



Agenda Item # 1 – HOLDOVER

SUB-002526-2023 & SUB-SW-002532-2023

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – Subdivision](#)

[Applicant Materials for Consideration – Sidewalk Waiver](#)

DETAILS

Location:

1951 Pleasant Avenue

Subdivision Name (as applicable):

Boltz Lane Subdivision, Resubdivision of Lot 3

Applicant / Agent (as applicable):

Charlie McNichol, Mobile County Communications District / J. Casey Pipes/Keri Coumanis, Helmsing Leach

Property Owner:

Mobile Infirmary Association

Current Zoning:

R-1, Single-Family Residential Urban District

Proposed Zoning (as applicable):

Not Applicable

Future Land Use:

Parks & Open Space

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Schedule for Development (as applicable):

Not Provided

Proposal:

The following is a summary of the proposal:

- Subdivision approval to create two (2) legal lots of record from a single legal lot of record; and
- Waiver of a sidewalk along Rondo Road (private)

Commission Considerations:

1. Subdivision proposal with twelve (12) conditions; and
2. Sidewalk Waiver request


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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units to the west and wetlands to the east. A park lies southwest of the site.

APPLICATION NUMBER <u> 1 </u> DATE <u> July 20, 2023 </u>	 NTS
APPLICANT <u> Boltz Lane Subdivision, Resubdivision of Lot 3 </u>	
REQUEST <u> Subdivision, Sidewalk Waiver </u>	

HOLDOVER COMMENTS

The applications were heldover at the Planning Commission's June 15th meeting, at the applicant's request. No additional information has been submitted since the previous meeting.

SITE HISTORY

The subject site consists of Lot 3, Boltz Lane Subdivision, which was approved by the Planning Commission at its June 3, 1999 meeting, and was subsequently recorded in Probate Court. The site has an existing warehouse and storage building that was built between 1984 and 1992. The site has frontage along Pleasant Avenue, and Rondo Road, a private street, vacated in 1994.

STAFF COMMENTS

Engineering Comments:

Subdivision

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Revise the proposed LOT designations. They need to be sequential, either 1 & 2, A & B, or even 3A & 3B.
- C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 14.
- D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1 and 3A will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 3,500 sf AND lot 3A – NONE.
- E. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- F. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.

Sidewalk Waiver

Rondo Road is a PRIVATE road in a narrow 30' wide easement. It is recommended that this request be approved.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in the City's Zoning Ordinance.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require

approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

After reviewing the site plan for Mobile County Communications, it is determined to be acceptable for Fire Department access to the proposed location. Considering the type of structure to be installed (a communication tower), the access road is allowed to be extended past the 150 feet that is required by the 2021 International Fire Code.

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

Subdivision

Based on Section 3.E of the Subdivision Regulations, the proposed subdivision cannot be classified as a minor subdivision due the proposed Lot 3A being sub-standard in size (2,500± square feet), and is not located on a public right-of-way.

It should be noted that the preliminary plat labels the proposed lots as "Lot 1" and "Lot 3A". If approved, the lots should be labeled as "Lot 1" and "Lot 2".

The proposed site has frontage on Pleasant Avenue, a minor street with partial curb and gutter; Rondo Road, a private street; and Lake Drive, a minor street with curb and gutter, located within Tricentennial Park. The preliminary plat illustrates the right-of-way for Pleasant Avenue varies; while the 1999 recorded plat depicts a 37-foot right-of-way. Therefore, a waiver of Section 6.B.9. of the Subdivision Regulations may be appropriate, however the plat should be revised to depict the existing right-of-way to the centerline. Rondo Road is an existing private street, in the same configuration since being vacated by the City in 1994, therefore no dedication should be required. Furthermore, as no corner radius dedication at Pleasant Avenue and Rondo Road was required as part of the 1999 subdivision, Section 6.B.12. of the Subdivision Regulations should be waived, if approved. Lake Drive has an existing compliant right-of-way of 50-feet, and if approved, a note should be placed on the Final Plat prohibiting Lot 1 from direct access to Lake Drive.

The proposed Lot 1 exceeds the minimum size requirements of the Subdivision Regulations, but the proposed Lot 3A does not meet the minimum required size 6,000 square feet for an R-1 Single-Family Residential Urban District. However, the proposed lot is to accommodate a telecommunications tower for the Mobile County Communications District, and as such, a waiver of Section 6.C.1. of the Subdivision Regulations may be appropriate. If approved, the lot sizes should be retained in square footage and acres.

The preliminary plat submitted does not indicate the required 5-foot minimum building setback line allowed by R-1, Single-Family Residential Urban District along either street frontage. If approved, the setback should be depicted along all street frontages.

It should be noted that a 15-foot wide ingress/egress and utility easement depicted along Rondo Road, as well as a Three Mile Creek Improvement Project easement are depicted on the preliminary plat. If approved, all easements should be retained on the Final Plat, along with a note stating that no construction is to be permitted in any easement without the easement holder's permission.

As per the Traffic Engineering comments, the driveway number, size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in the City's Zoning Ordinance.

Sidewalk Waiver

The applicant is requesting a sidewalk waiver for the proposed Lot 3A, along Rondo Road (private street). The lot is proposed to be developed with a 150-foot tall monopole tower to be utilized by the Mobile County Communications District. There are existing sidewalks to the East of the site, along Pleasant Avenue, but none along Rondo Road.

The applicant states:

The proposed subdivision will create a single lot from Lot 3 of the Boltz Lane Subdivision, Map Book 83; Page 91. The purpose of this subdivision is to create a parcel to transfer to the Mobile County Communications District. Thereafter, MCCD intends to construct a new radio tower necessary to improve 911 telecommunications in the vicinity. The parcel is bound by a utility to the east, the City of Mobile to the South, and the remainder of the Mobile Infirmary parcel to the north. An easement will provide access to the site. Accordingly, sidewalks cannot be provided at this location.

As the site is to be accessed by an ingress/egress easement along a private street, and is not expected to generate significant foot traffic, waiver of the sidewalk may be appropriate.

SUBDIVISION CONSIDERATIONS

Standards of Review:

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.

Considerations:

If the Planning Commission considers approving the Subdivision request, the following conditions could apply:

1. Revision of the plat to depict the existing right-of-way width from the front property line to the centerline along both Pleasant Avenue and Rondo Road;
2. Retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
3. Depiction of the 5' minimum setback along all rights-of-way;
4. Waiver of Section 6.C.1. of the Subdivision Regulations for proposed Lot 3A;
5. Waiver of Section 6.B.12. of the Subdivision Regulations for proposed Lot 1;
6. Relabel lots as "Lot 1" and "Lot 2";
7. Retention of all easements, and placement of a note on the Final Plat stating that no construction is to be permitted in any easement without the easement holder's permission;
8. Placement of a note on the Final Plat stating that Lot 1 is prohibited access to Lake Drive;
9. Compliance with all Engineering comments noted in this staff report;
10. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
11. Compliance with all Urban Forestry comments noted in this staff report; and,
12. Compliance with all Fire Department comments noted in this staff report.

SIDEWALK WAIVER CONSIDERATIONS

Standards of Review:

The Mobile City Council adopted a “complete streets” policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

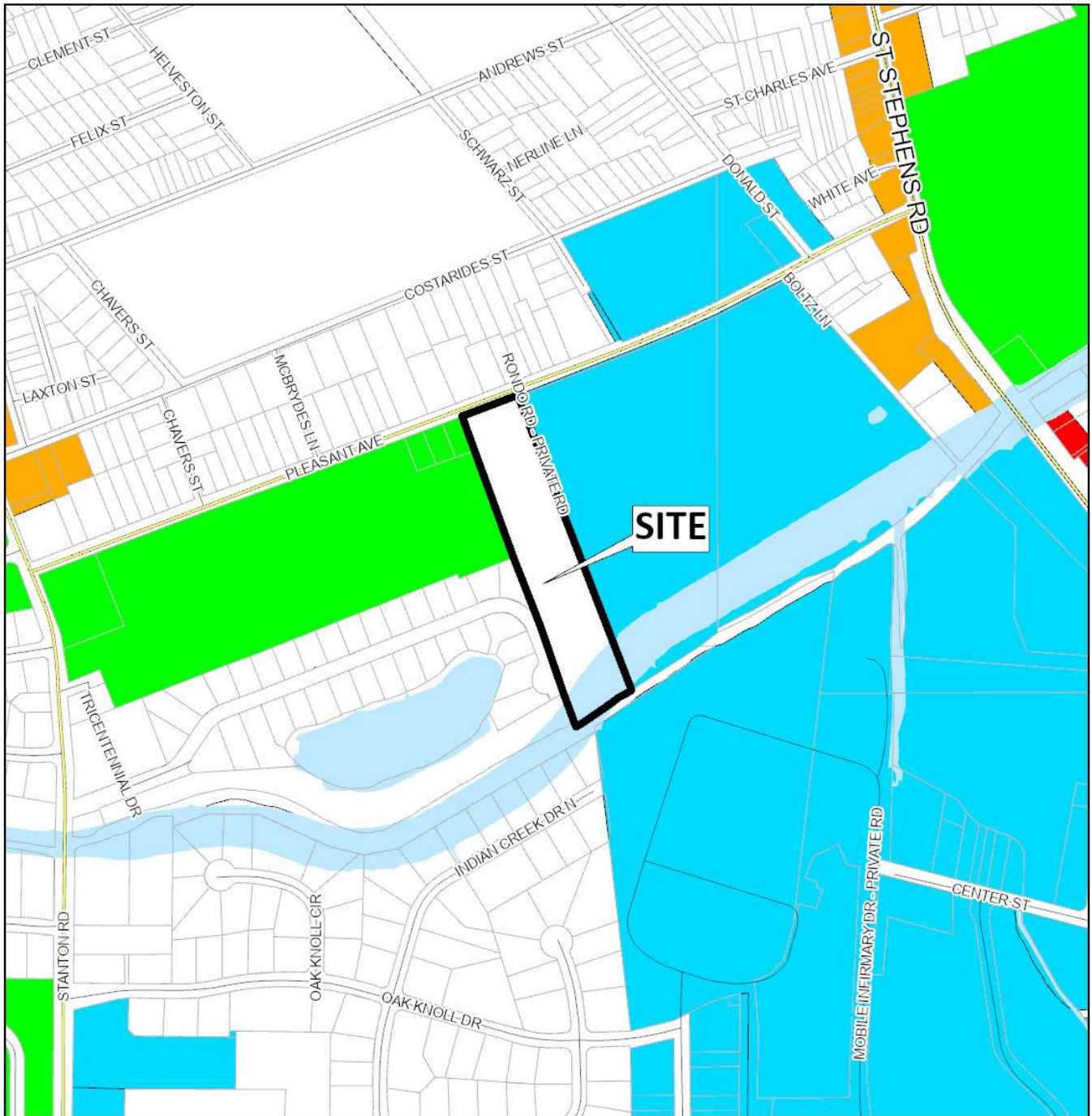
Sidewalks are typically encouraged, even in industrial developments, although the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized.

Considerations:

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians; and
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, as well as connectivity to existing sidewalks.

LOCATOR ZONING MAP



APPLICATION NUMBER 1 DATE July 20, 2023

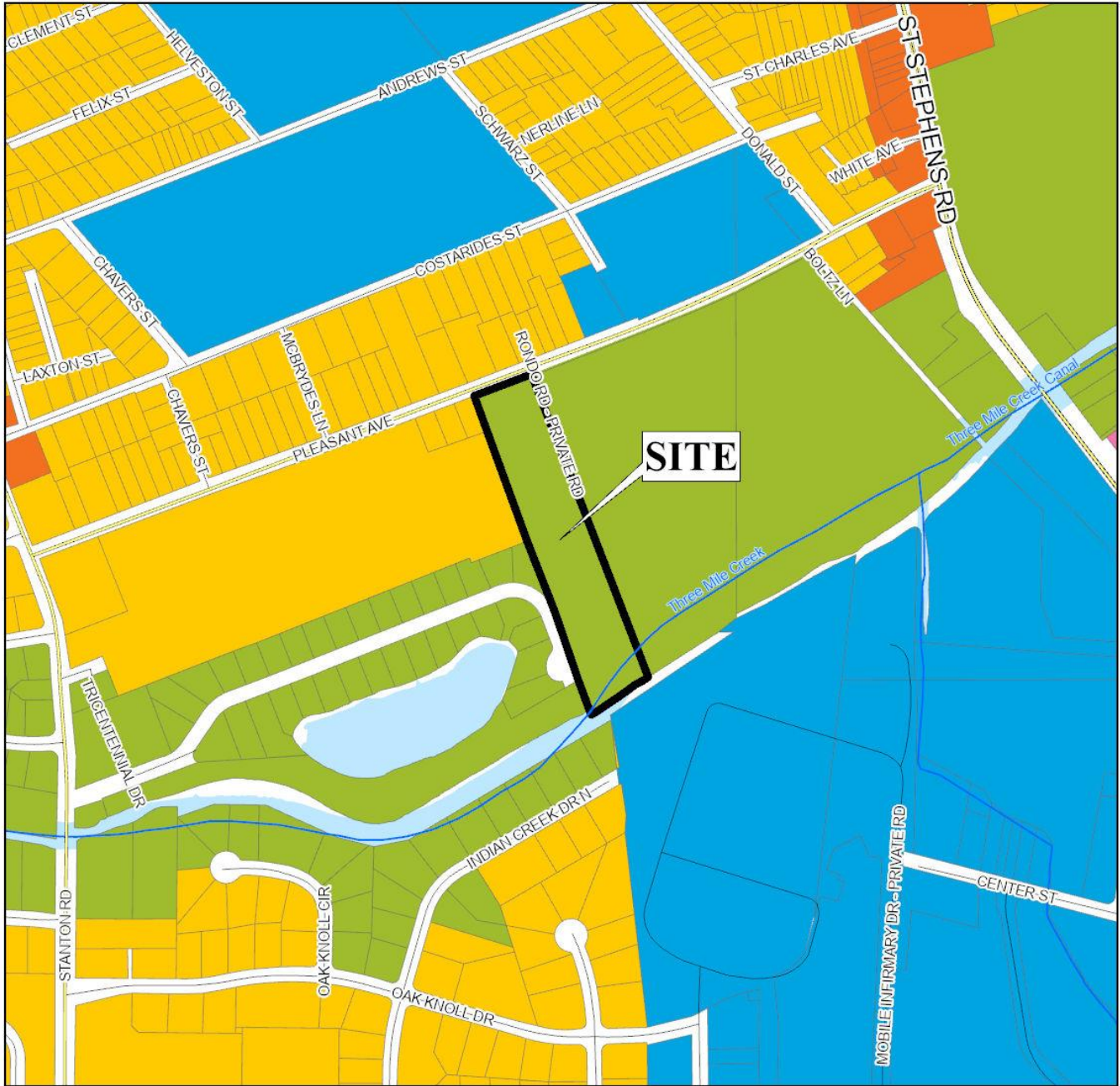
APPLICANT Boltz Lane Subdivision, Resubdivision of Lot 3

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NTS

FLUM LOCATOR MAP



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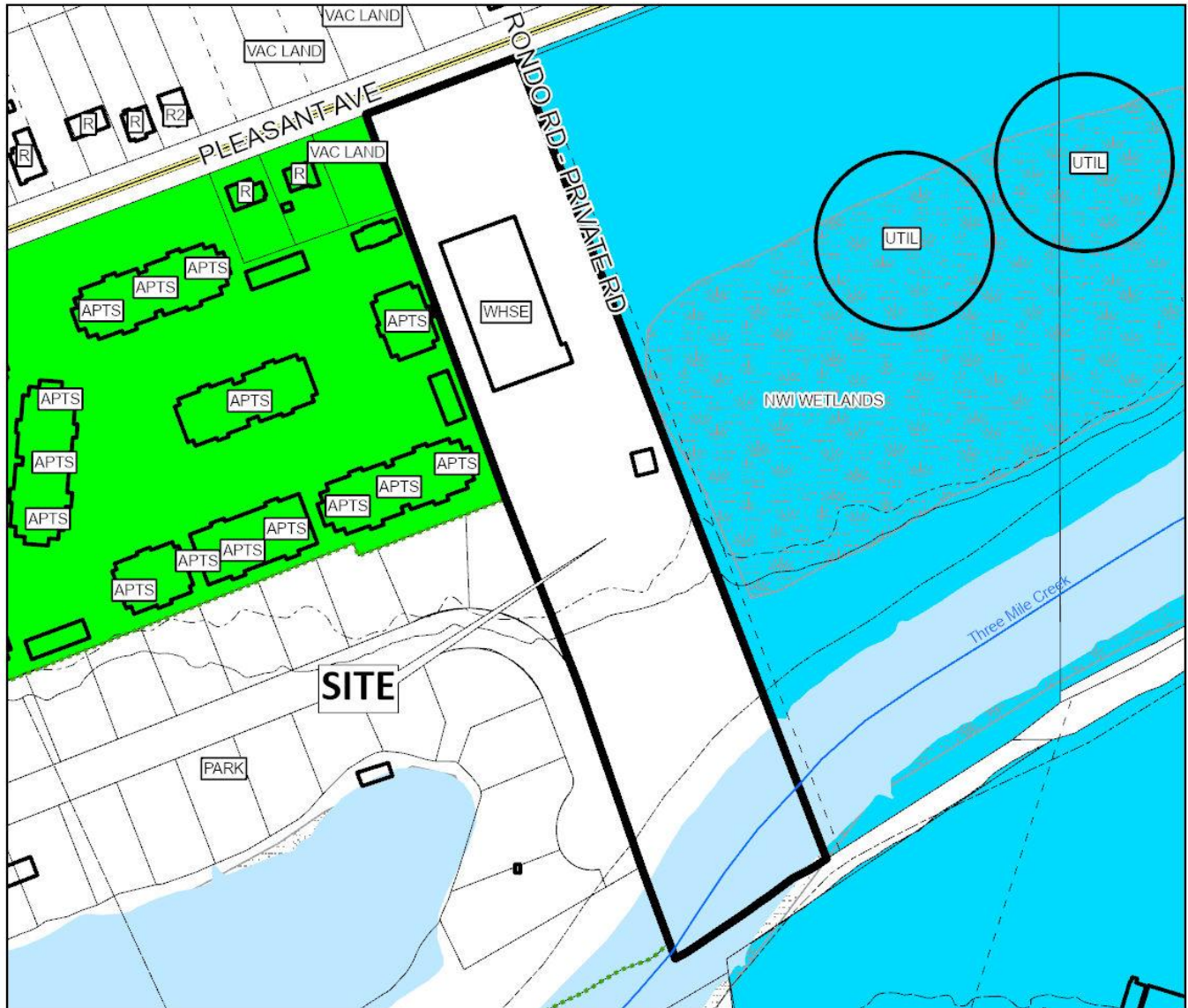
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























- | | | | |
|---|--|--|---|
| ■ Low Density Residential | ■ Neighborhood Center - Traditional | ■ Downtown Waterfront | ■ Parks & Open Space |
| ■ Mixed Density Residential | ■ Neighborhood Center - Suburban | ■ Light Industry | ■ Water Dependent |
| ■ Downtown | ■ Traditional Corridor | ■ Heavy Industry | |
| ■ District Center | ■ Mixed Commercial Corridor | ■ Institutional | |



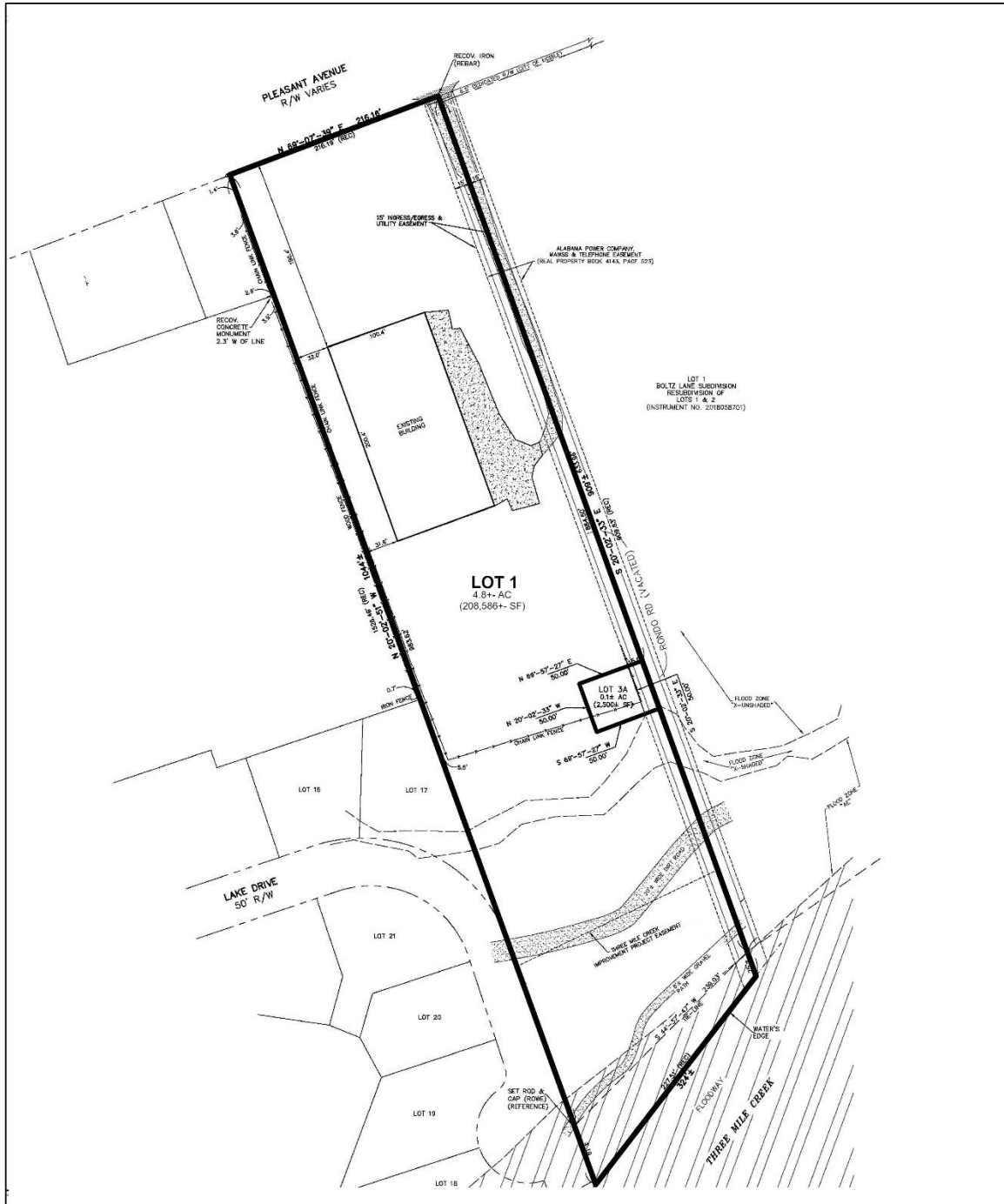
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING




The site is surrounded by residential units to the west and wetlands to the east. A park lies southwest of the site.

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 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6

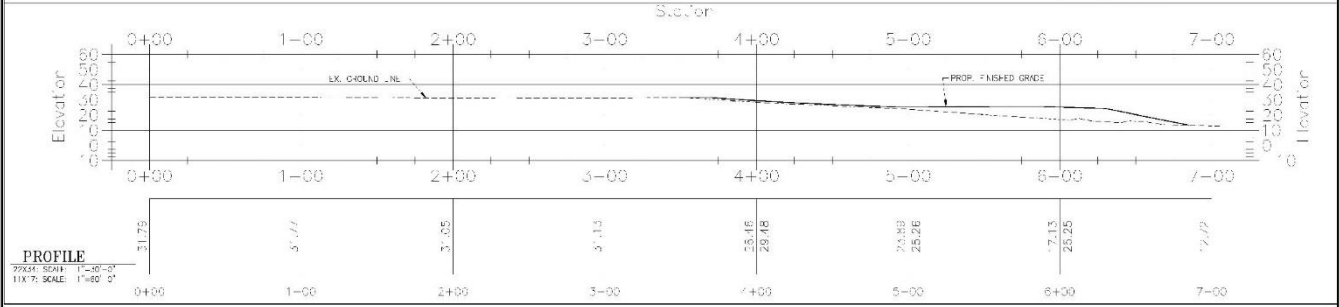
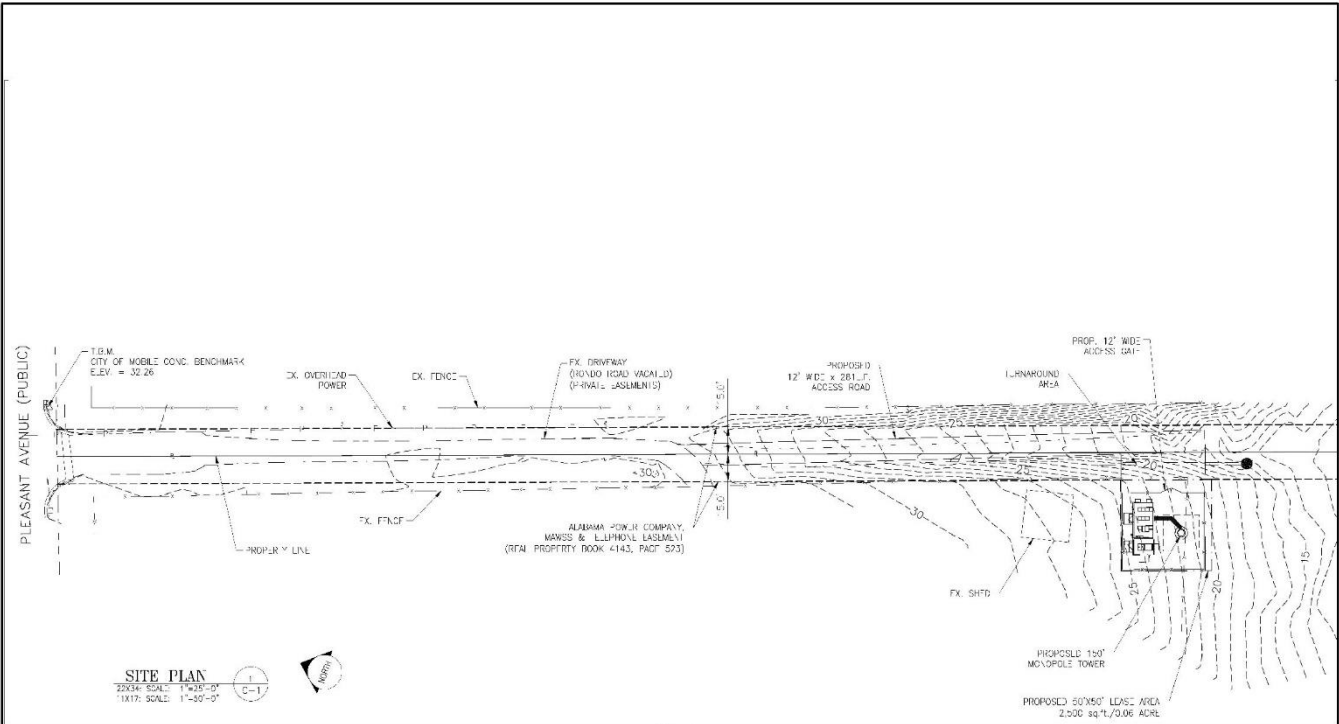
SITE PLAN



The site plan illustrates

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DETAIL SITE PLAN



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ZONING DISTRICT CORRESPONDENCE MATRIX

		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■		□					□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

Parks and Open Space (POS)



This designation applies to parkland maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. Parks may include squares, playgrounds, playfields, gardens, greens, greenways and blueways, and other recreational areas and facilities that are accessible to the public. Open space may include any open piece of land, publicly or privately held, that is undeveloped (has no buildings or other built structures). This designation is not intended to identify public land acquisition or to prohibit the development potential of individual properties.

The designation applies to all existing and future parks and open space within the City, including both active and passive uses. Open space, including public access to water bodies, is generally consistent with all other land use categories, i.e., a park can be located within any other land use category, either incidental to a development or as part of a publicly-owned or publicly-sponsored local, community or regional park. Therefore, a Parks and Open Space designation is deemed consistent with all land use categories in the Future Land Use Map.

