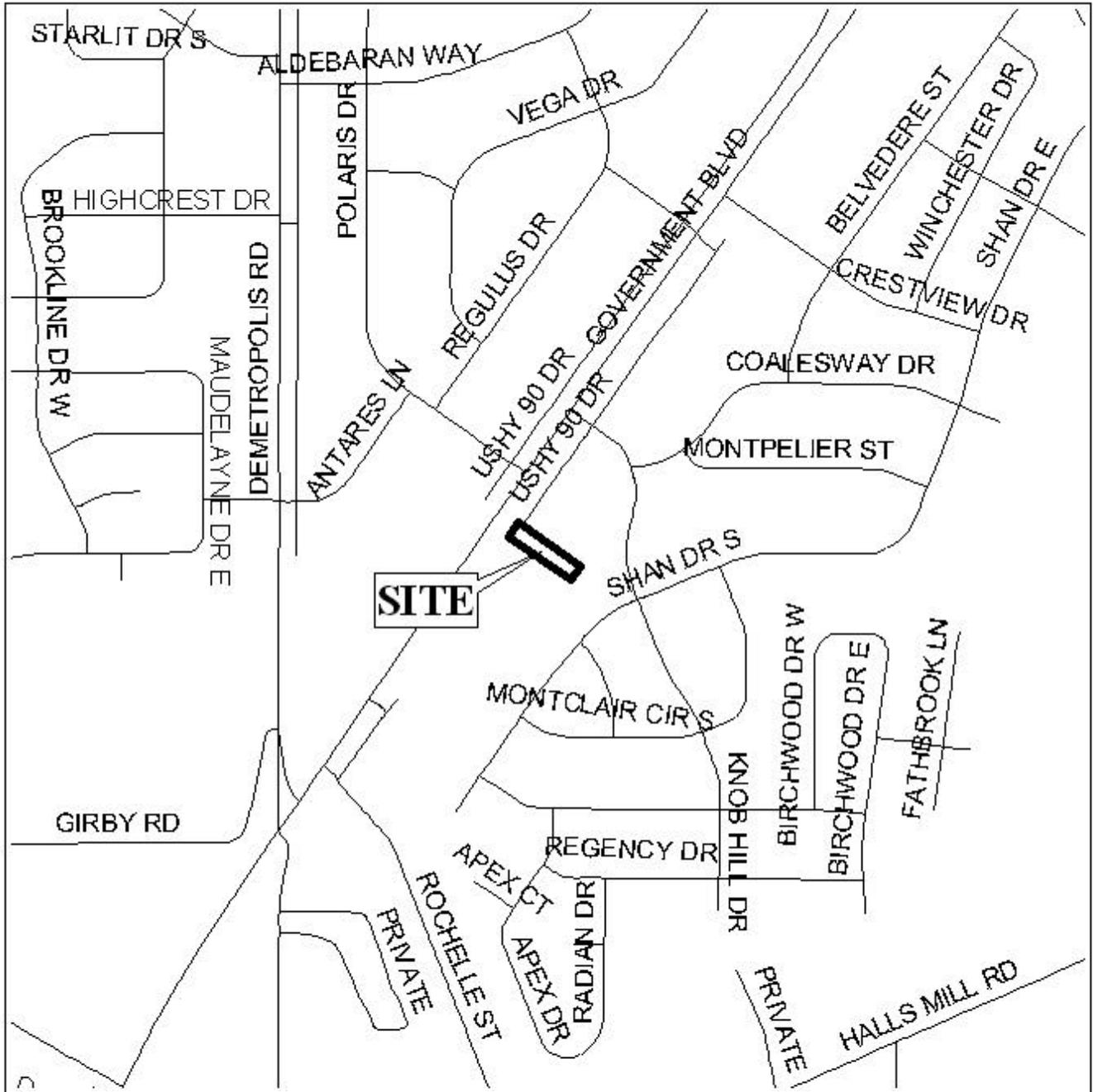
There are some minor issues relating to the site plan submitted. However, as rezoning and subdivision approvals are not site plan specific (unless approval is specifically conditioned as such), those issues will be addressed during permit review.

**RECOMMENDATION**

**Rezoning:** based on the preceding, it is recommended that this application be approved, subject to the following conditions: 1) provision of an 8' privacy fence along property lines where the site abuts residentially developed properties; 2) the 10' buffer strip be landscaped and maintained in a vegetative state where the site abuts residentially developed properties; 3) the site be limited to one curb cut, location and design to be approved by Traffic Engineering and ALDOT; 4) compliance with Urban Forestry Comments (crushed limestone to be removed from critical root zone of 38" Live Oak; and all work under canopy to be coordinated with Urban Forestry); and 5) full compliance with all municipal codes and ordinances.

**Subdivision:** the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions: 1) provision of an 8' privacy fence along property lines where the site abuts residentially developed properties; 2) the 10' buffer strip be landscaped and maintained in a vegetative state where the site abuts residentially developed properties; and 3) placement of a note on the final plat stating that the is limited to one curb cut, location and design to be approved by Traffic Engineering and ALDOT.

# LOCATOR MAP



APPLICATION NUMBER 4 & 5 DATE July 10, 2003  
APPLICANT Vernon Humphrey  
REQUEST Rezoning from R-1 to B-3 and Subdivision



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



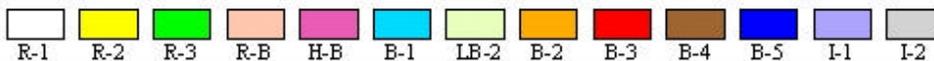
Single-family residential dwellings are located to the north, east and south.  
Mixed land use is to the west.

APPLICATION NUMBER 4 & 5 DATE July 10, 2003

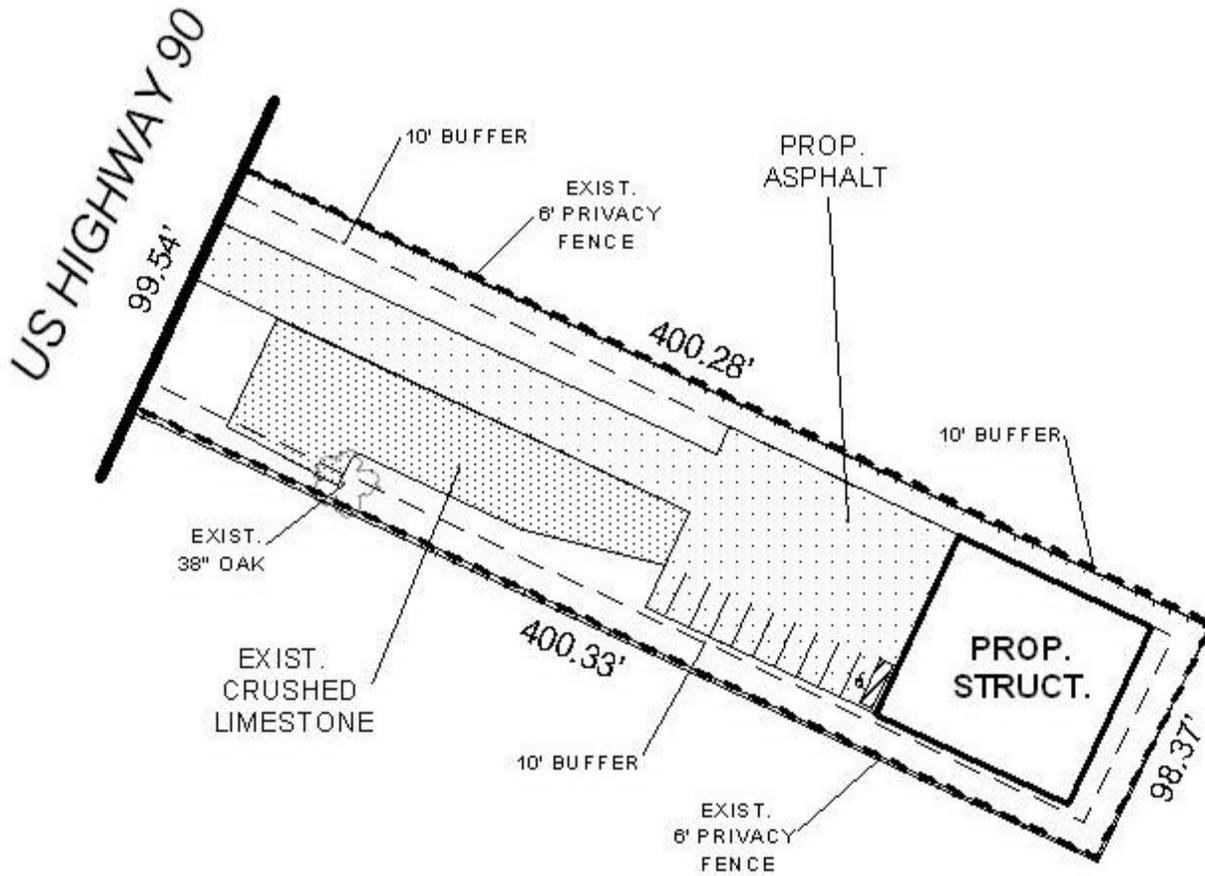
APPLICANT Vernon Humphrey

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

LEGEND



# SITE PLAN



The site is located on the South side of Government Boulevard, 620' West of Knob Hill Drive. The plan illustrates the proposed structure, setbacks and parking.

APPLICATION NUMBER 4 & 5 DATE July 10, 2003

APPLICANT Vernon Humphrey

USE/REQUEST Rezoning from R-1 to B-3 and Subdivision



NTS