

**SUBDIVISION,
PLANNED UNIT DEVELOPMENT, &
ZONING AMENDMENT STAFF REPORT****Date: August 18, 2022****NAME**

White-Spunner Realty

SUBDIVISION NAME

Cottage Village Shopping Center Subdivision

LOCATION

5015, 5017, 5019, 5021, 5029, 5033, 5039, 5043, 5049, 5051, 5055, 5121, & 5133 Cottage Hill Road, 2113 Demetropolis Road, and 2104 Garmons Lane (Southeast corner of Cottage Hill Road and Demetropolis Road, extending to the Northwest corner of North Demetropolis Road and Dinkins Drive).

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residential District and B-2, Neighborhood Business District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

7 Lots / 14.0± Acres

CONTEMPLATED USE

Subdivision approval to create seven (7) legal lots of record from seven (7) metes-and-bounds parcels and three (3) legal lots of record; Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple lots with shared access and parking; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood Business District.

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**

None provided

ENGINEERING
COMMENTS

Subdivision: FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- 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. Correct the street name in the plat and vicinity map from “University Boulevard” to “Demetropolis Road”.
- C. Add a signature block for the Owner and Notary Public.
- D. As shown on the 1984 aerial photo (FLIGHT 22 - #86) LOTS 1 through 5 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 – 380,000 sf, LOT 2 – 23,000 sf, LOT 3 – 10,000 sf, LOT 4 – 15,000 sf, and LOT 5 – 38,000 sf.
- E. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- F. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- G. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- H. 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.
- I. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- J. 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.

Planned Unit Development:

- 1. The PUD Site Plan shows seven (7) LOTS and does not match the proposed subdivision plat. Revise and resubmit the PUD Site Plan and/or Plat.
- 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:
 - a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).

- b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
- f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Rezoning:

- a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
- b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run

- with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
 - f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

A traffic impact study (TIS) has been requested for this site but has not yet been submitted or reviewed. Redevelopment of the site with a C-Store raises concerns about the driveway on Cottage Hill Road nearest to the University Blvd intersection. Traffic Engineering approval of this site is contingent upon the submission and acceptance of the traffic impact study. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits. Site is limited to driveways as shown on the approved PUD plan with 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 Section 64-6 of 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

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.

REMARKS

The applicant is requesting Subdivision approval to create seven (7) legal lots of record from seven (7) metes-and-bounds parcels and three (3) legal lots of record; Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple lots with shared access and parking; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood Business District.

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.

It should be noted that there is a land-locked parcel (R022808344002060.000, See Detail Site Plan #3), which is not owned by the applicant, and is not included in the applications in hand. It is suggested that the applications be heldover so that revised information can be submitted to include this land-locked parcel.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Holdover to the September 15th meeting, with revisions due by August 31st to address the following:

- 1) Inclusion of the land-locked parcel, R022808344002060.000, including submittal of additional fees and labels, as appropriate.

Planned Unit Development: Based upon the preceding, the application is recommended for Holdover to the September 15th meeting, with revisions due by August 31st to address the following:

- 1) Inclusion of the land-locked parcel, R022808344002060.000, including submittal of additional fees and labels, as appropriate.

Rezoning: Based upon the preceding, the application is recommended for Holdover to the September 15th meeting, with revisions due by August 31st to address the following:

- 1) Inclusion of the land-locked parcel, R022808344002060.000, including submittal of additional fees and labels, as appropriate.

Revised for the September 1, 2022 meeting:

This application was heldover by the Planning Commission at its August 18th meeting in order to have the applicant obtain authorization from the owner(s) of an adjacent land-locked parcel. Since that meeting, legal counsel has reviewed the applications more closely, and determined that due to the fact that access to the land-locked parcel will not be altered, the applications may proceed as proposed without the authorization previously requested.

The site has been given a Neighborhood Center – Suburban (NC) and Low Density Residential (LDR) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

Neighborhood Center - Suburban

This land use designation applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. Therefore, the following common principles apply not just to the future development of new centers, but also to the redevelopment (wholesale or incremental) of existing centers.

General Principles for Neighborhood Centers:

- *NC should support a limited amount of commercial employment*
- *NC should incorporate some residential use, which may vary in type from detached single family, townhouse, accessory and live-work units in mixed use and low-rise multifamily structures.*
- *The residential density in NC designations –ranging from 4 to 10 dwelling units per acre — must be compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.*
- *The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments.*
- *The NC nodes should be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.*

While the above-listed principles are common to all NC districts, the design attributes of neighborhood centers generally vary depending on whether a center is in a more “traditional” or more “suburban” context.

- *NC in **suburban** contexts: These generally are located among the LDR land use designations in the areas west of the Beltline. Where they exist, these centers currently have a more pronounced vehicular orientation. Therefore, the emphasis is on retrofitting to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.) and to increase the mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).*

Low Density Residential

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The

presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map 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, where applicable, the zoning classification.

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 Cottage Hill Road, Demetropolis Road, North Demetropolis Road, Dinkins Drive, and Garmons Lane. Cottage Hill Road is a minor arterial street, which should have a minimum right-of-way of 100-feet; the preliminary plat depicts an existing right-of-way of 120-feet, making no dedication necessary. Demetropolis Road (incorrectly identified on the plat as University Boulevard) is a principal arterial street, which should have a right-of-way of 100-feet; the preliminary plat does not provide the existing right-of-way, therefore dedication to provide 50-feet from the centerline of Demetropolis Road may be appropriate. North Demetropolis Road is a minor street with no curb and gutter, and should have a minimum right-of-way of 60-feet; the preliminary plat depicts an existing right-of-way of 80-feet, making no dedication necessary. Dinkins Drive (incorrectly identified on the plat as Troy Lane) and Garmons Lane are both minor streets with curb and gutter, which should both have rights-of-way of 50-feet; the preliminary plat does not provide the right-of-way width for either street, therefore, if approved, dedication to provide 25-feet from the centerline of Dinkins Drive and Garmons Lane should be required. Furthermore, dedication of the corner radii at North Demetropolis Road and Dinkins Drive per Section V.D.6. of the Subdivision Regulations should be required, if approved.

The proposed lot sizes are provided in square feet and acres, and all lots comply with minimum lot area standards. If approved, the lots sizes should be retained on the Final Plat, adjusted for dedication.

It should be noted that the preliminary plat does depict the 25-foot minimum building setback along Cottage Hill Road, North Demetropolis Road, and Demetropolis Road, but not Garmons Lane or Dinkins Drive. If approved, the Final Plat should depict the 25-foot minimum building setback line along all street frontages, adjusted for any required dedication(s).

There are several access easements throughout the development, as well as a drainage easement. If approved, a note should be placed on the Final Plat stating that no structures are allowed in any easement without the approval of the easement holder.

Regarding access management, a note should be placed on the Final Plat stating the Traffic Engineering comments, if approved.

PUD 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.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

It is very important to note that PUD review is site plan specific; therefore, any future changes to the overall site plan must be submitted for PUD review. Furthermore, PUD approvals expire after one year if no permits are obtained.

The applicant states:

THE PROPERTY IS CURRENTLY OPERATING AS A SHOPPING CENTER WITH SEVERAL BUILDINGS AND TENANTS AS LEASE PARCELS. THE OWNERS WANT TO REMOVE THE CURRENT "PNC BANK" BUILDING AND LEASE THE NORTHWEST CORNER OF THE EXISTING SHOPPING CENTER TO ANOTHER TENANT.

THE OWNERS HAVE ALREADY ACQUIRED SOME ADDITIONAL TAX PARCELS TO THE SOUTH TO INCREASE THE AREA OF THE SHOPPING CENTER. THEY HAVE SUBMITTED A SUBDIVISION APPLICATION TO COMBINE SEVERAL TAX PARCELS AND CREATE LEGAL LOTS OF RECORD FOR THE LEASE PARCELS. THEY ARE REQUESTING A PUD APPROVAL TO ALLOW MULTIPLE BUILDINGS TO USE THE SHOPPING CENTER FOR SHARED ACCESS AND PARKING.

The site plan submitted shows existing developments on the proposed Lots 1-5, with a new gas station on proposed Lot 6, and a new (private) service road on the proposed Lot 7. A bank building currently occupies proposed Lot 6, but is proposed to be demolished.

No information was submitted regarding requesting a unique sign package, but the site plan shows that the existing McDonald's on proposed Lot 5 has an off-site sign easement, which appears to

mostly be located in the right-of-way along Demetropolis Road, next to proposed Lot 6. This easement was recorded in 1987 prior to the adoption of the current City of Mobile sign regulations. It should be noted that there is currently no signage located in this easement; as such, it is recommended that this easement be vacated. All existing non-conforming signage may be allowed to remain on-site until such a time as the existing sign cabinets are removed.

The site plan submitted states that a total of 420 parking spaces are required for the entire development, and 559 are available. It should be noted that due to the proposed Lot 5 being an entirely new development, a photometric site plan will be required at the time of permitting. Furthermore, Lot 5 will need to be brought into full compliance with tree planting and landscape area requirements. Proposed Lot 7 is only depicted as having a service road at this time, but at such a time as it is developed with either a structure, parking, or both, full compliance will be required at the time of development. Also, a revised PUD will be required for the future development of Lot 7.

There are several existing dumpsters depicted on the site plan as well as a new dumpster for the proposed development of Lot 5. It appears there may be additional existing dumpsters behind the shopping center that are not depicted on the site plan. If approved, all existing dumpsters on the site should be identified as existing dumpsters, and any new dumpsters should include a note stating that they will have compliant enclosures and sanitary sewer connections.

The site is bounded to the North across Cottage Hill Road by an R-1, Single-Family Residential District; to the East across North Demetropolis Road, by R-1 property developed as a church; the West across Demetropolis Road by a B-2, Neighborhood Business District; and to the South by R-1 and B-1, Buffer Business Districts.

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 B-2, Neighborhood Business District portion of the site was rezoned from R-A, Residential Agricultural to B-2, Neighborhood Business District in 1972 and 1974. The applicant now wishes to expand the B-2 district to the South, but does not state which of the four conditions exist that make the proposed rezoning necessary and desirable. However, due to the proposed re-development of a portion of the existing development, it could be seen that perhaps changing conditions in the area exist. Furthermore, if the subdivision request is approved, Lot 5 would be split-zoned R-1 and B-2, making rezoning the property necessary and desirable due to the subdivision of land into building sites.

RECOMMENDATION

Subdivision: *The application is recommended for Tentative Approval, subject to the following conditions:*

- 1) *Revision of the plat to correctly identify North Demetropolis Road (incorrectly identified on the plat as University Boulevard);*
- 2) *Revision of the plat to correctly identify Dinkins Drive (incorrectly identified on the plat as Troy Lane);*
- 3) *Dedication to provide 50-feet from the centerline of Demetropolis Road, if necessary;*
- 4) *Dedication to provide 25-feet from the centerline of North Demetropolis Road, if necessary;*
- 5) *Dedication to provide 25-feet from the centerline of Dinkins Drive and Garmons Lane, if necessary;*
- 6) *Dedication of the corner radii at North Demetropolis Road and Dinkins Drive per Section V.D.6. of the Subdivision Regulations;*
- 7) *Retention of the lot size label in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information, adjusted for any required dedication;*
- 8) *Revision of the plat to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations, adjusted for any required dedication;*
- 9) *Placement of a note stating that no structures are allowed in any easements without the easement holder's permission;*
- 10) *Compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): 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. Correct the street name in the plat and vicinity map from "University Boulevard" to "Demetropolis Road". C. Add a signature block for the Owner and Notary Public. D. As shown on the 1984 aerial photo (FLIGHT 22 - #86) LOTS 1 through 5 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 – 380,000 sf, LOT 2 – 23,000 sf, LOT 3 – 10,000 sf, LOT 4 – 15,000 sf, and LOT 5 – 38,000 sf. E. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. F. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. G. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. H. 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. I.*

Add a note that all easements shall remain in effect until vacated through the proper Vacation process. J. 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.);

- 11) Placement of a note on the revised plat stating Traffic Engineering comments: (A traffic impact study (TIS) has been requested for this site but has not yet been submitted or reviewed. Redevelopment of the site with a C-Store raises concerns about the driveway on Cottage Hill Road nearest to the University Blvd intersection. Traffic Engineering approval of this site is contingent upon the submission and acceptance of the traffic impact study. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits. Site is limited to driveways as shown on the approved PUD plan with 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 Section 64-6 of the City's Zoning Ordinance.);*
- 12) Compliance with 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);*
- 13) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.);*
- 14) Completion of the rezoning process prior to issuance of building permits; and,*
- 15) Full compliance with all other municipal codes and ordinances.*

Planned Unit Development: *Staff recommends the following Findings of Fact for Approval:*

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it will allow redevelopment of a portion of an existing commercial development;*
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because shared access between the lots will result in fewer curb cuts to public street frontages;*
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the proposed project will result in redevelopment of an existing commercial site;*
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because new tree plantings will be required for the redeveloped lot;*

- e. *the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because services already exist in the area.*

Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) Revision of the site plan to correctly identify North Demetropolis Road (incorrectly identified on the site plan as University Boulevard);*
- 2) Revision of the site plan to correctly identify Dinkins Drive (incorrectly identified on the plat as Troy Lane);*
- 3) Dedication to provide 50-feet from the centerline of Demetropolis Road, if necessary;*
- 4) Dedication to provide 25-feet from the centerline of North Demetropolis Road, if necessary;*
- 5) Dedication to provide 25-feet from the centerline of Dinkins Drive and Garmons Lane, if necessary;*
- 6) Dedication of the corner radii at North Demetropolis Road and Dinkins Drive per Section V.D.6. of the Subdivision Regulations;*
- 7) Retention of the lot size label in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information, adjusted for any required dedication;*
- 8) Revision of the site plan to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations, adjusted for any required dedication;*
- 9) Placement of a note stating that no structures are allowed in any easements without the easement holder's permission;*
- 10) Provision of a compliant photometric site plan at the time of permitting;*
- 11) Revision of the site plan to depict all existing dumpsters on site;*
- 12) Revision of the site plan to either depict a dumpster with a compliant enclosure and sanitary sewer connection, or a note should be placed on the site plan stating that curb side pickup will be utilized;*
- 13) Full compliance with Engineering comments: (1. Due to the proposed subdivision, the existing City Addresses may need to be assigned a different 911 address. Please contact the Engineering Department (Anthony Morris 208-6216, or Steve Smith 208-7135) to discuss the options. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood*

Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 14) Placement of a note on the revised site plan stating Traffic Engineering comments: (A traffic impact study (TIS) has been requested for this site but has not yet been submitted or reviewed. Redevelopment of the site with a C-Store raises concerns about the driveway on Cottage Hill Road nearest to the University Blvd intersection. Traffic Engineering approval of this site is contingent upon the submission and acceptance of the traffic impact study. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits. Site is limited to driveways as shown on the approved PUD plan with 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 Section 64-6 of the City's Zoning Ordinance.);
- 15) Compliance with 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.);
- 16) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.); and
- 17) Full compliance with all municipal codes and ordinances.

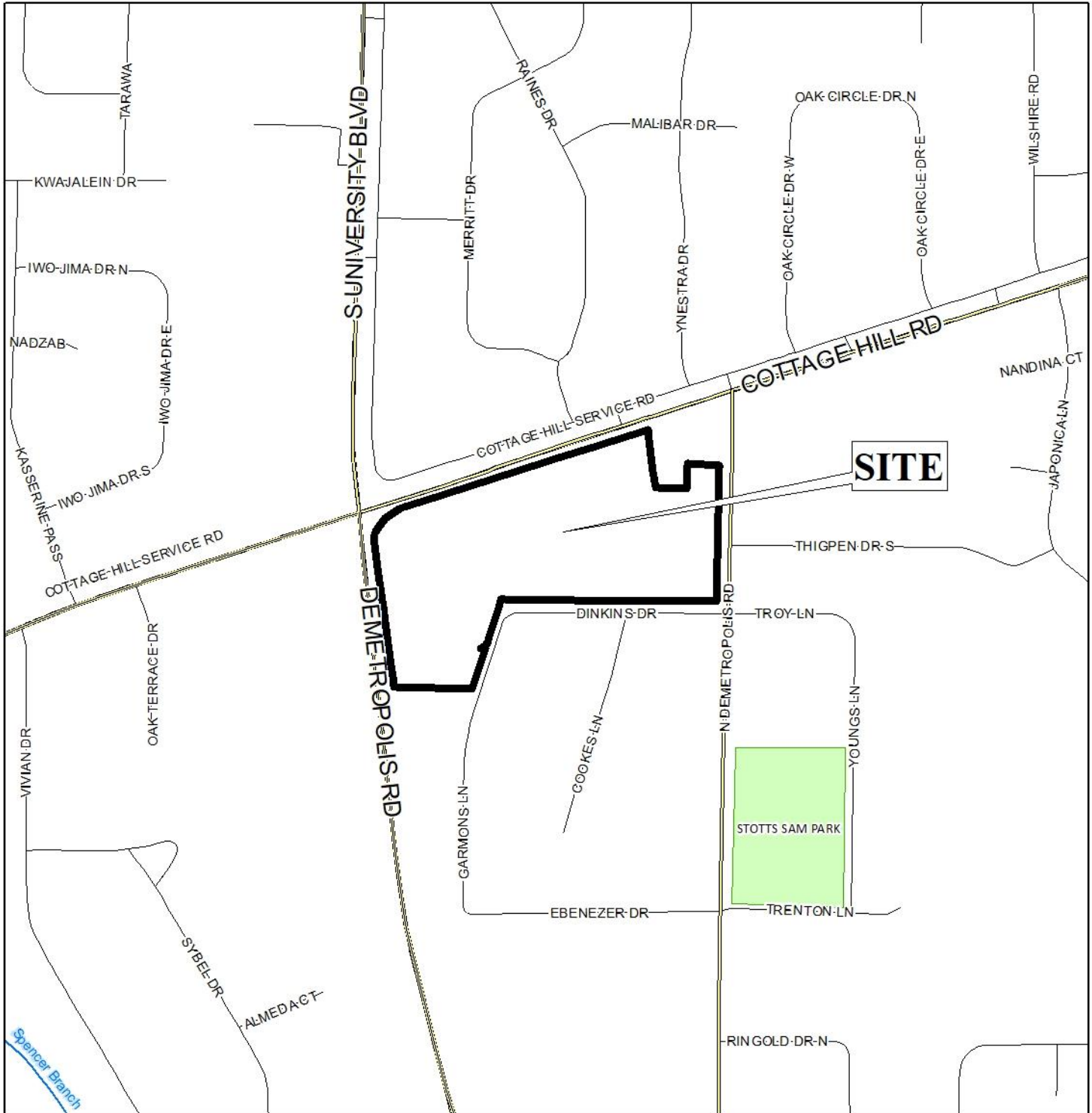
Rezoning: Based on the preceding, this application is recommended for Approval for the following reasons:

- 1) changing conditions in a particular area make a change in the Ordinance necessary and desirable; and
- 2) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The rezoning should be subject to the following conditions:

- 1) completion of the Subdivision process;*
- 2) compliance with Engineering comments: (a) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f) The proposed development must comply with all Engineering Department design requirements and Policy Letters.); and,*
- 3) full compliance with all municipal codes and ordinances.*

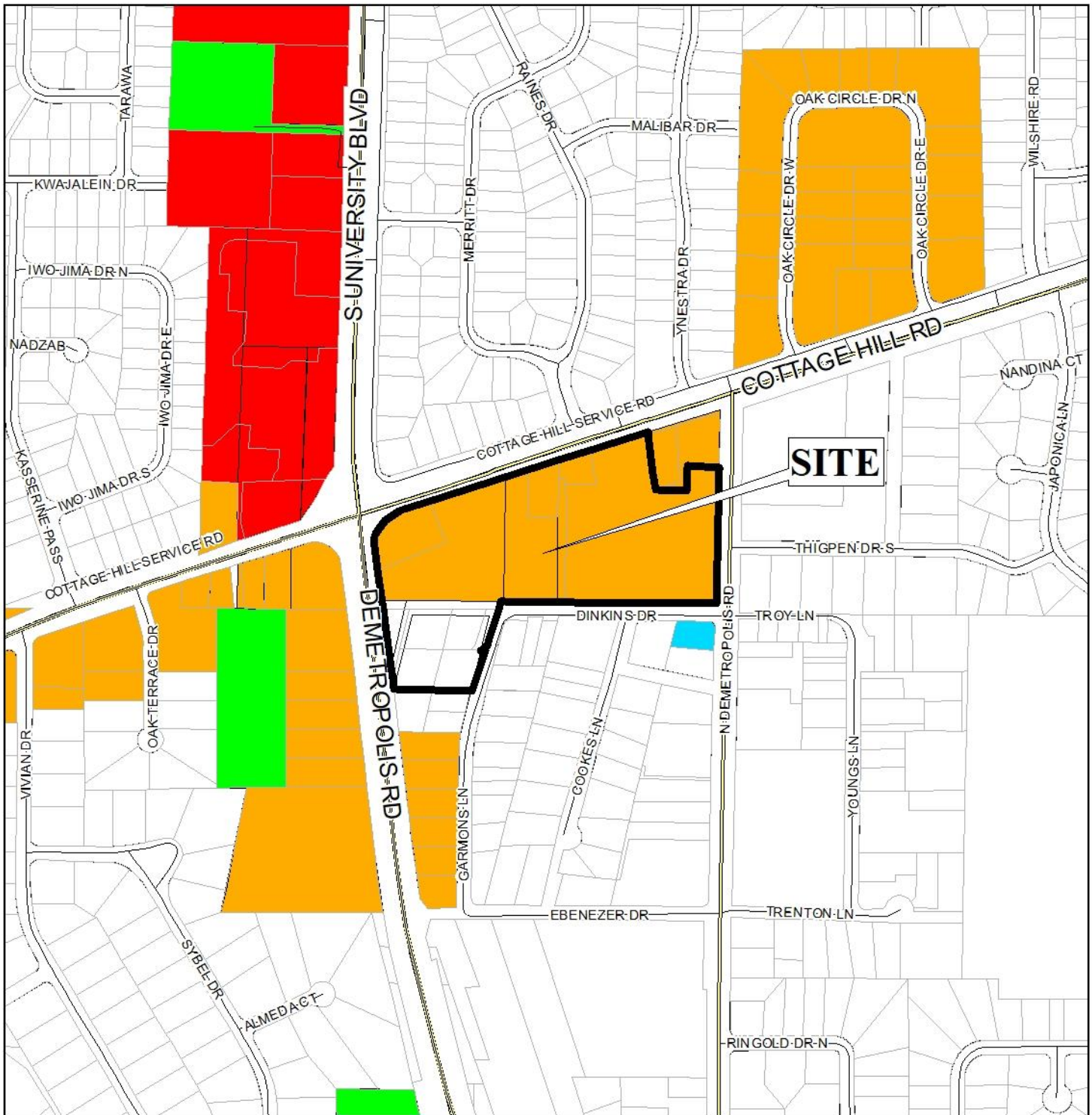
LOCATOR MAP



APPLICATION NUMBER 1 DATE September 1, 2022
 APPLICANT Cottage Village Shopping Center Subdivision
 REQUEST Subdivision, PUD, Rezoning from R-1 and B-2 to B-2



LOCATOR ZONING MAP



APPLICATION NUMBER 1 DATE September 1, 2022

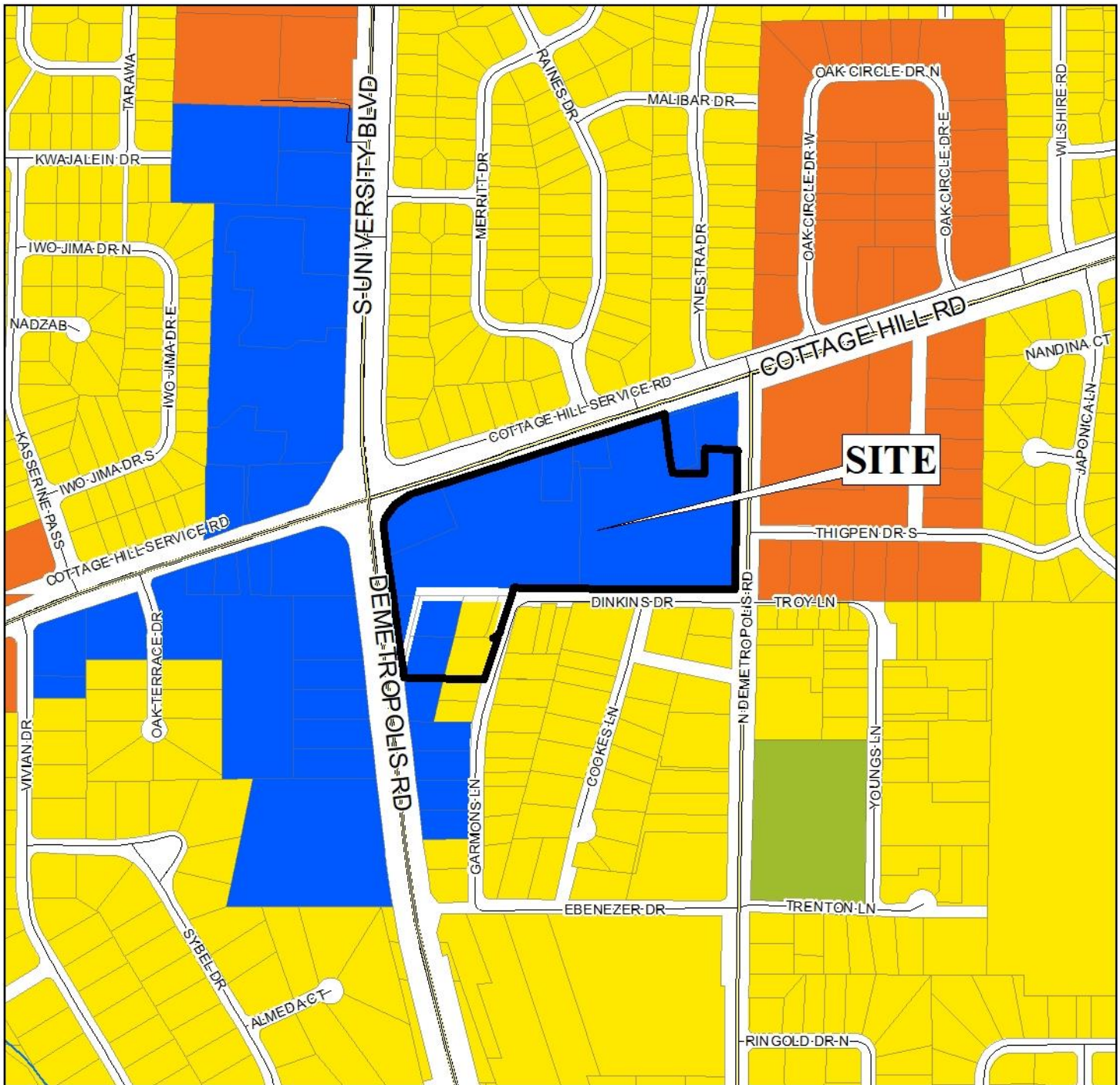
APPLICANT Cottage Village Shopping Center Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 and B-2 to B-2



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE September 1, 2022

APPLICANT Cottage Village Shopping Center Subdivision

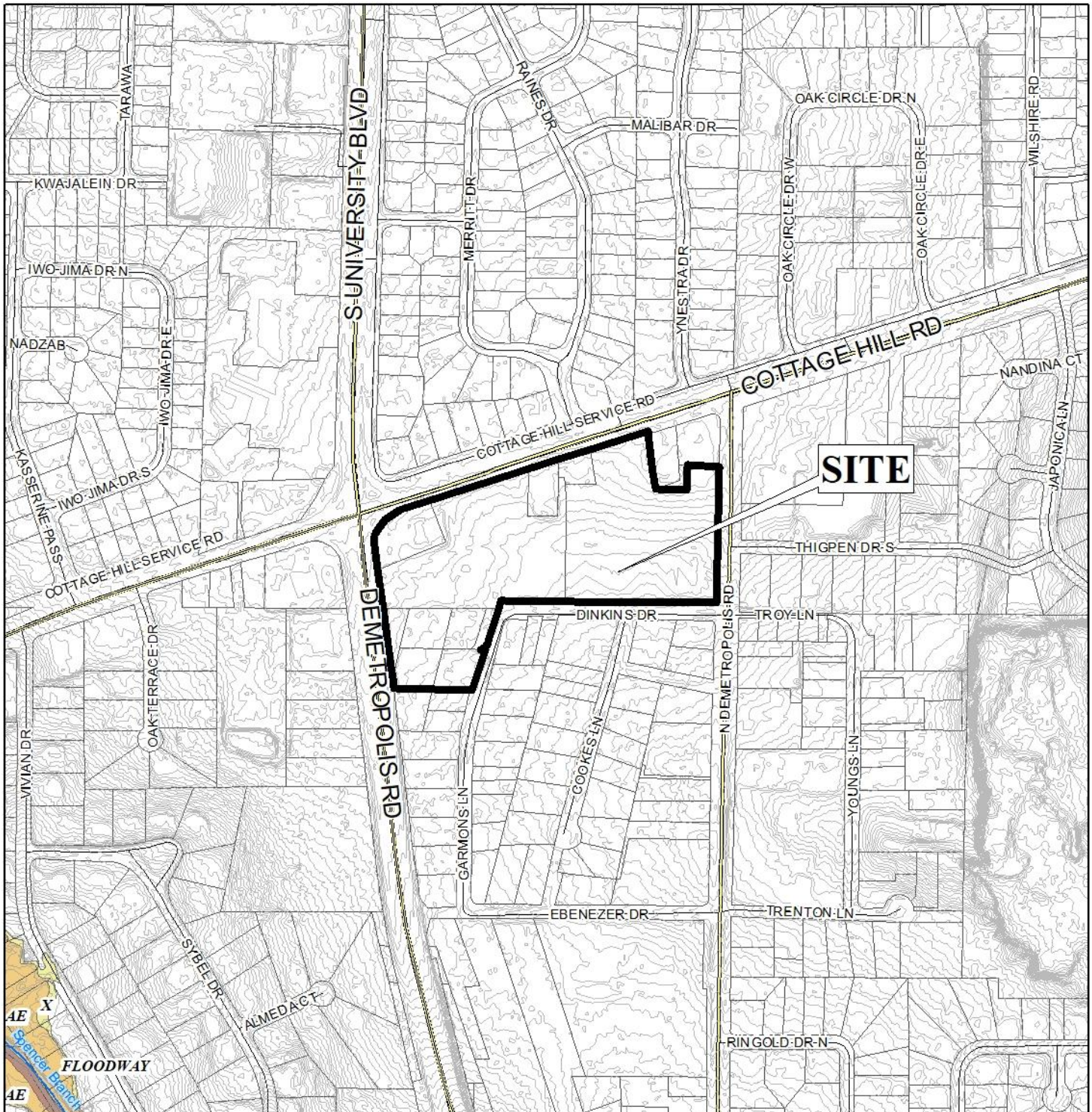
REQUEST Subdivision, PUD, Rezoning from R-1 and B-2 to B-2

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	



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ENVIRONMENTAL LOCATOR MAP



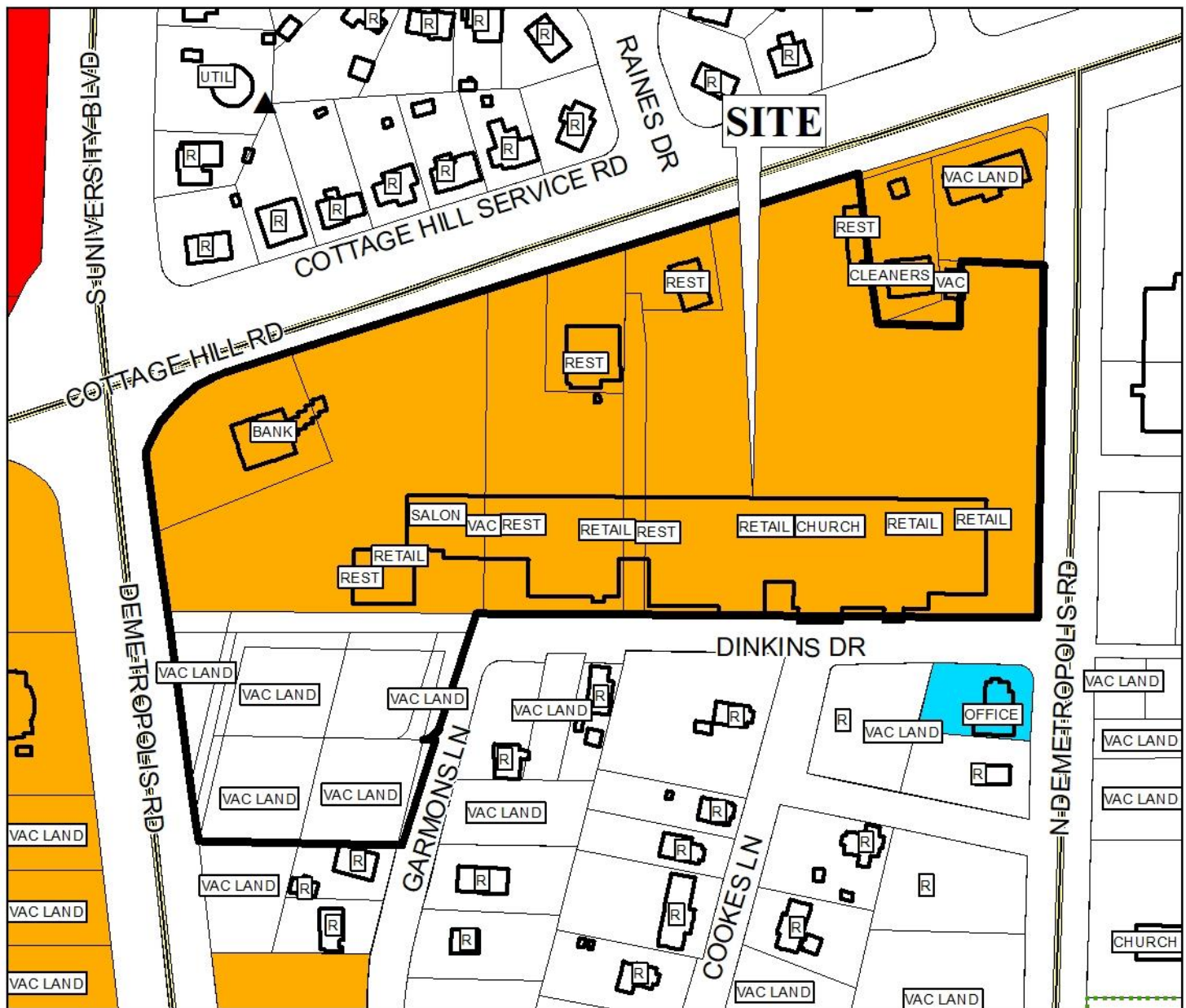
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the north and south.

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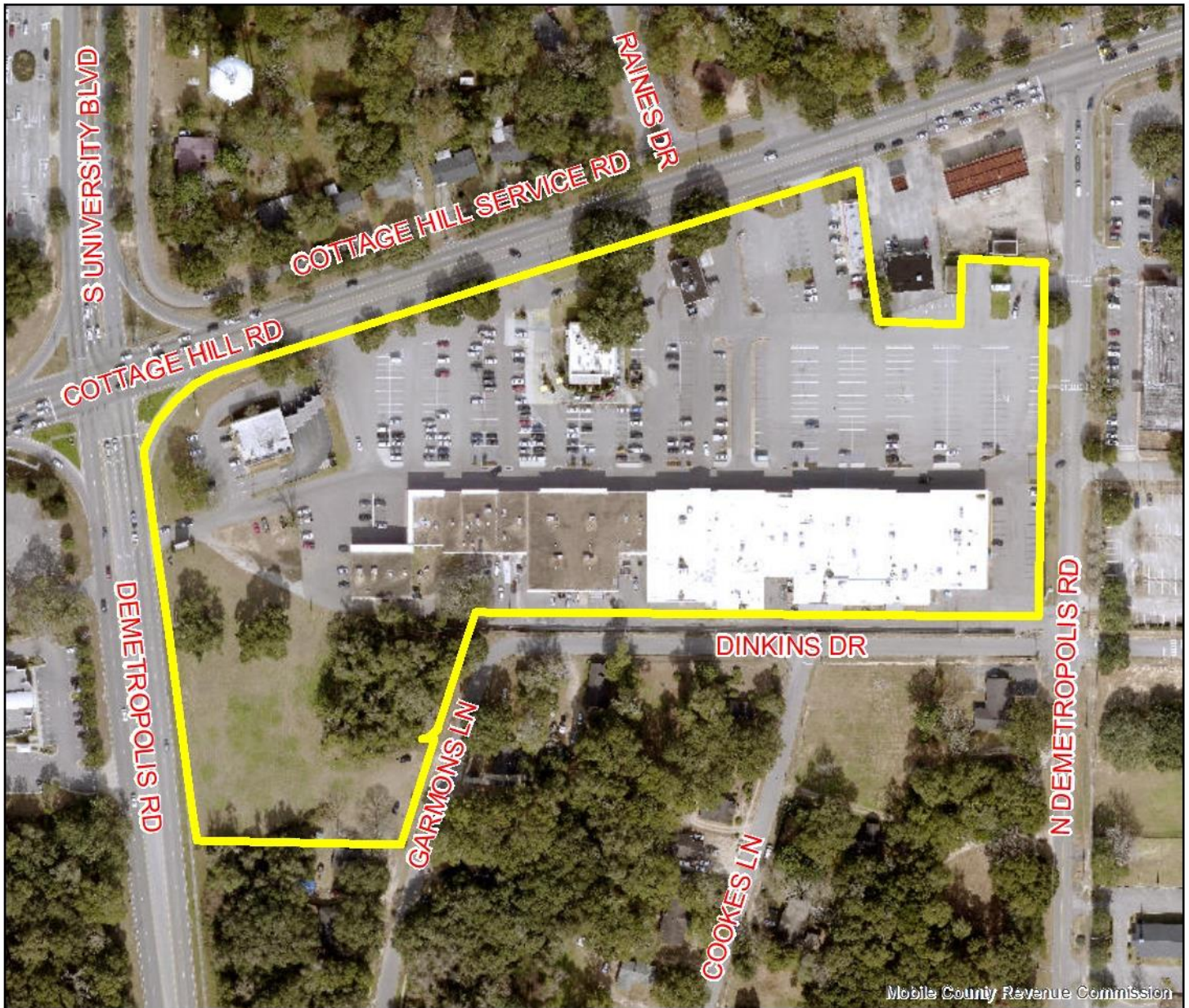
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

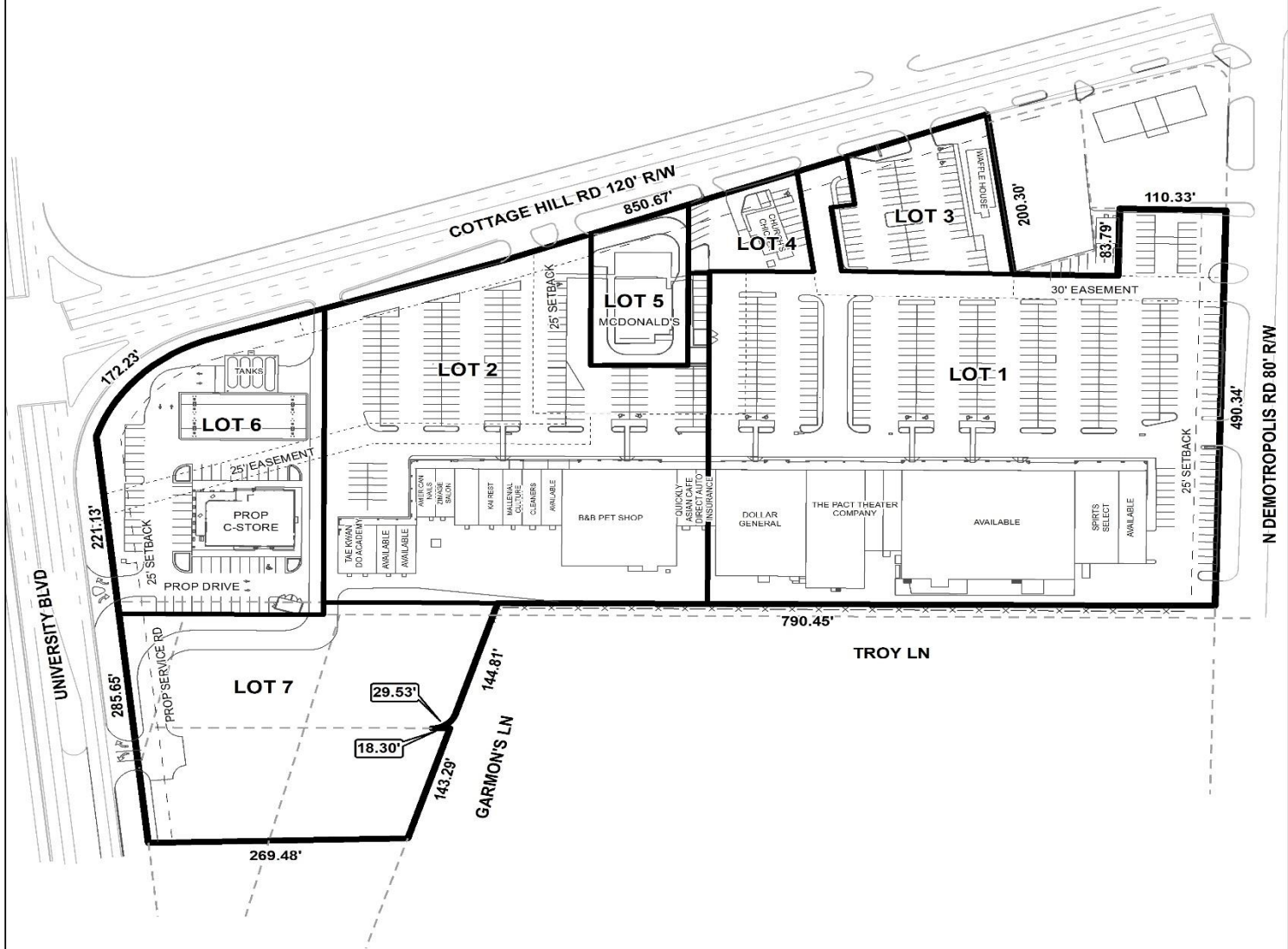


The site is surrounded by residential units to the north and south.

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SITE PLAN



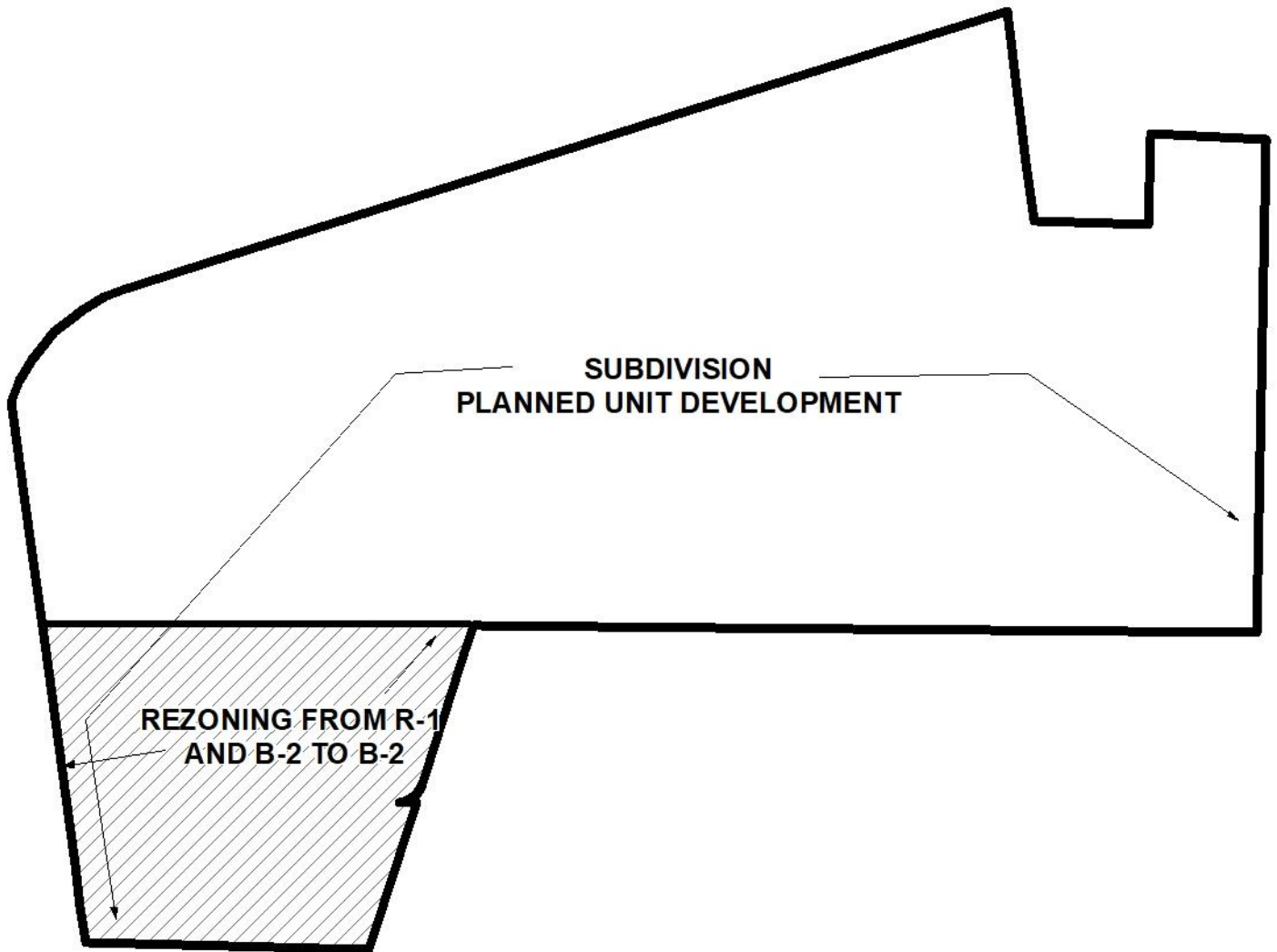
The site plan illustrates the existing buildings, parking, proposed convenience store, setbacks, and easements.

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DETAIL SITE PLAN



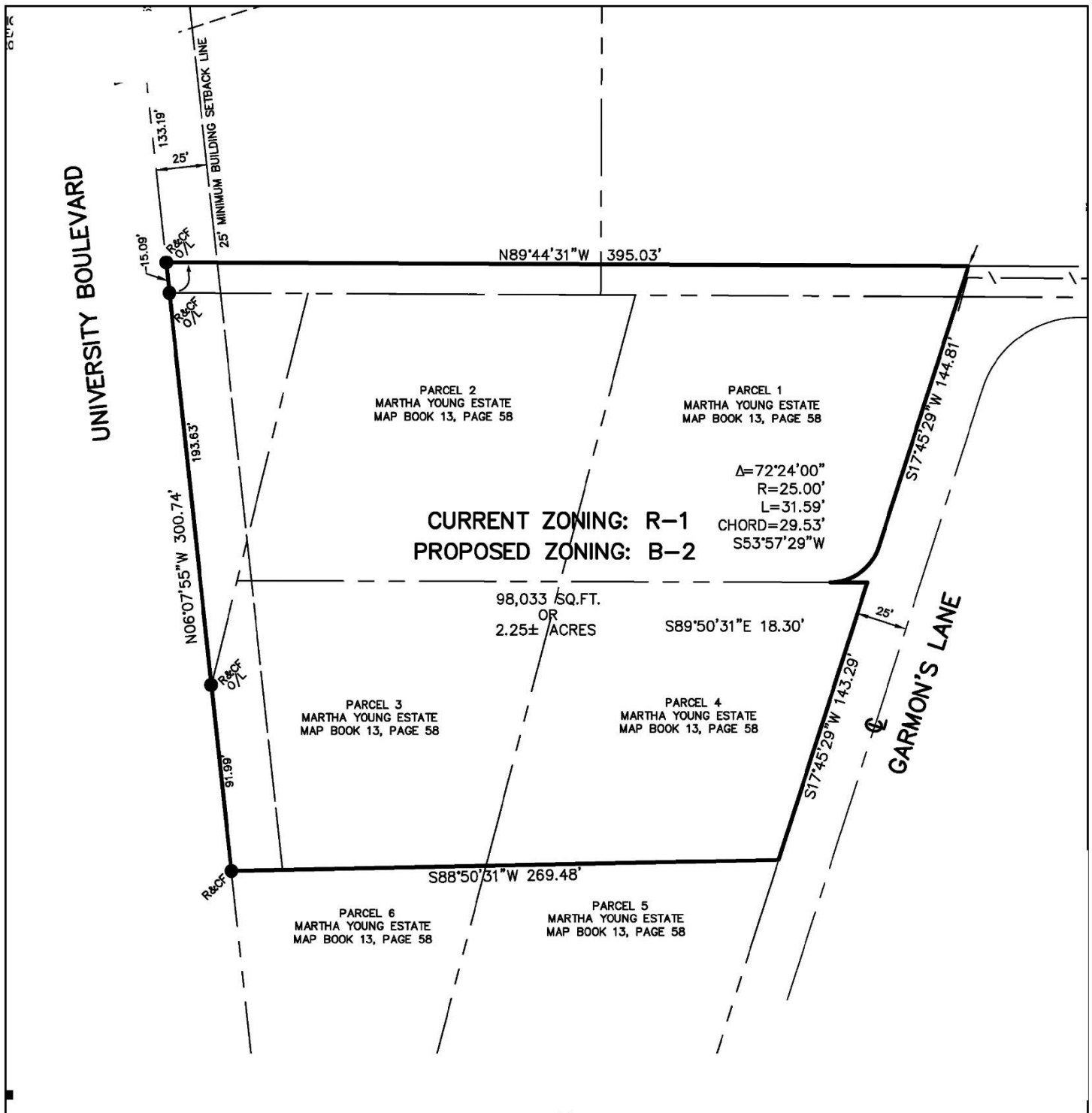
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DETAIL SITE PLAN



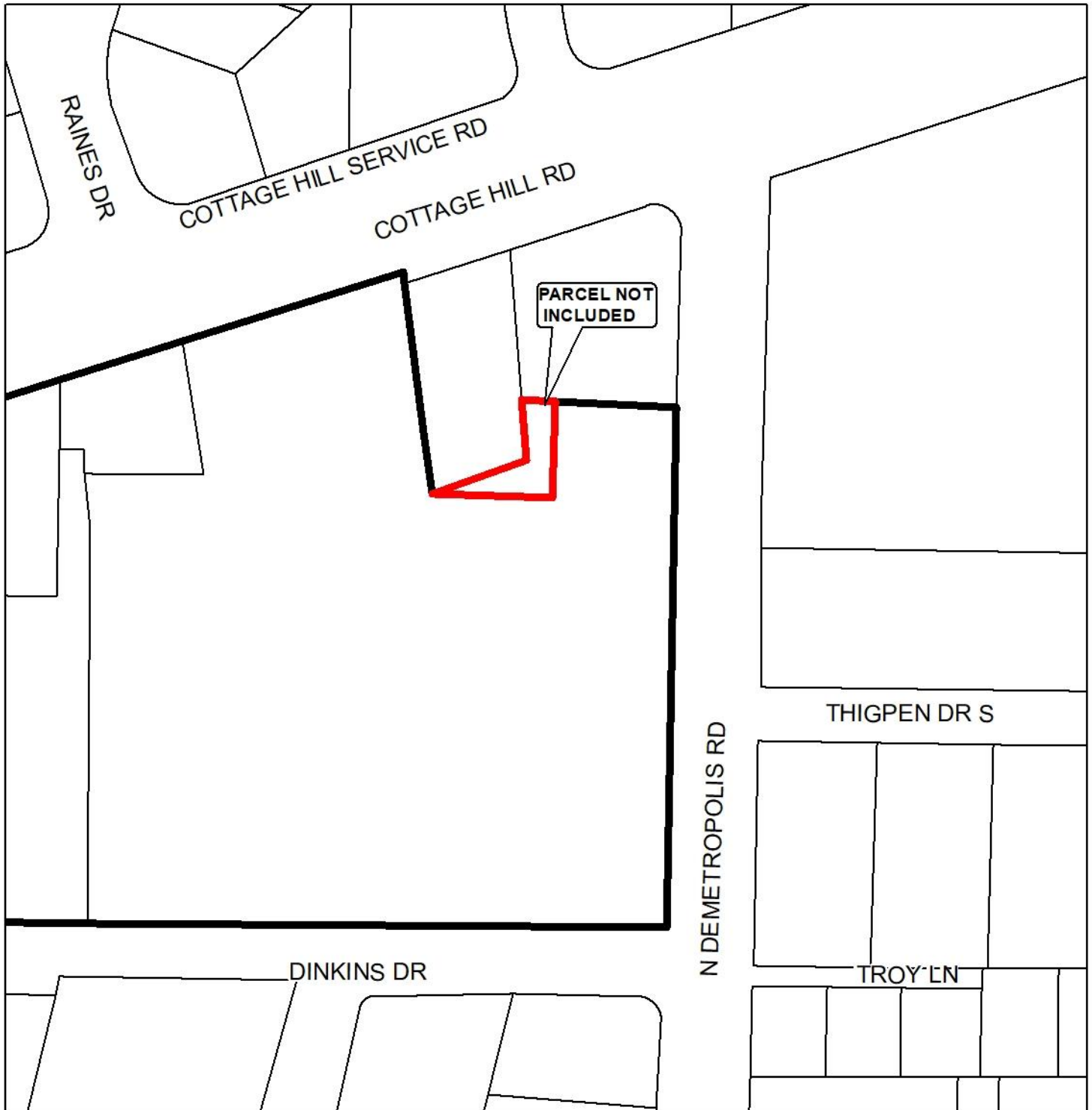
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DETAIL SITE PLAN



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