

**ZONING & PLANNING
APPROVAL STAFF REPORT****Date: June 6, 2013**

<u>NAME</u>	Azalea City Credit Union
<u>LOCATION</u>	5662 Cottage Hill Road (Northeast corner of Cottage Hill Road and Knollwood Drive)
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>PRESENT ZONING</u>	B-1, Buffer Business District
<u>PROPOSED ZONING</u>	B-1, Buffer Business District
<u>AREA OF PROPERTY</u>	0.92± Acres
<u>CONTEMPLATED USE</u>	<p>Planning Approval to allow a credit union in a B-1, Buffer-Business District and Rezoning from B-1, Buffer-Business District, to B-1, Buffer Business District, to remove a previously approved condition of Rezoning.</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 FOR DEVELOPMENT</u>	Upon completion of required approvals.
<u>ENGINEERING COMMENTS</u>	No Comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Traffic Engineering has no objection to the sidewalk waiver. Access to Cottage Hill Road is limited to right in/right out only.
<u>URBAN FORESTRY COMMENTS</u>	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).

Urban Forestry is acceptable with removing the Preservation Status for the 60" Live Oak Tree located within the proposed footprint of new office building. Urban Development staff met with the developers engineer and were unable to relocate the propose building due to severe grade changes located at the North East corner of the site.

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.

The applicant is requesting Planning Approval to allow a credit union in a B-1, Buffer-Business District and Rezoning from B-1, Buffer-Business District, to B-1, Buffer Business District, to remove a previously approved condition of Rezoning.

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 of the credit union, as approved, by current or future applicants must be submitted for Planning Approval.

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 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.

The site is located on the northeast corner of Cottage Hill Road and Knollwood Drive; both are designated as major streets on the Major Street Plan which require a minimum 100-foot right-of-way. The plan complies with the plan due to the conditions of the August 2, 2007 Planning Commission approvals of the subdivision and rezoning. However, Traffic Engineering status that the access to Cottage Hill Road is limited to right-in/right-out **ONLY**.

The applicant proposes to construct an with drive thru to be used as a credit union, and as such, Zoning to remove an existing condition and Planning Approvals (due to the use and the preservation status of the 60-inch Live Oak tree).

This intersection is mixed in zoning, with the majority of the intermediate area zoned and used residentially. While the site in question would not adjoin commercial property, it would be located (diagonal) from an existing B-2 site and R-1 sites (across the street and adjacent); this is an ideal position for a B-1, Buffer Business district. Furthermore, as the site in question would appear to benefit from redevelopment, rezoning the site for "Buffer Business" appears to be the best response to the existing conditions.

This site was the subject of a rezoning request to B-2, Neighborhood Business in May 2006 and a rezoning request to LB-2 Limited Business in May 2007. These requests, to allow a convenience store with gas pumps, and then to allow specialty shops were ultimately denied. At that time the staff report indicated that professional offices would be a viable alternative for this site.

It should be noted that approval of the rezoning application does not constitute site plan approval, nor does it limit the site development to a specific site plan. Therefore, the site will be subject to review for full compliance with all municipal codes and ordinances. In addition, a buffer in compliance with Section 64-4.D.1 of the Zoning Ordinance would be required where the site adjoins residentially zoned or residentially developed property.

New parking spaces are depicted on the site plan. Any new parking spaces provided on the site that abut adjacent property or landscape areas should be provided with parking bumpers. The PA site plans should be revised to depict parking bumpers. In addition, the applicant is proposing non-impervious pavers for tree protection within the Cottage Hill Road frontage; therefore, compliance with Section 64-6.3. of the Zoning Ordinance, would be required.

Any new fencing for the site should be appropriately permitted. Furthermore, a note should be placed on the site plan regarding the height of the buffer fence should not be higher than 3-feet within the minimum building setback.

New lighting on the site should comply with the revised lighting requirements of the Zoning Ordinance, specifically requiring a photometric plan. Please see Section 64-6.A. of the Zoning Ordinance for specific requirements.

RECOMMENDATION

Rezoning: Based upon the preceding, the Rezoning request is recommended for Approval, subject to the following conditions:

- 1) compliance with the Traffic Engineering comments:(*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to Cottage Hill Road is limited to right in/right out only.*);
- 2) compliance with 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), Urban Forestry*

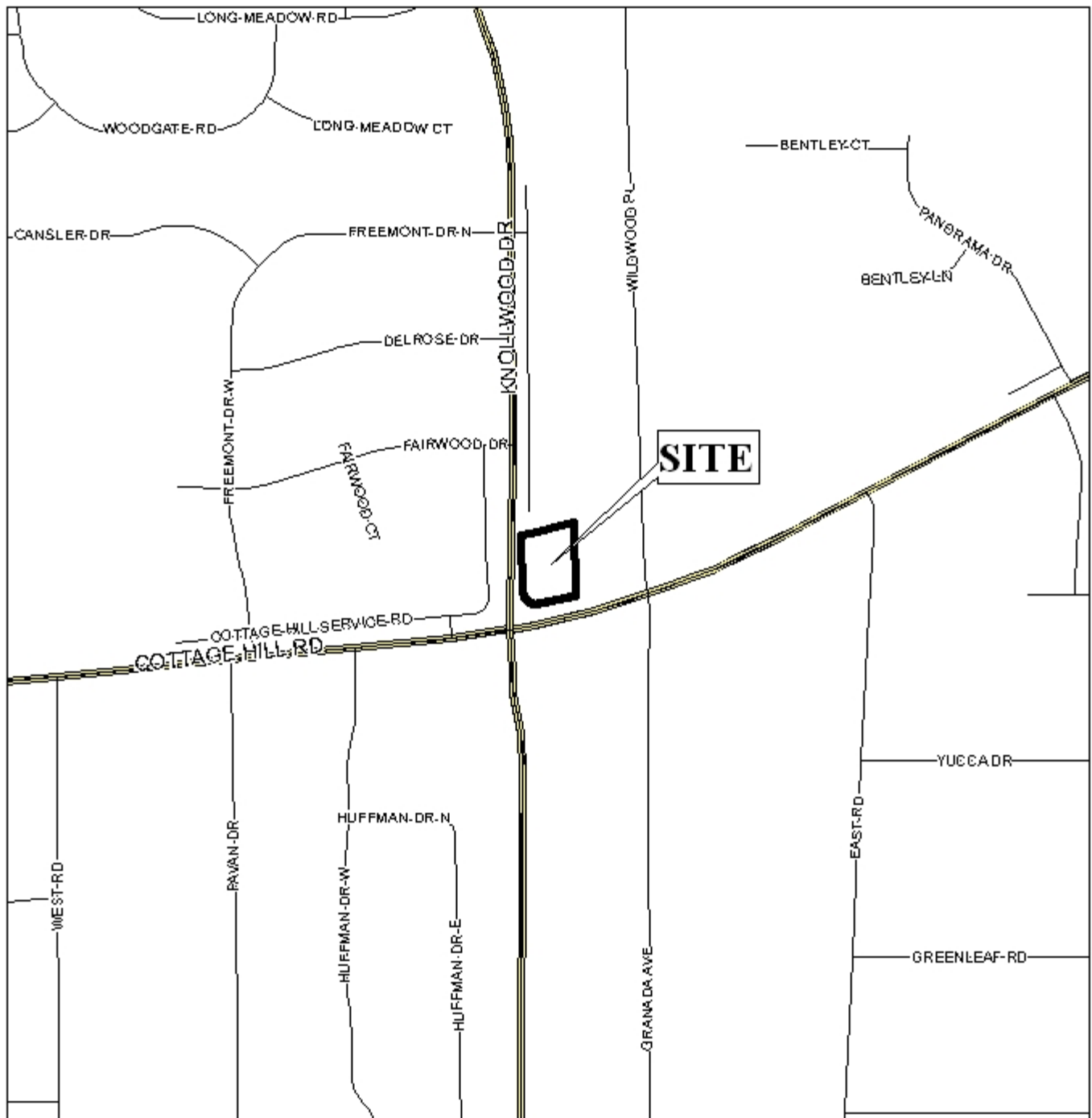
is acceptable with removing the Preservation Status for the 60" Live Oak Tree located within the proposed footprint of new office building); and

- 3) full compliance with all other municipal codes and ordinances.

Planning Approval: Based upon the preceding, this application is recommended for Approval subject to the following conditions:

- 1) limited to the site plan approved by the Planning Commission;
- 2) revision of the site plan to depict parking bumpers for those parking spaces that abut adjacent property or landscape areas;
- 3) full compliance with the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 4) compliance with 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), Urban Forestry is acceptable with removing the Preservation Status for the 60" Live Oak Tree located within the proposed footprint of new office building);*
- 5) compliance with Fire 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.);*
- 6) site lighting to comply with Section 64-6.A. of the Zoning Ordinance; and
- 7) full compliance with all other municipal codes and ordinances.

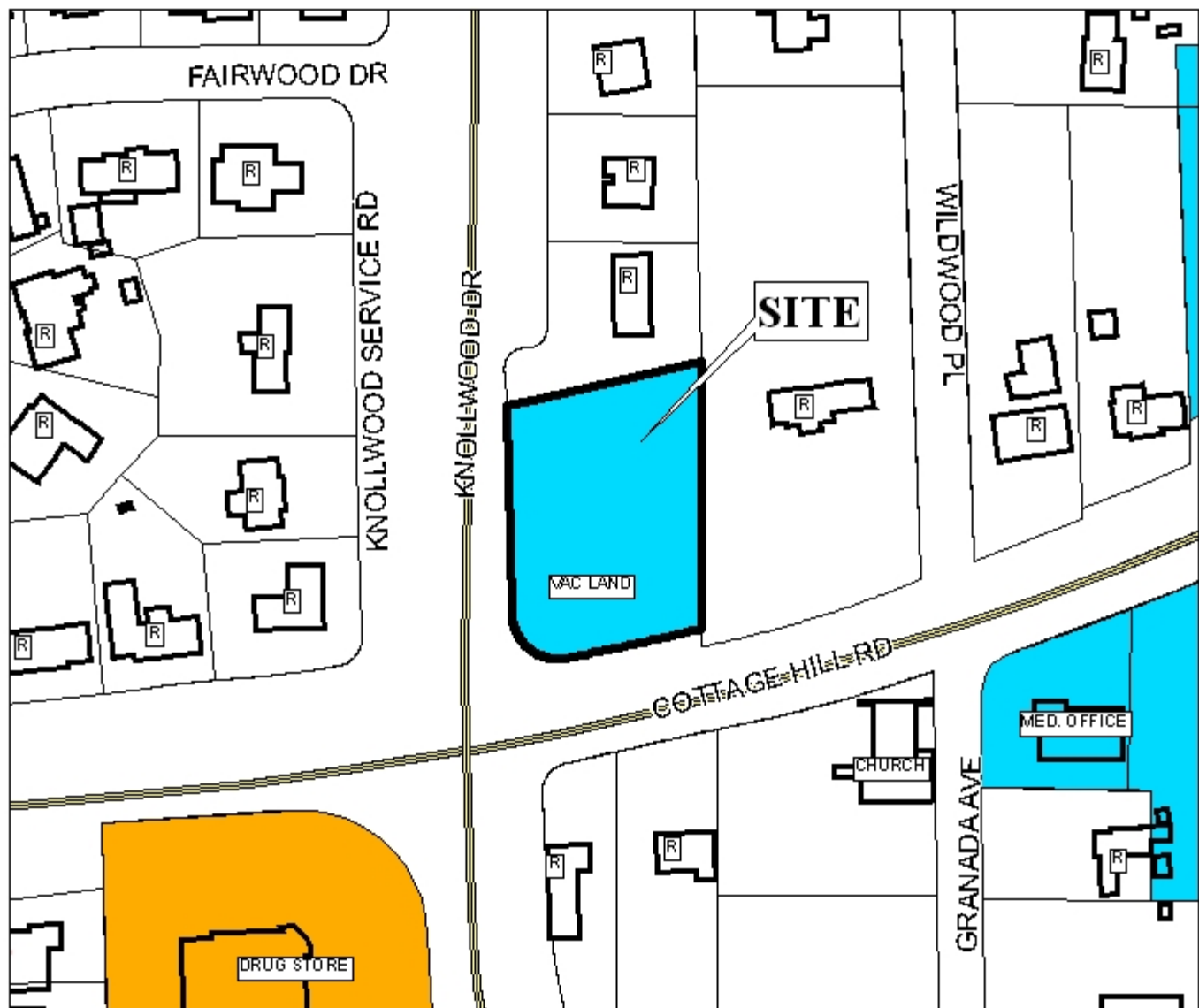
LOCATOR MAP



APPLICATION NUMBER 28 & 29 DATE June 6, 2013
APPLICANT Azalea City Credit Union
REQUEST Planning Approval, Rezoning from B-1 to B-1

N
NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residences are located to the north, west, and east of the site. A church and drug store are located to the south.

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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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

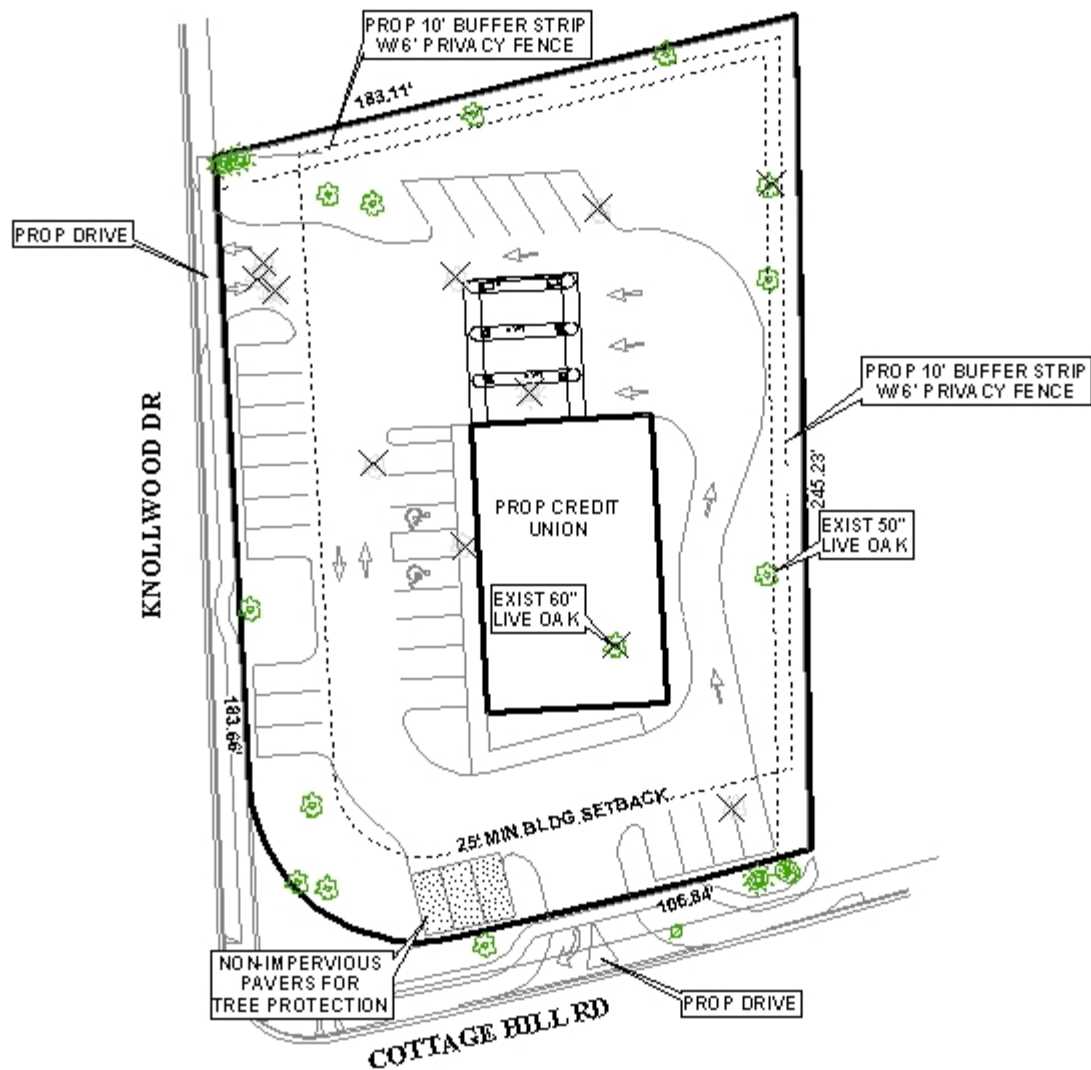


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SITE PLAN



The site plan illustrates the proposed credit union.

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N

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