

**ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: August 5, 2013**

<u>NAME</u>	Stratford, L.L.C.
<u>SUBDIVISION NAME</u>	Grelot Office Park Subdivision
<u>LOCATION</u>	North side of Grelot Road, 475'± East of Somerby Drive
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>PRESENT ZONING</u>	LB-2, Limited Business District
<u>PROPOSED ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	1 Lot / 3.0± Acres
<u>CONTEMPLATED USE</u>	<p>Rezoning from LB-2, Limited Business District, to B-3, Community Business District, to allow a boat and RV storage facility, Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites, and Subdivision to create one legal lot of record from two legal lots of record.</p> <p>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.</p>
<u>TIME SCHEDULE</u>	Immediately
<u>ENGINEERING COMMENTS</u>	<p>Subdivision: The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signatures, required notes) including the Professional Land Surveyor seal and signature. 2. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). 4. Add a note to the Plat that any work performed</p>

in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 5. Show and label the existing, interior Lot 1 & 2 lot lines. The description under the proposed Lot 1 indicates that it is already a Lot of Record as drawn. 7. Sidewalk is required to be installed along the Public ROW frontage, unless a sidewalk variance is approved. 8. Show the Minimum Finished Floor Elevation (MFFE) for Lot 1 that is located within the AE and X-shaded flood zones. 9. Provide a drainage easement for the existing Milkhouse Creek. Size and location to be approved by the City Engineer.

Planned Unit Development: 1. Add a note to the PUD drawing stating that any work performed in the existing Grelot Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 3. Add a note to the PUD drawing stating that any proposed dumpster pad(s) must be designed to collect storm water in a separate surface drain that is connected to the Sanitary Sewer system. 4. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters.

Subdivision: *The following comments should be addressed prior to review, acceptance and signature by the City Engineer:* a. Provide all of the required information on the Final Plat (i.e. signatures, required notes) including the Professional Land Surveyor seal and signature. b. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. c. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). d. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). e. Show and label the existing, interior Lot 1 & 2 lot lines. The description under the proposed Lot 1 indicates that it is already a Lot of Record as drawn. f. Sidewalk is required to be installed along the Public ROW frontage, unless a sidewalk variance is approved. g. Show the Minimum Finished Floor Elevation (MFFE) for Lot 1 that is located within the AE and X-shaded flood zones. h. Provide a drainage easement for the existing Milkhouse Creek. Size and location to be approved by the City Engineer. i. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) would be required prior to the issuance of a permit for any land disturbance activity.

Planned Unit Development: a. Add a note to the PUD drawing stating that any work performed in the existing Grelot Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. Add a note to the PUD drawing stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). c. Add a note to the PUD drawing stating that any proposed dumpster pad(s) must be designed to collect storm water in a separate surface drain that is connected to the Sanitary Sewer system. d. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Driving aisle south of proposed building site is illustrated as 15' in width and is inadequate for two-way traffic. The design of the driveway from the easement to Lot 3, while necessary given the proposed nature of the development, may create a traffic issue in the future when Lot 3 is developed. The larger/longer vehicles may enter the driveway from Grelot Road and not be able to successfully stay on the right side of the easement roadway and yield to oncoming traffic from Lot 3 before turning left into Lot 1.

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.

MAWSS COMMENTS:

No Comments

REMARKS

The applicant is requesting rezoning from LB-2, Limited Business District, to B-3, Community Business District to allow a boat and RV storage facility, Planned Unit Development Approval to allow shared access between multiple building sites, and Subdivision to create one legal lot of record from two legal lots of record.

The site, which is currently undeveloped, is bounded, to the West by undeveloped land in a B-1, Buffer Business District, to the North by a common area for an 18-lot residential subdivision in an R-1, Single-Family Residential district, to the East by undeveloped land in a B-1, Buffer

Business District, and to the South across Grelot Road by an existing business office and undeveloped land in a B-1, Buffer Business District.

The proposed 3.0± acre, 1-lot subdivision fronts Grelot Road, a major street, which has right-of-way illustrated as 100-feet. Since Grelot Road is a major street, which requires 100-feet of right-of-way by the Major Street Component of the Comprehensive Plan, the current illustrated right-of-way meets the minimum requirements.

Due to the location and size of the development, access management is a concern. However, since an application for a Planned Unit Development (PUD) is included to allow shared access between all (2) lots in this development, the proposed single curb cut providing one access point to this multiple building site development would be a positive aspect, limiting the number of curb cuts to a major street. Planned Unit Development approvals are site specific and any change to the location, size and design of the proposed curb cut would require resubmission of the Planned Unit Development.

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 states that the reasoning behind the request for rezoning is to allow for a boat and RV storage facility which is needed because there has been an increase in RVs in the area, subdivision restrictions prohibiting the parking of boats and RVs at primary residences, and a lack of existing facilities of this type in the city limits. It should be noted that this site was previously rezoned from B-1, Buffer Business District to its current zoning LB-2, Limited Business District at the March 19, 2009 of the Planning Commission, which was subsequently approved by the City Council. However, the site's size of 3.0± acres does not meet the minimum size requirement of 4.0 acres as set forth in Section 64-3.5. of the Zoning Ordinance for a new zoning district. Also, if approved, any use allowed by right would be allowed to locate there.

The site is depicted as commercial 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 site plan submitted provides two different scales: 1" = 40' and 1" = 50'. The 1" = 40' scale is accurate, and the 1" = 50' scale should be removed from the site plan, if approved, to avoid confusion. The site plan also contains notes that refer to a non-existent zoning district, "LB-3", and misspell "Zoning Ordinance". It should also be noted that while the legal descriptions

provided on the preliminary plat and the Planned Unit Development site plan are accurate, the legal description given on the Rezoning site plan describes both the proposed Lot 1 and the adjacent Lot 3, when only the proposed Lot 1 should be described. Furthermore, the preliminary plat incorrectly identifies Lot 3 as "Lot 2"; however, as the Subdivision application does not involve this lot, references to it should be removed. These errors should be corrected, if approved.

At the Planning Commission's September 15, 2011 meeting, the site obtained approval for a 15,764 square foot church for the adjacent Lot 3. The site plan submitted by the applicant illustrates a 5,200 square foot retail building with four tenants on the proposed Lot 1, with no improvements shown for Lot 3. The proposed retail for Lot 1 requires a minimum of 18 parking spaces. The site plan illustrates a total of 85 parking spaces with 59 marked as "RV/Boat Storage", leaving 26 parking spaces to serve the retail center. However, there are 11 parking spaces provided between the building and the ingress and egress easement which only provide a 15' wide access. A minimum of 24' is required to allow two-way traffic. It should also be noted that the 11 parking spaces do encroach into the 50' ingress and egress easement which provide access to Lot 3, however, there is an adequate paved accessway of 24' to accommodate two-way traffic.

There is no fence or gate illustrated to access the boat and RV storage area at the rear of the property. If the site will provide fencing to secure the storage area or a gate to access it, the site plan should be revised to illustrate such proposals to insure that the proper number of queuing spaces will be provided between the gate and right-of-way.

It should also be noted that when this site was the subject of a different subdivision at the Planning Commission's March 19, 2009 meeting, Traffic Engineering recommended that the site be denied access to the Grelot Service Road, with the entrance barricaded. The applicant is currently proposing no access to the Service Road, however, there may be fire safety concerns that may make emergency vehicle access to the Service Road desirable.

The site plan does have notes relating to required and provided landscaped area, however, these notes state that the proposed Lot 1 is 112,829± square feet, whereas the site plan itself has the size of the lot as 129,804± square feet. According to the recorded Subdivision that was approved at the Planning Commission's September 15, 2011 meeting, the proposed Lot 1 is 120,105± square feet. If approved, the site plan and the preliminary plat should be revised to accurately depict the size of the proposed Lot 1 as well as required and provided landscape calculations so that staff can verify that minimum requirements are met. The site plan does not illustrate or note any proposed tree plantings. The site plan should be revised to show full compliance with the minimum tree planting requirements. As the Planned Unit Development is proposed with a common interior property line, staff has in the past allowed these interior property lines not be counted as perimeter lot lines, but rather look at the overall Planned Unit Development (PUD).

There are no dumpsters illustrated on the site plan. The applicant should revise the site plan to provide a dumpster, screened from view and in compliance with Section 64-4.D.9 of the Zoning Ordinance, or place a note that curb side pick-up will be utilized.

The site abuts R-1, Single-Family Residential to the East and North. The site plan illustrates a 20-foot landscape buffer/utility easement along the East. It should be noted that a minimum 10' limited use buffer should be depicted along the North as well as a 6' high privacy fence along the East and North. A note on the proposed site plan stating this requirement should be retained on the site plan and would be required on the Final Plat. The site plan also depicts utility and drainage easements along the East of Lot 3. If approved, a note should be placed on the site plan stating that no structures are allowed in any easements.

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.

Regarding the Subdivision, the proposed lots exceed the minimum size requirements of Section V.D.2. of the Subdivision Regulations. The lots sizes are provided in acres and square feet, and should remain on the Final Plat, if approved.

The proposed subdivision includes a common area. If approved, the common area should be labeled as such, and the note should be retained on the Final Plat stating that the property owners are responsible for the maintenance of all common areas.

The preliminary plat depicts a 25' minimum building setback line for Lots 1 and 3 as required by Section V.D.9. of the Subdivision Regulations. This setback should be depicted on the Final Plat, if approved.

A portion of the proposed Lot 1 appears to contain floodplains associated with Milkhouse Creek. The presence of floodplains indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies for wetland and floodplain issues will be required prior to the issuance of any permits or land disturbance activities. A note should be placed on the Final Plat stating this requirement.

RECOMMENDATION

Rezoning: The rezoning request is recommended for Denial for the following reasons:

- 1) the subject site does not meet the minimum size requirement of 4.0 acres as set forth in Section 64-3.5. of the Zoning Ordinance for a new zoning district;
- 2) the proposed rezoning district is out of character with the surrounding zoning districts; and
- 3) the applicant does not provide adequate justifications to approve the Rezoning request as required by Section 64-9 of the Zoning Ordinance.

Planned Unit Development: The PUD request is recommended for Denial for the following reasons:

- 1) denial of the Rezoning makes the Planned Unit Development unnecessary;

Subdivision: The Subdivision request is recommended for Denial for the following reasons:

- 1) denial of the Rezoning and Planned Unit Development makes the Subdivision unnecessary;

Revised for the October 3rd meeting:

The application was heldover from the August 8, 2013 meeting at the applicant's request to allow time to submit revised documentation. The applicant has not submitted any revised information, therefore the original recommendation remains.

Rezoning: *The rezoning request is recommended for Denial for the following reasons:*

- 1) *the subject site does not meet the minimum size requirement of 4.0 acres as set forth in Section 64-3.5. of the Zoning Ordinance for a new zoning district;*
- 2) *the proposed rezoning district is out of character with the surrounding zoning districts; and*
- 3) *the applicant does not provide adequate justifications to approve the Rezoning request as required by Section 64-9 of the Zoning Ordinance.*

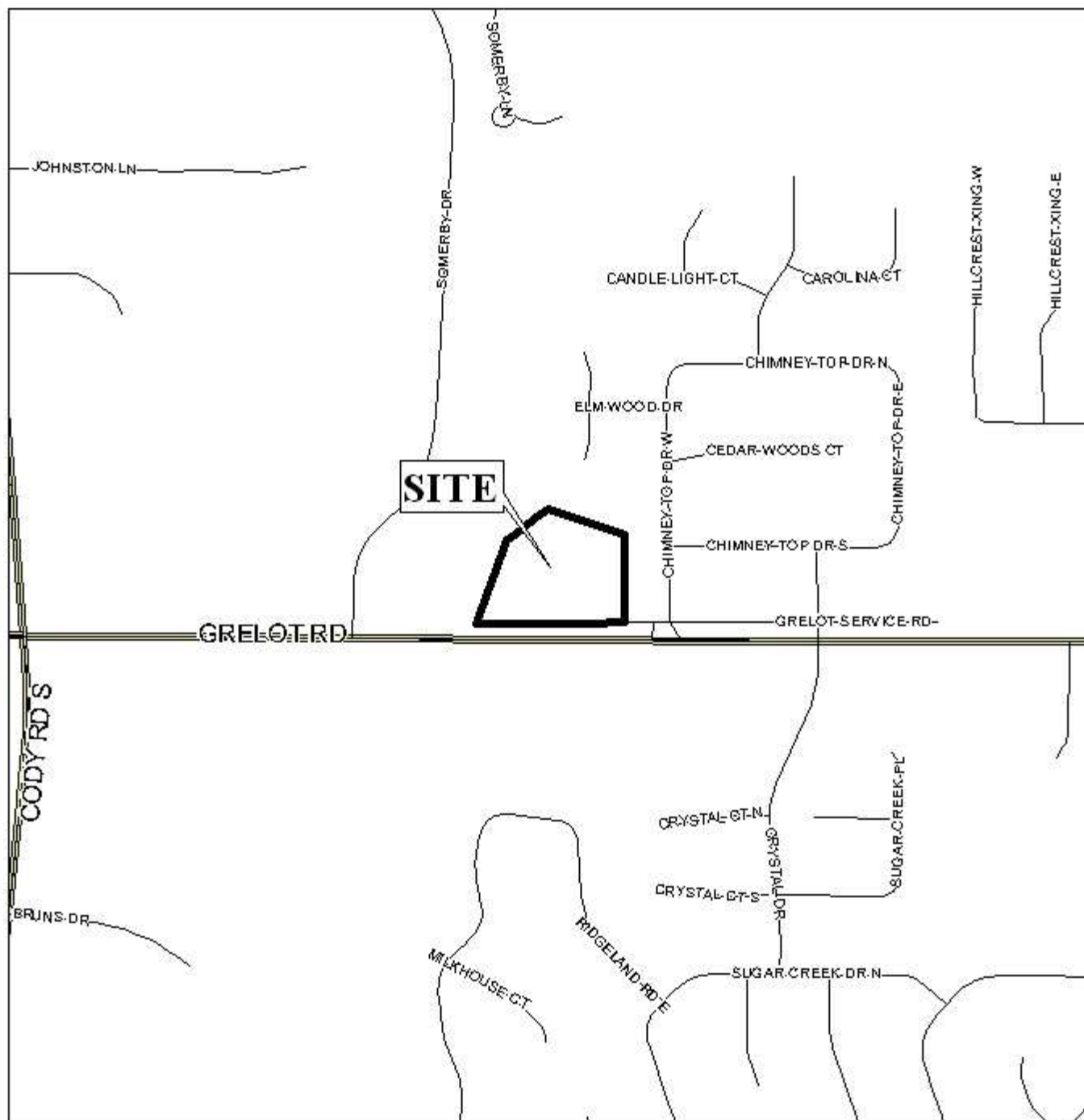
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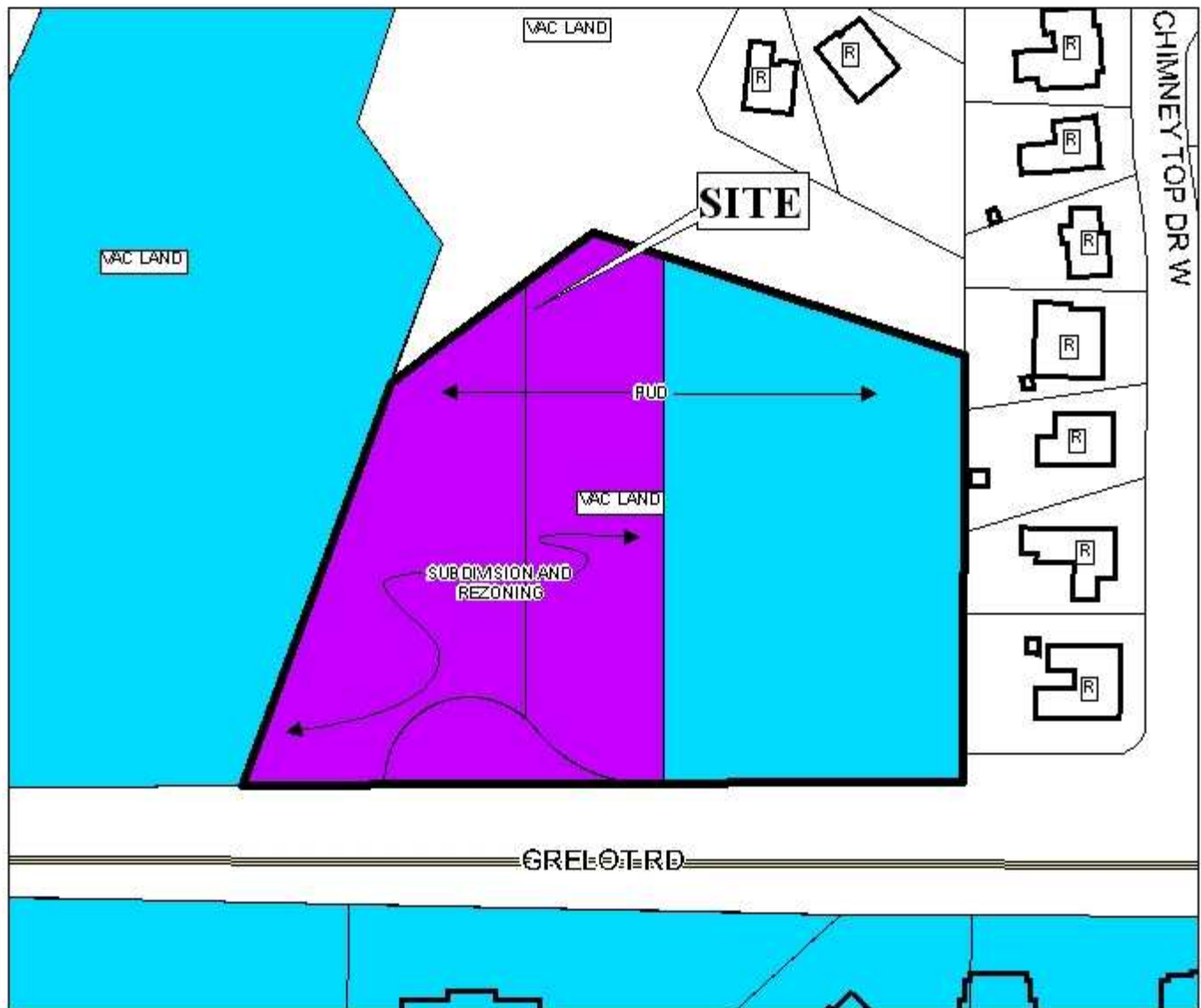
LOCATOR MAP



APPLICATION NUMBER 3, 4 & 5 DATE October 3, 2013
 APPLICANT Stratford, LLC
 REQUEST Subdivision, PUD, Rezoning from LB-2 to B-3

N
 NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residences are located to the north and east of the site.

APPLICATION NUMBER 3, 4 & 5 DATE October 3, 2013

APPLICANT Stratford, LLC

REQUEST Subdivision, PUD, Rezoning from LB-2 to B-3

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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

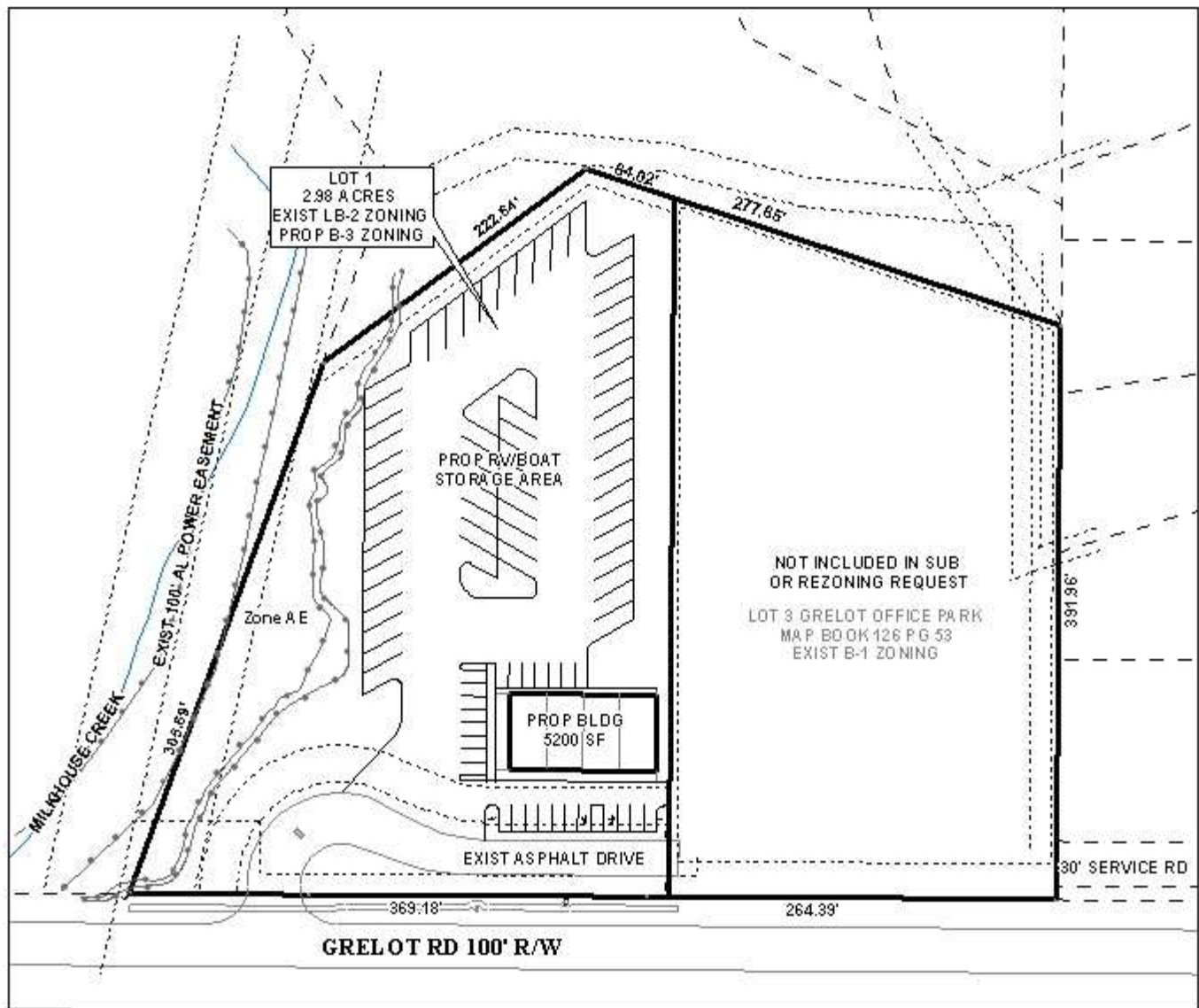


Single-family residences are located to the north and east of the site.

APPLICATION NUMBER 3, 4 & 5 DATE October 3, 2013
APPLICANT Stratford, LLC
REQUEST Subdivision, PUD, Rezoning from LB-2 to B-3

N
NTS

SITE PLAN



The site plan illustrates the proposed building and RV / boat storage area.

APPLICATION NUMBER 3, 4 & 5 DATE October 3, 2013
 APPLICANT Stratford, LLC
 REQUEST Subdivision, PUD, Rezoning from LB-2 to B-3

N
 NTS