

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

**Date: April 3, 2008**

<b><u>NAME</u></b>	Ben M. Radcliff Contractor, Inc.
<b><u>SUBDIVISION NAME</u></b>	Ben Radcliff Subdivision
<b><u>LOCATION</u></b>	3456 Halls Mill Road (Northwest corner of Halls Mill Road and West I-65 Service Road South, extending to the West side of West I-65 Service Road South, 500'± North of Halls Mill Road, and extending to the East side of Montlimar Creek)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential
<b><u>PROPOSED ZONING</u></b>	I-1, Light Industry
<b><u>AREA OF PROPERTY</u></b>	3-lots/28.9± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Subdivision approval to create three lots of record, Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential, to I-1, Light Industry, for unspecified light industrial purposes.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	No time frame provided.
<b><u>ENGINEERING COMMENTS</u></b>	<p>Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS show wetlands on the site, it is the responsibility of the applicant to</p>

confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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**

Shall comply with 2003 IFC Section 503; 508.5.1 and appendix D.

### **REMARKS**

The applicant is requesting Subdivision approval to create three lots, Planned Unit Development approval to allow multiple buildings on a single building site, and rezoning from R-1, Single-Family Residential to I-1, Light Industry, for unspecified light industrial purposes in a proposed commercial subdivision.

The applicant states that the rezoning to an I-1 use will zone all of the three lots to I-1 and eliminate split zoning of R-1 and I-1 districts.

The site is bounded to the South by industrial uses in an I-1, Light Industrial District. North by undeveloped property in an I-1, Light Industry district, West of the site is the Montlimar Creek Drainage Canal, while East, across Halls Mill Road, are various complying uses in a B-3, Community Business district.

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.

It should be noted that this proposed change in zoning would change an existing R-1 zoned district sandwiched between I-1 districts.

The site is depicted as industrial 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.

As stated in Section 64-5. of the Zoning Ordinance, 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 any changes to the site plan must be approved by the Planning Commission.

The proposed site/layout plan (Lot 3) indicates the buildings, parking area and maneuvering layout and heavy equipment laydown area. The site plan does not reflect the curb cuts that are existing, however, Lots 2 and 3 should be allowed two curb cuts to Halls Mill Road/West I-65 Service Road South, and Lot 1 one curb cut to West I-65 Service Road South, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards.

No on-site storm water detention facilities are depicted on the site plan, however such facilities may be required due to the extent of the proposed development.

There is no indication on the site plan as to the proposed location of any dumpster or other waste storage facility. The location of the storage area for the dumpster must be indicated on the site plan, and the location and required screening must comply with Section 64-4.D.9. of the Zoning Ordinance, as well as with all other applicable regulations.

Regarding compliance with the tree and landscape requirements of the Zoning Ordinance, the undeveloped lots would require full compliance with landscaping and tree requirements of the Ordinance; however, since the site is zoned I-1, only street frontage trees would be required.

As the existing and proposed development will be adjacent (across Montlimar Creek) to existing R-1 districts, the requirement of a minimum 10-foot undisturbed buffer in its natural vegetative state should be required.

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 site fronts onto Halls Mill The site fronts onto Halls Mill Road, a collector street, which currently has a 50' right-of-way in this area. As a collector street, the right-of-way should be a minimum of 70' wide, thus dedication of sufficient right-of-way to provide 35' as measured

from the centerline of Halls Mill Road should be required. The plat did not indicate a minimum building setback line. The minimum building setback line should be indicated on the final plat as being measured from the new right-of-way line, after dedication. The site also fronts West I-65 Service Road South, a major road with a required right-of-way of 300-feet; however, no indication of the right-of-way width along this road is noted on the preliminary plat. Therefore, dedication of sufficient right-of-way to provide 150-feet from the centerline of I-65 would be required.

It should be noted that there seems to be a discrepancy with the northern boundary of the proposed Lot 1; therefore the inclusion of this portion would be required to be included on the Final Plat.

Lots 1 and 2 of the site are currently undeveloped; therefore, future development would be subject to full compliance with all municipal codes and ordinances.

The 25-foot minimum building setback line, required in Section V.D.9. of the Subdivision Regulations is not shown on the preliminary plat. Due to the street right-of-way dedication previously stated, the minimum building setback line should be revised to reflect these requirements, and should be depicted on both the site plan and the plat.

### **RECOMMENDATION**

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

- 1) completion of the Subdivision process;
- 2) the provision of a 10-foot natural vegetative buffer along Montlimar Creek; and
- 3) full compliance with all other municipal codes and ordinances.

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

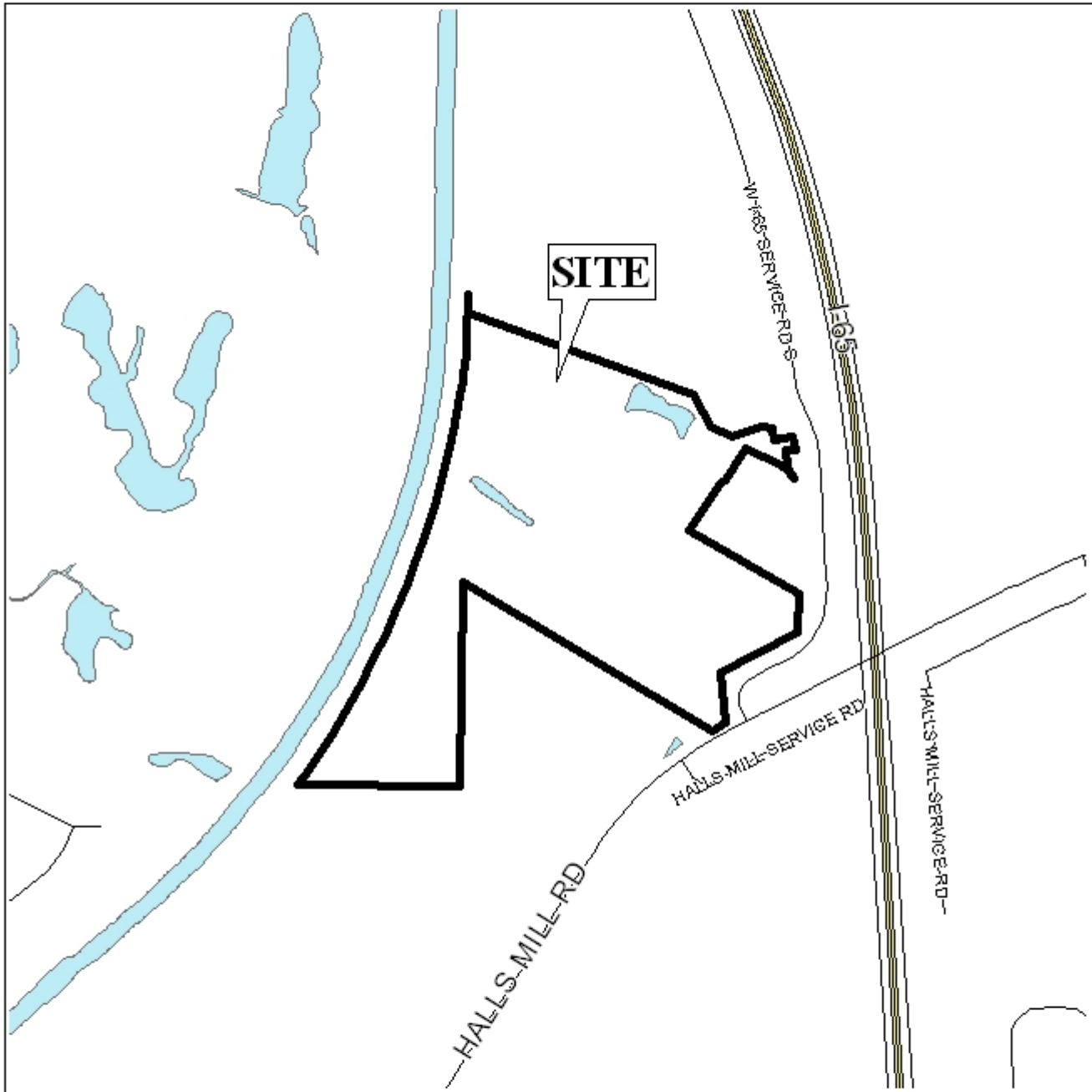
- 1) revision of the site plan to depict proposed dumpster storage locations, in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 2) revision of the site plan to depict existing on-site circulation and parking;
- 3) placement of a note on the site plan stating that lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic;
- 4) revision of the site plan and plat to provide a minimum right-of-way width of 35 feet, as measured from the centerline for Halls Mill Road, in compliance with Section V.B.14. of the Subdivision Regulations;
- 5) revision of the site plan and plat to provide a minimum right-of-way width of 150 feet, as measured from the centerline of Interstate 65, in compliance with Section V.B.14. of the Subdivision Regulations;
- 6) revision of the site plan to accurately depict all existing curb-cuts, and modifications thereof (with reduction of excessive width curb-cuts where possible), as well as proposed curb-cuts;

- 7) depiction of a 6-foot high solid wooden fence and 10-foot vegetative buffer, where the site abuts Montlimar Creek;
- 8) revision of the site plan to provide full compliance of the landscaping and tree requirements of the Ordinance for the entire site; and

**Subdivision:** Based on the preceding, the plat meets the requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) dedication of sufficient right-of-way to provide 35' as measured from the centerline of Halls Mill Road;
- 2) dedication of sufficient right-of-way to provide 150' as measured from the centerline of Interstate 65;
- 3) the depiction of the 25' minimum building setback line, as measured from the right-of-way line after dedication;
- 4) placement of a note on the final plat stating that Lots 2 and 3 are limited to two curb cuts to Halls Mill Road/West I-65 Service Road South, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the final plat stating that Lot 1 is limited to one curb cut to West I-65 Service Road South, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) the placement of a note on the Final Plat stating the provision of a 6-foot high solid wooden fence and 10-foot vegetative buffer, where the site abuts Montlimar Creek;
- 7) the inclusion of the portion the property along the northern boundary of the proposed Lot 1;
- 8) full compliance with all municipal codes and ordinances.

## LOCATOR MAP



APPLICATION NUMBER 28, 29, 30 DATE April 3, 2008

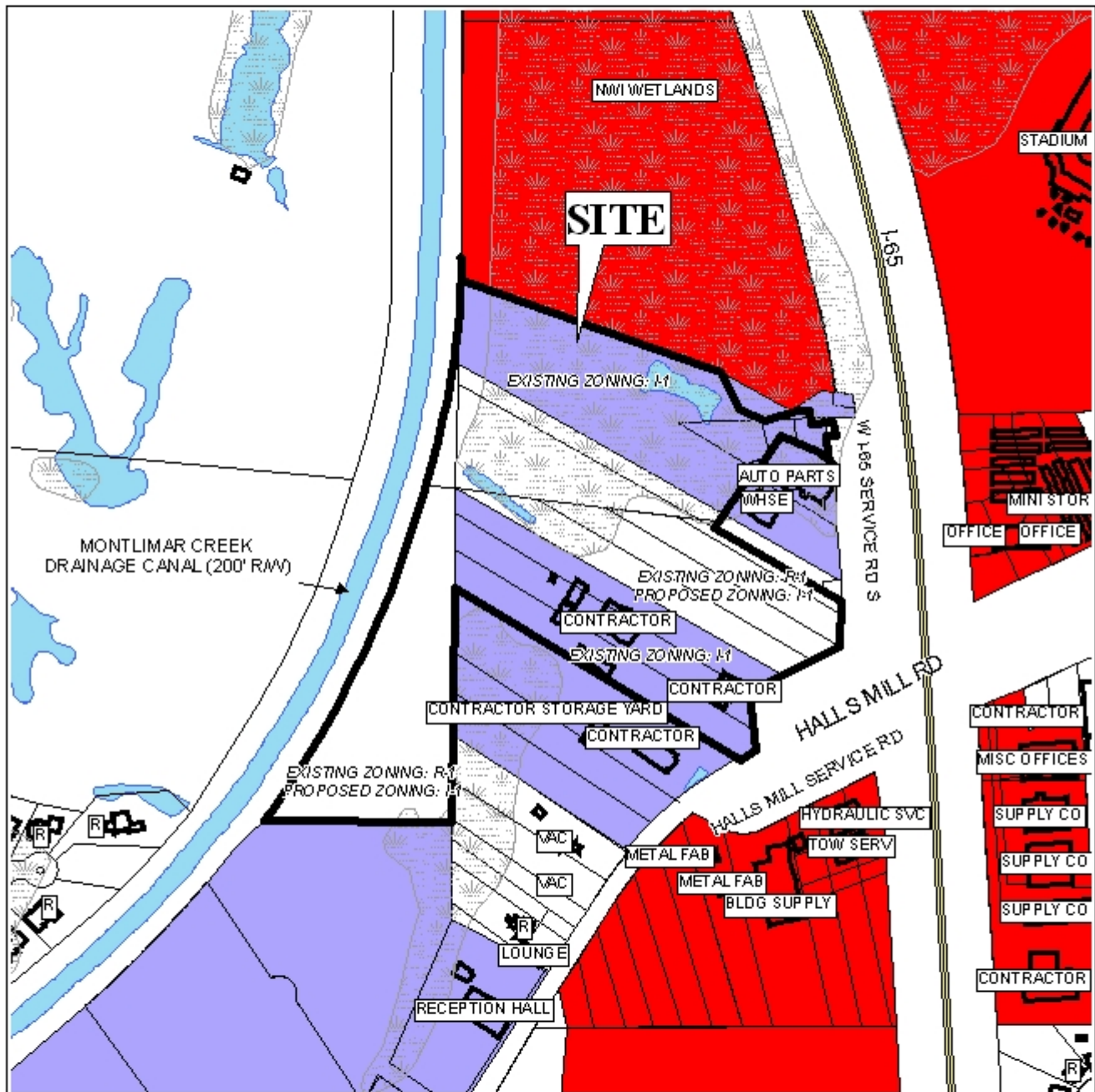
APPLICANT Ben Radcliff Subdivision

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



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# BEN RADCLIFF SUBDIVISION



APPLICATION NUMBER 28, 29, 30 DATE April 3, 2008



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## BEN RADCLIFF SUBDIVISION



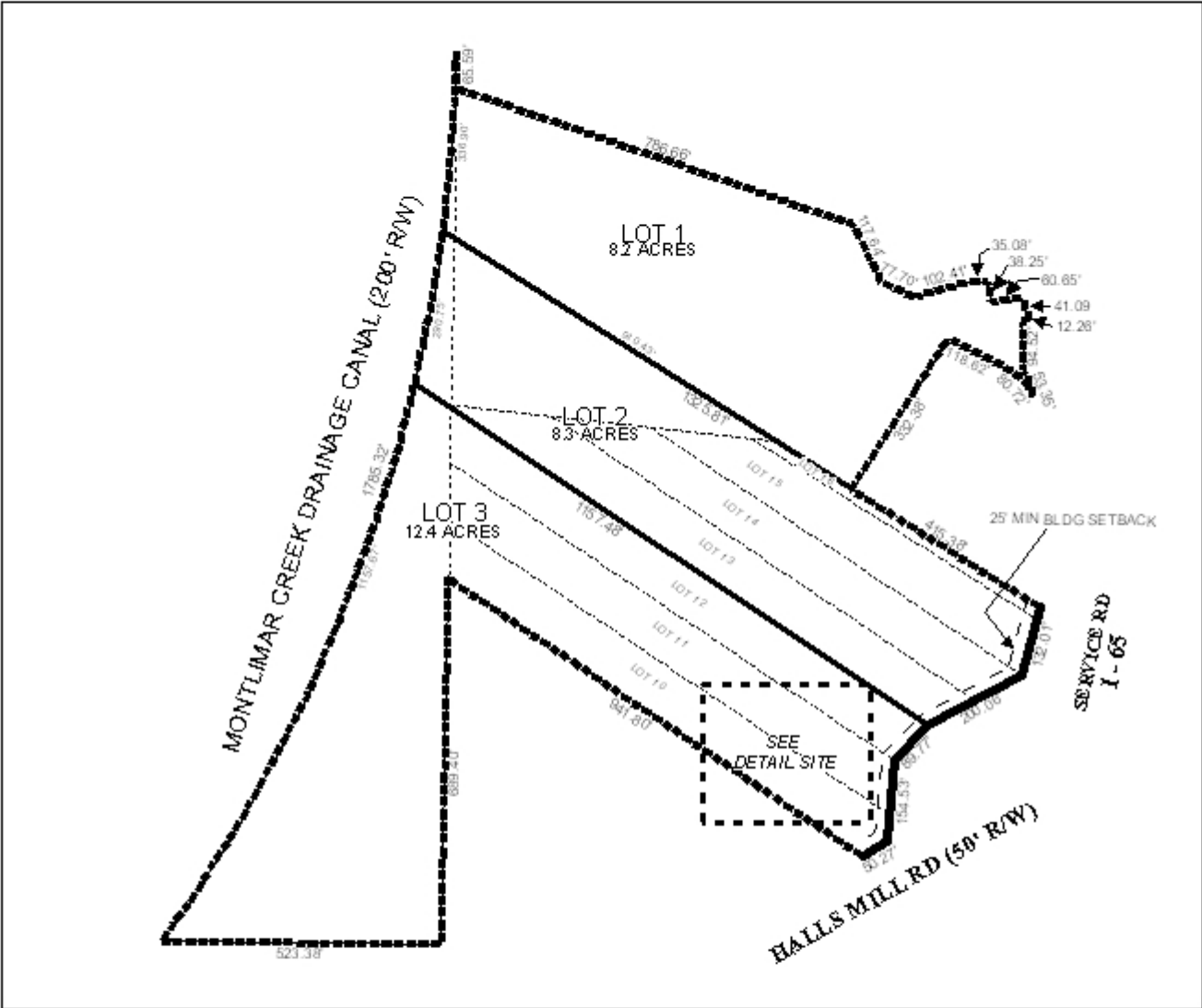
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## SITE PLAN



This site plan illustrates proposed lot configuration.  
See zoning detail and detail site plan.

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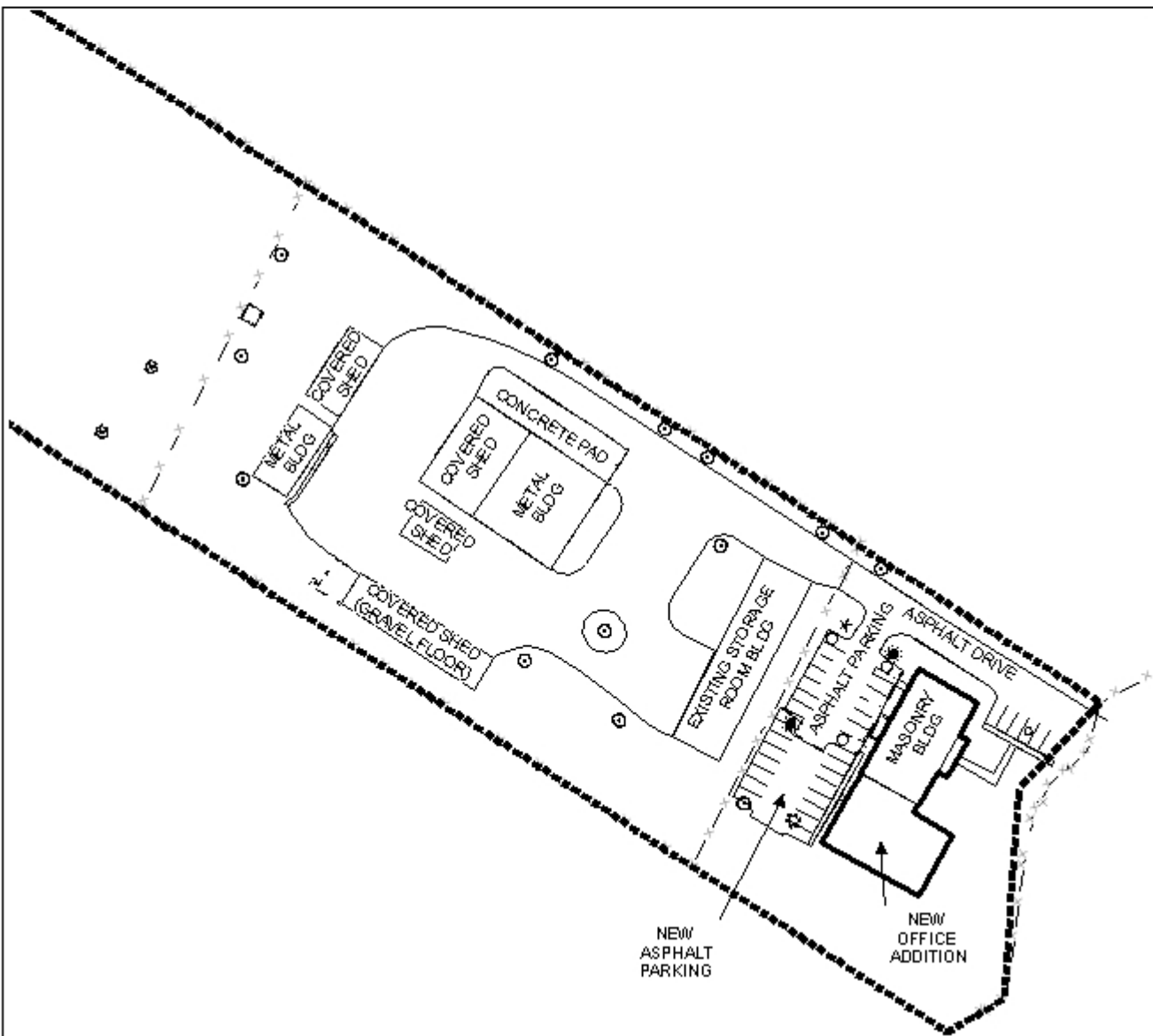
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## DETAIL SITE PLAN



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APPLICANT Ben Radcliff Subdivision

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



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