

**SUBDIVISION &
PLANNED UNIT DEVELOPMENT STAFF REPORT Date: July 15, 2021**

<u>DEVELOPMENT NAME</u>	Brewer Center Subdivision, Resubdivision of Lot 3
<u>SUBDIVISION NAME</u>	Providence Brewer Center Subdivision, Resubdivision of Lot 3
<u>LOCATION</u>	Northeast corner of Schillinger Road South and Hitt Road.
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>AREA OF PROPERTY</u>	3 Lots / 12.8± Acres (Subdivision) 6 Lots / 39.4± Acres (PUD)
<u>CONTEMPLATED USE</u>	Subdivision approval to create three (3) legal lots of record from a single legal lot of record; and Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Not provided
<u>ENGINEERING COMMENTS</u>	

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. Provide and label the monument set or found at each subdivision corner.
- C. Provide a vicinity map.
- D. Provide a legal description for the subdivision boundary.
- E. Revise NOTE 1 referencing the FEMA flood maps to the current maps -June 5, 2020.
- F. Provide the contact information for the surveyor, as required.
- G. Label the COMMON AREA as "COMMON AREA – DETENTION".
- H. Show and label each and every proposed DRAINAGE EASEMENT as "PRIVATE", or provide a note that states that the proposed drainage easements are PRIVATE and will not be maintained by the City of Mobile.

- I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- J. Provide the Surveyor's and Owner's (notarized) signatures.
- K. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 17 - #79) LOTS 3A, 3B, and 3C 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 3A – 20,000 sf, LOT 3B – 9,000 sf, and LOT 3C – 7,000 sf.
- L. 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.
- M. 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.
- N. 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.
- O. 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.
- P. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- Q. 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.
- R. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.

Planned Unit Development:

1. Update the Vicinity Map to show adjacent streets, etc.
2. Label the COMMON AREA as "COMMON AREA – DETENTION"
3. Check and update the GENERAL NOTE #3 to include LOTS 3A, 3B, and 3C. It references LOT 3 which is being removed from the PUD.
4. Update GENERAL NOTE #5. The Common Area shown (proposed detention area adjacent to LOT 3A) will not receive access to Hitt Rd.
5. ADD THE FOLLOWING NOTE TO THE PUD SITE PLAN – "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."

6. Retain ENGINEERING NOTES #1 - #5, as shown on the PUD EXHIBIT W/ UTILITIES drawing SHEET PUD-1.

TRAFFIC ENGINEERING

COMMENTS

A traffic impact study was previously prepared for this site with known and unknown proposed development. Retail buildings, restaurant, grocery, and gas station were all amount the uses previously studied. The study included off-site improvements along Schillinger Road adjacent to the development and those improvements were completed with the development of the housing site.

In the previous traffic study, a traffic signal was recommended at the shared access road that was constructed with the housing site. The development still lacks the internal circulation that the overall site may provide with development on Lot 3A. Additional impact studies or updates to the original study will be required as the development changes or defined uses are presented to the City that may warrant additional improvements, beyond what has already been constructed.

The proposed site shifts a shared driveway on Schillinger Road north from its previously approved driveway and adds a right-in/right-out driveway as well. Driveway number, size, location, and design are subject to the approved PUD for this site, shall be approved by Traffic Engineering and conform to AASHTO standards. 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 three (3) legal lots of record from a single legal lot of record; and Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites.

The site was last before the Planning Commission at its December 7, 2017 meeting as part of the Brewer Center Subdivision and Planned Unit Development. The applicant now wishes to divide

the existing lot into three lots so that two of them can be developed with a grocery store and a convenience store.

The site has been given an District Center (DC) 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.

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 dwelling units per acre) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers (DC) generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.

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 proposed lot sizes are labeled in square feet and acres, and exceed the minimum size requirements of the Subdivision Regulations. If approved, this information should be retained on the Final Plat.

The site has frontages along Schillinger Road South and Hitt Road, both of which are shown as having rights-of-way that vary. As the previously approved and recorded subdivision demonstrated that sufficient right-of-way exists for both streets, no dedication is required at this time.

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

The preliminary plat indicates the 25' minimum building setback line for both streets, but it is not labeled. If approved, the setback should be retained and labeled on the Final Plat.

There are several easements on all three proposed lots. If approved, a note should be placed on the Final Plat stating that no structures are to be placed in any easement without the permission of the easement holder.

The preliminary plat illustrates the creation of a new common area to accommodate a detention pond. If approved, a note should be placed on the Final Plat stating that maintenance of all common areas is the responsibility of property owners, and not the City of Mobile.

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 the 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.

When the site was originally approved by the Planning Commission in 2017, it was approved with conditions that substantial changes to individual lots, or access to the existing Common Area Access Easement could be approved via an Administrative PUD, however given that the applicant is altering property lines, the site is required to obtain approval from the Planning Commission.

Furthermore, the alteration of the PUD requires authorization of all property owners within the PUD as part of the application. Such has not been provided with the current request.

Due to the authorization requirement, it is recommended that the requests be heldover to the July 15th meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6th.

RECOMMENDATION

Subdivision: Staff recommends this application be heldover to the July 15th meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6th.

Planned Unit Development: Staff recommends this application be heldover to the July 15th meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6th.

Revised for the July 15th meeting:

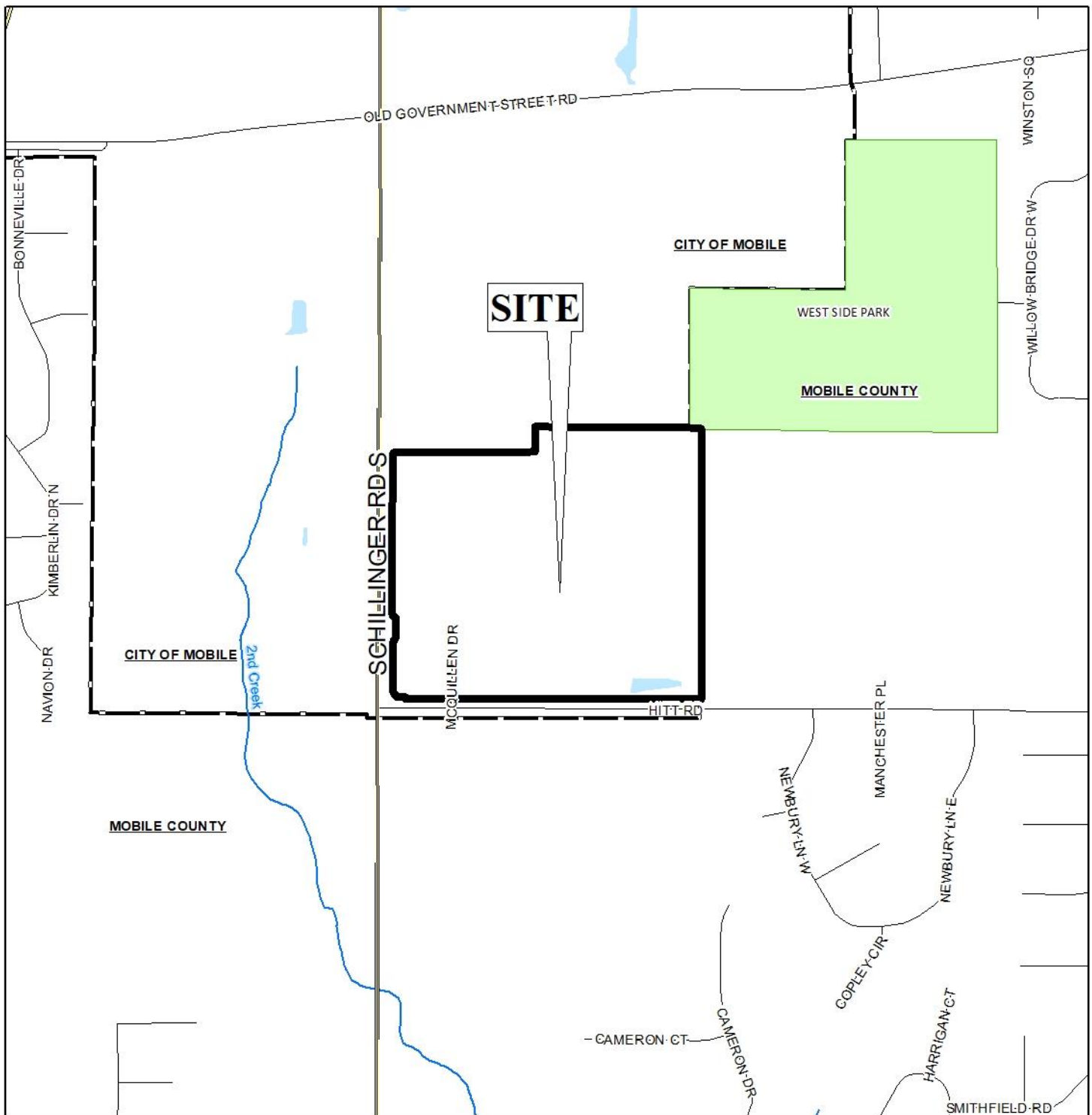
The applications were heldover by the Planning Commission to allow the applicant time to obtain written consent to amend the PUD from all property owners within the PUD. To date, staff has not received any additional information or consent from the additional property owners.

RECOMMENDATION:

Subdivision: *Based on the preceding staff recommends the applicant Withdraw their application until such time they can obtain written consent from all property owners within the PUD to amend the PUD.*

Planned Unit Development: *Based on the preceding staff recommends the applicant Withdraw their application until such time they can obtain written consent from all property owners within the PUD to amend the PUD.*

LOCATOR MAP



APPLICATION NUMBER 3 DATE July 15, 2021

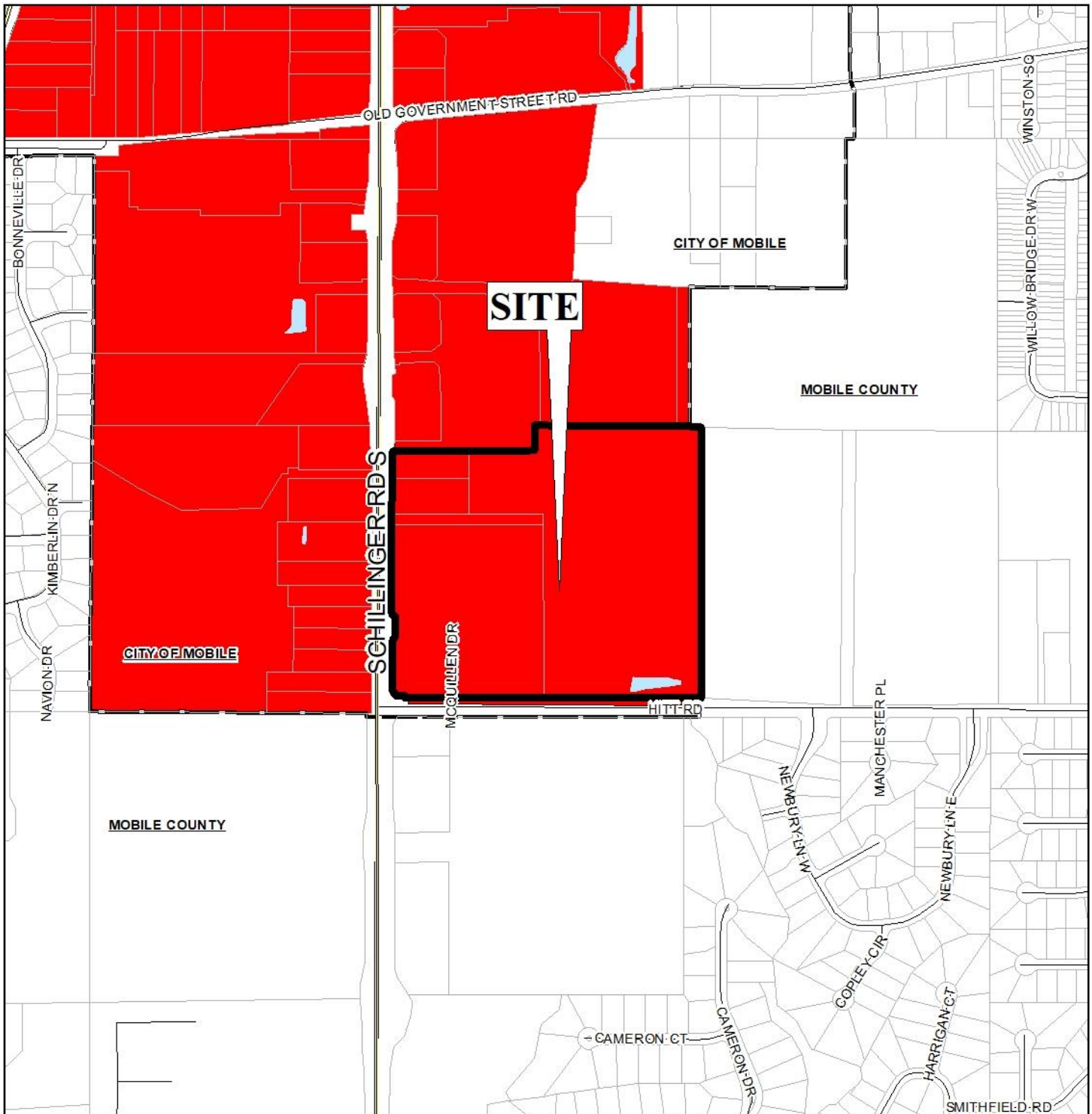
APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3

REQUEST Subdivision, PUD



NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE July 15, 2021

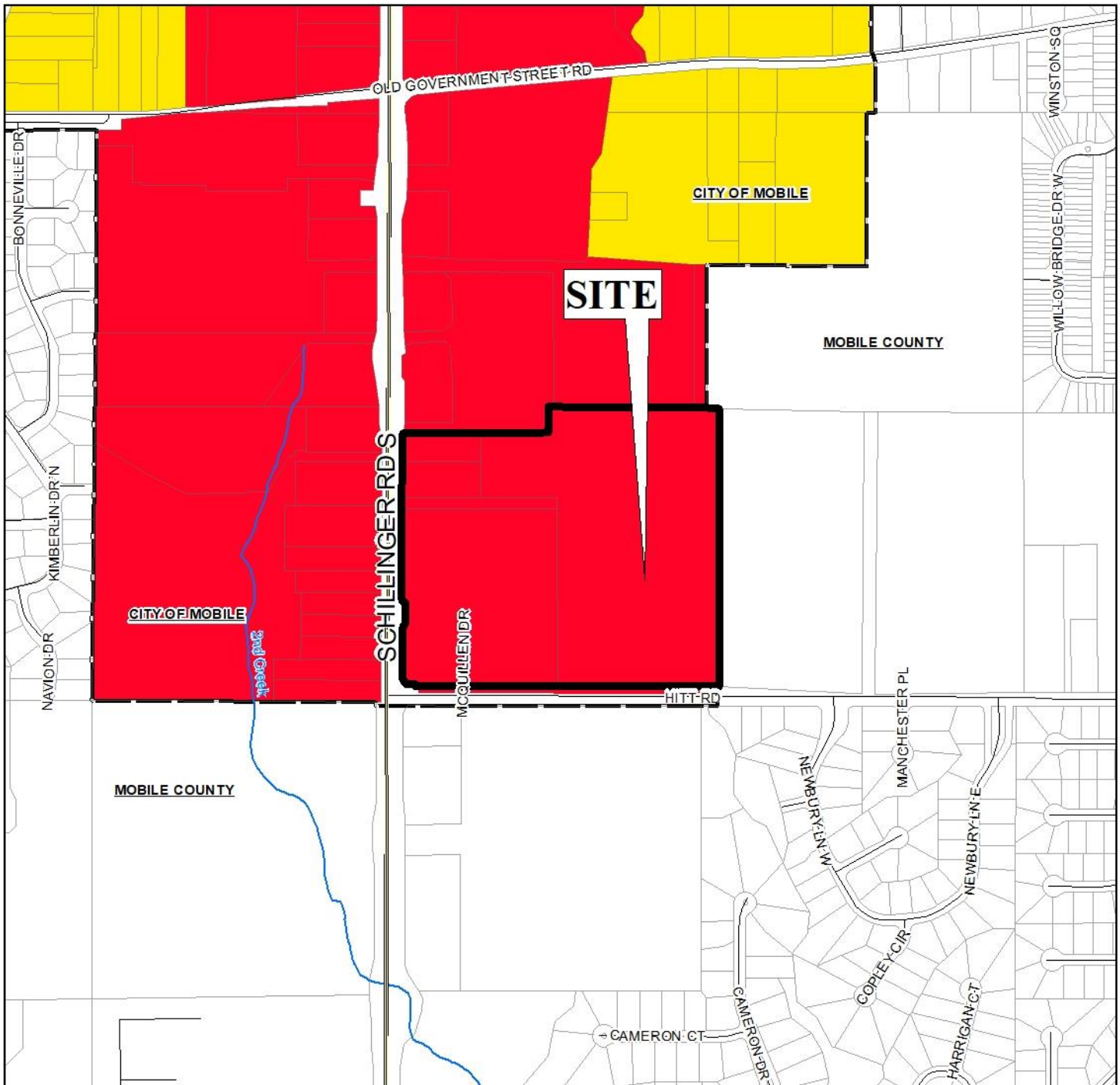
APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3

REQUEST Subdivision, PUD



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE July 15, 2021

APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3

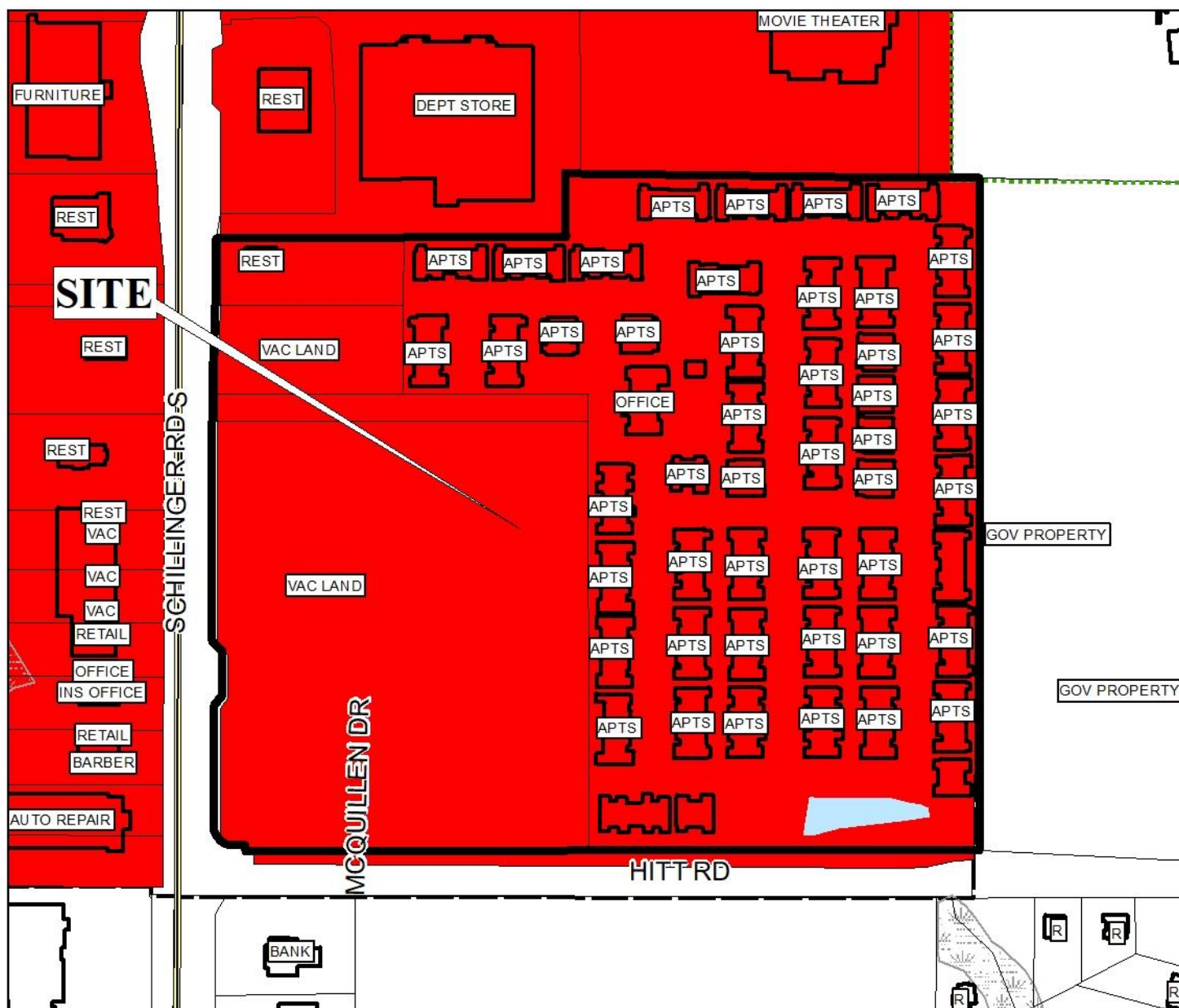
REQUEST Subdivision, PUD

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 commercial units. Residential units lie southeast of the site.









APPLICATION NUMBER 3 DATE July 15, 2021

APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3

REQUEST _____ Subdivision, PUD _____

 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

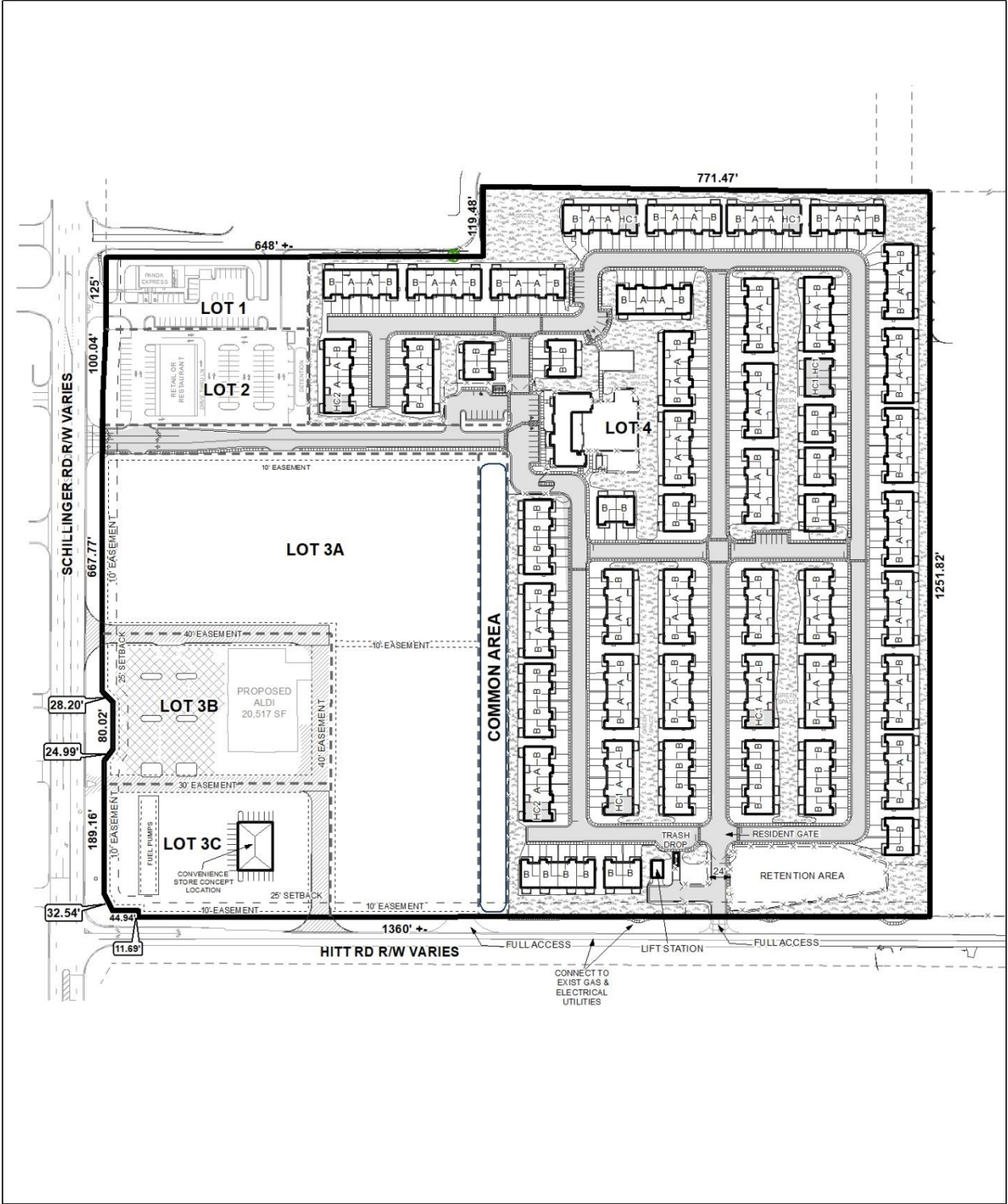


The site is surrounded by commercial units. Residential units lie southeast of the site.

APPLICATION NUMBER 3 DATE July 15, 2021
 APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3
 REQUEST Subdivision, PUD



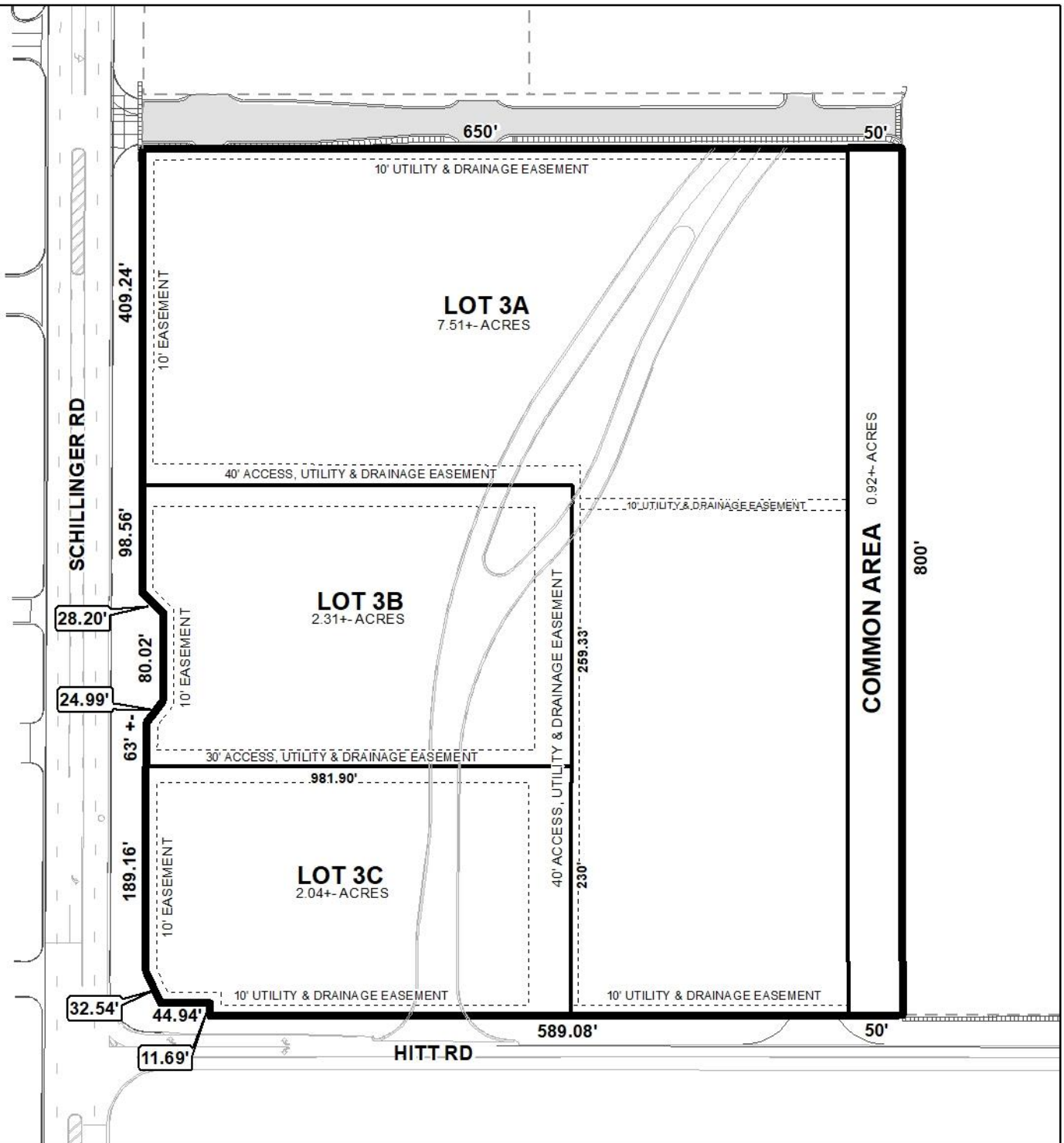
SITE PLAN



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

NTS

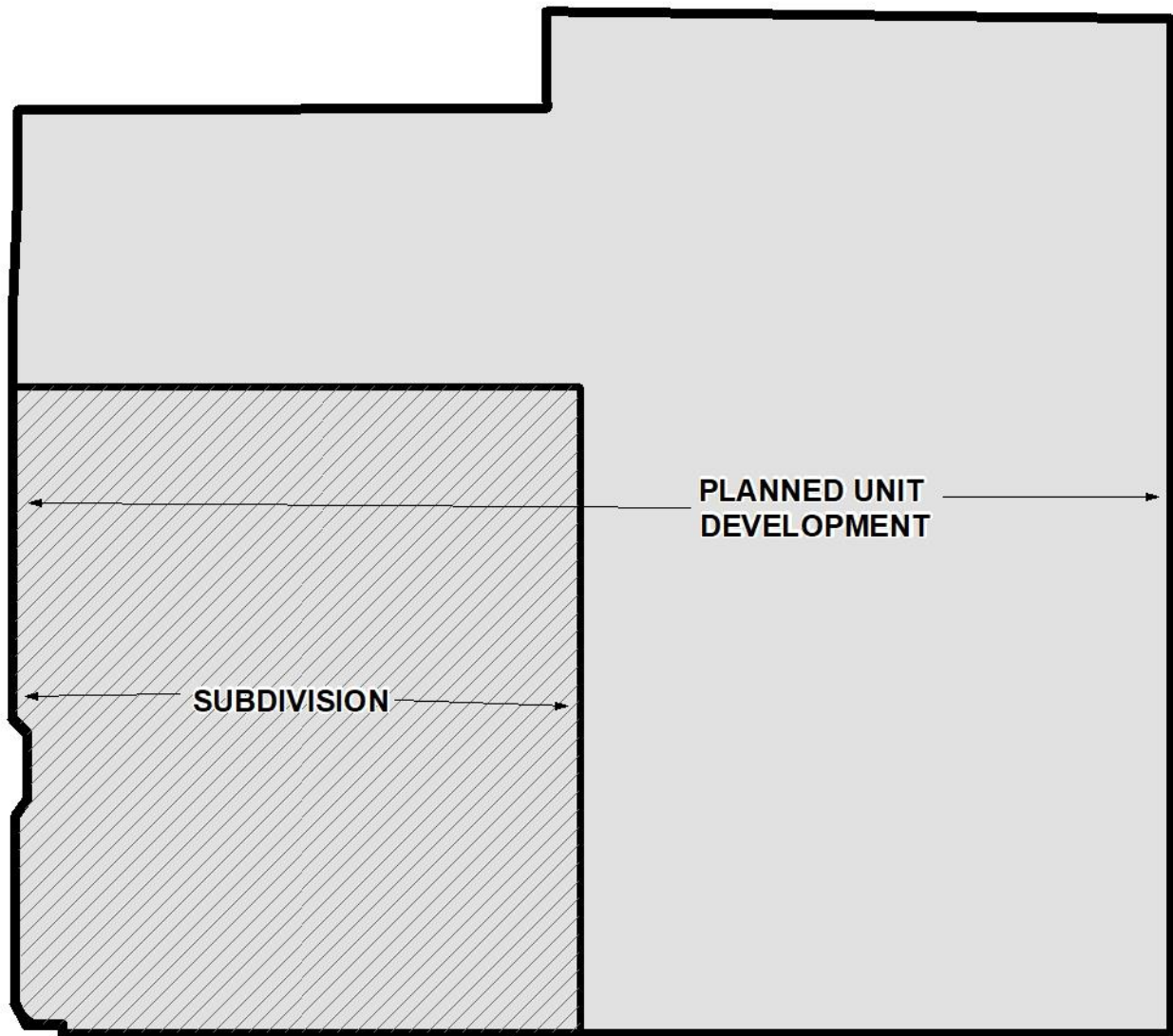
DETAIL SITE PLAN



APPLICATION NUMBER 3 DATE July 15, 2021
APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3
REQUEST Subdivision, PUD



DETAIL SITE PLAN



APPLICATION NUMBER 3 DATE July 15, 2021

APPLICANT Brewer Center Subdivision, Resubdivision of Lot 3

REQUEST Subdivision, PUD



NTS