

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT**

Date: November 19, 2020

<u>APPLICANT NAME</u>	Alabama Power Company (Ward Hennecker, Agent)
<u>SUBDIVISION NAME</u>	Hospital D.S. Subdivision
<u>LOCATION</u>	1590 & 1574 St. Stephens Road and 1563 Basil Street (Northwest corner of St. Stephens Road and Dunbar Street, extending to the West terminus of Basil Street).
<u>CITY COUNCIL DISTRICT</u>	Council District 2
<u>PRESENT ZONING</u>	B-3, Community Business District and R-1, Single-Family Residential District
<u>PROPOSED ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	1 Lot / 1.7± Acres
<u>CONTEMPLATED USE</u>	Subdivision Approval to create one (1) legal lot of record from two (2) existing legal lots of record and four (4) existing metes-and-bounds parcels, and Rezoning from B-3, Community Business District, and R-1, Single-Family Residential District, to B-3, Community 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.

**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. Provide reference, on the map and the description, to a monumented corner.

- C. Remove the County Engineer's signature block from the plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.
- D. Review and revise NOTES #12 and #15. The City's requirements are contained in Mobile City Code, Chapter 17.
- E. Add street names (Dunbar St. and Basil St.) to the vicinity map.
- F. Provide a written description for the subdivision boundary.
- G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- H. Label flood zone X(S). It is incorrectly labeled as X.
- I. Add a signature block for the 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 28 - #71) LOS 1 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 – 12,000 sf.
- L. 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.
- M. 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.
- N. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- O. 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.
- P. 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.

Rezoning:

- 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 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).
- 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.

TRAFFIC ENGINEERING

COMMENTS

St Stephens Road (US Highway 45) is an ALDOT maintained roadway. Lot is limited to no more than two curb cuts with any changes in size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards.

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.

TIME SCHEDULE

FOR DEVELOPMENT

Demolition: June 2023 – December 2023

Site grading: December 2023 – June 2024

New construction: May 2025 – December 2025

REMARKS

The applicant is requesting Subdivision Approval to create one (1) legal lot of record from two (2) existing legal lots of record and four (4) existing metes-and-bounds parcels, and Rezoning from B-3, Community Business District, and R-1, Single-Family Residential District, to B-3, Community Business District.

The site has been given a Traditional Corridor (TC) 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 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.

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 purpose of the proposed Subdivision is to provide additional area to construct a new electrical power substation to replace the existing one on a portion of the over-all site. As portions of the expanded site are zoned R-1, Rezoning to B-3 is required to allow the substation.

The site fronts St. Stephens Road, Dunbar Street and Basil Street. St. Stephens Road is a component of the Major Street Plan with a planned 100' right-of-way. As the preliminary plat indicates a variable right-of-way width for St. Stephens Road along the Western portion of the frontage, dedication should be required to provide 50' from the centerline of St. Stephens Road. Along the Eastern portion of the St. Stephens Road frontage, dedication was provided with the recording of McKinley Subdivision to provide 50' from the centerline of St. Stephens Road; therefore, no dedication would be required within that area. Dunbar Street and Basil Street are both minor streets requiring 50' rights-of-way. As the plat also indicates varying right-of-way widths along these streets, the plat should be revised to either indicate compliant 50' right-of-way widths along these frontages, or dedication should be required to provide 25' from the centerlines of these streets. The plat indicates a 25' minimum building setback line along all current street frontages. As dedication is required along St. Stephens Road, and possibly along Dunbar Street

and Basil Street, the plat should be revised to measure the 25' minimum building setback line along all street frontages from any required dedication. The plat should be revised to provide a 25' corner radius dedication at the intersection of St. Stephens Road and Dunbar Street.

The proposed lot meets the minimum size requirements of the Subdivision Regulations. The plat should be revised to label the lot with its size in both square feet and acres, after any required dedication, or a table should be furnished on the Final Plat providing the same information.

As per the Traffic Engineering comments, St. Stephens Road (US Highway 45) is an ALDOT maintained roadway. Lot is limited to no more than two curb cuts with any changes in size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. A note should be required on the Final Plat stating these comments.

As the over-all area of the proposed Subdivision is currently split-zoned, assuming the accompanying Rezoning is approved, the Rezoning process should be completed prior to signing the Final Plat for the Subdivision.

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.

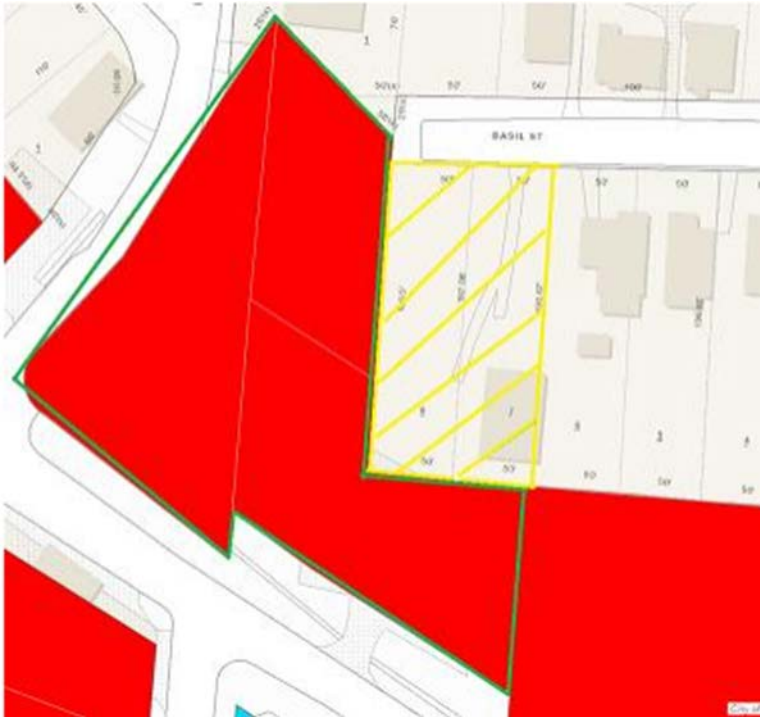
The subject site was originally assigned its current B-3 and R-1 zoning classifications with the adoption of the current Zoning Ordinance in 1967. Adjacent properties along the North side of St. Stephens Road have remained B-3, and adjacent properties along the South side of Basil Street have remained R-1 since 1967. Property across St. Stephens Road at the Southwest corner of St. Stephens Road and Lambert Street have also remained B-3. The property at the Southeast corner of St. Stephens Road and Lambert Street was rezoned from B-3 and R-1 to B-1, Buffer Business, in 1997.

The applicant states the following to address the rational for the zoning request:

Description of Property Location:

The parcels in question are Parcel Keys 805178 and 805187 (collectively the "Property"), which are the outlined in yellow. The Property is approximately at 1559 Basil Street, Mobile, Alabama 36603, at the dead end of Basil Street. The Property is also located close to the intersection of Dunbar Street and St. Stephens Road, very close to an existing substation owned and operated by Alabama Power Company ("APC") at the aforementioned corner. Each parcel is approximately .22 acres. Currently the Property

has a make shift residential structure on it and numerous inoperable vehicles. The Property location is also very close to numerous large medical facilities.



Description of Contemplated Use:

The Property is also being purchased in conjunction with the two (2) adjoining parcels (Parcel Keys: 8055794 and 805258). APC also owns Parcel Key 1671827 where an APC sub-station is located. The intent is to subdivide all five (5) parcels to create one (1) parcel, followed by the removal of the existing substation and construction of a new substation across all five parcels. APC plans to begin demolition of the existing sub in June 2023 and be completed with that phase in December. Grading then will occur between December 2023 and June 2024. Construction on the new substation however will not start until May 2025, with scheduled completion in December 2025.

The combined parcel is represented by combining the green outlined area and the yellow outlined area above. The combined parcel would be approximately 1.72 acres. The new substation, including why it is needed, is discussed more below.

Plan Consistency Analysis:

APC is requesting that the Property be re-zoned from R-1 Single Family Residential to B-3 Community Business, which would match the current zoning of the three (3) other parcels which will be joined with the Property. Re-zoning of the Property would fit with Future Land Use as illustrated below. The Property's future land use is Traditional

Corridor, the same as the three (3) other parcels APC intends to subdivide into the Property.



Statement Explaining Conditions:

As previously stated, this Property is currently zoned R-1 but is directly abutting B-3. APC desires to extend the zoning of B-3 with this request, which is in line with the future zoning. The re-zoning would have negligible, if any, affect on surrounding landowners as this is just a natural extension of the B-3 zoning designation.

The Property needs to be re-zoned to allow for the APC's planned demolition of the exiting distribution substation and the construction of a new transmission substation to provide for better reliability for the surrounding hospitals in the area. The project will require building a new 115/23kV substation with one transmission source from the Crichton DS tap and another from One Mile DS. This project will provide greater reliability to the USA Children & Women's Hospital, USA Mitchell Cancer Instituted, Mobile Infirmary, and many other businesses that support this health care center. This area is currently served by four distribution substations, however the distribution lines serving this load (feeders) are very long with a large amount of exposure due to wind, lightening, vegetation, and animals. This newly constructed substation will allow for shorter, more confined feeders, thereby increasing reliability to this area.

As the proposed replacement and expansion of the existing electrical sub station would be to enhance electrical service to the near-by hospitals, as well as the public in general, the need for the Rezoning to allow such has been demonstrated. Also, the subdivision of land into a legal lot of

record makes reclassification of the land necessary and desirable, especially in this instance to bring the zoning classification into compliance with the use of the site.

Electric substations are allowed by right in B-3 districts, so the proposed Rezoning would be appropriate for the use. As the proposed substation is to be above ground, the Zoning Ordinance requires that it be enclosed within a solid masonry wall or wood fence at least eight feet high to obstruct view, noise and passage of persons. This would also suffice as a residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential property. Additionally, in order to discourage commercial traffic on a residential street, direct access to Basil Street should be denied.

RECOMMENDATION

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

- 1) dedication to provide 50' from the centerline of St. Stephens Road along the Western portion of the site;
- 2) revision of the plat to indicate a compliant 50' right-of-way for Dunbar Street, or dedication to provide 25' from the centerline of Dunbar Street;
- 3) revision of the plat to indicate a compliant 50' right-of-way for Basil Street, or dedication to provide 25' from the centerline of Basil Street;
- 4) revision of the plat to measure the 25' minimum building setback line along all street frontages from any required frontage dedication;
- 5) revision of the plat to provide a 25' corner radius dedication at the intersection of St. Stephens Road and Dunbar Street;
- 6) revision of the plat to label the lot with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 7) compliance with the 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. Provide reference, on the map and the description, to a monumented corner. C. Remove the County Engineer's signature block from the plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. D. Review and revise NOTES #12 and #15. The City's requirements are contained in Mobile City Code, Chapter 17. E. Add street names (Dunbar St. and Basil St.) to the vicinity map. F. Provide a written description for the subdivision boundary. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Label flood zone X(S). It is incorrectly labeled as X. I. Add a signature block for the 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 28 - #71) LOS 1 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 – 12,000 sf. L. 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. M. 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. N. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. O. 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. P. 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.];

- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: [*St Stephens Road (US Highway 45) is an ALDOT maintained roadway. Lot is limited to no more than two curb cuts with any changes in size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards.*];
- 9) compliance with the 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.*);
- 10) compliance with the 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)*); and
- 11) completion of the Rezoning process prior to signing the Final Plat.

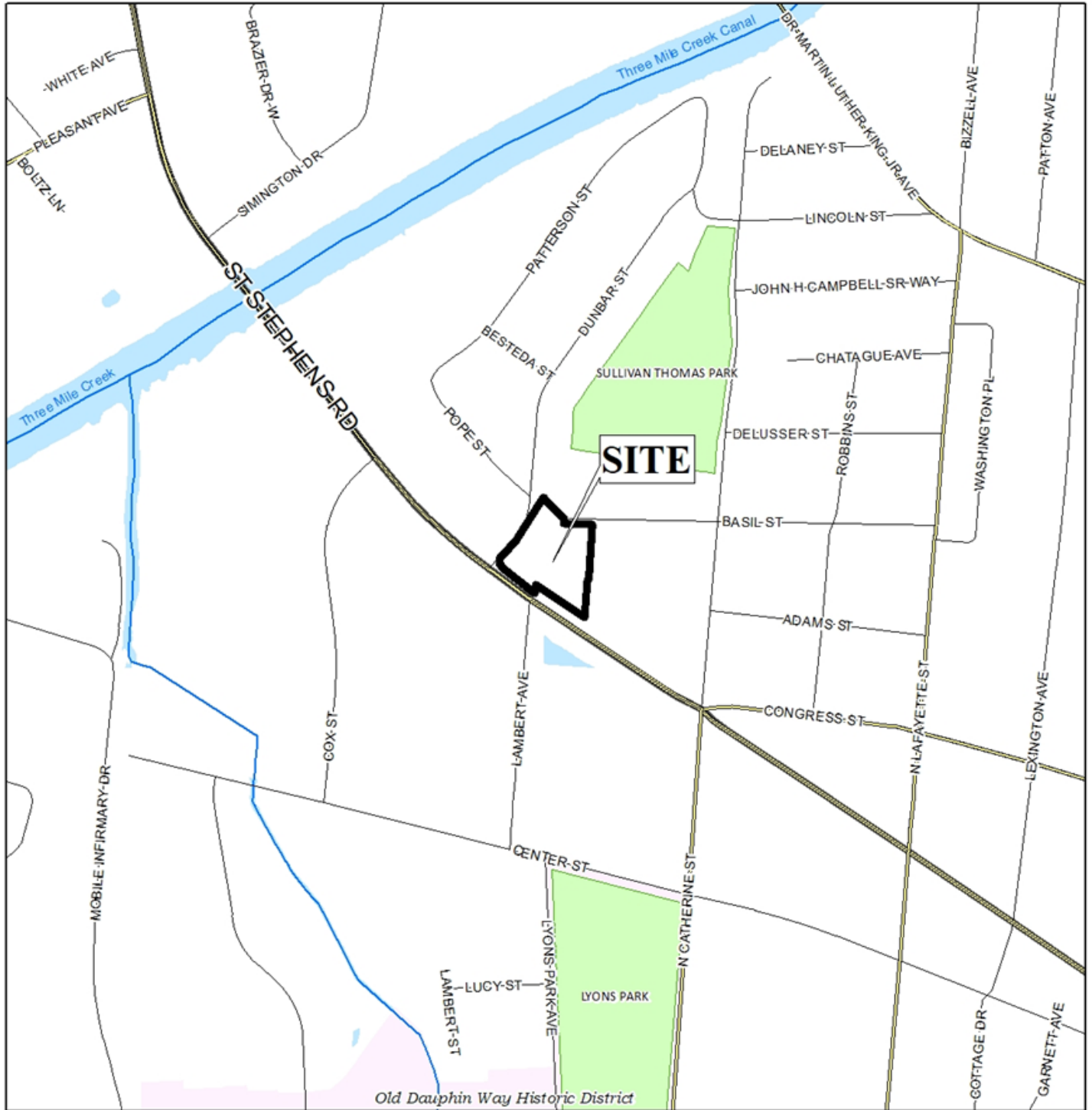
Rezoning: Based upon the preceding, staff finds that the following conditions prevail to support the rezoning request:

- i. There is a need to increase the number of sites available to business or industry;
- ii. Subdivision of land. The subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.

As such, staff recommends Approval of the rezoning request, subject to the following conditions:

- 1) enclosure of the site within a solid masonry wall or wood fence at least eight feet high to obstruct view, noise and passage of persons;
- 2) completion of the Rezoning process prior to signing the Final Plat for the Subdivision;
- 3) denial of direct access to Basil Street; and
- 4) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 4 DATE November 19, 2020

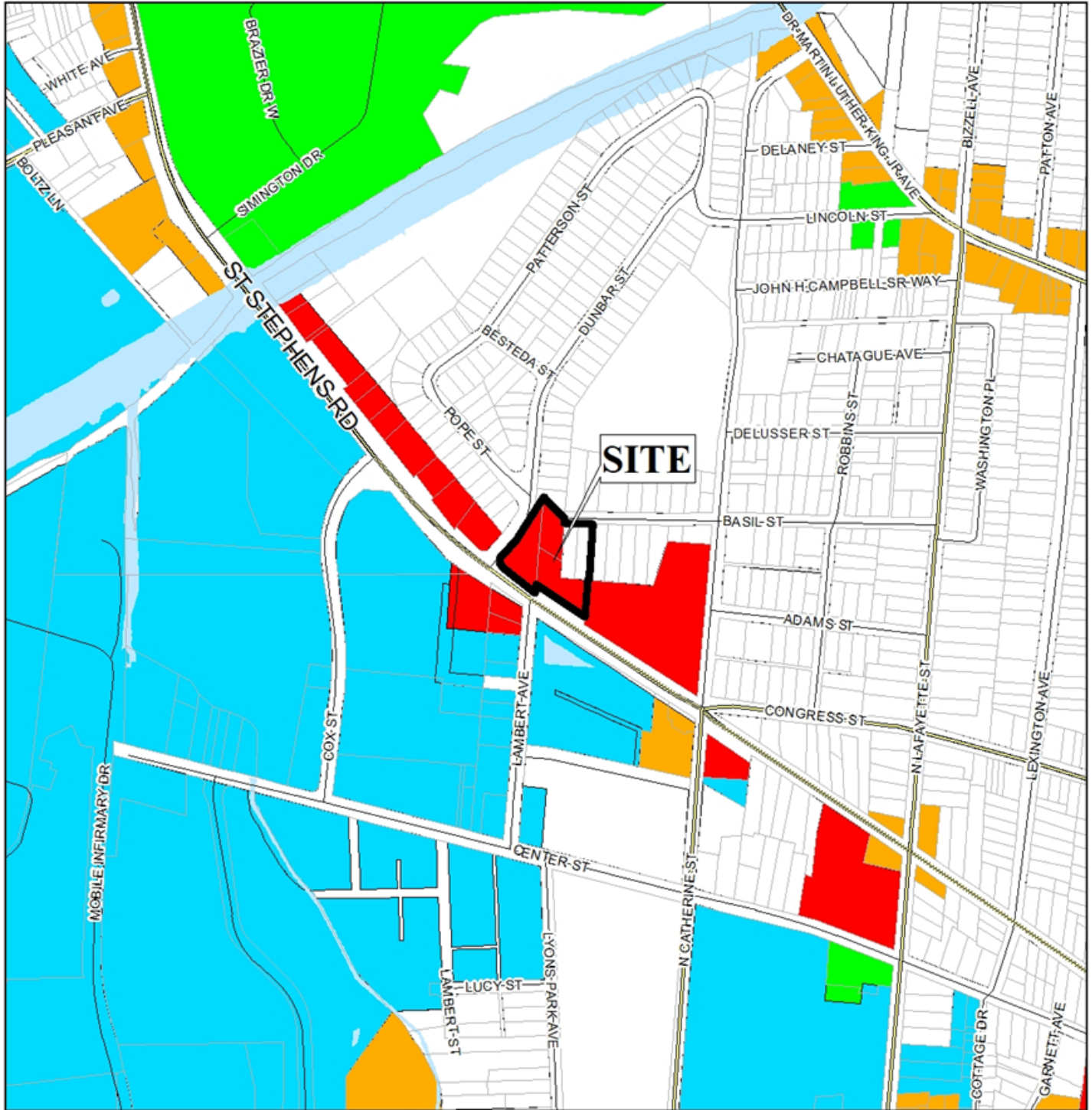
APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE November 19, 2020

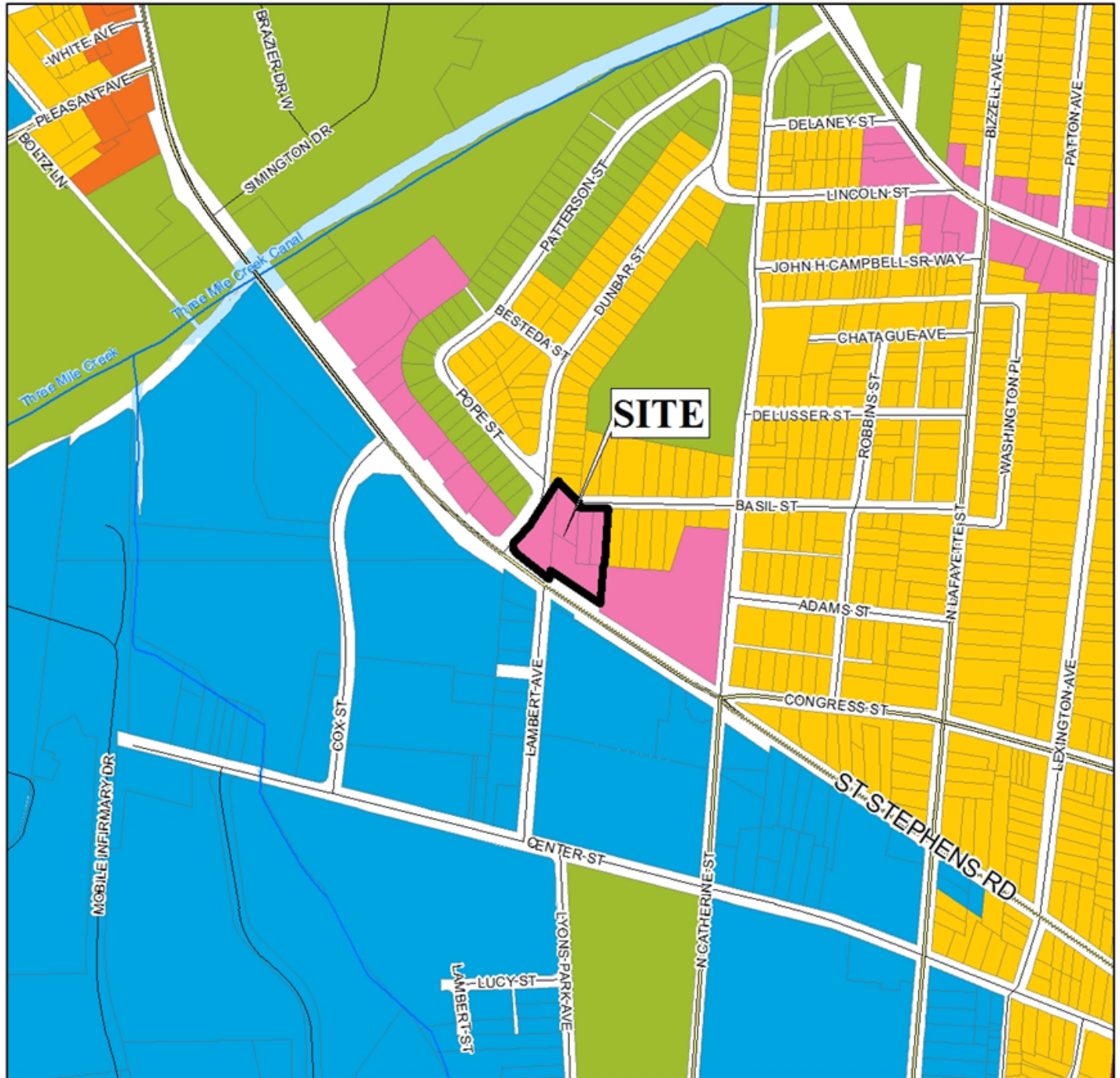
APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 4 DATE November 19, 2020

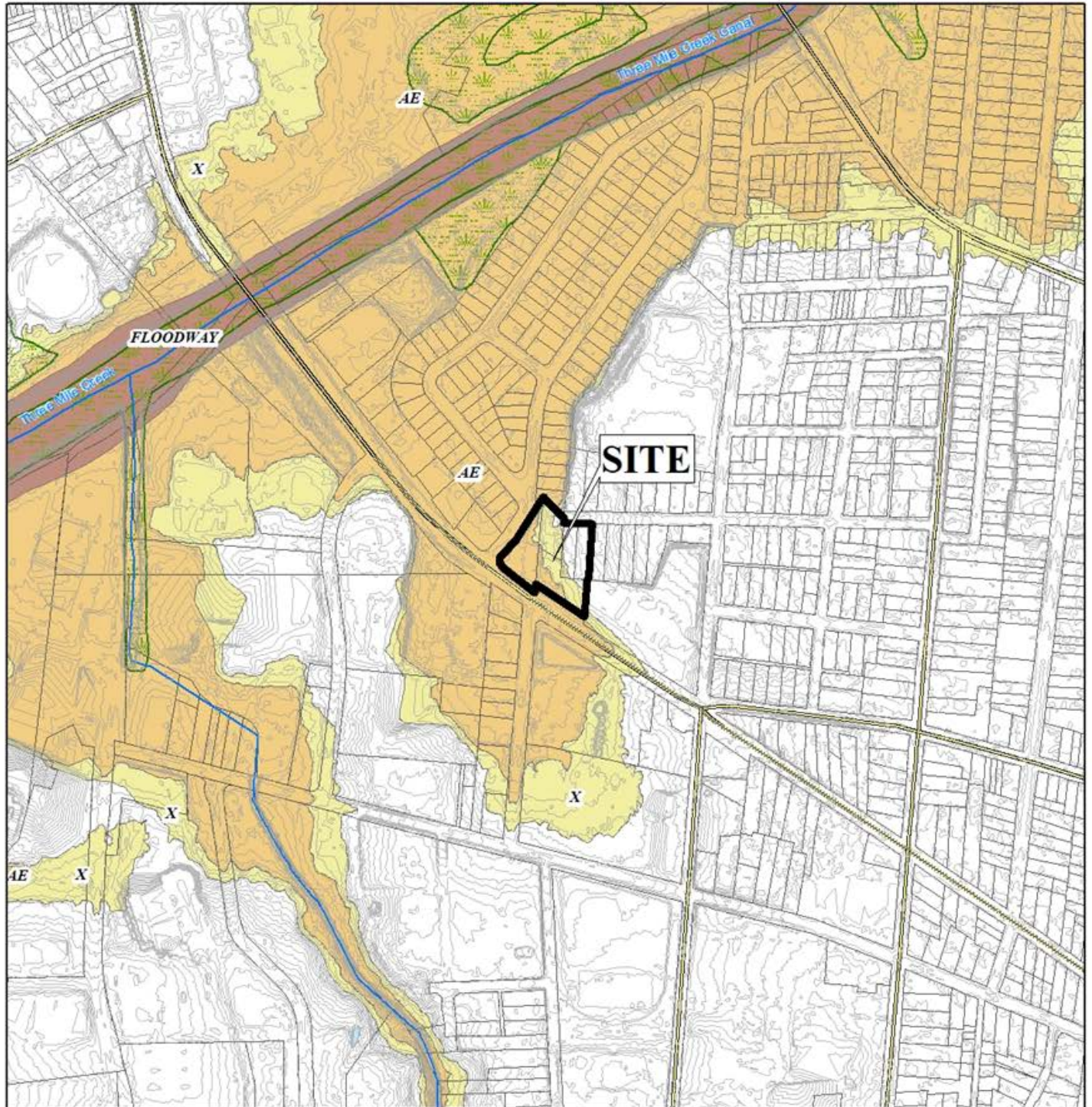
APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3

- | | | | |
|--|---|---|---|
| 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



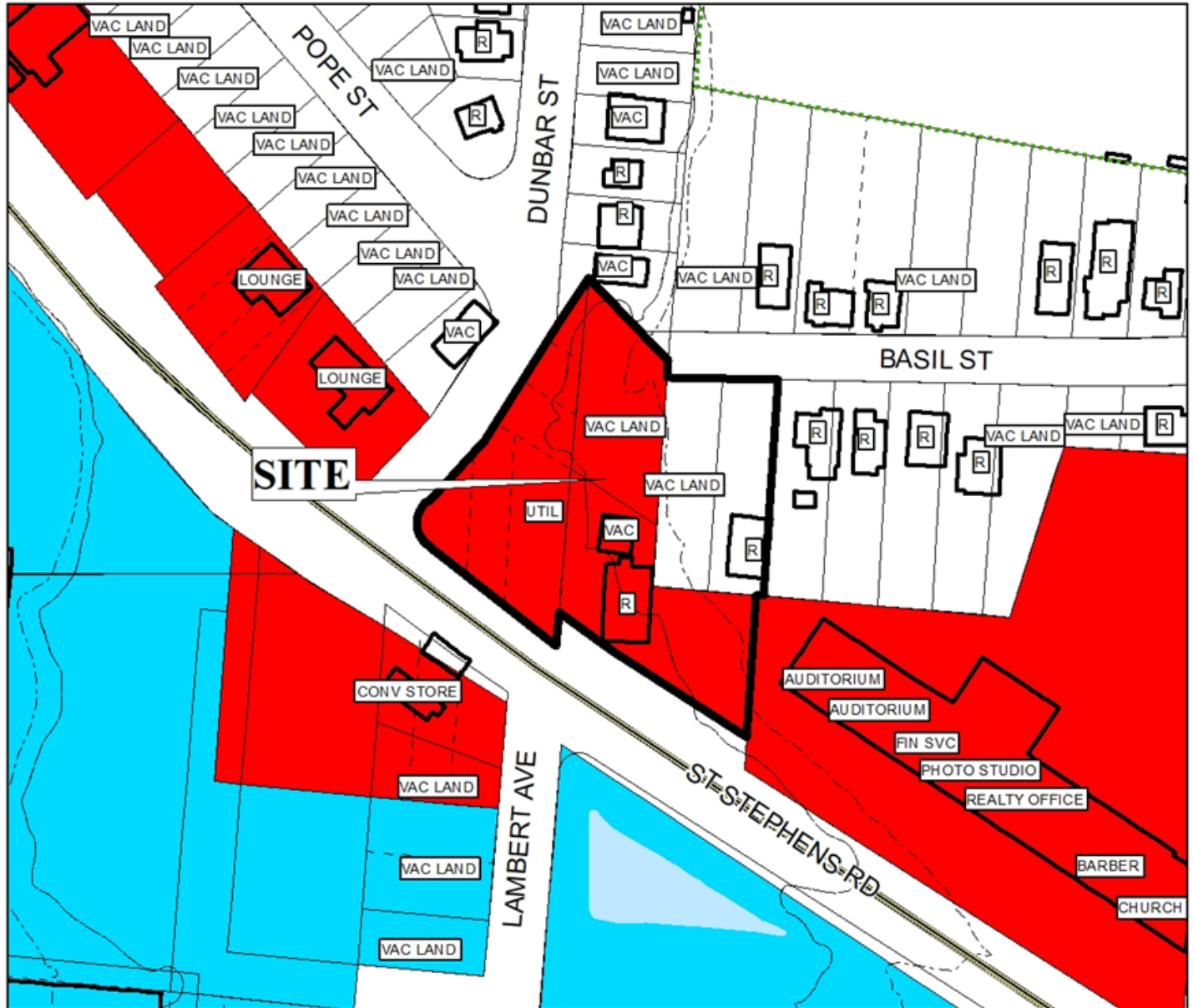
APPLICATION NUMBER 4 DATE November 19, 2020

APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units, and vacant land.

APPLICATION NUMBER 4 DATE November 19, 2020

APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3

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

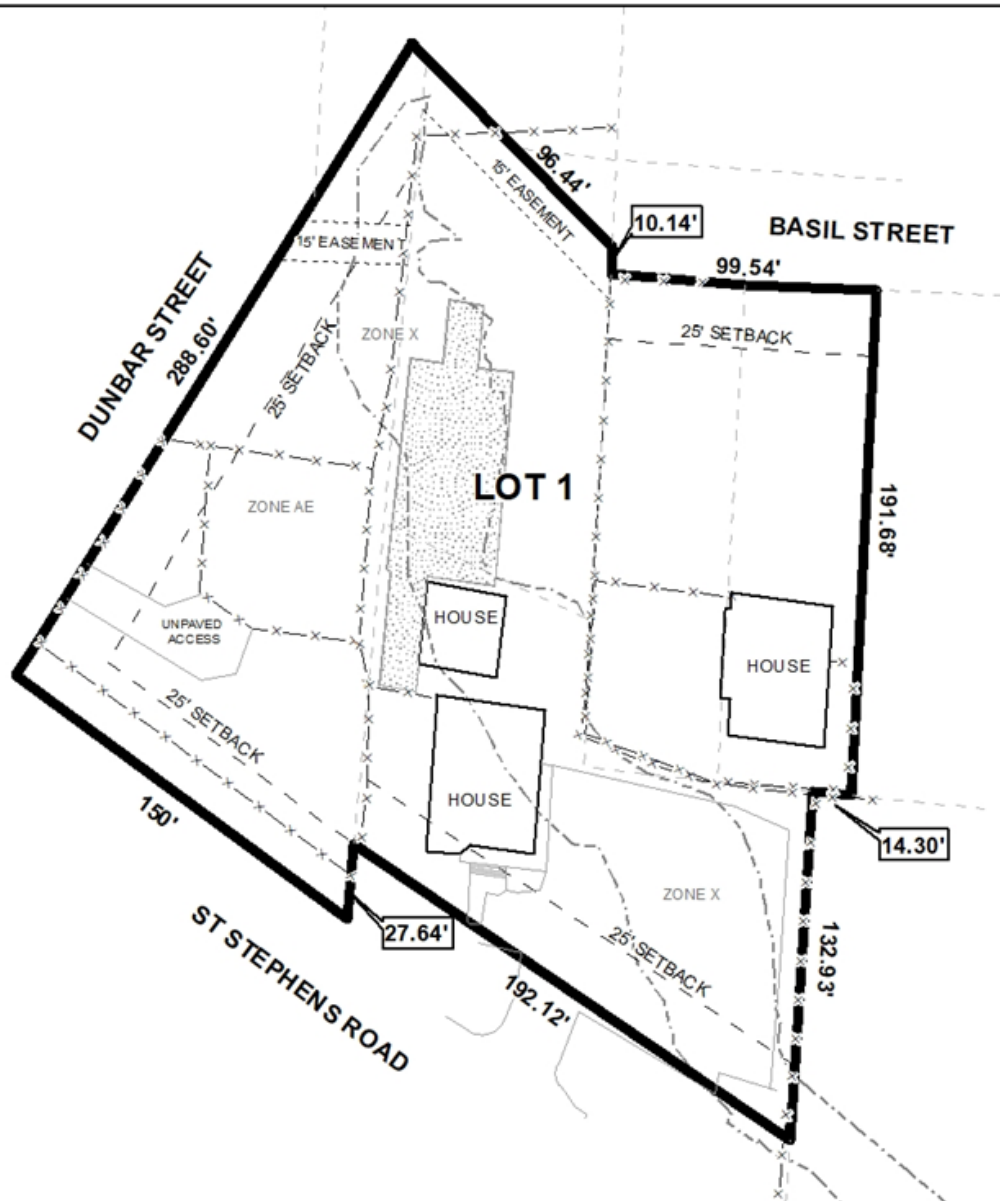


The site is surrounded by commercial and residential units, and vacant land.

APPLICATION NUMBER 4 DATE November 19, 2020
 APPLICANT Hospital D.S. Subdivision
 REQUEST Subdivision, Rezoning from R-1 to B-3



SITE PLAN



The site plan illustrates existing structures, fencing, setbacks and easements.

APPLICATION NUMBER 4 DATE November 19, 2020

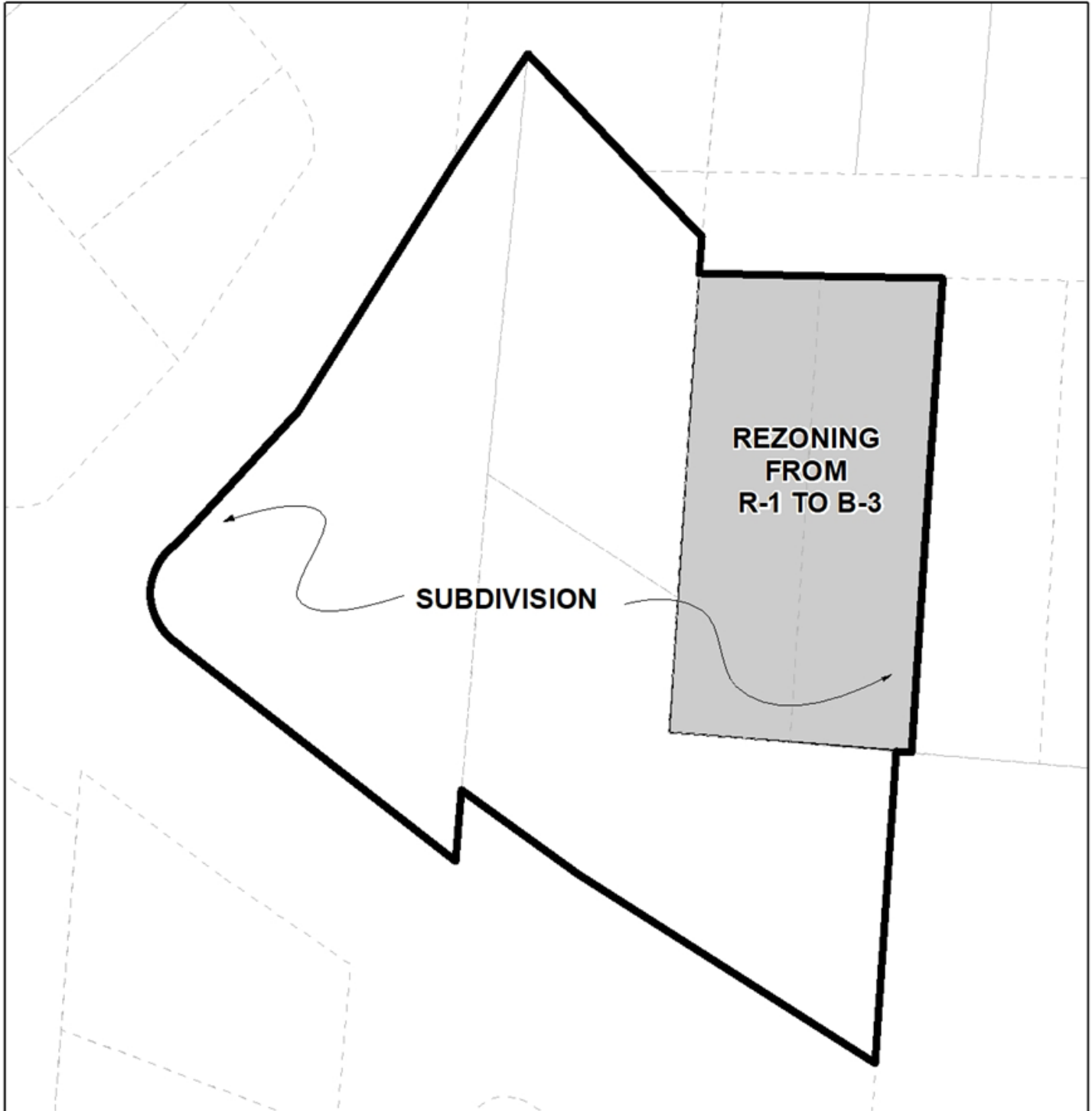
APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



NTS

DETAIL SITE PLAN



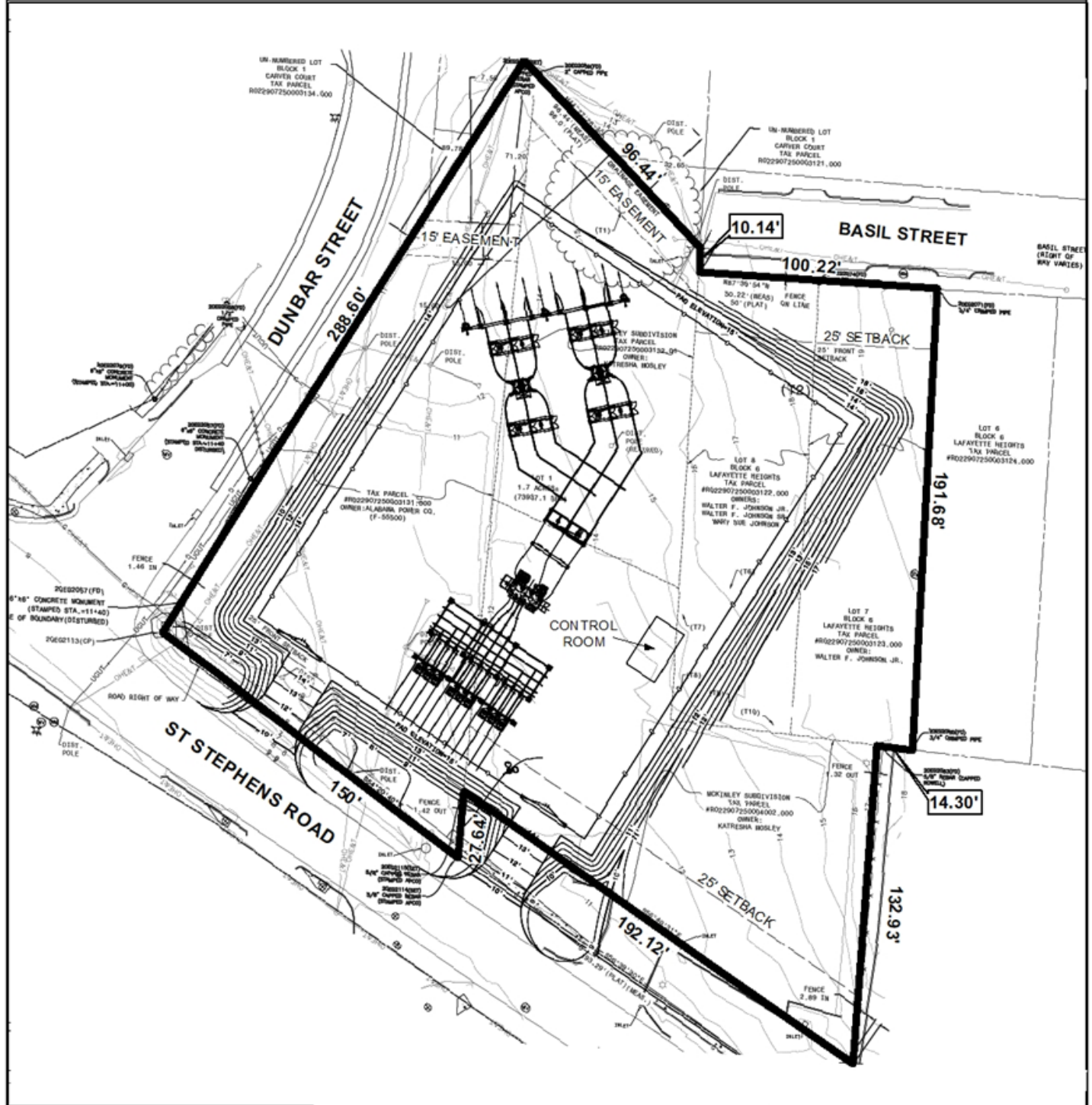
APPLICATION NUMBER 4 DATE November 19, 2020

APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



DETAIL SITE PLAN



APPLICATION NUMBER 4 DATE November 19, 2020

APPLICANT Hospital D.S. Subdivision

REQUEST Subdivision, Rezoning from R-1 to B-3



NTS