

**ZONING AMENDMENT STAFF REPORT****Date: February 6, 2020****NAME**

St. Louis Street Land, LLC

**LOCATION**

256 & 260 St. Louis Street and 257 St. Anthony Street  
(Northeast corner of St. Louis Street and North Jackson Street, extending to the South side of St. Anthony Street, 120'± West of North Jackson Street)

**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

T-4 Sub-district and T-5.1 Sub-district

**PROPOSED ZONING**

T-5.1 Sub-district (for proposed lot 1) and T-4 Sub-district  
(for proposed lot 2)

**REASON FOR  
REZONING**

To eliminate split zoning.

**AREA OF PROPERTY**

2 lots (pending) / 1 ± Acres

**CONTEMPLATED USE**

Amendment to the Downtown Development District Regulating Plan to change the regulating sub-district from T-5.1 and T-4 to T-5.1 (for proposed lot 1) and T-4 (for proposed lot 2).

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

Building renovation in progress, to be completed by Spring 2020.

**ENGINEERING  
COMMENTS**

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.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

No comment.

## **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 amendment of the Downtown Development District Regulating Plan to change the regulating sub-district from T-4 and T-5.1, to T-5.1 (for proposed lot 1) and T-4 (for proposed lot 2). The applicant wishes to amend the Regulating Plan to eliminate a split-zoning condition caused by a proposed change in common lot lines between two properties.

The site has been given a Downtown (DT) 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.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown (DT) is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the city's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 dwelling units per acre); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7-active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

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.

The applicant states the following regarding the rezoning request:

*The reason for the subdivision application is to combine several parcels into Lots 1 & 2 in a new subdivision for the development of a Greer's Fresh Grocery Store.*

*260 St. Louis Street (on which the Greer's Fresh shall be located) and 256 St. Louis Street (on which the Greer's Fresh parking lot shall be located) are zoned T5.1.*

*257 St. Anthony Street (which includes the small parcel purchased by St. Louis Street Land, now known as "260B") and the remaining 257 St. Anthony Street Parcel is located in zone district T4.*

*According to the Comprehensive Plan a parcel (combined 260, 256 & 260B-Lot 1) may not lie within 2 zoning districts.*

*St. Louis Street Land, LLC and Barry A. Friedman wish to have the property designated as 260B rezoned from district T4 to T5.1 in order to be in alignment with the current zoning of 256 and 260 St. Louis Street so there will be no split-zoning conditions for the parcels.*

*The remaining Lot 2 (257 St. Anthony St minus the portion now knowns as 260B) shall remain zoned T4, and is designated as Lot 2.*

The site was most recently before the Planning Commission for a two lot subdivision, which the Commission approved with conditions at its December 5, 2019 meeting. During the review of the Subdivision application, it was determined that the subdivision would result in a split-zoning condition due to the relocation of the common property line. This rezoning application is a result of the following two conditions of the Subdivision approval:

- 1) *Submission of rezoning applications to resolve the split-zoning condition of Lots 1 and 2, prior to the recording of the Final Plat;***
- 2) *Completion of the rezoning process, if approved, prior to the recording of the Final Plat;***

As stated in Section 64-3.I.4. of the Downtown Development District section of the Zoning Ordinance, the Regulating Plan (*the downtown zoning map*) can be amended as follows:

*(d) Regulating plan amendments.*

- (1) Adjustments to the transect sub-district and special district boundaries are limited to the following:
  - I. Increases to the next higher transect sub-district provided the lot is adjacent to a lot of the higher transect sub-district for which the increase is requested. Adjustments to transect sub-districts require approval by the planning commission and city council.
  - II. Reconciliations of transect sub-district require approval by the planning commission and city council.
  - III. Modifications of boundaries resulting in a change from SD-WH to an adjacent mapped transect sub-district require approval by the planning commission and city council.

The subdivision of the property, changing the common lot boundaries and resulting in a split-zoning condition, could be considered as a “reconciliation” as noted in item II. Thus approval of the request may be appropriate.

**RECOMMENDATION**

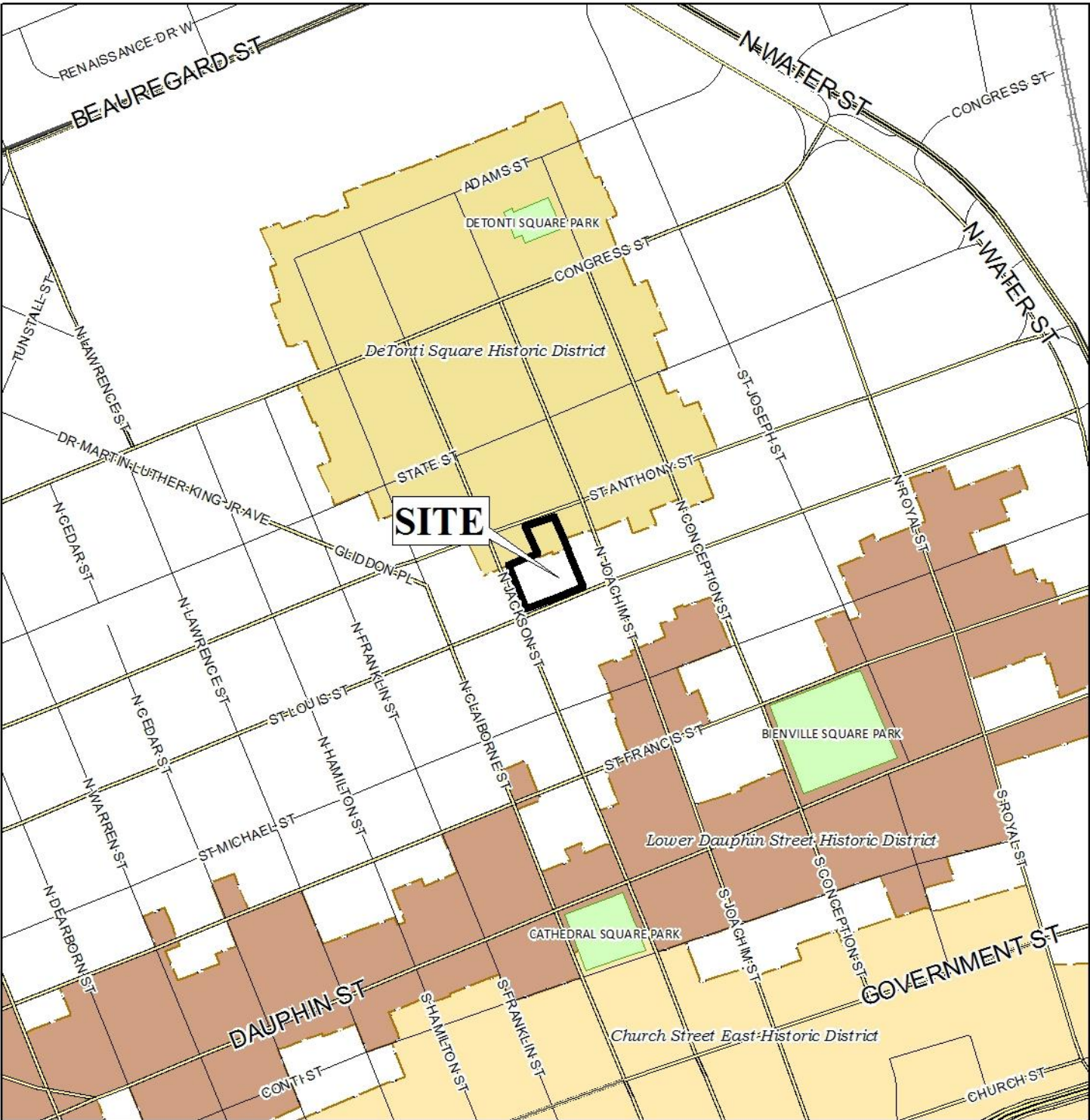
Based upon the preceding, staff finds that the following condition prevails to support Approval of the amendment of the Regulating Plan request:

- I. Reconciliation. A change in zoning sub-district is necessary to eliminate a split-zoning condition created by the subdivision of land.

The Approval should be subject to the following conditions:

1. Completion of the Subdivision process; and
2. Full compliance with all other applicable municipal codes and ordinances.

## LOCATOR MAP



APPLICATION NUMBER 5 DATE Februray 6, 2020

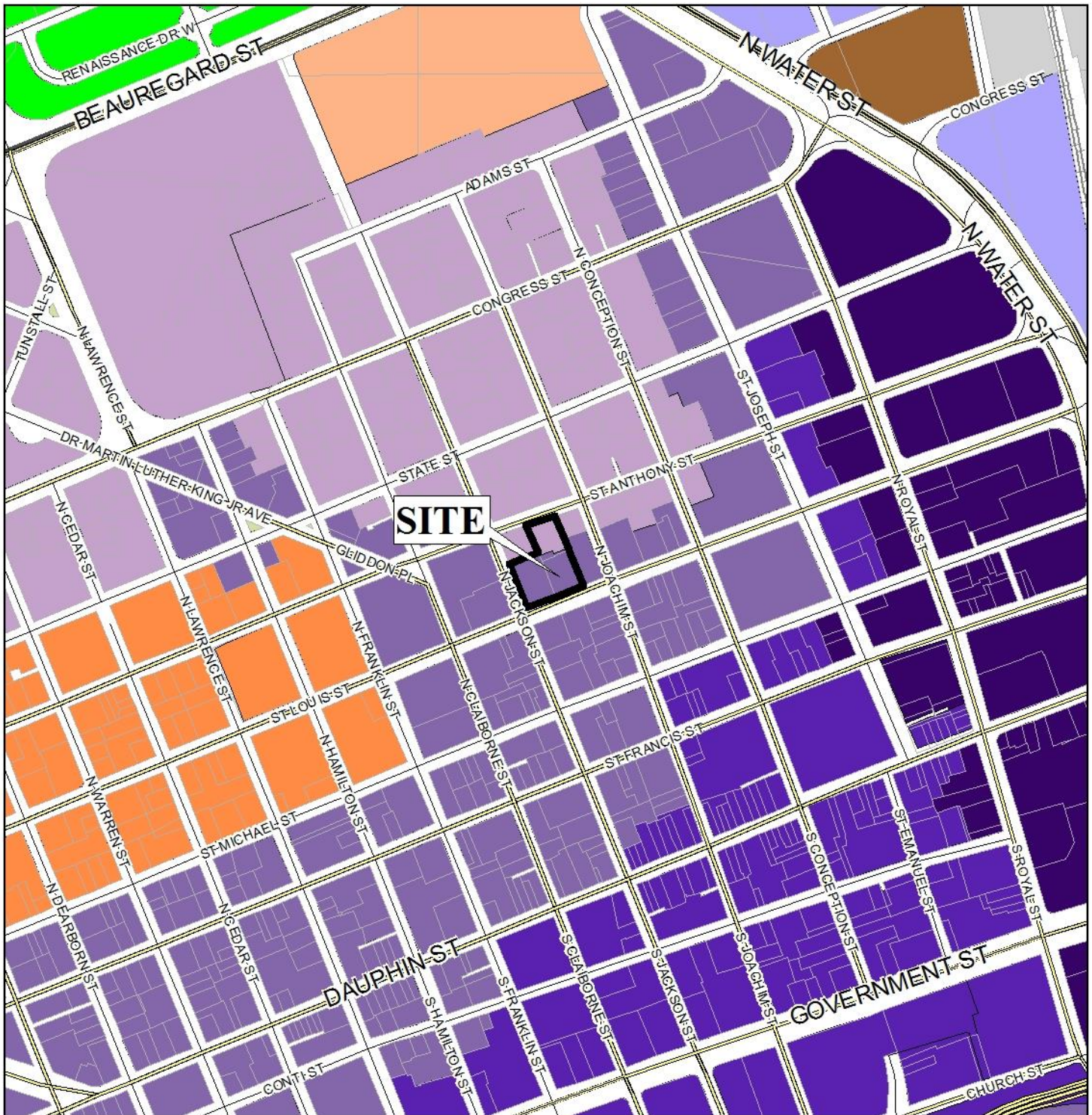
APPLICANT St. Louis Street Land, LLC

REQUEST Rezoning from T5.1 & T4 to T5.1 & T4





# LOCATOR ZONING MAP



APPLICATION NUMBER 5 DATE Februray 6, 2020

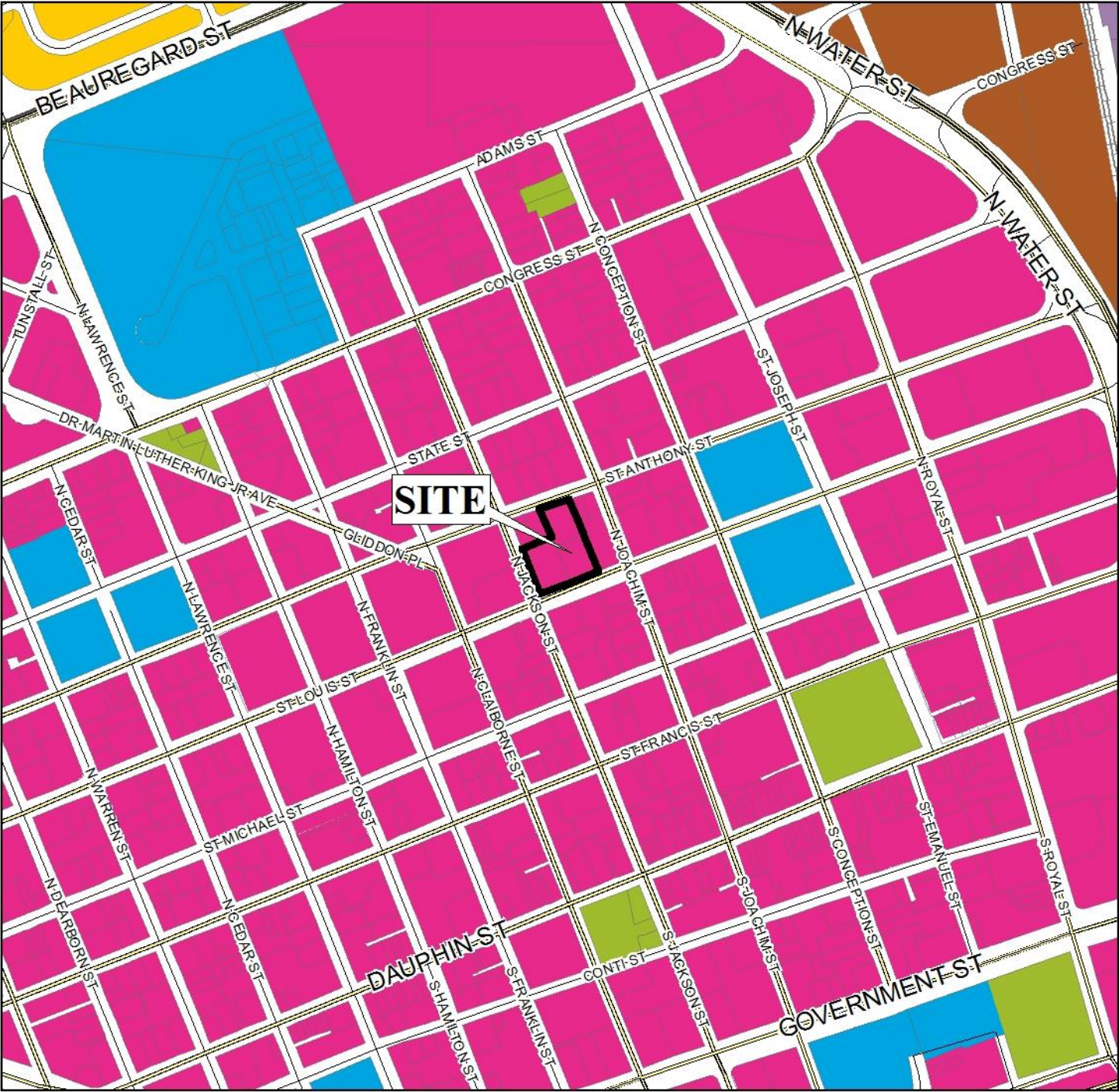
APPLICANT St. Louis Street Land, LLC

REQUEST Rezoning from T5.1 & T4 to T5.1 & T4





## FLUM LOCATOR MAP



APPLICATION NUMBER 5 DATE Februray 6, 2020

APPLICANT St. Louis Street Land, LLC

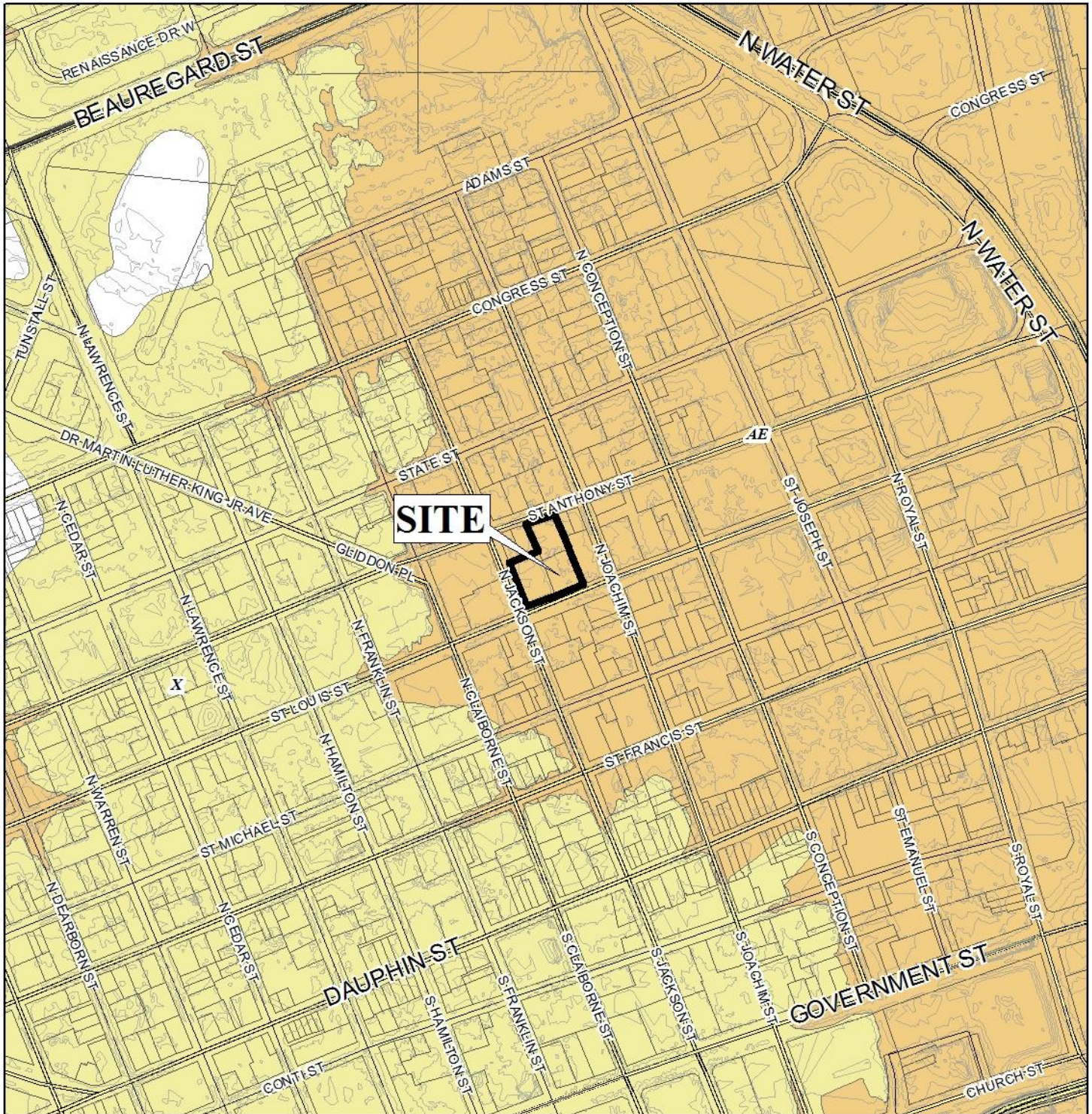
REQUEST Rezoning from T5.1 & T4 to T5.1 & T4

- |                           |                                   |                     |                    |
|---------------------------|-----------------------------------|---------------------|--------------------|
| 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 5 DATE Februray 6, 2020

APPLICANT St. Louis Street Land, LLC

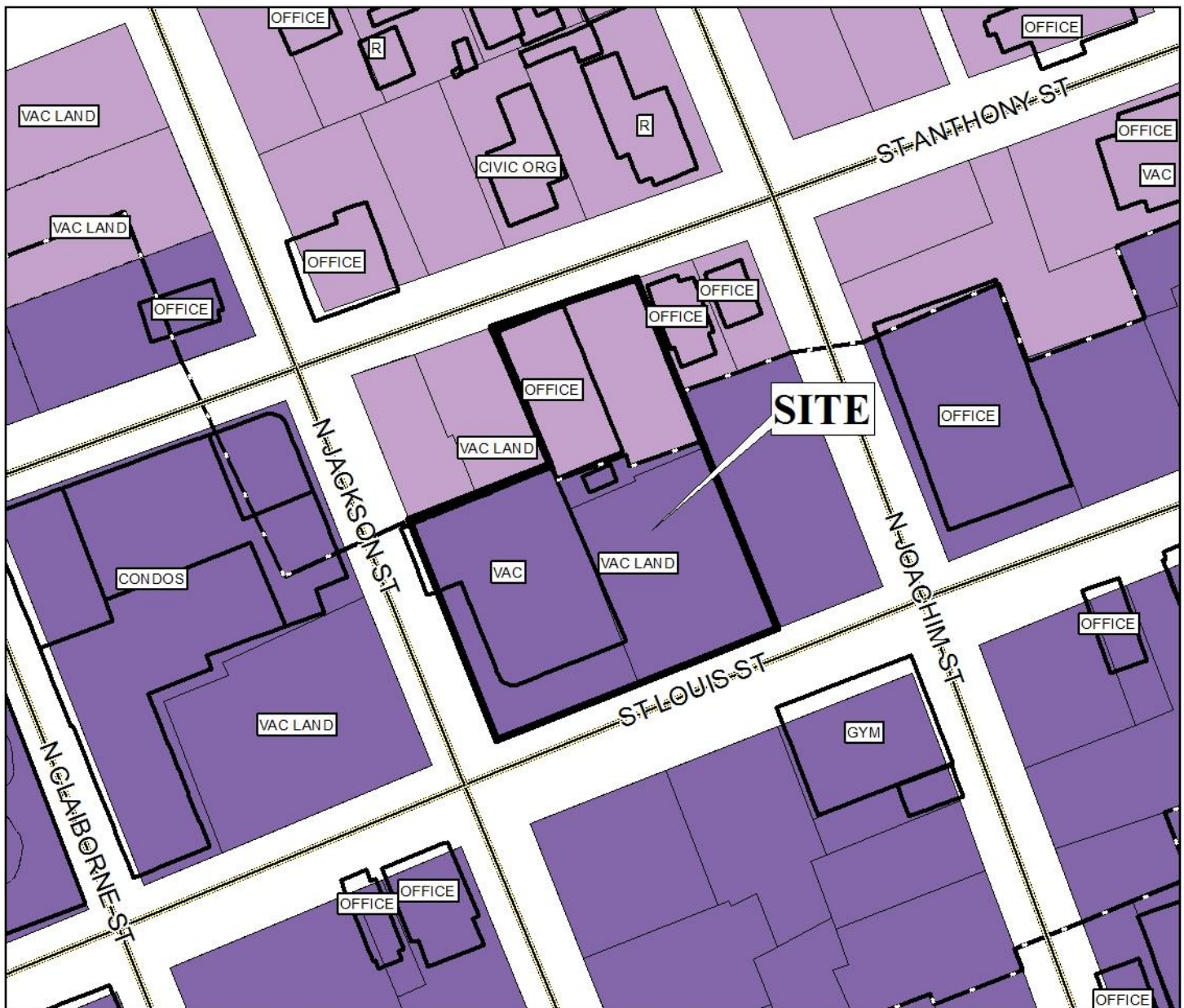
REQUEST Rezoning from T5.1 & T4 to T5.1 & T4



NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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APPLICANT St. Louis Street Land, LLC

REQUEST Rezoning from T5.1 & T4 to T5.1 & T4

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.

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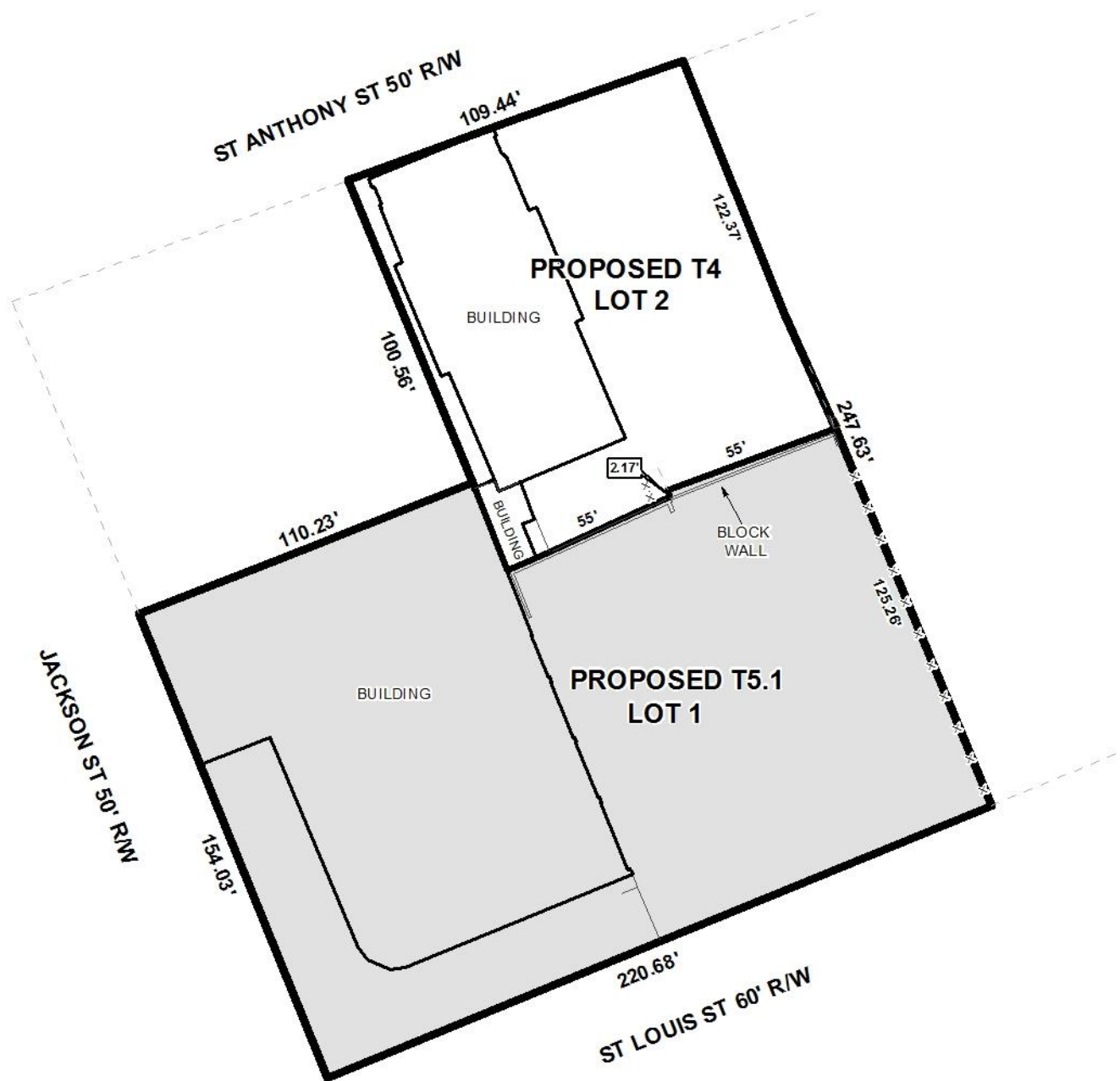
APPLICANT St. Louis Street Land, LLC

REQUEST Rezoning from T5.1 & T4 to T5.1 & T4





# DETAIL SITE PLAN



APPLICATION NUMBER 5 DATE Februray 6, 2020

APPLICANT St. Louis Street Land, LLC

REQUEST Rezoning from T5.1 & T4 to T5.1 & T4

