

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

Date: March 15, 2018

<u>NAME</u>	Historic Restoration Society, Inc.
<u>SUBDIVISION NAME</u>	Lone Oak Subdivision, Revision and Addition to
<u>LOCATION</u>	901, 903, 907, & 911 Dauphin Street and 2, 6, 10 & 14 South Broad Street (Southwest corner of Dauphin Street and South Broad Street, extending to the North side of Conti Street)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	B-1, Buffer-Business District, B-2, Neighborhood Business District, and B-4, General Business District
<u>PROPOSED ZONING</u>	Lot 1: B-2, Neighborhood Business District (<i>no change of zoning</i>); and Lot 2: B-4, General Business District
<u>REASON FOR REZONING</u>	The subdivision of land.
<u>AREA OF PROPERTY</u>	2 Lots / 4.5 ± Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create 2 lots, Planned Unit Development Approval to allow multiple buildings on a single building site and shared access and parking between two building sites, Planning Approval to allow a float barn in a B-4, General Business District, and Rezoning from B-1, Buffer-Business District, and B-4, General Business District to B-4, General business District, to allow a float barn and eliminate split zoning.</p> <p>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.</p>

TIME SCHEDULE

Within one year of approval.

**ENGINEERING
COMMENTS**

Revised for the April 19, 2018 meeting: *ADD TO THE PREVIOUS COMMENTS (March 15, 2018 meeting) – Dedicate the prescribed ROW along Broad St.*

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. Label the proposed ROW dedication as "...hereby dedicated..." instead of "... to be dedicated..."
- C. Delete "for widening" from the ROW dedication labels at the NE and SE corner of LOT 2.
- D. Revise NOTE #6 to add the amount of historic credit for LOT 1 and LOT 2. Coordinate with the Engineering Dept. prior to submitting the Final Plat for review.
- E. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- G. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- H. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development:

It appears that are proposed curb cuts shown exceed the number of curb cuts allowed as listed in PUD NOTE #1. Clarify the note and/or the proposed curb cuts.

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

1. 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.
2. 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.

3. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Broad Street (US Highway 90) is an ALDOT maintained roadway. Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by ALDOT (where applicable) and 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 (State Act 2015-116 and City Code Chapters 57 and 64).

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 2 lots, Planned Unit Development Approval to allow multiple buildings on a single building site and shared access and parking between two building sites, Planning Approval to allow a float barn in a B-4, General Business District, and Rezoning from B-1, Buffer-Business District, and B-4, General Business District to B-4, General business District, to allow a float barn and eliminate split zoning. Float barns require Planning Approval when located in B-4 districts.

A majority of the site is within the Old Dauphin Way Historic District, and the proposed resubdivision may result in a need to modify the boundaries of the district.

The purpose of the applications are to accommodate the inclusion of the property located at 907 Dauphin Street into proposed Lot 2, to rezone said property to match the remainder of the proposed Lot 2, to adjust the minimum building setback line on proposed Lot 2, and to adjust the minimum building setback line on proposed Lot 1. The uses proposed for the two lots, a mystic society meeting/reception hall and float barn facility will not be changed by the requests.

The main portion of the site, 911 Dauphin Street, first appeared before the Planning Commission with the proposed use at its July 3, 2014, where a Planned Unit Development and Rezoning request (B-1 to B-2) were approved in order to allow the building at 911 Dauphin Street to be used as a meeting / reception hall. The rezoning request was subsequently approved by the City Council at its August 26, 2014 meeting. It should be noted that the rezoning approval included voluntary use restrictions, and a condition that those restrictions be recorded in Mobile County

Probate Court (recorded on June 30, 2015). The voluntary use restrictions exclude all B-2 uses with the exception of “*event/reception/membership organization meeting hall; including non-profit civic, social, fraternal, business, or political organizations; but not including college fraternities or sororities.*” All B-1 uses are also allowed.

The two lot site was most recently before the Planning Commission at its August 20, 2015 meeting (with extensions for approval at the August 4, 2016 meeting and August 3, 2017 meeting), to create two lots, and to resolve split zoning on Lot 2.

The applicant now proposes to expand Lot 2 and the PUD and Planning Approval to incorporate 907 Dauphin Street.

The site has been given a **Traditional Corridor** 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 Traditional Corridor (TC) land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City’s traditional neighborhoods (equivalent to Map for Mobile’s Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.

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 Dauphin Street, Conti Street, and Broad Street. Dauphin and Broad Streets are proposed major streets, according to the Major Street Plan component of the Comprehensive Plan. The existing right of way of Dauphin Street is 60 feet, and the previous applications required modification of the minimum building setback line along Dauphin Street to reflect a proposed right-of-way width of 100 feet. As part of the adopted of the Future Land Use Map and associated Major Street Plan on May 18, 2017, the right-of-way width requirement for Dauphin Street was reduced to be the existing right-of-way, thus a standard 25-foot minimum building setback will be sufficient on Lot 1 (the B-2 property) along Dauphin Street, and a 0-foot

minimum building setback for proposed Lot 2 (the proposed B-4 property) along Dauphin Street. The preliminary plat reflects this reduction, but the PUD and Planning Approval site plans do not.

Broad Street, an ALDOT controlled facility, requires a 120 foot wide right of way per the Major Street Plan. It currently has a 100 foot wide right of way adjacent to proposed Lot 2, however, dedication has been required as recently as 2010 (Checkers Broad Street Subdivision) along this segment of Broad Street. The applicant notes that the property to the south, across Conti Street (the CVS location), was not required to dedicate right-of-way for Broad Street; review of the staff report from the November 4, 1999 meeting and the associated meeting minutes reveal that the right-of-way issue was not part of the report nor discussed during the meeting. Thus the submitted preliminary plat depicts a 10-foot minimum building setback along Broad Street to allow for future right-of-way, but does not appear to dedicate the area. The PUD and Planning Approval site plans depict this area as being dedicated for right-of-way.

On July 27, 2016, the U.S. Department of Transportation awarded the City of Mobile a \$14.5 million TIGER (Transportation Investment Generating Economic Recovery) grant, which includes the revitalization of the Broad Street corridor with new streets, bicycle lanes, sidewalks, drainage infrastructure, and landscape architecture. Given the congested nature of the segment of Broad Street between Spring Hill Avenue and Government Street, the dedication of the right-of-way may be beneficial for the TIGER grant project and the associated proposed improvements along the corridor. Thus the preliminary plat and the PUD and Planning Approval site plans should be revised to depict dedication along Broad Street, and the existing ornamental fence within the dedicated right-of-way should be relocated to the new property line.

Conti Street is a minor street with an adequate 50-foot wide right of way, thus no dedication will be required.

Access management is a concern due to the site's location and frontage onto three streets. The site plan provided with the applications depicts that two gated curb-cuts to Dauphin Street will remain, and the driveway associated with the 907 Dauphin Street structure and that the existing 67-foot long curb-cut adjacent to 903 Dauphin Street will remain. One gated curb-cut to Broad Street is proposed to be retained, and two gated curb-cuts onto Conti Street are proposed to be retained. All other curb-cuts are labelled as to be removed and replaced with curb-and-gutter.

The site plan depicts the two proposed lots, five existing buildings and two proposed float barns. There are two existing buildings on Lot 1, a 4,312 square foot meeting hall, and a 3-story, 14,208 square foot reception hall with a proposed restroom addition and kitchen addition. On proposed Lot 2 there are three existing buildings, of which two are commercial structures (unit D, 1,877 square feet and unit E, 2,860 square feet). The third structure is the residence located at 907 Dauphin Street; any non-residential use of the structure will require compliance with commercial Building and Fire code requirements. Two proposed float barns, one at 4,800 square feet and the other at 9,000 square feet are also proposed.

It should be noted that the site plan does not appear to be accurate. A site visit by staff observed that the construction office trailer has been relocated from behind 919 Dauphin Street to proposed Lot 2, and that a large portion of the fence separating 919 Dauphin Street from 911 Dauphin Street has been removed, allowing full pedestrian access between the two properties.

Staff also observed that the rear of the two residential properties at 918 and 920 Conti Street are being used for reserved parking spaces – that there are gates in the fence separating 911 Dauphin Street from the properties. Use of the residential properties for the 911 Dauphin Street site was of concern when the original event/meeting hall rezoning was proposed in 2014, and thus the properties were purposefully excluded from the original PUD, Zoning and Subdivision applications, yet it appears that they are being used anyway.

Therefore, if it is the intention of the applicant to utilize 919 Dauphin Street, and 918 and 920 Conti Street as part of the overall development, these properties should be included in the PUD, Subdivision and Zoning applications.

Overall, the request to incorporate the 907 Dauphin Street property into the proposed Lot 2, and to correct the split-zoning condition is not anticipated to cause any significant change to the proposed use of Lot 2 for two float barns. Similarly, the adjustment to the minimum building setback line along Dauphin Street for both Lots 1 and 2 to reflect the reduced right-of-way requirement should cause no impact to the site or adjacent uses. Not providing for the Broad Street right-of-way, and not providing an up to date site plan showing the utilization of the 919 Dauphin Street and 918 and 920 Conti Street properties is, however, a cause for concern.

The applicant has the choice of removing the existing gates onto the rear portions of the properties located at 918 and 920 Conti Street and replacing the gates with a solid wooden privacy fence, so that these properties are no longer accessible from the 911 Dauphin Street site, and they are excluded from any uses associated with the 911 Dauphin Street site. Or, the applicant may expand the requests at hand to include the properties.

RECOMMENDATION

Subdivision: The request is recommended for Holdover until the April 19th meeting so that the following can take place (revisions due by March 19th):

- 1) Revision of the Subdivision application to include 919 Dauphin Street, and 918 and 920 Conti Street to create legal lots of record, including the submittal of additional labels and postage so that appropriate notification of all property owners can occur; and
- 2) Revision of the preliminary plat to reflect dedication along Broad Street.

Planned Unit Development: The request is recommended for Holdover until the April 19th meeting so that the following can take place (revisions due by March 19th):

- 1) Revision of the site plan to include 919 Dauphin Street, and 918 and 920 Conti Street;

- 2) Submittal of labels and postage by March 26th so that appropriate notification of all property owners can occur for the PUD application, including the expanded PUD site; and
- 3) Revision of the site plan to reflect the minimum building setback lines shown on the preliminary plat, and to depict dedication along Broad Street

Planning Approval: The request is recommended for Holdover until the April 19th meeting so that the following can take place (revisions due by March 19th):

- 1) Revision of the site plan to include the proposed use of 907 Dauphin Street, and reflect any changes being made to the PUD site plan.

Zoning: The request is recommended for Holdover until the April 19th meeting so that the following can take place (revisions due by March 19th):

- 1) Submission of Zoning change requests for 918 and 920 Conti Street, including postage and labels.

Revised for the April 19, 2018 meeting:

The applications were heldover from the March 15, 2018 meeting based upon the recommendations by staff listed above.

The applicant submitted a holdover request on April 12, 2018. The applicant intends to make revisions to the requests, and asks that all associated cases be heldover until the the May 17, 2018 meeting.

RECOMMENDATION

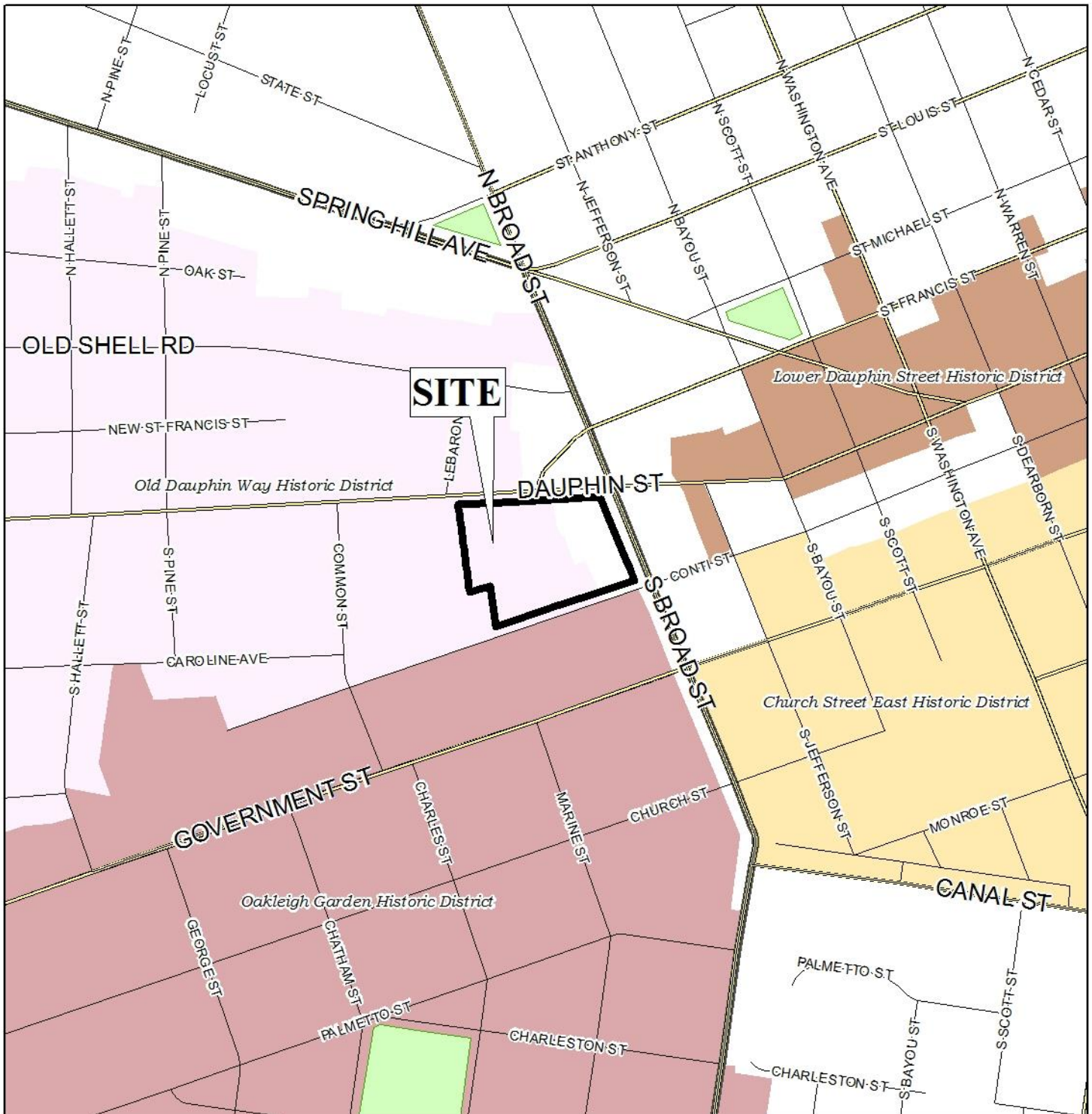
Subdivision: *The Planning Commission should consider the applicant's request to hold the case over until the May 17, 2018 meeting. Any revisions, including additional lot fees, labels, and postage, should be submitted by April 27, 2018.*

Planned Unit Development: *The Planning Commission should consider the applicant's request to hold the case over until the May 17, 2018 meeting. Any revisions, including additional notification fees, labels, and postage, should be submitted by April 27, 2018.*

Planning Approval: *The Planning Commission should consider the applicant's request to hold the case over until the May 17, 2018 meeting. Any revisions, including additional notification fees, labels, and postage, should be submitted by April 27, 2018.*

Zoning: *The Planning Commission should consider the applicant's request to hold the case over until the May 17, 2018 meeting. Any revisions, including additional notification fees, labels, and postage, should be submitted by April 27, 2018.*

LOCATOR MAP



APPLICATION NUMBER 3 DATE April 19, 2018
 APPLICANT Lone Oak Subdivision, Revision and Addition to
 REQUEST Subdivision, PUD, Planning Approval, Rezoning from B1 and B-4 to B-4



This map shows a neighborhood with a grid of streets. The streets are labeled as follows:

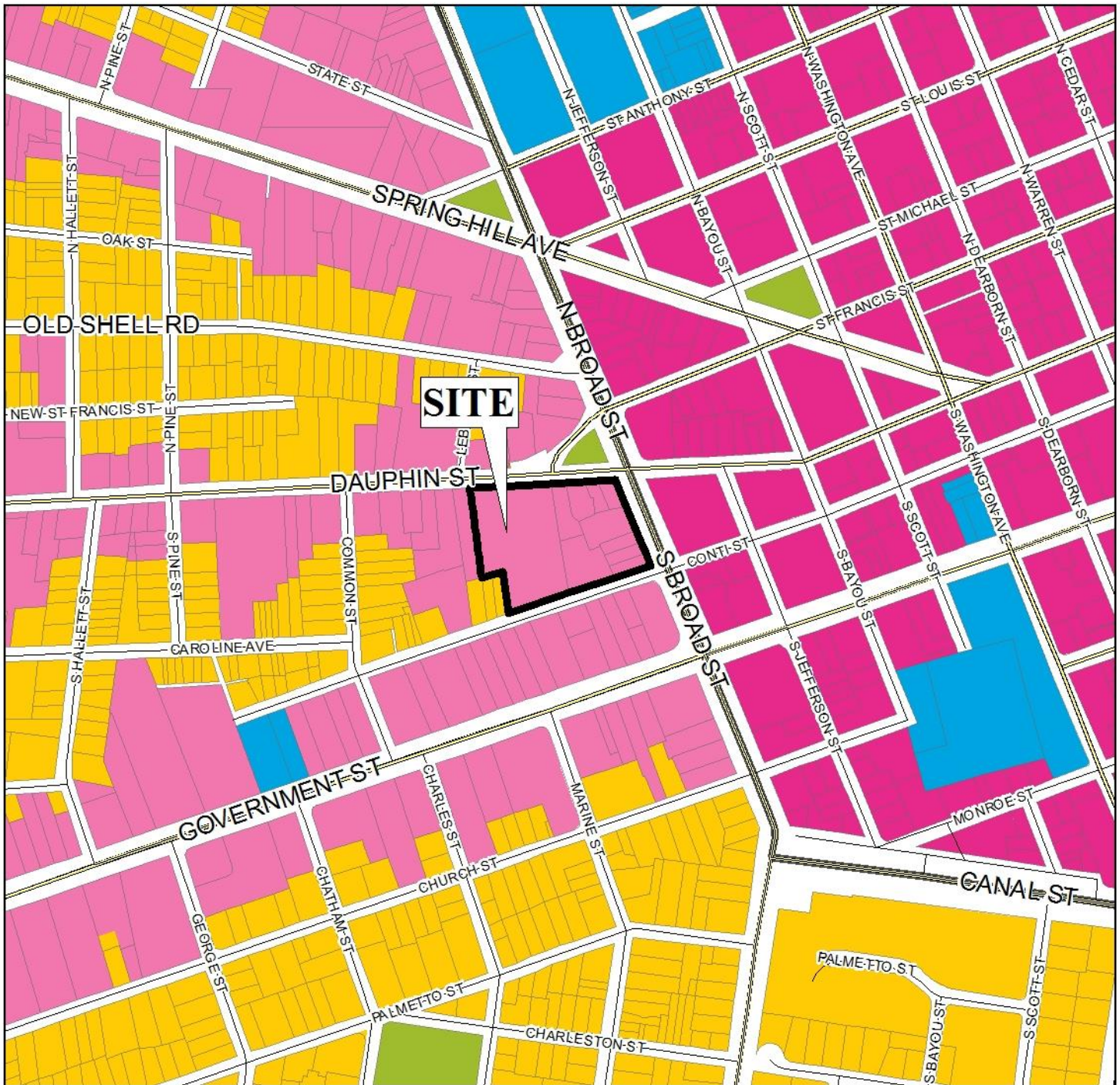
- North-South Streets (from left to right):** N HALLETT ST, N PINE ST, N LOCUST ST, N OAK ST, N NEW ST FRANCIS ST, N SPINE ST, N COMMON ST, N CHATHAM ST, N PALMETTO ST, N CHARLESTON ST, N BROAD ST, N CONTI ST, N S BAYOU ST, N S JEFFERSON ST, N S SCOTT ST, N S MONROE ST, N S CANAL ST.
- East-West Streets (from top to bottom):** STATE ST, SPRING HILL AVE, OLD SHELL RD, DAUPHIN ST, CAROLINE AVE, GOVERNMENT ST, CHURCH ST, MARINE ST, PALMETTO ST, CHARLESTON ST, CANAL ST.

The map features several colored areas representing different lots or blocks:

- Red:** Located in the top left corner.
- Yellow:** Located in the top left corner, adjacent to the red area.
- Orange:** Located in the top right corner and along the right side of the map.
- Purple:** Located in the center-right area of the map.
- Light Blue:** Located in the center-left area of the map.
- Dark Blue:** Located in the center-left area, adjacent to the light blue area.
- Green:** Located in the bottom left corner and along the bottom edge of the map.
- Pink:** Located in the bottom center area of the map.
- Black:** A specific lot is highlighted in black and labeled "SITE".

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FLUM LOCATOR MAP

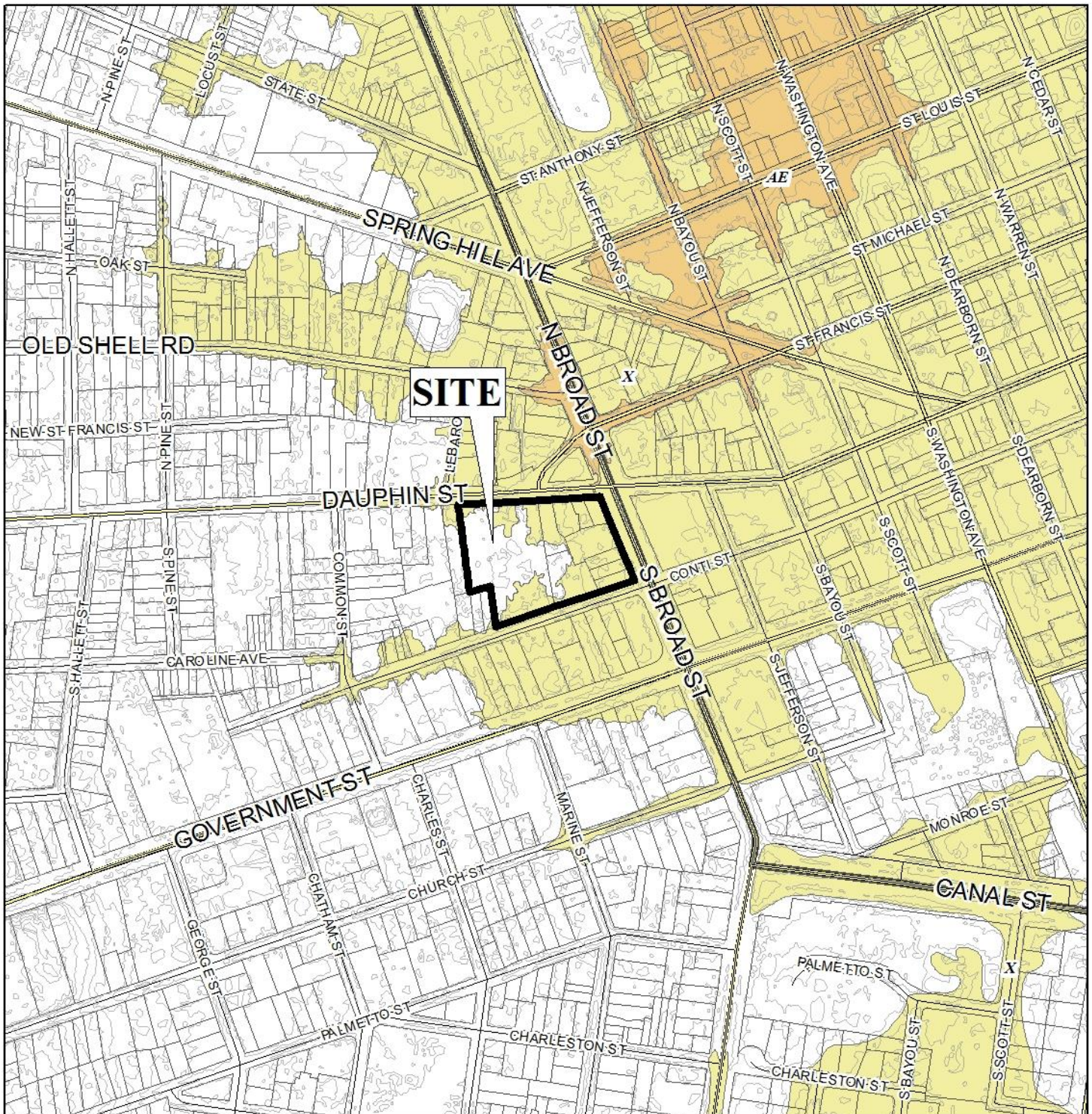


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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



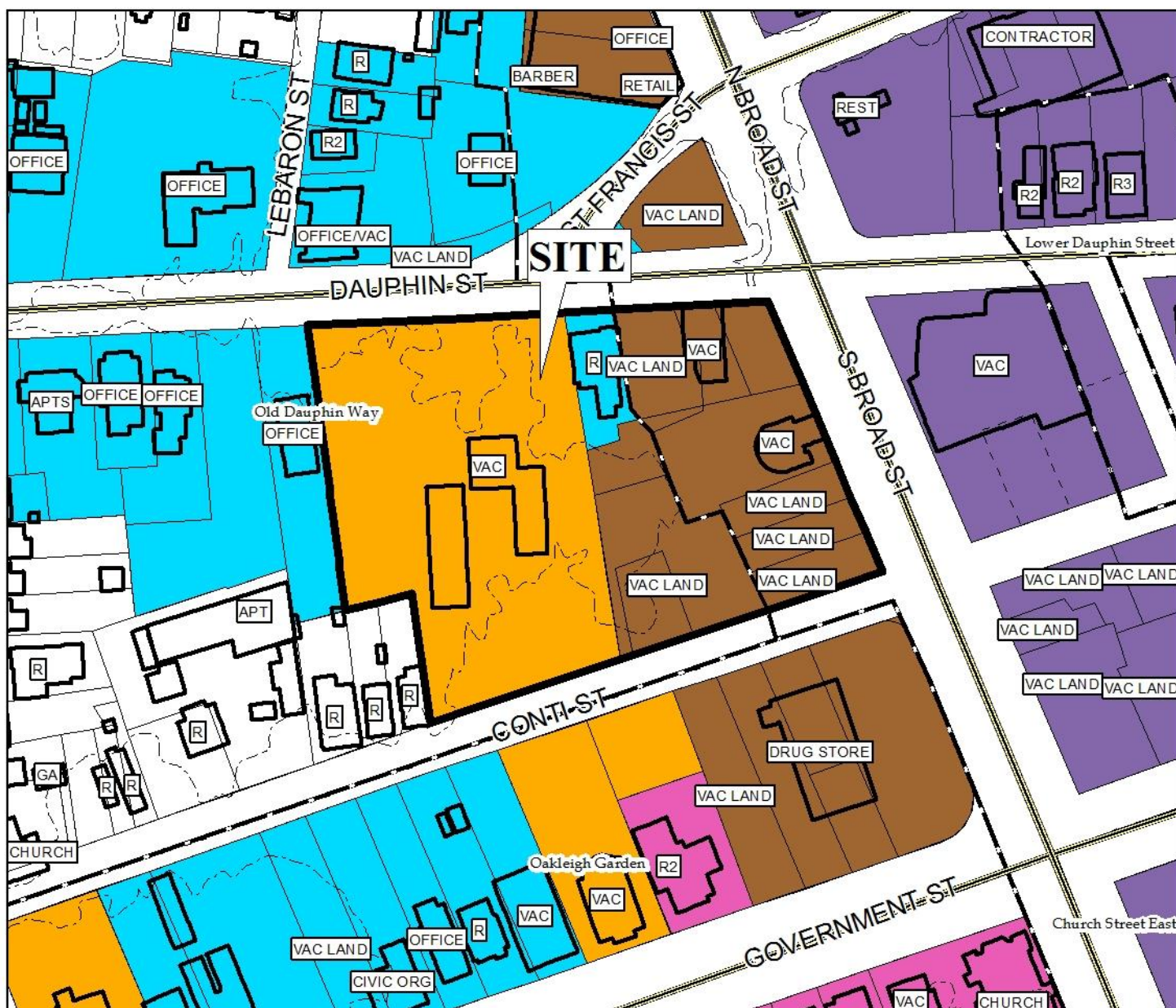
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous units.

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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

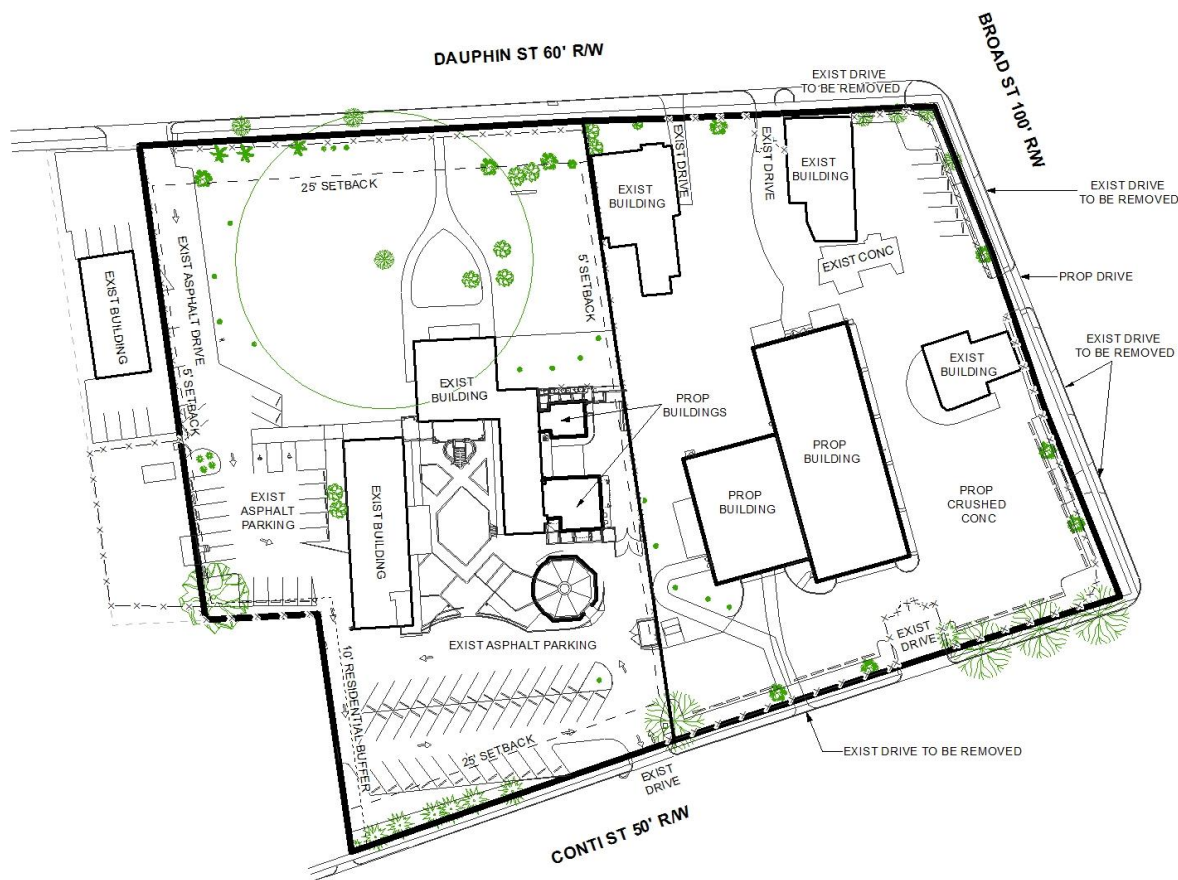


The site is surrounded by miscellaneous units.

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SITE PLAN

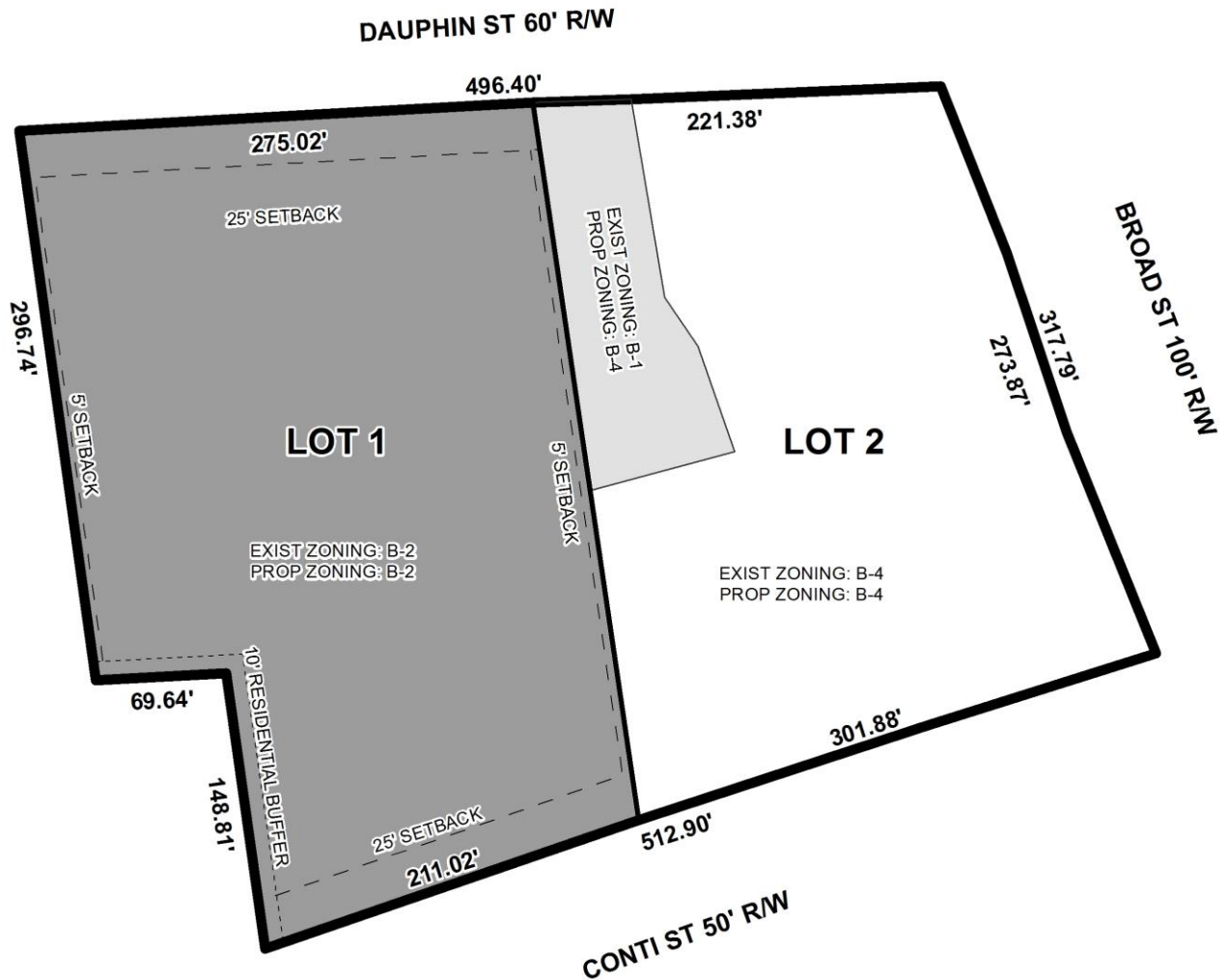


The site plan illustrates the existing buildings, existing drives, setbacks, residential buffer, proposed drive, and proposed buildings.

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DETAIL SITE PLAN



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