

**SUBDIVISION,
PLANNED UNIT DEVELOPMENT,
PLANNING APPROVAL,
ZONING AMENDMENT &
SIDEWALK WAIVER STAFF REPORT**

Date: December 6, 2018

NAME

West Bay Academy Subdivision

SUBDIVISION NAME

West Bay Academy Subdivision

LOCATION

1564 & 1568 Hurtel Street and 1577 Forrest Street
(Northeast corner of Hurtel Street and Antwerp Street,
extending to the Southeast corner of Forrest Street and
Antwerp Street)

**CITY COUNCIL
DISTRICT**

District 3

PRESENT ZONING

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

PROPOSED ZONING

R-1, Single Family Residential District

**REASON FOR
REZONING**

The subdivision of land.

AREA OF PROPERTY

1 Lot / 1.3 \pm Acres

CONTEMPLATED USE

Subdivision approval to create 1 legal lot of record,
Planned Unit Development Approval to allow multiple
buildings on a single building site, Planning Approval to
allow the operation of a church with a daycare in an R-1,
Single-Family Residential District, Rezoning from R-1,
Single Family Residential District and B-2, Neighborhood
Business District to R-1, Single Family Residential District
and Sidewalk Waiver for construction of a sidewalk along
Hurtel, Antwerp and Forrest Streets.

**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

Not Specified.

**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. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northwest and southwest corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Add a note to the SUBDIVISION PLAT stating 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.
- E. Add a note to the Plat stating 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.
- F. 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.
- G. Add a note to the plat stating that all 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.
- H. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- I. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- J. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development:

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

1. 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 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).
2. 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.
3. 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.
4. 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.
5. 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.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Sidewalk Waiver:Hurtel St.:

It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

Antwerp St.:

With the removal or relocation of the existing chain link fence along the property line it appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

Forrest Ave.:

With the removal or relocation of the existing chain link fence along the property line it appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

TRAFFIC ENGINEERING**COMMENTS**

Site is limited to its existing number of curb cuts with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. If on street parking becomes an issue during pick-up/drop-off, on street parking restrictions may have to be installed (or expanded) based on the width the streets or if visibility is impaired at the intersection of Antwerp Street and Forrest Street.

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.

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)

REMARKS

The applicant is requesting Subdivision approval to create 1 legal lot of record, Planned Unit Development Approval to allow multiple buildings on a single building site, Planning Approval to allow the operation of a church with a daycare in an R-1, Single-Family Residential District, Rezoning from R-1, Single Family Residential District and B-2, Neighborhood Business District to R-1, Single Family Residential District and Sidewalk Waiver for construction of a sidewalk along Hurtel, Antwerp and Forrest Streets.

The site has been given a Mixed Density Residential (MxDR) land use designation, per the recently adopted Future Land Use Plan and Map. 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.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential (LDR) areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and

parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

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.

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 review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

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.

PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

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 has frontage onto Hurltel Street, Antwerp Street, and Forrest Avenue, all minor streets requiring a 50' right-of-way width. Hurltel Street and Forrest Street reflect a compliant 50' right-of-way-width and, if approved, should be retained on the Final Plat. A 45' right-of-way width is shown for Antwerp Street. In lieu of dedication to provide 25' from the centerline of Antwerp Street, an increased setback should be provided along this street.

The preliminary plat illustrates 25' minimum building setback lines along all street frontages. It should be noted that the existing church building encroaches in the 25' setback along Hurltel and Antwerp Streets. If approved, the 25' setbacks should be retained on the Final Plat.

The proposed lots each exceeds the 7,200 square foot minimum lot size requirements for lots served by public water and sanitary sewer systems. The preliminary plat provides the lot size in square feet and acres. If approved, the lot size information should be retained on the Final Plat.

As a means of access management, a note should be placed on the Final Plat stating the site is limited to its existing number of curb cuts with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. If on street parking becomes an issue during pick-up/drop-off, on street parking restrictions may have to be installed (or expanded) based on the width the streets or if visibility is impaired at the intersection of Antwerp Street and Forrest Street.

The site plan depicts the one (1) proposed lot, two (2) existing buildings, and 15 existing asphalt parking spaces and a large slab that reflects the footprint of two building recently removed without permits. The site plan also indicates several existing trees, many which are large live oak trees and an existing privacy fence along the northwest perimeter of the subject site. As stated, the applicant is requesting a rezoning from R-1, Single Family Residential and B-2, Neighborhood Business District to R-1, Single Family Residential to eliminate split zoning and accommodate a church daycare. The applicant submitted the following statement:

My name is Ralph Carmichael, Sr., Founding Apostle of the West Bay Christian Center (and the West Bay Academy). I am applying for a re-zoning of our property at 1577 Forrest St. Mobile, Alabama: it is currently zoned R-1 and was formally used as the church pastor's house. We have an existing State Licensed daycare service as a part of our church ministry and would like to make use of this small building (1,125 sq.ft.) as an

infant care facility under the direction of the daycare staff. This will help us to further serve our area and parents with both traditional and non-traditional work schedules.

Our current facility is located on Hurtel Street, just off Michigan Avenue in a “Mixed Density Residential” area (as identified on the Comprehensive Map of Mobile), and presently meets the City of Mobile Zoning Ordinance. We are in the process of obtaining a new survey and resubdividing all of the properties into one legal lot of record. The rezoning of the former pastor’s house is an important step in this process.

This building is the perfect size for our proposed new use, including tow infant ccar areas, a staff toilet room (with a bathtub), a snack preparation room with double kitchen sink (No cooking), a laundry nook and a storage/cleanup area. We intend to add a handicap-accessible toilet room in the rear in the existing carport area (under the existing roof).

The building is a former residence and the renovations to the building will keep its style to help it continue to blend in to the neighborhood area. We feel that the renovation will certainly be most complementary to our small community, and any impact to the neighborhood will be negligible since we already have an established daycare. We strongly feel that this project will continue to be a definite asset to this area and continue to help revitalize our neighborhood.

We have hired a team of design professionals to create the proper plans for us so that we can expand our current services here in accordance with all the laws, ordinances and requirements of the City of Mobile, Mobile County Health Department and the State of Alabama. We would deeply appreciate any assistance the City of Mobile may be able to offer to complete this project.

The subject site is bounded to the West by R-1, Single Family Residential Districts, to the South by R-3, Multiple Family Residential Districts, to the East by B-2, Neighborhood Business District and R-1, Single Family Residential Districts and to the North by R-1, Single Family Residential Districts.

It should be noted that the applicant has not submitted information regarding the number of seats in the church, number of students to be enrolled in daycare, number of employees, or the hours of operation. Therefore, staff cannot verify if there is sufficient parking on site.

The applicant has also requested a sidewalk waiver and states the following:

“The area along Hurtel Street is 80%existing asphalt and concrete, we feel the remaining impervious area should remain to allow water to the large live oaks that are there.

The area along Antwerp Street has six large live oaks on the property line, as the threes grow it would cause the sidewalk to buckle and could be a trip hazard.

The area along Forrest Street, and adjacent to this property is small residential homes, no existing sidewalks and not a lot of existing area to put a sidewalk.”

It should be noted that 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.

Though the applicant has noted insufficient space or the location of existing oak trees as justification for a sidewalk waiver, the Engineering department notes that there appears to be sufficient space along all three street frontages for a sidewalk. Aerial images indicate that there is an existing sidewalk adjacent to the subject site along the South side of Hurtel Street. There is also a sidewalk at the intersection of Hurtel Street and Stewart Avenue, approximately 190’ from the subject site. Although there are no sidewalks currently on the North side of Hurtel Street, as sites are developed in the future, sidewalks will likely be required. Denial of the waiver request may be appropriate

RECOMMENDATION

Subdivision: The request is recommended for Holdover until the January 3, 2019 meeting to coincide with revisions requested for the Planning Approval.

Planned Unit Development: The request is recommended for Holdover until the January 3, 2019 meeting to coincide with revisions requested for the Planning Approval.

Planning Approval: The request is recommended for Holdover until the January 3, 2019 meeting so that the following can take place (with the following to be submitted by December 14, 2018):

- 1) Revision of the narrative to include more detailed information regarding the square footage of the church sanctuary building, the number of seats, the number of children attending the daycare, the age range of the children, the number of employees, hours of operation, etc.

Zoning: The request is recommended for Holdover until the January 3, 2019 meeting to coincide with revisions requested for the Planning Approval.

Sidewalk Waiver: The request is recommended for Holdover until the January 3, 2019 meeting to coincide with revisions requested for the Planning Approval.

Revised for January 3, 2018 Meeting:

The applications were heldover to allow the applicant to submit a revised narrative including more detailed information about the proposed use at this location. The applicant submitted the following:

“The purpose of this request is to ask for your approval of the Resubdivision and Zoning change for the properties at 1560 and 1568 Hurtel Street and 1577 Forrest Street, and to obtain a Certificate of Occupancy for 1577 Forrest Street.

Our Design Professional is Mr. Allen Reimer and Mr. Paul Stewart of Stewart Surveying is also working with us on the resubdivision, and the 1577 Forrest Street approval process.

A little background:

Our organization stated in 1990 and we were a Mission Church of Cottage Hill Baptist Church and Pastor Fred Wolf to Maysville and the surrounding area. The church soon expanded to include a LICENSED Childcare Center. The current enrollment is 125 students from age 0-12. The opening of the Infants' Building will add another 15-25. We have 14 teachers including the floor supervisor. With the opening of the Infants' building we will add 15-25 additional students. The center is open Monday through Friday from 6AM to 6PM. All traffic will enter from Hurtel Street and none on Forrest Street. Center operations will have no impact on our Sunday services and parking.

Our Community Outreach that partners with other groups include First Christian Church, Faith Outreach Church, and Wings of Life. Our feeding programs serve close to seven hundred meals per week.

Our church currently has sixty-five members. We had planted a church at another location a number of years ago. The sanctuary is 2500 square feet and seats 75.

We have worked with other clergy persons to walk area schools and visit with the principals.

We have also provided jobs training and mentoring programs.

Our international outreach has partnered to serve in India, The Philippines, Gana, South Africa, Jamaica and Haiti.

If approved, we would like to expand our existing child care to the building at 1577 Forrest Street. It was originally built as part of the church property. It will also be LICENSED and house infants only and has been inspected by the DHR and the Fire Marshall.

I again ask for your vote and approval of the request that is before you today.”

According to the applicant, there are currently 125 students enrolled in the Childcare Center and a total of 15 teachers. Staff finds no history of zoning approvals for the daycare that is currently in operation.

Section 64-6.6 of the Zoning Ordinance requires 1 parking space per 4 seats in the church. The applicant states that there are 75 seats in the church, which would result in a required 19 parking spaces on site. The submitted site plan only illustrates 15 parking spaces. Therefore parking is currently inadequate however, no activities are proposed that would increase the parking requirements. The existing building in the Northwest corner of the proposed lot (former dwelling) shows no parking. The applicant has not proposed any additional parking on the site plan though there appears to be space available to establish additional parking. Additionally, a drop off/pick up circulation plan for the daycare operations was not provided.

RECOMMENDATION:

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

- 1) Retention of the 50’ right-of-way width to Hurtel Street and Forrest Street;*
- 2) Provision of a 30’ minimum building setback along Antwerp Street, in lieu of dedication;*
- 3) Retention of a 25’ minimum building setback line along Hurtel Street and Forrest Street;*
- 4) Retention of lot size information in both square feet and acres;*
- 5) Placement of a note on the Final Plat stating the following Traffic Engineering comments: (Site is limited to its existing number of curb cuts with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance. If on street parking becomes an issue during pick-up/drop-off, on street parking restrictions may have to be installed (or expanded) based on the width the streets or if visibility is impaired at the intersection of Antwerp Street and Forrest Street.);*
- 6) 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. Dedicate the corner radius (25’ minimum or as approved by the City Engineer and Traffic Engineer) at the northwest and southwest corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage. C. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating 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. E. Add a note to the Plat stating 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. F. 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. G. Add a note to the plat stating that all 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. H. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. I. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. J. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.);

- 7) 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.); and
- 8) Compliance with Fire Department comments and placement of a note: (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).

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

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is reconfiguring a previous group of lots to allow development more in keeping with the already developed lots in the Subdivision;
- 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 it is maximizing the use of a single residentially zoned lot;
- 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), continuing the implementation of a previously approved Subdivision, on land that has already been prepared to receive development;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), as the land has already been prepared for development;
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because it is utilizing a site that is already served with public infrastructure.

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

- 1) Retention of the 50' right-of-way width to Hurtel Street and Forrest Street;*
- 2) Provision of a 30' minimum building setback along Antwerp Street, in lieu of dedication;*
- 3) Retention of a 25' minimum building setback line along Hurtel Street and Forrest Street;*
- 4) Retention of lot size information in both square feet and acres;*
- 5) Placement of a note on the Final Plat stating that there shall be no parking along Antwerp Street and Forrest Street;*
- 6) Placement of a note on the Final Plat stating that all pick-up and drop-off traffic shall be limited to the Hurtel Street parking lot;*
- 7) Placement of a note on the Final Plat stating the following Traffic Engineering comments: (Site is limited to its existing number of curb cuts with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. If on street parking becomes an issue during pick-up/drop-off, on street parking restrictions may have to be installed (or expanded) based on the width the streets or if visibility is impaired at the intersection of Antwerp Street and Forrest Street.);*
- 8) 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. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northwest and southwest corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating 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. E. Add a note to the Plat stating 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. F. 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. G. Add a note to the plat stating that all 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. H. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. I. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. J. After*

addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.);

- 9) 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.); and*
- 10) Compliance with Fire Department comments and placement of a note: (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).*
- 11) Submission of three revised Planned Unit Development site plans prior to the signing of the Final Plat; and*
- 12) Full compliance with all other municipal codes and ordinances;*

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

- 1. The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because the site is located within the developed downtown area with public water and sewer services and with nearby fire and police stations;*
- 2. The proposal will not cause undue traffic congestion or create a traffic hazard, because the area contains available on-site parking; and*
- 3. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the use has already been established at this location.*

Staff recommends that the Approval be subject to the following conditions:

- 1. Obtaining of all necessary permits for the building's renovation;*
- 2. Any changes to the site plan such as parking and/or drop-off and pick-up will require new Planning Approval to be obtained from the Planning Commission; and*
- 3. Full compliance with all municipal codes and ordinances.*

Rezoning: *Based upon the preceding, the Rezoning request is recommended for approval as R-1, Single Family Residential District, subject to the following conditions:*

- 1) Completion of the Subdivision process; and*
- 2) Full compliance with all municipal codes and ordinances.*

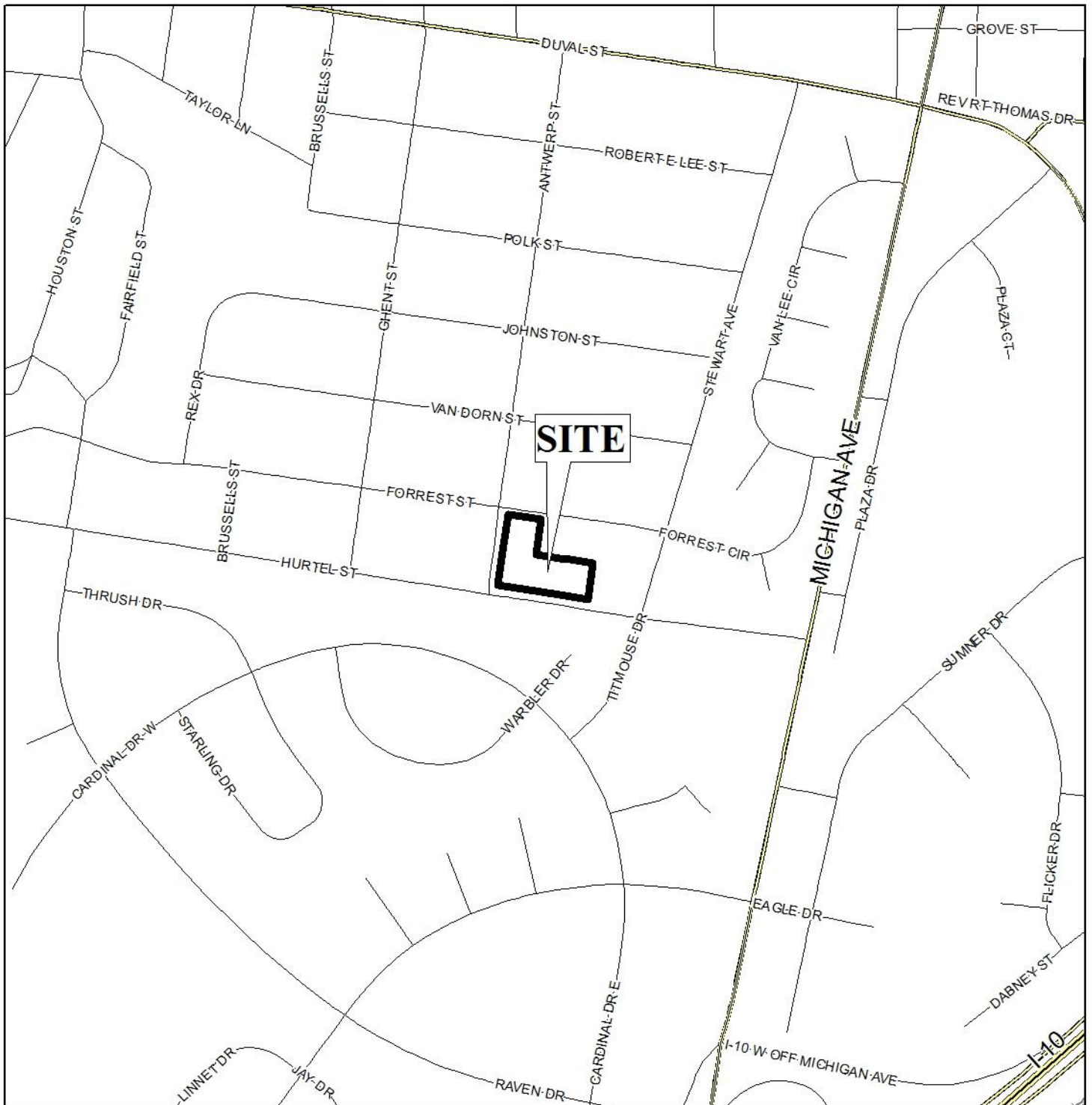
#1

HOLDOVER Revised

**SUB-000757-2018,
PUD-000759-2018, PA-000760-2018,
ZON-000761-2018 & SUB-SW-000758-2018**

***Sidewalk Waiver:** Based upon the preceding, this application for waiver of the sidewalk along Hurtel Street, Antwerp Street and Forrest Street is recommended for denial.*

LOCATOR MAP



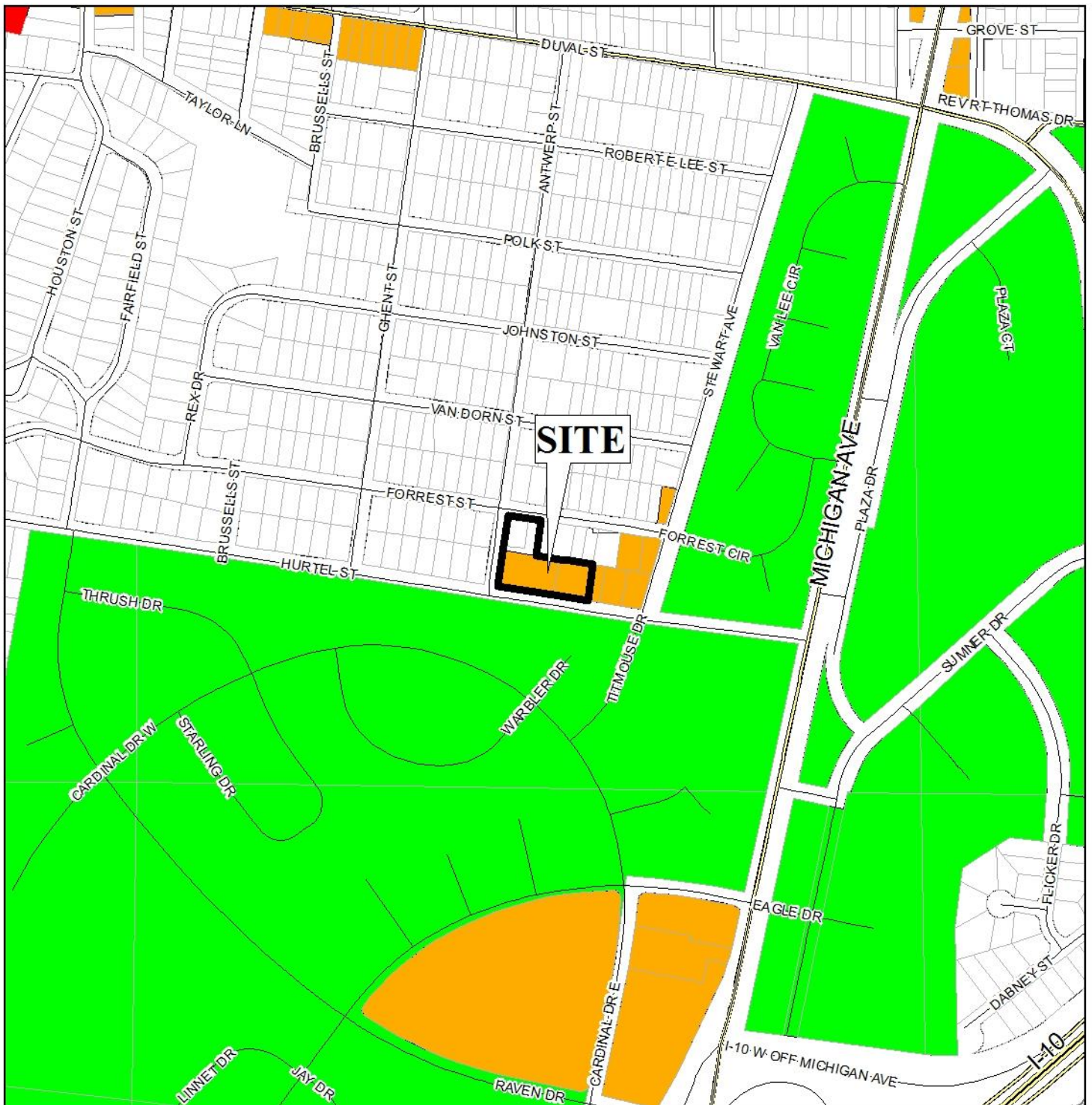
APPLICATION NUMBER 1 DATE January 3, 2019

APPLICANT West Bay Academy Subdivision

REQUEST Subdivision, Planned Unit Development Rezoning from R-1 and B-2 to R-1, Planning Approval, Sidewalk Waiver



LOCATOR ZONING MAP



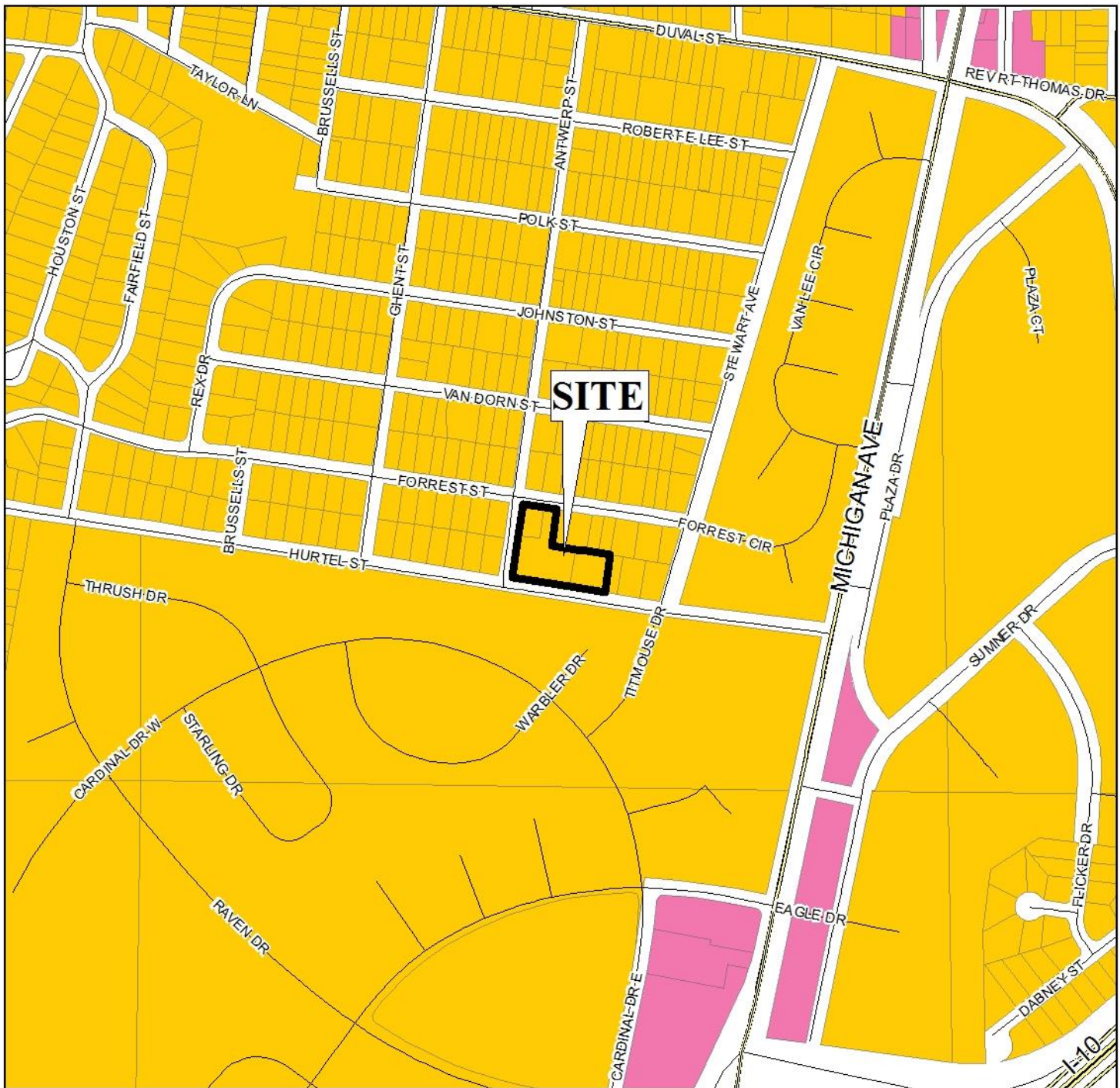
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FLUM LOCATOR MAP



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APPLICANT West Bay Academy Subdivision

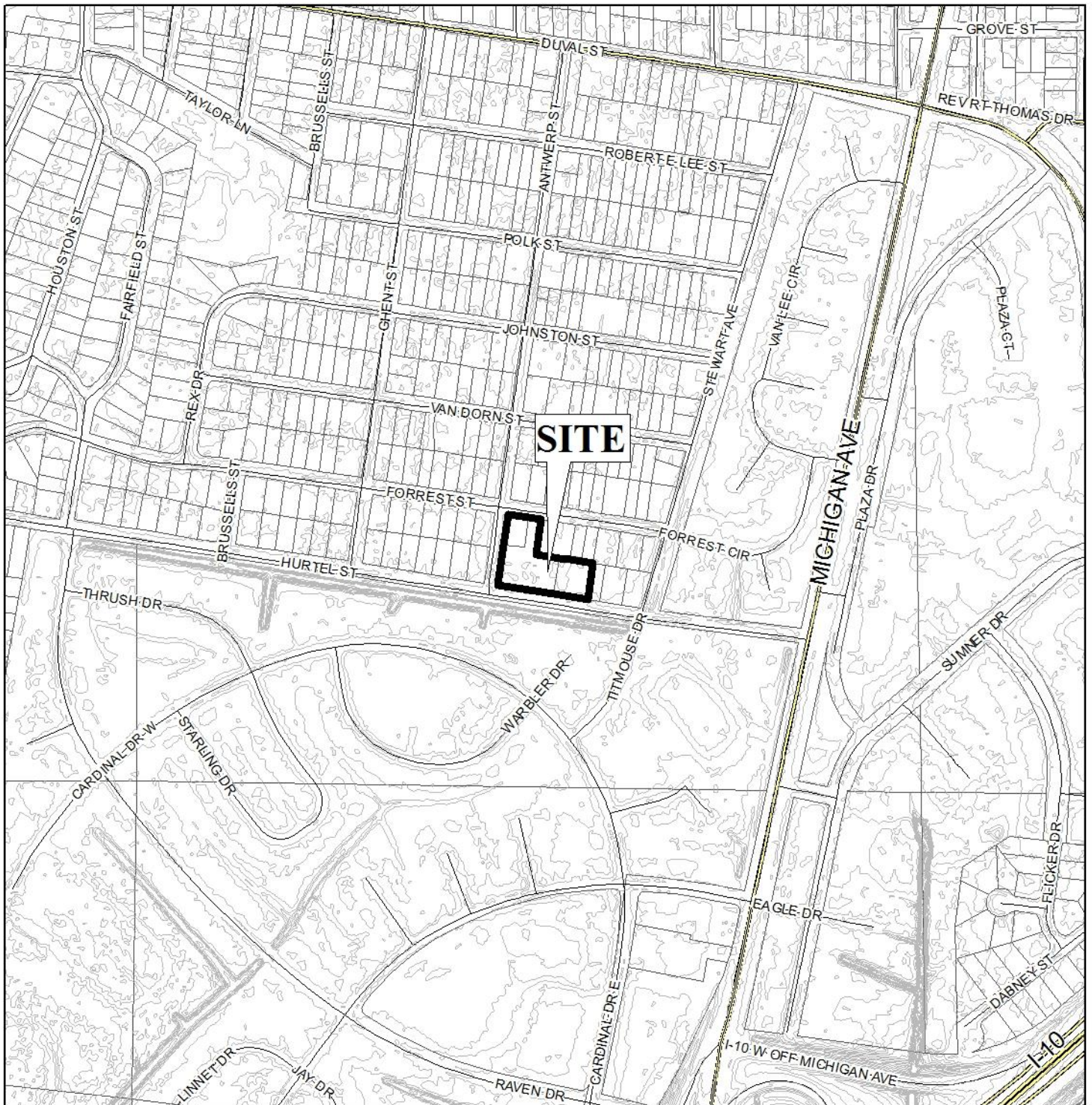
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



NTS

ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Commercial units are located to the east.

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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



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units. Commercial units are located to the east.

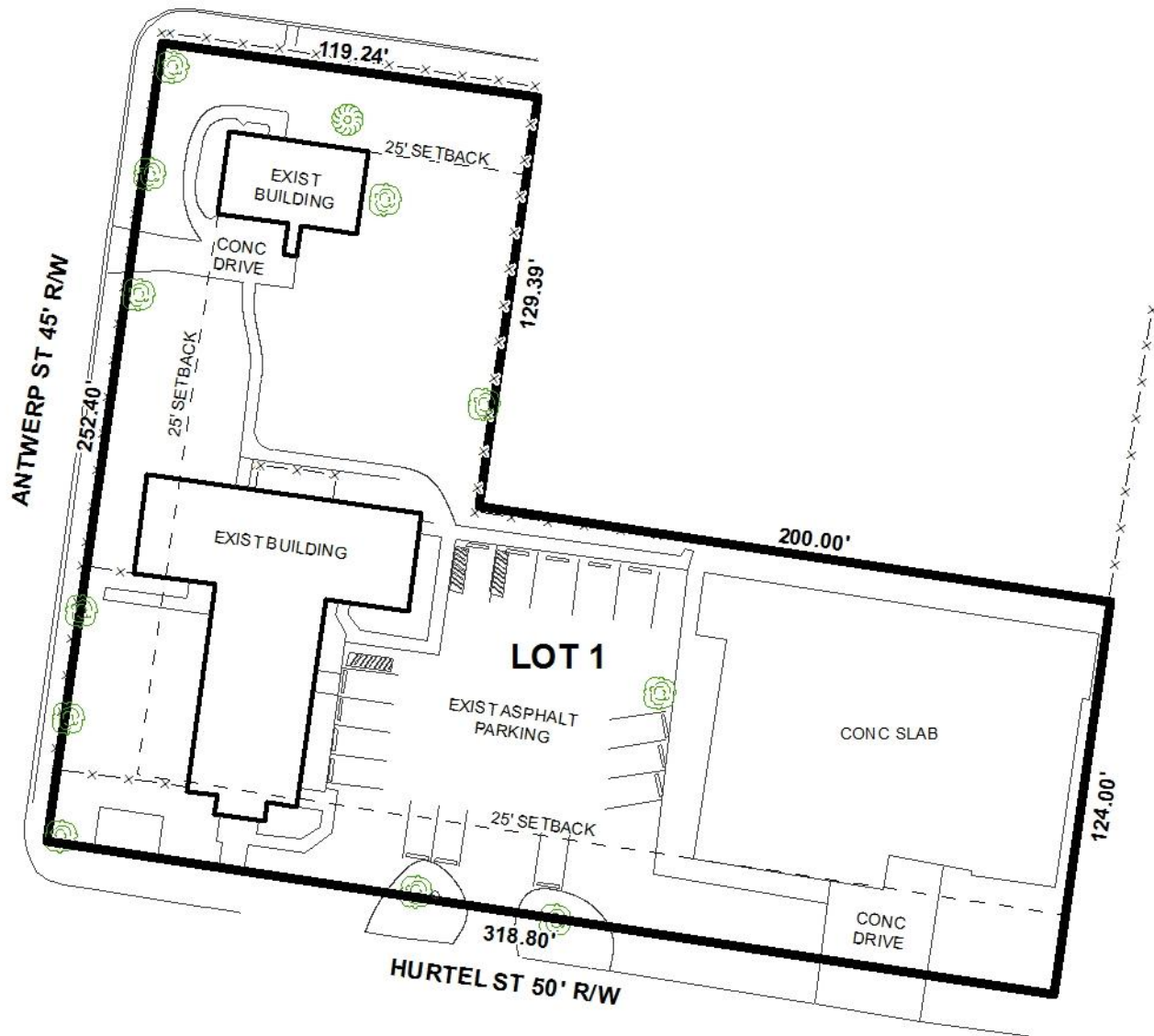
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SITE PLAN



The site plan illustrates the existing buildings, existing parking, and setbacks.

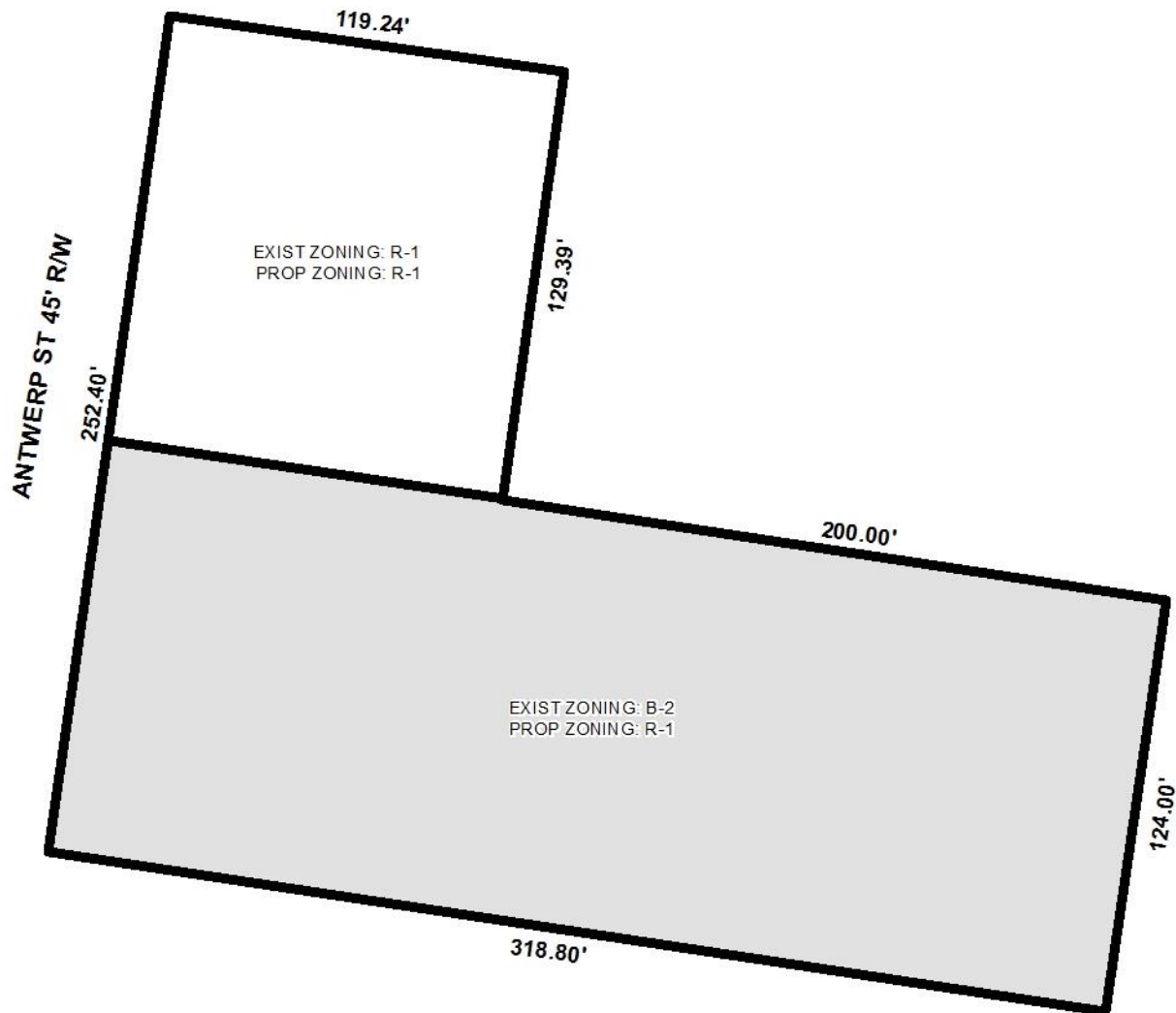
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DETAIL SITE PLAN



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