

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: October 7, 2010****APPLICANT NAME**

Springhill College

SUBDIVISION NAME

The College Business Park Subdivision

LOCATION121 West I-65 Service Road North
(West side of West I-65 Service Road North, 205'± North
of College Lane South)**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

B-1, Buffer Business District

PROPOSED ZONING

B-3, Community Business District

AREA OF PROPERTY

10.3 Acres ±

CONTEMPLATED USE

Subdivision approval to create six legal lots of record from an existing legal lot of record, and Zoning approval to rezone the site from B-1, Buffer Business District, to B-3, Community Business District, to allow office, retail, restaurants, and hotels.

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.**REASON FOR
REZONING**

Applicant states an increased need for business and industry, and few other undeveloped lots on the West side of I-65 Service Road between Dauphin Street and Old shell Road.

**TIME SCHEDULE
FOR DEVELOPMENT**

Infrastructure within six to twelve months of approval.

**ENGINEERING
COMMENTS**

Need to provide a drainage easement for the existing 36" storm drain, the width of the easement to be approved by the City Engineer. 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. A Traffic Impact Study is required to be submitted for this development.

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. Fire hydrants shall be provided per Section 508.5.1 of the 2003 IFC. Access to building shall be provided per Section 503.1.1 & 503.2.1 of the 2003 IFC.

REMARKS

The applicant is requesting Subdivision approval to create six legal lots of record from an existing legal lot of record, and Zoning approval to rezone the entire site from B-1, Buffer Business District, to B-3, Community Business District, to allow office, retail, restaurants, and hotels.

The site is Lot 2, Springhill Apartments Subdivision, approved by the Commission on February 19, 2004, and is currently undeveloped. The applicant proposes to construct a new cul-de-sac street from West I-65 Service Road North at the approximate middle of the property which would provide access to two large lots proposed along the West side of the property. Four other lots would front West I-65 Service Road North with two of those also fronting the new street. The current B-1 designation was assigned with the adoption of the Zoning Ordinance in 1967.

The site is bounded on the South by B-1 zoning with office uses and vacant land, and on the West by B-1 zoning with use as an apartment complex. The North portion is bounded by B-3 zoning with office uses and vacant land.

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 site appears to be 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. The accuracy of recommended land uses on the General Land Use Component map is limited due to the large scale of the map. 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.

It should be noted that there is no development site plan accompanying the application for rezoning since no specific uses for any of the proposed lots have been secured. Only speculative uses such as office, retail, restaurants, and hotels are mentioned; however, all B-3 uses would be considered by the applicant. The applicant's justification for rezoning is that the request is reasonable as this site will serve to address an increased need in business and industry and there are no undeveloped lots on the West of I-65 Service Road between Dauphin Street and Old Shell Road, with the exception of one small parcel near Old Shell Road. It is also stated that this rezoning request is a matter of extending the existing B-3 properties adjacent and to the North of the subject site.

The applicant's assertion that there are no other undeveloped sites on the West I-65 Service Road North between Dauphin Street and Old Shell Road, with the exception of one small parcel near Old Shell Road, does have validity. Only one commercial lot approximately 180' South of Old Shell Road fronting the service road remains undeveloped. There are approximately four acres of undeveloped B-3 property adjacent to the North side of the subject property which are limited by conditions to access the service road via Spring Hill Business Park, a private street.

With regard to the speculative uses of the property, office use is allowed by right in the existing B-1 zoning, and 45% site coverage is allowed. Retail and restaurant uses would require B-2, Neighborhood Business zoning, and hotels would require the proposed B-3 zoning. A maximum site coverage of 50% is allowed in both B-2 and B-3 districts. The parking ratio for currently allowable office use is one parking space per 300 square feet of gross floor area. Restaurant use would require one parking space per 100 square feet of gross floor area, and hotels would require seven parking spaces per ten guest rooms.

The site is located just 220'± North of College Lane South, the primary access to the Springhill Apartments complex located adjacent to the West side of the site, and 690'± South of South Avenue, a primary access point for Saint Paul's Episcopal School and residential properties on Bishops Lane South, Rose Avenue, and McAlpine Drive. With the increased parking requirements for restaurant and hotel uses and the increased allowable site coverage for B-2, and B-3 districts, a traffic impact study prior to development becomes increasingly important and has been required by Traffic Engineering. It would stand that the potential exists for severe traffic congestion at peak hours within the area with the increased commercial uses proposed by the applicant.

As no specific uses have been proposed for any specific lots on the site, and no site plan has been presented for any of the lots, there is no way of calculating required parking for any of the site

and no way of estimating potential traffic problems which may arise in the area. Unless further justification for rezoning can be presented, the site should retain its current B-1 zoning classification until such time that specific higher uses with site plans would warrant rezoning to B-2 or B-3.

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.

The proposed lots are of sufficient size and have sufficient public right-of-way frontage to be compliant with the requirements of the Subdivision Regulations. The lot area sizes are depicted on the plat and should be retained on the Final Plat, if approved.

Lots 1 and 4 front along West I-65 Service Road North with less than 200' of frontage and should, therefore, be limited to one curb cut each. Lots 2 and 3 front both West I-65 Service Road North and the proposed cul-de-sac street and both would have over 200' of frontage; therefore, Lots 2 and 3 should be limited to two curb cuts each to the cul-de-sac street only. Lots 5 and 6 would front only the proposed cul-de-sac and should, therefore, be limited to one curb cut each. A note should be placed on the final plat stating that the driveway number, size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards. Traffic Engineering has required a Traffic Impact Study be submitted for this development. This should be submitted prior to any approval of this subdivision.

The 25-foot minimum building setback is depicted for all lots and should be retained on the Final Plat, if approved.

The legal description furnished is metes-and-bounds but describes Lot 2, Springhill Apartments Subdivision. This should be revised to state the recorded legal description Lot 2, Springhill Apartments Subdivision. That recorded plat also indicates drainage and/or utility easements not shown on the preliminary plat; therefore, the plat should be revised to show all easements on the property. The legal description should be corrected on the Final Plat, if approved, as well as the rezoning request.

It appears that a portion of the site may contain NWI wetlands. The potential presence of wetlands indicates that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

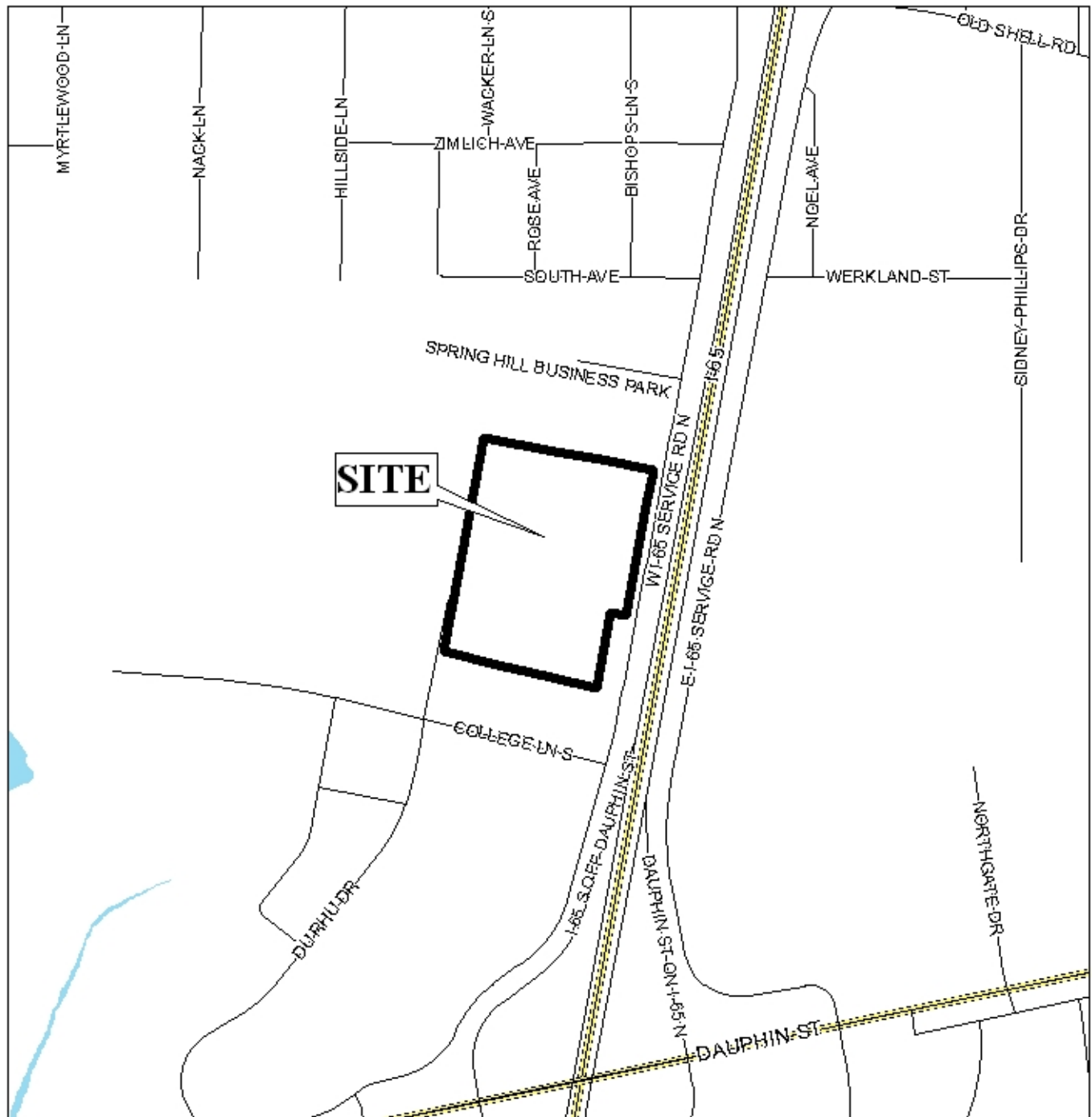
Finally, the geographic area defined by the City of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Rezoning: Based upon the preceding, the request for rezoning to B-3, Community Business District, is recommended for holdover to the meeting of November 4th to allow the applicant to present additional justification for B-3 rezoning and submit a Traffic Impact Study. These items should be submitted no later than October 18th.

Subdivision: Based upon the Traffic Engineering requirement that a Traffic Impact Study be submitted, this application is recommended for holdover to the meeting of November 4th to allow the applicant to submit a Traffic Impact Study. This should be submitted no later than October 18th.

LOCATOR



APPLICATION NUMBER 24 & 25 DATE October 7, 2010

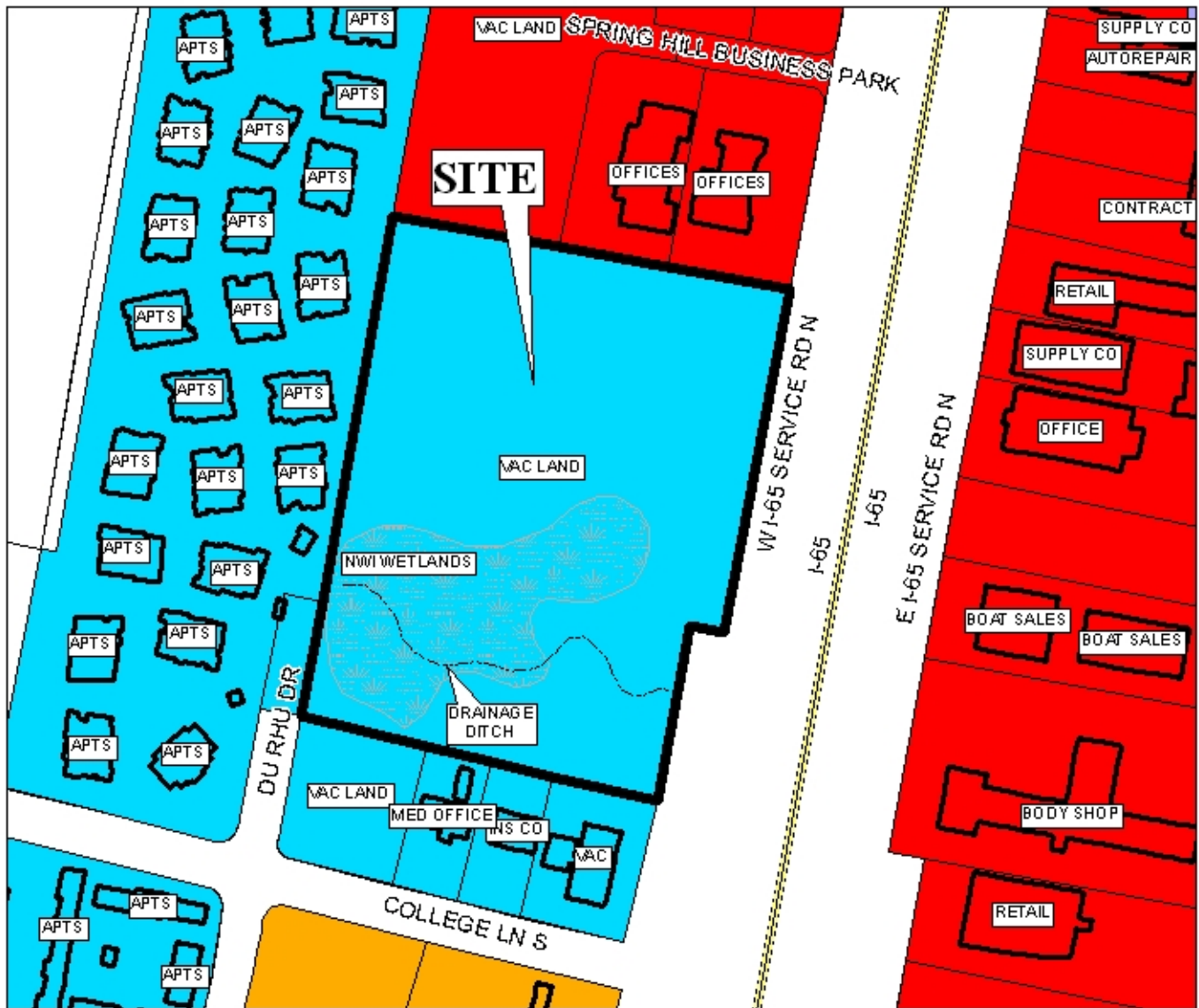
APPLICANT The College Business Park Subdivision

REQUEST Subdivision, Rezoning from B-1 to B-3



NTS

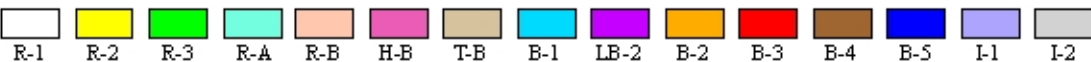
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by business land use with residential land use to the west.

APPLICATION NUMBER 24 & 25 DATE October 7, 2010
 APPLICANT The College Business Park Subdivision
 REQUEST Subdivision, Rezoning from B-1 to B-3

LEGEND



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



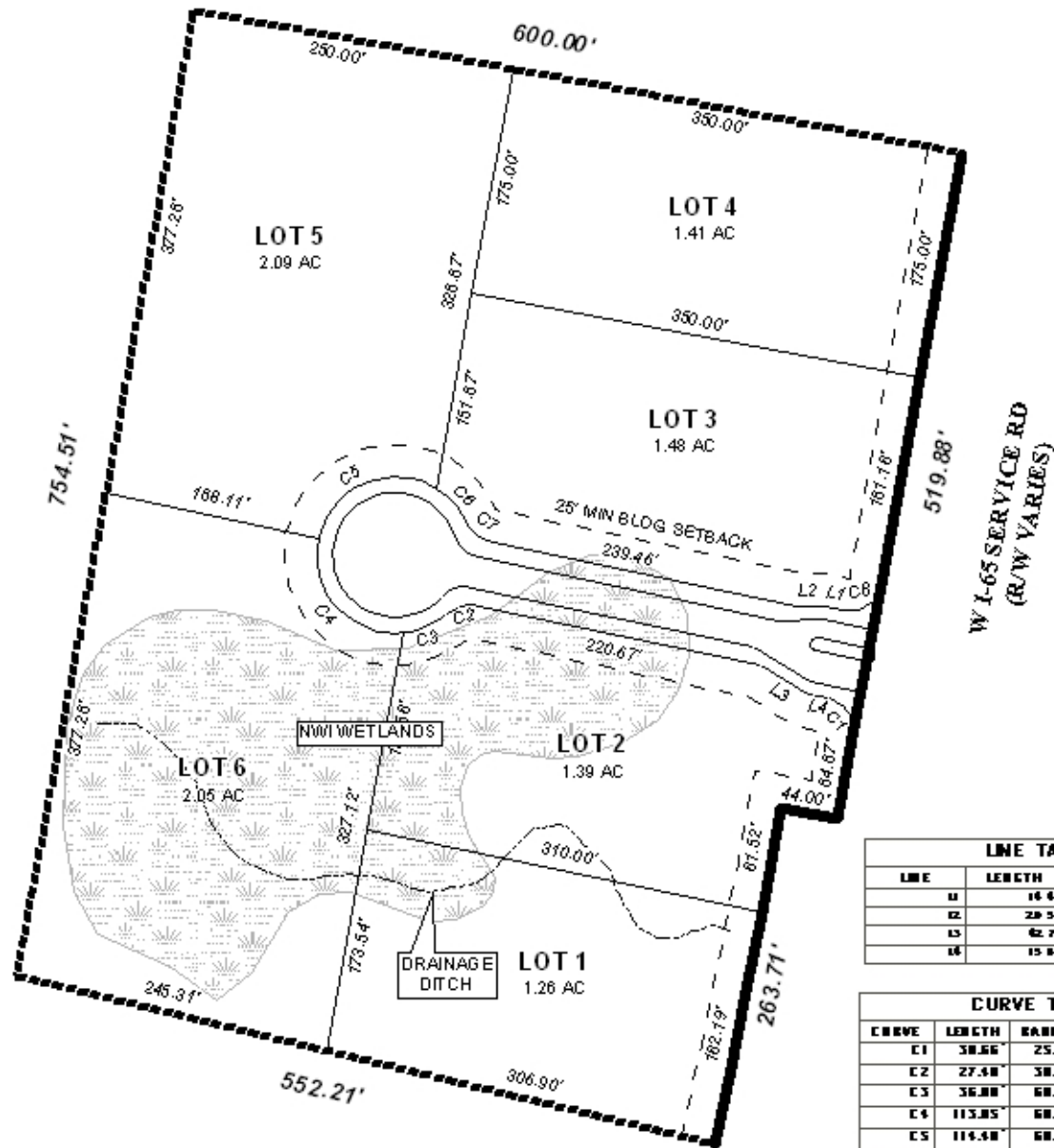
This site is surrounded by business land use with residential land use to the west.

APPLICATION NUMBER 24 & 25 DATE October 7, 2010
APPLICANT The College Business Park Subdivision
REQUEST Subdivision, Rezoning from B-1 to B-3



NTS

DETAIL SITE PLAN



LINE TABLE		
LINE	LENGTH	BEARING
01	16.40	073° 28' 54" W
02	29.50	007° 28' 53" E
03	62.71	329° 18' 51" E
04	15.94	329° 28' 56" E

CURVE TABLE				
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	30.66	25.00	24.48	88° 36' 54"
C2	27.48	30.00	14.74	52° 19' 48"
C3	36.00	60.00	18.56	34° 22' 24"
C4	113.85	60.00	62.52	107° 57' 25"
C5	114.48	60.00	64.61	109° 19' 18"
C6	34.57	60.00	17.78	33° 00' 58"
C7	27.48	30.00	14.74	52° 19' 48"
C8	30.66	25.00	24.48	91° 23' 26"

APPLICATION NUMBER 24 & 25 DATE October 7, 2010
 APPLICANT The College Business Park Subdivision
 REQUEST Subdivision, Rezoning from B-1 to B-3

