

**ZONING AMENDMENT STAFF REPORT****Date: May 20, 2010****APPLICANT NAME**

Thompson Properties

**LOCATION**3950 Hamilton Boulevard  
(North side of Hamilton Boulevard, 4/10± mile West of  
Rangeline Road)**CITY COUNCIL  
DISTRICT**

Council District 4

**PRESENT ZONING**

R-A, Residential-Agricultural and I-1, Light Industry

**PROPOSED ZONING**

I-1, Light Industry

**AREA OF PROPERTY**

5.63± Acres

**CONTEMPLATED USE**Rezoning from R-A, Residential-Agricultural District, and  
I-1, Light Industry District, to I-1, Light Industry District to  
eliminate split zoning.**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**

Already developed

**ENGINEERING**Must comply with all storm water and flood control  
ordinances. The construction of any new dumpster pads  
will require connection to sanitary sewer, cannot discharge  
to storm sewer. Any work performed in the right of way  
will require a right of way permit.**COMMENTS****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 must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

**REMARKS**

The applicant is requesting rezoning from R-A, Residential-Agricultural District, and I-1, Light Industry District, to I-1, Light Industry District to eliminate split zoning.

The subject site consists of two legal lots of record, one of which is currently developed with a heavy equipment sales and service company. The lots were created by a 2 lot subdivision approved by the Planning Commission at its December 4, 2008 meeting. The plat was recorded on January 6, 2009. The Rezoning of the annexed area was adopted by the City Council July 7, 2009. No new construction is proposed.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: 1) there is a manifest error in the ordinance; 2) changes in conditions in a particular area make a change in the ordinance necessary and desirable; 3) an increased need for business or industrial sites in addition to sites that are available make it necessary and desirable to rezone an area or extend the boundaries of an existing district; 4) the subdivision of land into urban building sites makes reclassification necessary and desirable.

The site plan submitted by the applicant illustrates the existing development on Lot 1, which consists of a metal building and concrete drive and parking area. It should be noted, however, that an equipment storage area is not depicted; thus, staff cannot verify its compliance with the surfacing requirements. Any existing development is non-conforming and documentation should be submitted prior to future development. Also illustrated on the site plan is a 30' ingress / egress easement shared by the two lots, which requires Planned Unit Development Approval.

It should be noted that the subdivision approval was subject to the following condition: *provision of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8 of the Subdivision Regulations. A note regarding this requirement should also appear on the final plat.* This condition remains and will be enforced if any adjacent residential property is ever developed.

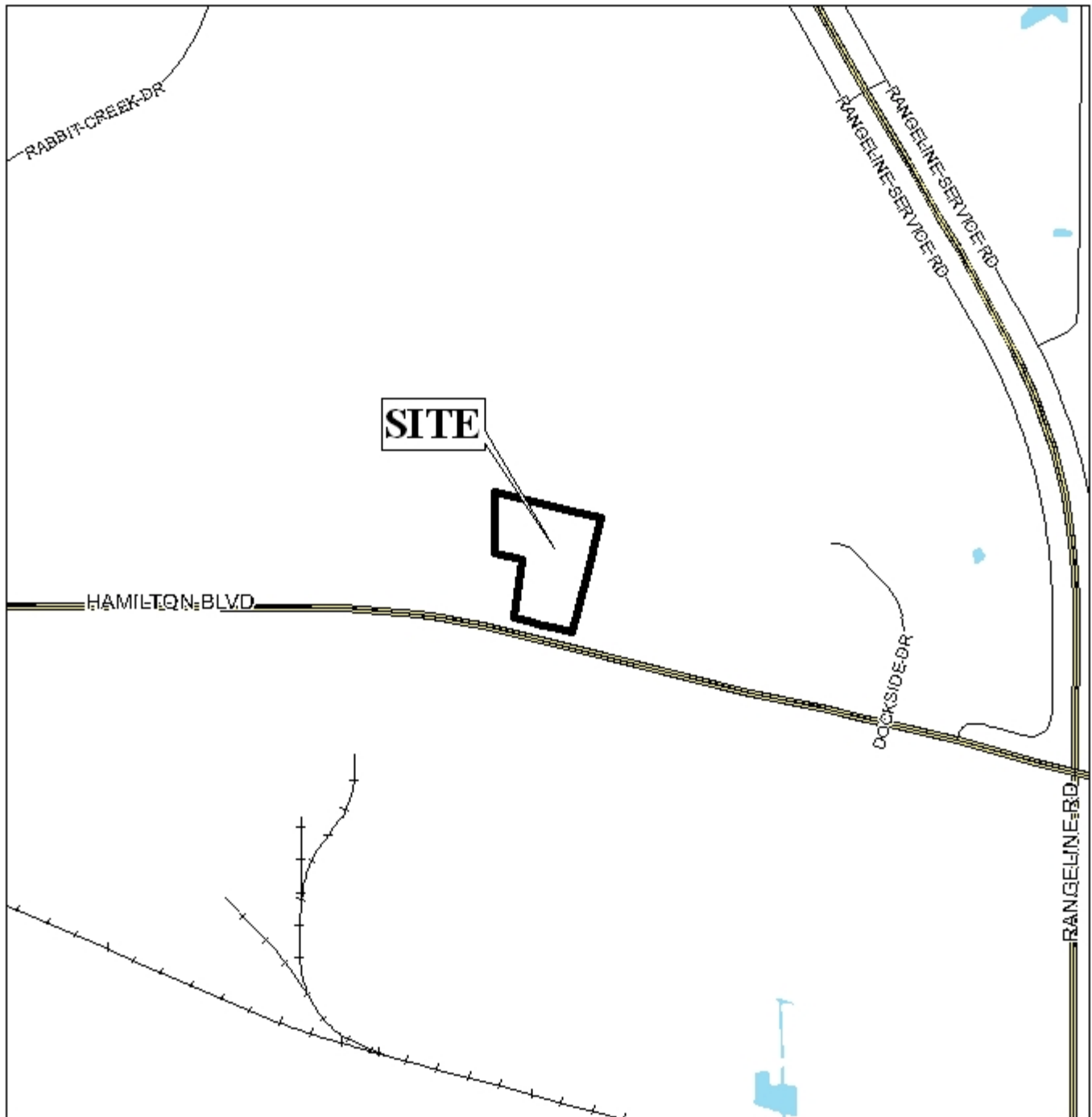
The Commission has decided favorably on most cases such as the one proposed; the applicant simply wishes to eliminate the split-zoning of the lots created by the recent annexation. Furthermore, given these circumstances and the fact that all development currently exists and is in operation, it would seem impracticable to require any additional compliance. The applicant should be aware, however, that any future development (or re-development) of either site will require full compliance, including but not limited to a Planned Unit Development for shared access.

**RECOMMENDATION**

Based on the preceding, it is recommended that this application be approved, subject to the following conditions:

- 1) full compliance with all municipal codes and ordinances at the time of development or re-development; and
- 2) submission of non-conforming documentation regarding existing site surfacing/development.

# LOCATOR



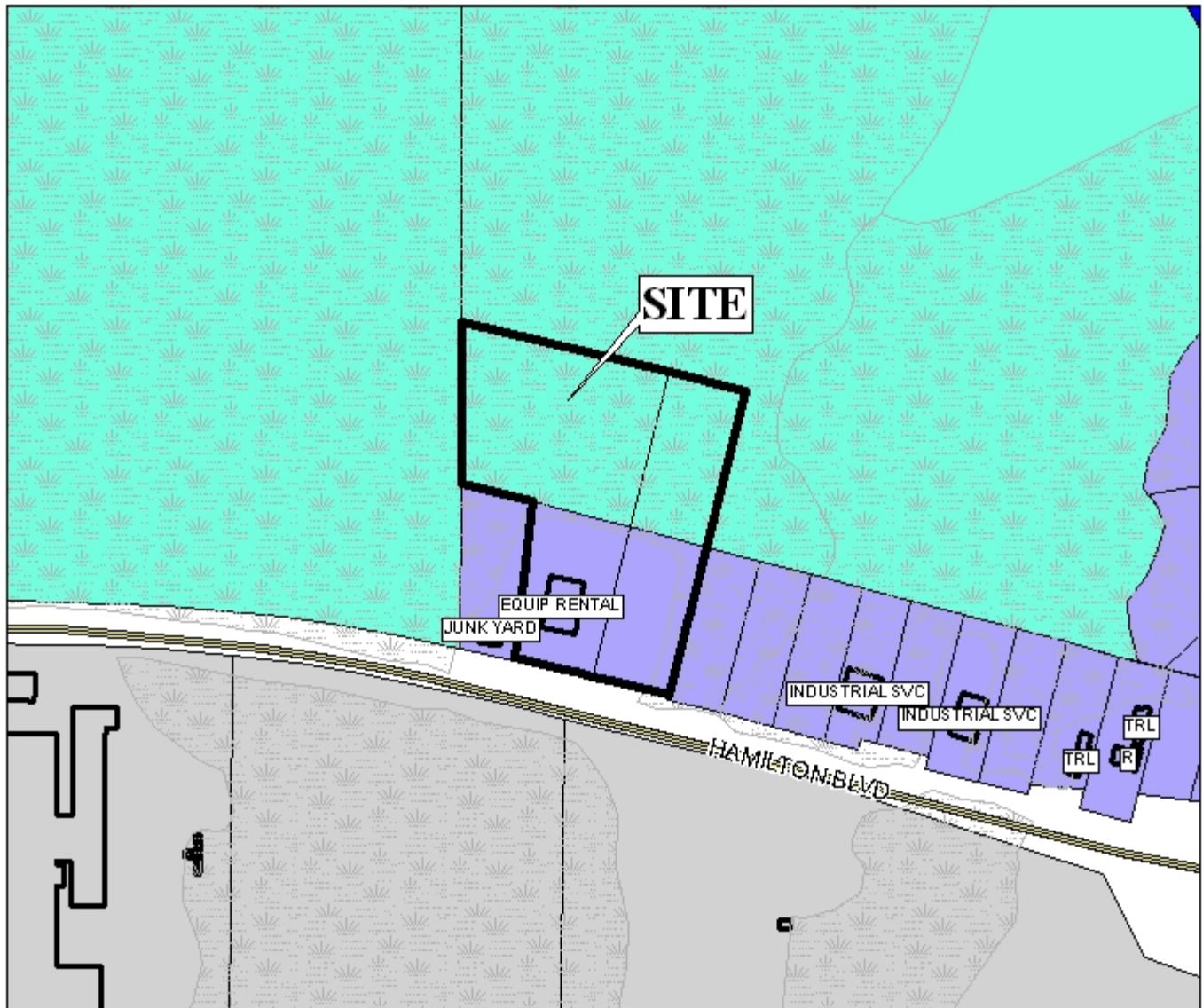
APPLICATION NUMBER 4 DATE May 20, 2010

APPLICANT Thompson Properties

REQUEST Rezoning from R-A and I-1 to I-1



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential and industrial land use.

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REQUEST Rezoning from R-A and I-1 to I-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 | NTS |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

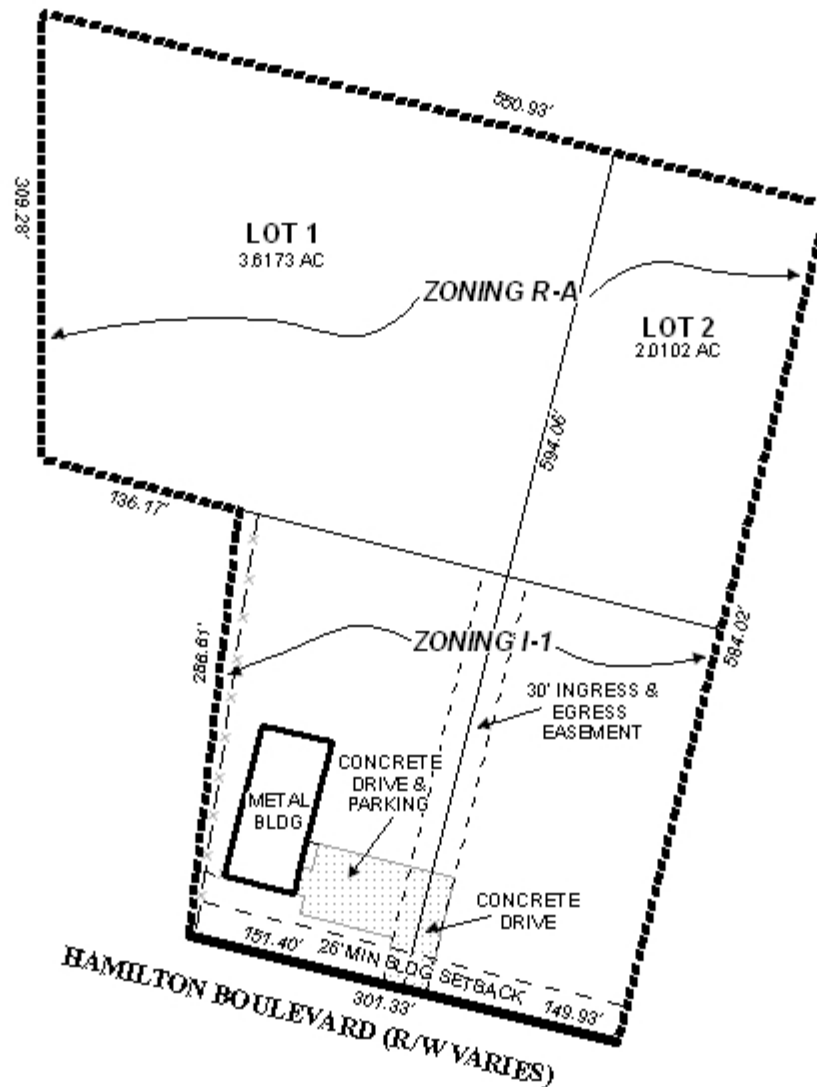


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# SITE PLAN



This site plan illustrates the current zoning.  
The proposed zoning is a change to I-1 on the entire site.

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