

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: March 3, 2016****APPLICANT NAME**

DIP I-10, LLC

SUBDIVISION NAMEHakanson Subdivision, Resurvey, Resubdivision of a
Portion of Lots 1 – 5, Block 2**LOCATION**1710 Dauphin Island Parkway
(Southwest corner of Dauphin Island Parkway extending to
the Northeast corner of Faye Street and Nicholson Road).**CITY COUNCIL
DISTRICT**

Council District 3

PRESENT ZONINGR-1, Single-Family Residential District and B-2,
Neighborhood Business District**PROPOSED ZONING**

B-3, Community Business District

AREA OF PROPERTY

1 Lot/0.8± Acres

CONTEMPLATED USE

Subdivision Approval to create a single legal lot of record from four legal lots of record and a single metes and bounds parcel; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District, to B-3, Community Business District, to allow a car dealership.

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: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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 Northeast and Southwest corners of LOT 1.

- C. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.
- D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- E. The area along the west property line is receiving drainage from a public street and will require a drainage easement; the width and alignment of the easement shall be coordinated with, and approved by, the City Engineer.
- F. 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.
- G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #80) the Lot(s) will receive the following historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- H. 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.
- I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- J. It is recommended that the applicant provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures.
- K. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

TRAFFIC ENGINEERING

COMMENTS

Dauphin Island Parkway (AL State Highway 163) is an ALDOT maintained roadway. Site is limited to no more than one curb cut per street frontage, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. If the driveway is within "Interstate Highway 10 Right-of-Way" as indicated on the plan, access may be denied to Dauphin Island Parkway. 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.

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 61-929 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)

MAWSS**COMMENTS**

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

TIME SCHEDULE**FOR DEVELOPMENT**

Immediate

REMARKS

The applicant is requesting Subdivision Approval to create a single legal lot of record from four legal lots of record and a single metes and bounds parcel; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District, to B-3, Community Business District, to allow a car dealership.

The site received a use, front yard setback, and side yard setback variance in 1963 to allow monument sales and display with a building setback 10'± from Nicholson Road. The applicant wishes to use the existing vacant structure on the site as the sales office for a proposed used car lot.

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 applicant proposes to create a single legal lot of record from four legal lots of record and a single metes and bounds parcel. The lot size is provided in square feet and acres, and exceed the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations.

The site has frontages along Dauphin Island Parkway, Faye Street, Nicholson Road, and Douglas Lane. Dauphin Island Parkway, a proposed major street on the Major Street Plan, and an ALDOT maintained roadway should have a 100' right-of-way, and is indicated as having a right-of-way that varies, therefore dedication may be necessary to provide 50' from the centerline. Faye Street, is a minor street without curb and gutter, therefore it should have an associated right-of-way of 60'. The preliminary plat illustrates Faye Street as having an existing right-of-way of 40', making dedications necessary to provide 30' from the centerline. Nicholson Road, is a minor street without curb and gutter, therefore it should have an associated right-of-way of 60'. The preliminary plat illustrates Nicholson Road as having an existing right-of-way of 25', making dedications necessary to provide 30' from the centerline. However, it should be noted that if dedication were made along Nicholson Road, the existing structure would encroach into the right-of-way. Therefore, in lieu of dedication, the Final Plat should indicate an increased minimum building setback of 42.5' along Nicholson Road. Douglas Lane, is a minor street with curb and gutter adjacent to the site, therefore it should have an associated right-of-way of 50'. The preliminary plat does not indicate the existing right-of-way width for Douglas Lane, therefore dedication may be necessary to provide 25' from the centerline.

The preliminary plat does not illustrate the 25' minimum building setback. If approved, minimum building setback should be illustrated along all frontages on the Final Plat.

As a means of access management, the site should be limited to no more than one curb cut per street frontage, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards

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 applicant states existing B-3, Community Business District sites located to the North and East of the subject site demonstrates a need/desirability to have the subject site match the surrounding B-3 zoning.

The entire site appears to be depicted as commercial on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component 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 zoning classification.

It should also be noted that the site is part of a designated "Suburban Corridor" according to the recently adopted Map for Mobile. The intent of the "Suburban Corridor" is to have design-driven infill development that helps create a pedestrian-friendly urban environment that complements the traditional character, increased streetscaping and improvements to the pedestrian space, protections for historic properties, implement "road diets", and encourage re-connectivity.

The site is bounded to the North (across Douglas Lane) and East (across Dauphin Island Parkway) by B-3, Community Business District; to the West (across Nicholson Road) by B-2, Neighborhood Business District; and to the South (across Faye Street) by an R-1, Single-Family Residential District, that contains commercial development.

The B-2 portion of the site was rezoned from R-1 in 1971, while the adjacent B-3 sites were rezoned in 1970 and 1971. Mobile County Revenue Department records show that the existing building was constructed in 1980.

The site plan provided illustrates the existing 700± square foot building, as well as an asphalt parking lot with 10 parking spaces, with portions of the site indicated as "auto inventory lot". It should be noted that the site plan indicates two curb cuts to Nicholson Drive. Because the site

will be limited to one curb cut per street frontage, one of these should be removed and replaced with landscaping.

The site plan does not provide any tree planting or landscape area information. While the applicant is not increasing or decreasing the size of the structure on the site, the rezoning aspect should require full compliance with tree planting and landscaped area regulations.

The proposed site plan does not indicate a dumpster on the site. If approved, the site plan should be revised to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized.

The site plan shows that existing green space will be eliminated to allow for auto inventory. Also, an existing freestanding sign appears to be proposed for removal. While there is substantial landscaping along the Dauphin Island Parkway portion of the site, all of the trees are located in the right-of-way, thus removal or trimming might require Mobile Tree Commission approval.

It should be noted that there is an active community organization for the Peninsula of Mobile that is working with a consultant to develop a plan for this part of town. It is expected that the plan will be completed by the end of March. It may be beneficial to allow the community organization time to complete their plan so that staff may review the application and its compliance with the vision of the residents in the area and the Map for Mobile.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Holdover to the April 21, 2016 meeting with revisions due by March 21, 2016, to address the following:

- 1) illustrate dedication to provide 50' from the centerline of Dauphin Island Parkway, if necessary;
- 2) illustrate dedication to provide 30' from the centerline of Fay Street;
- 3) illustrate dedication to provide 25' from the centerline of Douglas Lane, if necessary;
- 4) illustration of a 42.5' minimum building setback line along Nicholson Road;
- 5) illustration of the 25' minimum building setback line along all other frontages;
- 6) retention of the lot sizes in square feet and acres;
- 7) placement of a note on the site plan stating that the site is limited to no more than one curb cut per street frontage, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards;
- 8) full compliance with the Traffic Engineering comments (*Dauphin Island Parkway (AL State Highway 163) is an ALDOT maintained roadway. Site is limited to no more than one curb cut per street frontage, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. If the driveway is within "Interstate Highway 10 Right-of-Way" as indicated on the plan, access may be denied to Dauphin Island Parkway. 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.);

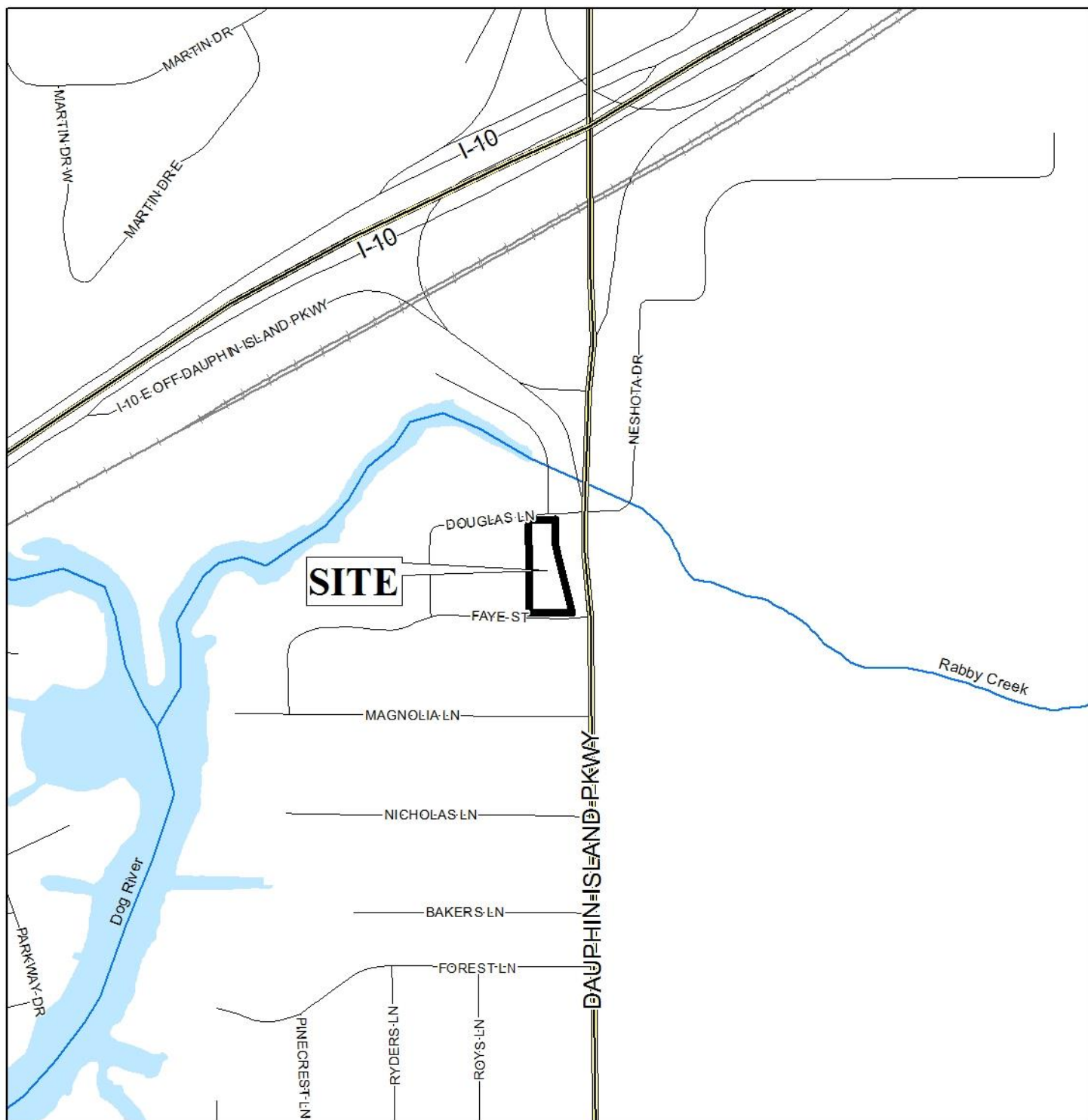
- 9) full compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, 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 Northeast and Southwest corners of LOT 1. C. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. The area along the west property line is receiving drainage from a public street and will require a drainage easement; the width and alignment of the easement shall be coordinated with, and approved by, the City Engineer. F. 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. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #80) the Lot(s) will receive the following historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. H. 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. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. J. It is recommended that the applicant provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures. K. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 10) compliance with 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) 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 61-929 and City Code Chapters 57 and 64).).*

Rezoning: Based upon the preceding, the application is recommended for Holdover to the April 21, 2016 meeting with revisions due by March 21, 2016, to address the following:

- 1) illustrate dedication to provide 50' from the centerline of Dauphin Island Parkway, if necessary;
- 2) illustrate dedication to provide 30' from the centerline of Fay Street;

- 3) illustrate dedication to provide 25' from the centerline of Douglas Lane, if necessary;
- 4) illustration of a 42.5' minimum building setback line along Nicholson Road;
- 5) illustration of the 25' minimum building setback line along all other frontages;
- 6) illustration of full compliance with tree planting and landscape area requirements; and
- 7) depict the removal of one curb cut to Nicholson Road, and replacement with landscaped area.

LOCATOR MAP



APPLICATION NUMBER 5 DATE March 3, 2016

APPLICANT Hakanson Subdivision, Resurvey, Resubdivision of a portion of Lots 1-5 Block 2

REQUEST Rezoning from B-2 and R-1 to B-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the west and south and by commercial units to the north and east.

APPLICATION NUMBER 5 DATE March 3, 2016

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REQUEST Rezoning from B-2 and 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 ZONING



The site is surrounded by residential units to the west and south and by commercial units to the north and east.

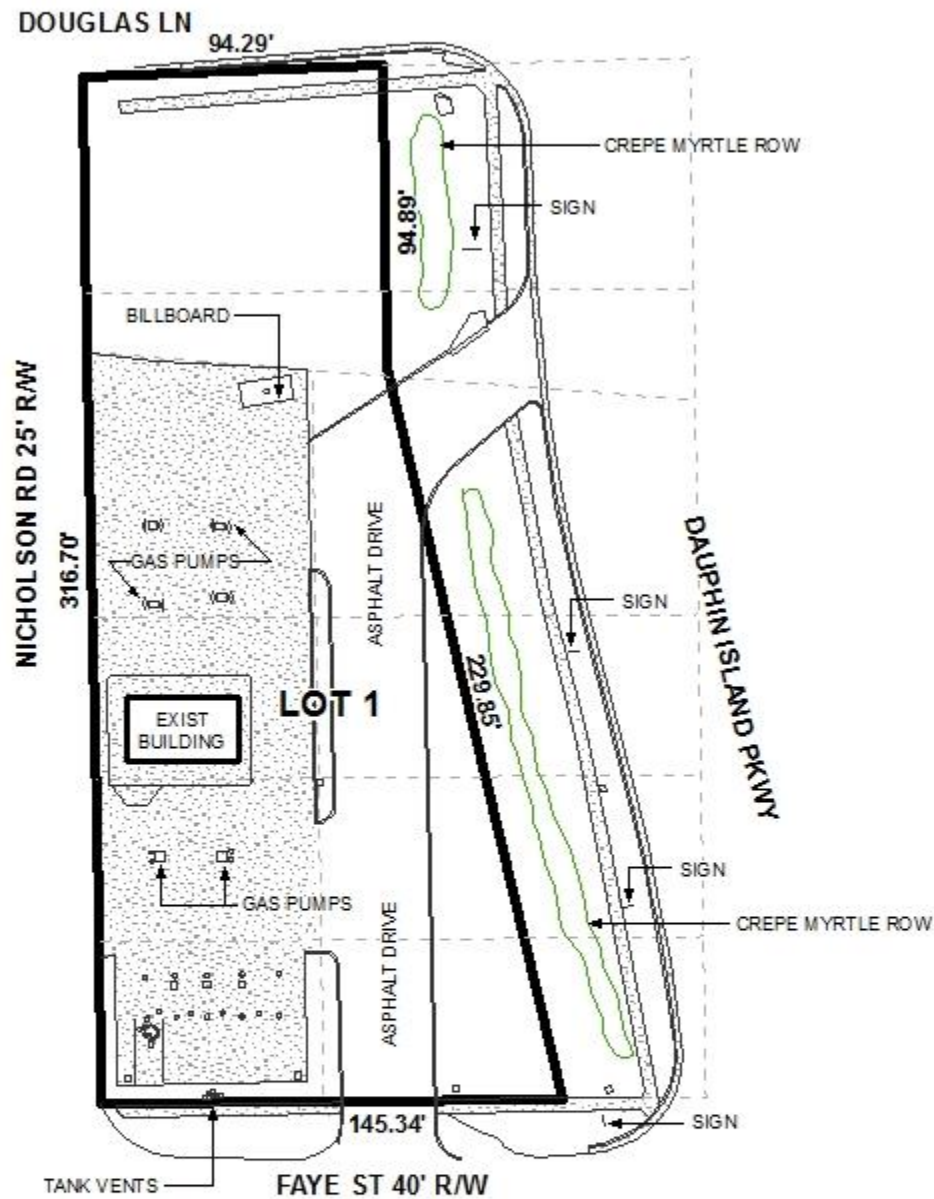
APPLICATION NUMBER 5 DATE March 3, 2016

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REQUEST Rezoning from B-2 and R-1 to B-3



SITE PLAN

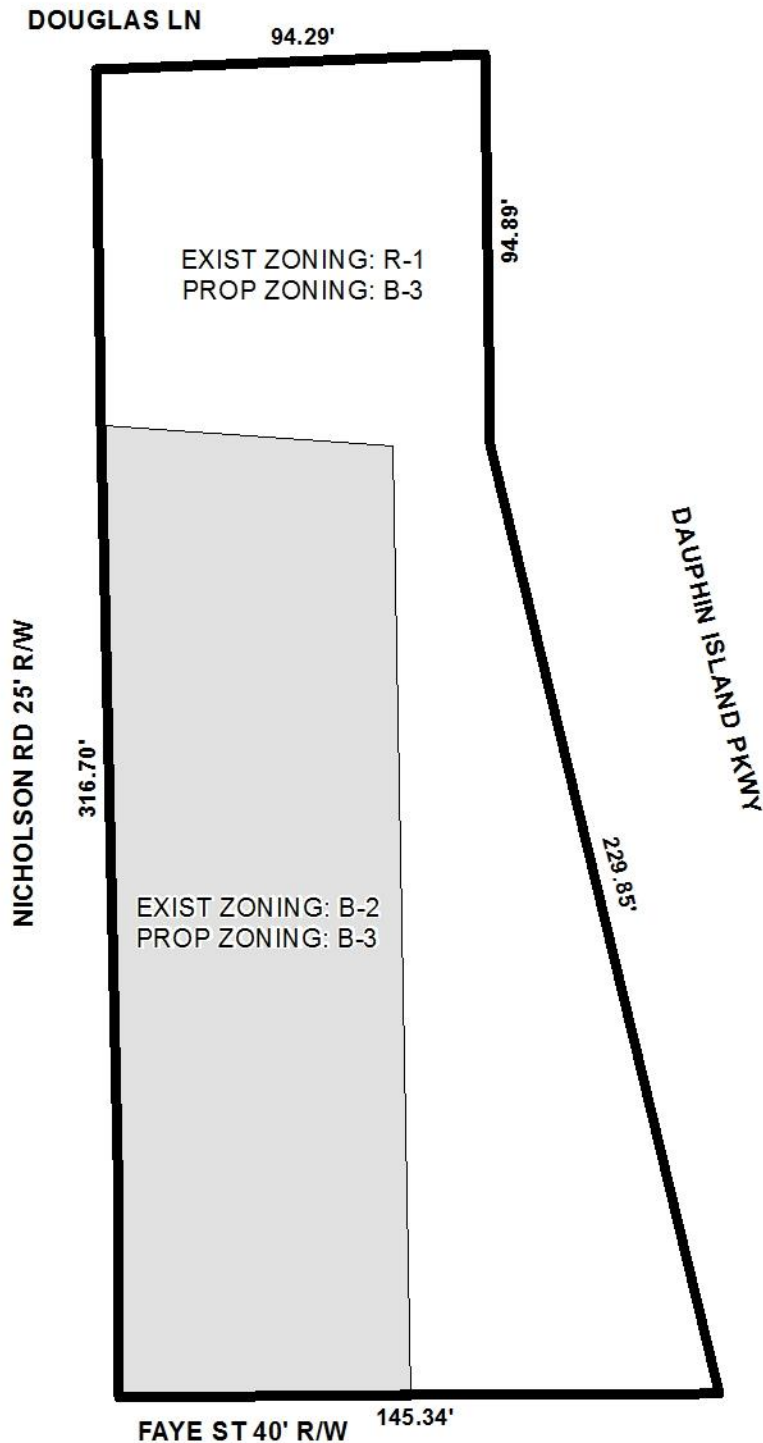


The site plan illustrates the existing building, concrete and asphalt drives, gas pumps, and gas tank vents.

APPLICATION NUMBER 5 DATE March 3, 2016
 APPLICANT Hakanson Subdivision, Resurvey, Resubdivision of a portion of Lots 1-5 Block 2
 REQUEST Rezoning from B-2 and R-1 to B-3



DETAIL SITE PLAN



APPLICATION NUMBER 5 DATE March 3, 2016
APPLICANT Hakanson Subdivision, Resurvey, Resubdivision of a portion of Lots 1-5 Block 2
REQUEST Rezoning from B-2 and R-1 to B-3

