

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

**Date: June 7, 2007**

**DEVELOPMENT NAME**

Rashimiben S. Patel

**SUBDIVISION NAME**

Olsson Motel Subdivision

**LOCATION**

4137 Government Boulevard  
(South side of Government Boulevard, 1750' ± East of  
Crestview Drive).

**CITY COUNCIL  
DISTRICT**

District 4

**PRESENT ZONING**

R-1, Single-Family Residential District

**PROPOSED ZONING**

B-2, Neighborhood Business District

**AREA OF PROPERTY**

1 Lot / 3.2 ± Acres

**CONTEMPLATED USE**

Subdivision Approval to create 1 lot, Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single Family Residential to B-2, Neighborhood Business District, to allow a motel.

**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.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate

**ENGINEERING**

**COMMENTS**

The storm water ordinance prohibits the concentration of storm water onto an adjacent property, without a release agreement. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands. If wetlands are present, no work allowed without a Corps of Engineers permit. 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**

No Details Shown on Plans for Parking or Access.

**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).

Preservation status is to be given to the 45" Live Oak Tree located behind the open porch dwelling of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

**FIRE DEPARTMENT  
COMMENTS**

No comments.

**REMARKS**

The applicant is requesting Subdivision Approval to create 1 lot, Planned Unit Development Approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single Family Residential to B-2, Neighborhood Business District, to allow a motel. Hotels and motels are prohibited in R-1 and B-2 districts, but are allowed by right in B-3, Community Business Districts.

The purpose of this application is to legitimize the operation of an existing motel, which requires rezoning, the creation of a legal lot of record, and Planned Unit Development approval due to existing multiple buildings on a single building site.

Previous discussions between staff and the applicant and others associated with this site also indicated that the existing single-family residence on the site would be expanded to include additional space for a motel-related office, however no expansion of the house is depicted in the applications under consideration. As Planned Unit Development approval is site plan specific, the site plan should be revised to reflect the anticipated expansion of the residential structure (if still planned): otherwise a new PUD application and approval will be required prior to the applicant obtaining a building permit. The PUD site plan should also be revised to show any existing parking spaces, number of motel rooms and size of any office space and residential space in square feet, and any proposed landscape improvements that will be required as part of the rezoning of the property.

Since January 1, 2007, the Urban Development Department has required that all applications to the Planning Commission and the Board of Adjustment have the adjacent property owner information required as part of any application verified by the applicant at the Mobile County Probate Court. The purpose of this requirement is to ensure that the most recent owner for every property receives any legally mandated notification. The verification through Mobile County Probate Court is in response to an Alabama Court Decision. Staff was notified on May 22, 2007 that property ownership on an adjacent lot changed on May 2, 2007. Mobile County Probate Court records show that the deed was recorded on May 8, 2007, thus it appears that the information should have been available for the applications under consideration. Therefore, the

applications should be heldover until the July 5, 2007 meeting so that the applicant can provide new labels and postage, with all addresses verified with Mobile County Probate Court Records.

## **RECOMMENDATION**

**Rezoning:** The rezoning request is recommended for Holdover until the Holdover until the July 5<sup>th</sup> meeting, with revisions due to the Planning Section of Urban Development by June 12<sup>th</sup>, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners within 300 feet, as verified by Mobile County Probate Court records, and postage for the labels; and
- 2) revision of the application to request B-3, Community Business District zoning classification; and
- 3) revision of the site plan per the PUD requirements.

**Planned Unit Development:** The PUD request is recommended for Holdover until the July 5<sup>th</sup> meeting, with revisions due to the Planning Section of Urban Development by June 12<sup>th</sup>, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners within 300 feet, as verified by Mobile County Probate Court records, and postage for the labels;
- 2) revision of the site plan to reflect any proposed expansion of the existing residence (for office space);
- 3) revision of the site plan to depict existing parking (number of spaces and location) and circulation;
- 4) revision of the site plan to indicate the number of motel rooms per building;
- 5) revision of the site plan to indicate in square feet the amount of office area and residential areas; and
- 6) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance.

**Subdivision:** The Subdivision request is recommended for Holdover until the July 5<sup>th</sup> meeting, with revisions due to the Planning Section of Urban Development by June 12<sup>th</sup>, to give the applicant time to address the following:

- 1) provision of a new set of address labels for all property owners adjacent to or across the street from the site, as verified by Mobile County Probate Court records, and postage for the labels.

# LOCATOR MAP



APPLICATION NUMBER 38,39, & 40 DATE June 7, 2007

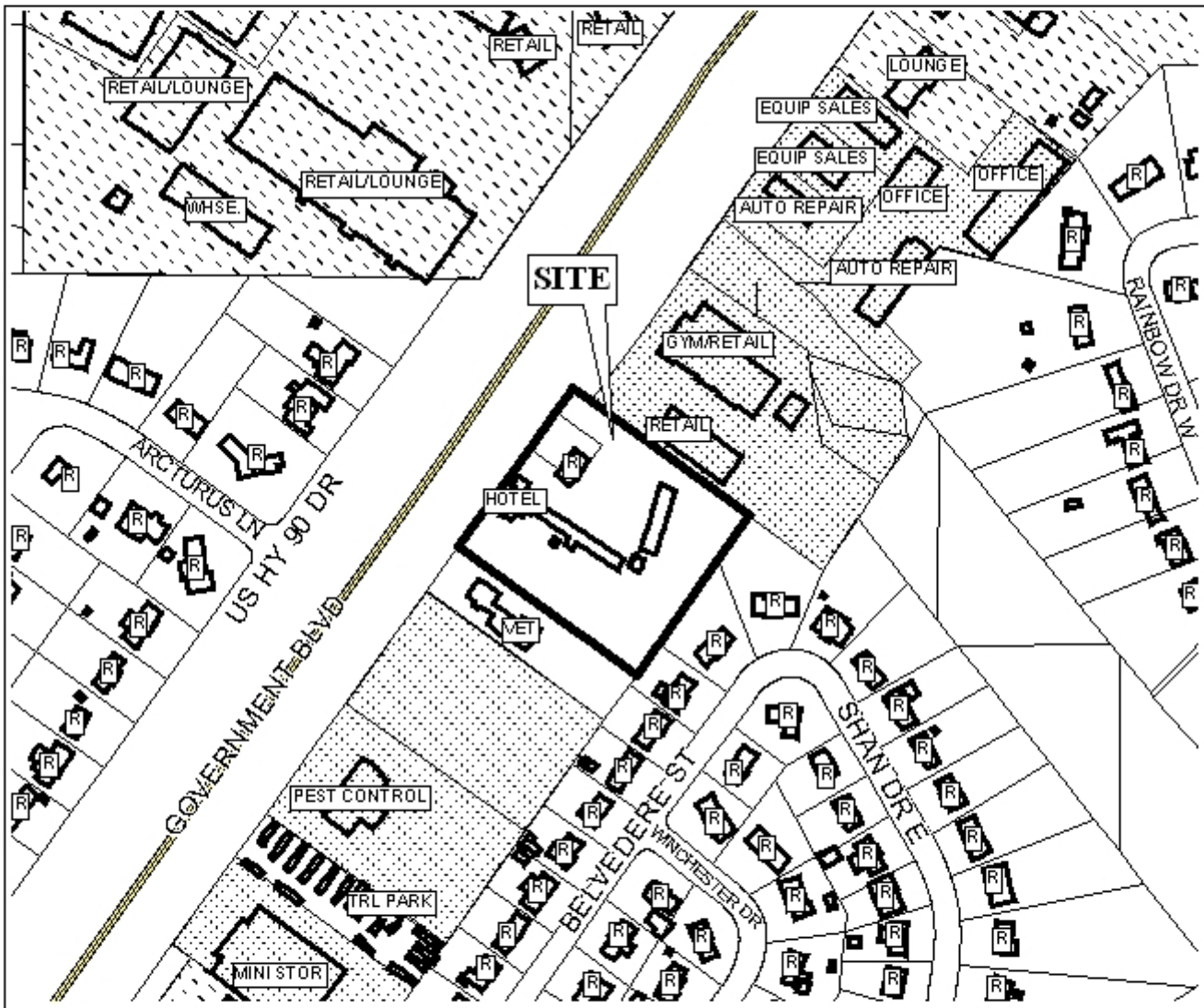
APPLICANT Rashimiben S. Patel

REQUEST Subdivision, Rezoning from R-1 to B-2, Planned Unit Development



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed landuse.

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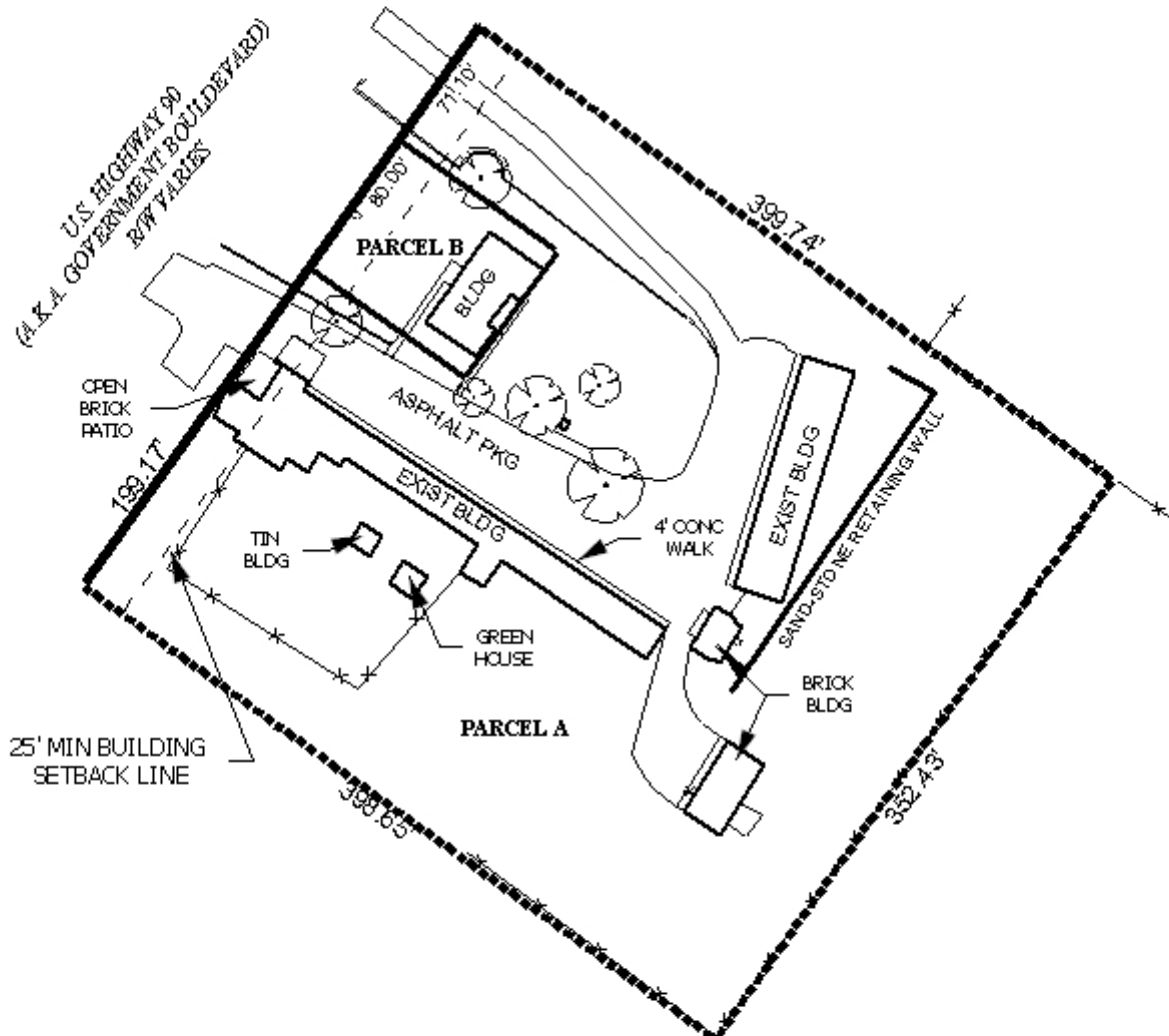
REQUEST Subdivision, Rezoning from R-1 to B-2, Planned Unit Development

LEGEND

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R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	



# SITE PLAN



The site plan illustrates buildings, walks, and building setback line.

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