

**ZONING AMENDMENT &
PLANNED UNIT DEVELOPMENT
STAFF REPORT**

Date: July 2, 2009

<u>NAME</u>	Kingdom Coach LLC
<u>DEVELOPMENT NAME</u>	Kingdom Coach LLC
<u>LOCATION</u>	5182 Willis Road (South side of Willis Road, 620'± East of Middle Road)
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>PROPOSED ZONING</u>	I-1, Light Industry
<u>REASON FOR REZONING</u>	Existing light industrial site in the recently annexed area, which due to the annexation, is currently zoned for residential use (i.e., there is a manifest error in the ordinance).
<u>AREA OF PROPERTY</u>	1 Lot / 3.0 ± Acres
<u>CONTEMPLATED USE</u>	Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, to I-1, Light Industry District, to allow a bus washing facility. 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.
<u>TIME SCHEDULE</u>	No timeframe provided.
<u>ENGINEERING COMMENTS</u>	Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

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 Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, to I-1, Light Industry District, to allow an 1,800 square foot bus washing facility. Automobile and truck fleet maintenance facilities are allowed by right in I-1, Light Industry Districts.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

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 was recently annexed into the City of Mobile, and as required by the Zoning Ordinance and state law, all properties annexed into the City initially are given an R-1 zoning designation. The Planning Commission recommended the approval of a rezoning plan for the annexed area to the City Council, at its January 22, 2009 meeting, and this site was recommended to be rezoned to an I-1 designation. As of June 23, 2009, the City Council has yet to approve an overall rezoning of the annexed area, including this site, thus the site remains zoned R-1.

The site fronts Willis Road, a paved minor street lacking curb and gutter. Light industrial uses abut the site to the East and Southwest, while all other abutting properties appear to have been cleared in anticipation of similar future development.

The applicant proposes to construct a bus washing facility. Per Zoning Ordinance regulations, the washing facility must be enclosed on at least two sides, have a roof, and be designed so that all wash runoff drains into a sanitary sewer connection (which must include an oil separator).

The site itself is developed with a 15,000 square foot structure with multiple garage door openings on both the front and rear, to facilitate the moving of vehicles into the building for servicing. Nearly the entire site is covered with crushed stone, with just a small area paved. Fourteen parking spaces are delineated on the site plan in the front parking area, however, no bumper stops are depicted. Eight understory trees, crepe myrtles, are depicted within the front setback area on the site plan. Aerial and street photographs of the site show that the entire site is enclosed by a chain-link fence topped with barbed-wire strands. Typically a new I-1 site is required to have overstory trees within the front setback area, paved parking, access and maneuvering areas, and must have approval from the Director of Urban Development for fences containing barbed-wire.

Full compliance with the tree and landscaping requirements of the Zoning Ordinance is typically for properties going through the rezoning process. Full compliance for this site would require 6 overstory frontage trees, and 15,977 square feet total landscape area, of which 9,586 square feet to be provided as front landscape area. Staff recommends that overstory frontage trees be provided, and that parking bumpers be placed and anchored (if gravel is to remain) in the front maneuvering area to protect the frontage trees from vehicular damage.

A majority of the site is covered with crushed limestone. Crushed limestone is allowed for access and maneuvering within I-2, Heavy Industrial areas, but not within I-1 districts without a variance. Paving of the site is recommended.

A dumpster is depicted on the site plan, however, there is no indication if it is screened. New dumpsters must be screened, and the pad itself must be connected to the sanitary sewer system, with an intervening oil separator/grease trap (to meet federal water quality requirements).

Any new lighting on the site must comply with the requirements of Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance, and a note stating such should be placed on the revised PUD site plan, if approved.

Finally, permits will be required for any on-site signage added after February 17, 2009. A city business license will also be required.

RECOMMENDATION

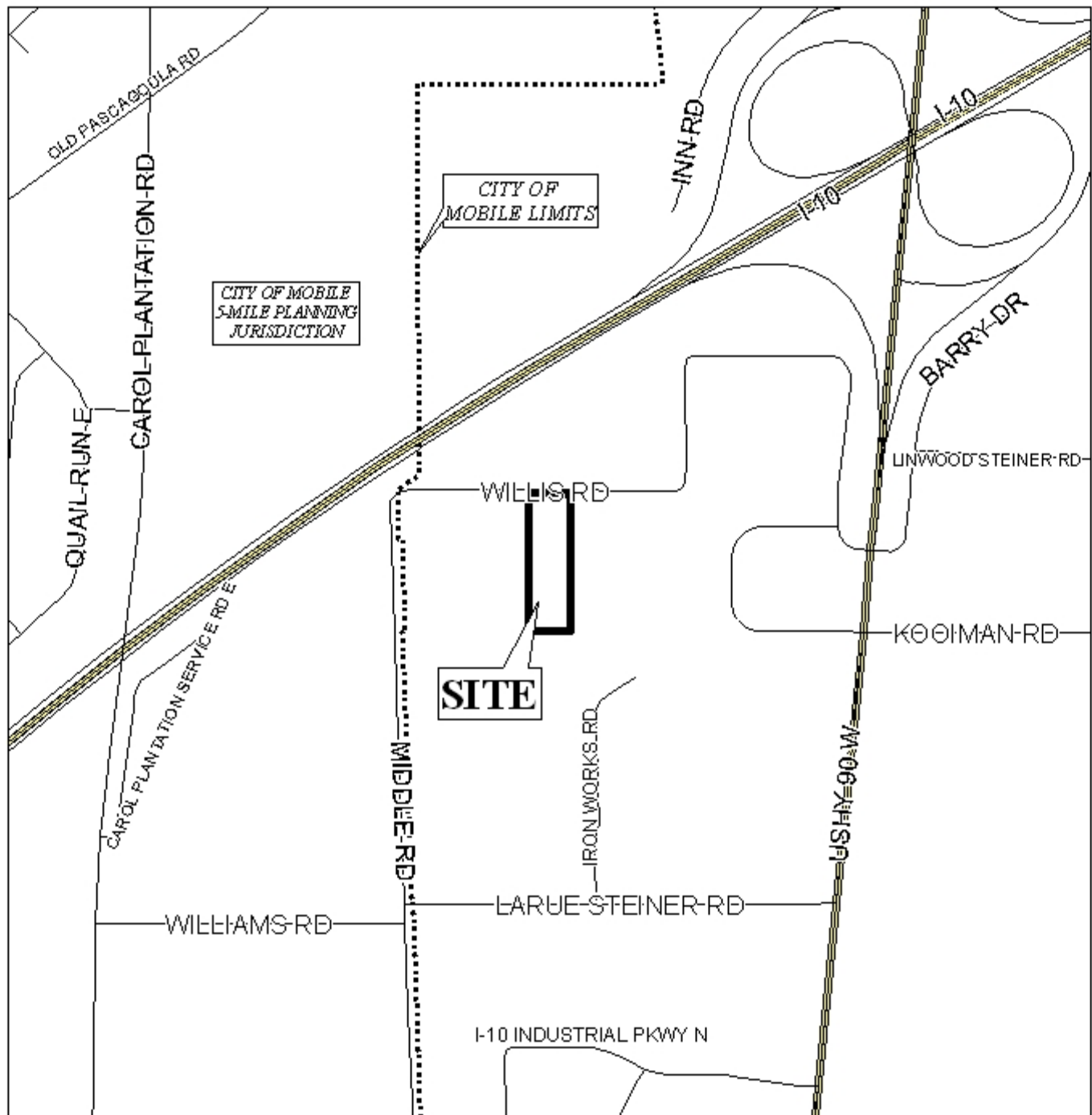
Rezoning: The request is recommended for Approval, subject to the following conditions:

- 1) Limited to an approved Planned Unit Development; and
- 2) Full compliance with all other municipal codes and ordinances.

Planned Unit Development: The request is recommended for Approval, subject to the following conditions:

- 1) Paving of the site to city standards, including the striping of parking spaces;
- 2) Revision of the site plan to depict new overstory frontage trees in front landscape area (with anchored parking bumpers if gravel paving is to remain);
- 3) Revision of the site plan to indicate if the existing dumpster is screened, and placement of a note on the site plan stating that drainage from any new dumpster pads must connect to the sanitary sewer system via a grease trap/oil separator;
- 4) Placement of a note on the site plan stating that the runoff from the vehicle washing facility must drain to the sanitary sewer system, and the connection must include an oil separator;
- 5) Placement of a note on the site plan state that new lighting on the site will comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance;
- 3) Compliance with the signage requirements of the Zoning Ordinance for any signs added to the site after February 17, 2009;
- 6) Any new fencing proposed for the site to be appropriately permitted, and be approved by the Director of Urban Development if new barbed-wire fencing is proposed; and
- 7) Submittal of a revised PUD site plan prior to any application for land disturbance or building permits.

LOCATOR MAP



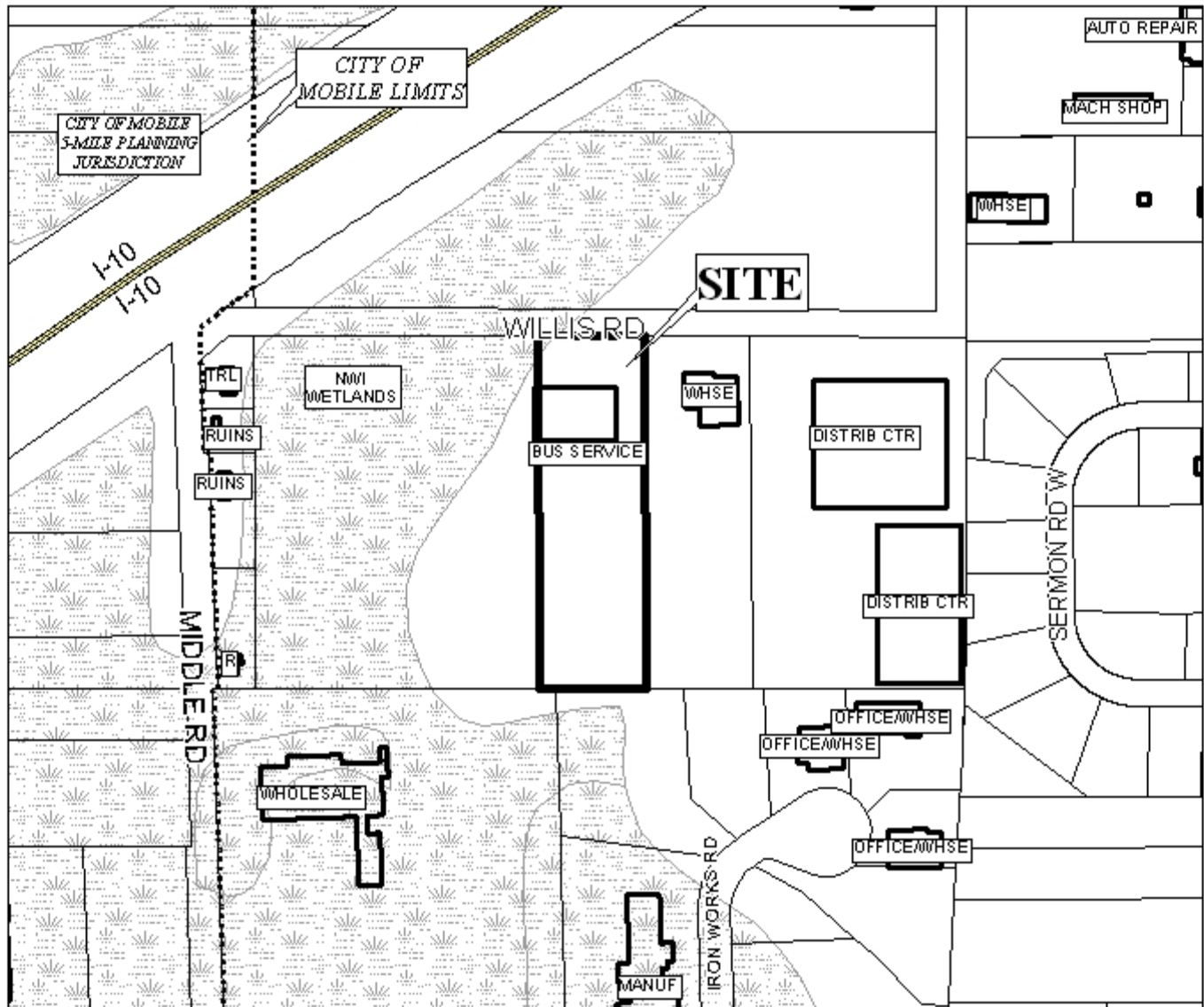
APPLICATION NUMBER 24 & 25 DATE July 2, 2009

APPLICANT Kingdom Coach, LLC

REQUEST Rezoning from R-1 to I-1, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Vacant land and mobile homes are to the west of the site, warehouses are to the east and offices/warehouses are to the south.

APPLICATION NUMBER 24 & 25 DATE July 2, 2009

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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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

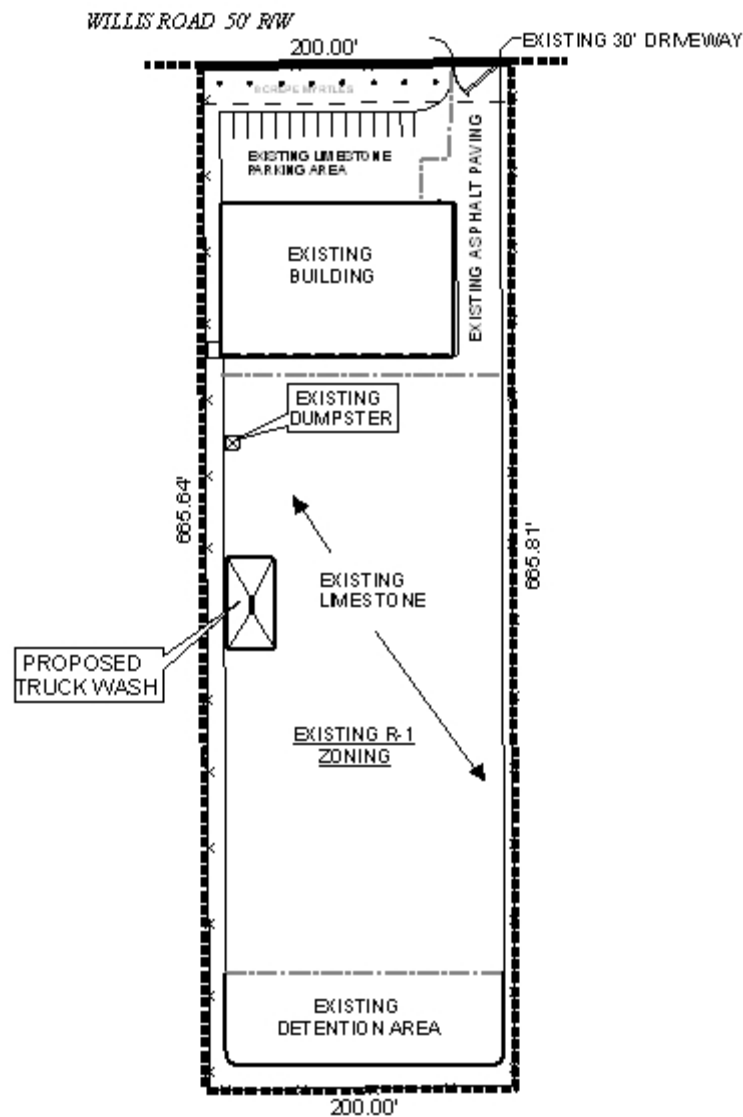


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SITE PLAN



The site plan illustrates the existing building, dumpster, setbacks, parking and drive, and the proposed building.

APPLICATION NUMBER 24 & 25 DATE July 2, 2009
 APPLICANT Kingdom Coach Truck Wash
 REQUEST Rezoning from R-1 to I-1, Planned Unit Development

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