

**SUBDIVISION &
PLANNED UNIT DEVELOPMENT
STAFF REPORT**

Date: September 15, 2022

<u>DEVELOPMENT NAME</u>	Duplantis Design Group, PC
<u>SUBDIVISION NAME</u>	Brewer Center Subdivision, Resubdivision of Lot 3A
<u>LOCATION</u>	975 Schillinger Road South (Northeast corner of Schillinger Road South and Hitt Road).
<u>CITY COUNCIL DISTRICT</u>	District 6
<u>AREA OF PROPERTY</u>	3 Lots / 8.5± Acres (Subdivision) 8 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

**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. Coordinates are not an acceptable reference.
- C. Provide a new designation for each of the three (3) proposed LOTS (i.e. 1, 2, & 3 or A, B, and C).
- D. Provide a written description for the proposed subdivision boundary. The description provided included LOT 3B and 3C however these two (2) existing lots are not a part of this proposed subdivision of LOT 3A.
- E. Provide reference to the recorded plat for LOT 3 (Instrument # 2021077859).

- F. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- G. Label the adjoining property ownership.
- H. Revise NOTES #4 to delete “PROPOSED”.
- I. Revise NOTES #5 to include the division of the allowed 20,040 sf to the three (3) proposed LOTS. Do not include a reference to the existing lots - Lot 3B or Lot 3C.
- J. 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.

Planned Unit Development:

Retain ENGINEERING NOTES #1 - #6, as shown on the PUD dated 8/9/2022.

**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 among 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. 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. 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 has had several Subdivision and Planned Unit Development (PUD) applications before the Planning Commission, with the most recent being a Subdivision application, heard at the June 16, 2022 meeting which allowed several easements to be adjusted for the site. That approved plat has not been brought to Staff for signatures or recorded in Probate Court. As it included property included in the current application, the previous plat should be recorded in Probate Court, with five (5) required hard copies submitted to Planning & Zoning prior to the signing of the new Final Plat, if approved. The applicant now wishes to create a total of three (3) lots (3A, 3D, & 3E) from one (1) existing lot (Lot 3A) in the development. Lot 3D is proposed to be developed with a car wash, and Lot 3C (an existing lot of record) is to be developed with a new convenience store with fuel pumps.

Because the entirety of the Subdivision approved at the Planning Commission's June 16, 2022 meeting were not included in the current Subdivision application, the previously approved plat must be recorded prior to the recording of the current plat, if approved.

The site has been given a 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.

In regards to the Subdivision request, the applicant states:

Our client is requesting subdivision of lot 3 to create two additional lots. A resubdivision of lot 3 was approved by the Planning Commission on June 16, 2022 with conditions. Soon after that approval, prior to addressing the comments and having the plat signed and recorded, the development plan was altered. Therefore, a new lot configuration is proposed and this request for subdivision creates new lots and proposes to revise the locations and sizes of easements on the property to support the current development plan.

The proposed lot sizes are labeled in acres, and exceed the minimum size requirements of the Subdivision Regulations. If approved, lot sizes should be provided in square feet and acres 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. However, the existing right-of-way widths should be depicted on the Final Plat, if approved.

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

The preliminary plat does not indicate the 25' minimum building setback line for either street. If approved, the setback should be illustrated 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.

As depicted on the preliminary plat, the proposed lots are called, "Lot 3D", "Lot 3E", and "Remainder Lot 3A". If approved, these should be relabeled as "Lot 3A", "Lot 3D", and "Lot 3E".

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.

In regards to the PUD, the applicant states:

In addition to the resubdivision, Amendment #6 to the PUD is presented for approval. The amendment reflects the proposed uses of the property, updated easements and lot lines per the subdivision request described above, and additions of features such as a screen wall and common driveways as agreed to by all owners in the PUD. All revisions since the prior approval of the PUD are clouded on the PUD drawing. Because this request is for the amendment of a previously approved PUD, we trust that the typical matters to be considered by the planning commission in establishment of a PUD have been adequately considered and decided upon in previous proceedings. In fact, the previously approved PUD states that each lot may modify the use to any use allowed by right or by permit as noted in the zoning code and general notes 8 and 9 require only an administrative approval for certain changes to the PUD. Therefore, the developer is requesting Planning Commission approval for the PUD only insofar as it is required by current ordinance. Specifically, it is our understanding that the approval of this amendment by the Planning Commission may only be triggered by the alteration of the interior lot lines and creation of additional lots.

The site plan submitted for the PUD depicts proposed Lot 3E and Remainder Lot 3A as remaining undeveloped at this time, with a proposed car wash shown on proposed Lot 3D, and a proposed convenience store with fuel pumps on the existing Lot 3C.

The proposed car wash on Lot 3D includes a car wash tunnel, vacuum canopy, and payment kiosks. If approved, the site plan should be revised to provide the total square footage of the car wash tunnel as well as the number of vacuum bays under the canopy. Furthermore, either a dumpster

with compliant enclosure and sanitary sewer connections should be depicted, or a note placed on the site plan stating that curbside pickup will be utilized.

The proposed convenience store on Lot 3C is 6,000 square feet, which requires a total of 20 parking spaces. As 36 parking spaces are proposed to be provided, a photometric site plan should be submitted at the time of permitting. A dumpster is depicted on the site plan, but does not include information about the dumpster enclosure or sanitary sewer connection. If approved, a note should be added to the site plan stating that a compliant enclosure and sanitary sewer connection will be provided.

As no unique sign package is included in the PUD request, both lots proposed to be developed will be required to comply with standard Zoning Ordinance allowances for single business sites. Furthermore, no tree planting or landscape area information was provided for the two (2) lots proposed to be developed. If approved, these lots will require to comply with the Zoning Ordinance requirements, including required landscape area and tree plantings. Tree plantings should be coordinated with staff to insure proper spacing for any trees planted to thrive.

RECOMMENDATION

Subdivision: The application is recommended for Tentative Approval, subject to the following conditions:

- 1) Signing, recording, and submitting the required five (5) copies of the previously approved plat for Brewer Center Subdivision, Resubdivision of Lot 3 (SUB-002064-2022) prior to the signing of the Final Plat;
- 2) Renaming the proposed lots as “Lot 3A”, “Lot 3D”, and “Lot 3E”;
- 3) Provision of the lot sizes in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
- 4) Revision of the plat to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations;
- 5) Placement of a note stating that no structures are allowed in any easements without the easement holder’s permission;
- 6) Compliance with 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. Coordinates are not an acceptable reference. C. Provide a new designation for each of the three (3) proposed LOTS (i.e. 1, 2, & 3 or A, B, and C). D. Provide a written description for the proposed subdivision boundary. The description provided included LOT 3B and 3C however these two (2) existing lots are not a part of this proposed subdivision of LOT 3A. E. Provide reference to the recorded plat for LOT 3 (Instrument # 2021077859). F. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. G. Label the adjoining property ownership. H.*)

Revise NOTES #4 to delete "PROPOSED". I. Revise NOTES #5 to include the division of the allowed 20,040 sf to the three (3) proposed LOTS. Do not include a reference to the existing lots - Lot 3B or Lot 3C. J. 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.);

- 7) Placement of a note on the revised plat stating 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 among 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. 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. 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.);
- 8) 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 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.);
- 9) 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). 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.);
- 10) Completion of the Subdivision process prior to issuance of land disturbance or building permits;
- 11) Full compliance with all other municipal codes and ordinances.

Planned Unit Development: Staff recommends the following Findings of Fact for Approval:

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it will allow infill development in an existing commercial development;
- b. the proposal promotes the objective of Flexibility (*to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations*), because the PUD allows for reduced curb cuts to abutting public streets;
- c. the proposal promotes the objective of Efficient land use (*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 redevelopment*), because the proposed developments will be part of an existing commercial development;

- d. the proposal promotes the objective of Environment (*to preserve and protect as urban amenities the natural features and characteristics of the land*), because the new developments will comply with tree planting and landscape area requirements;
- e. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because services already exist in the area.

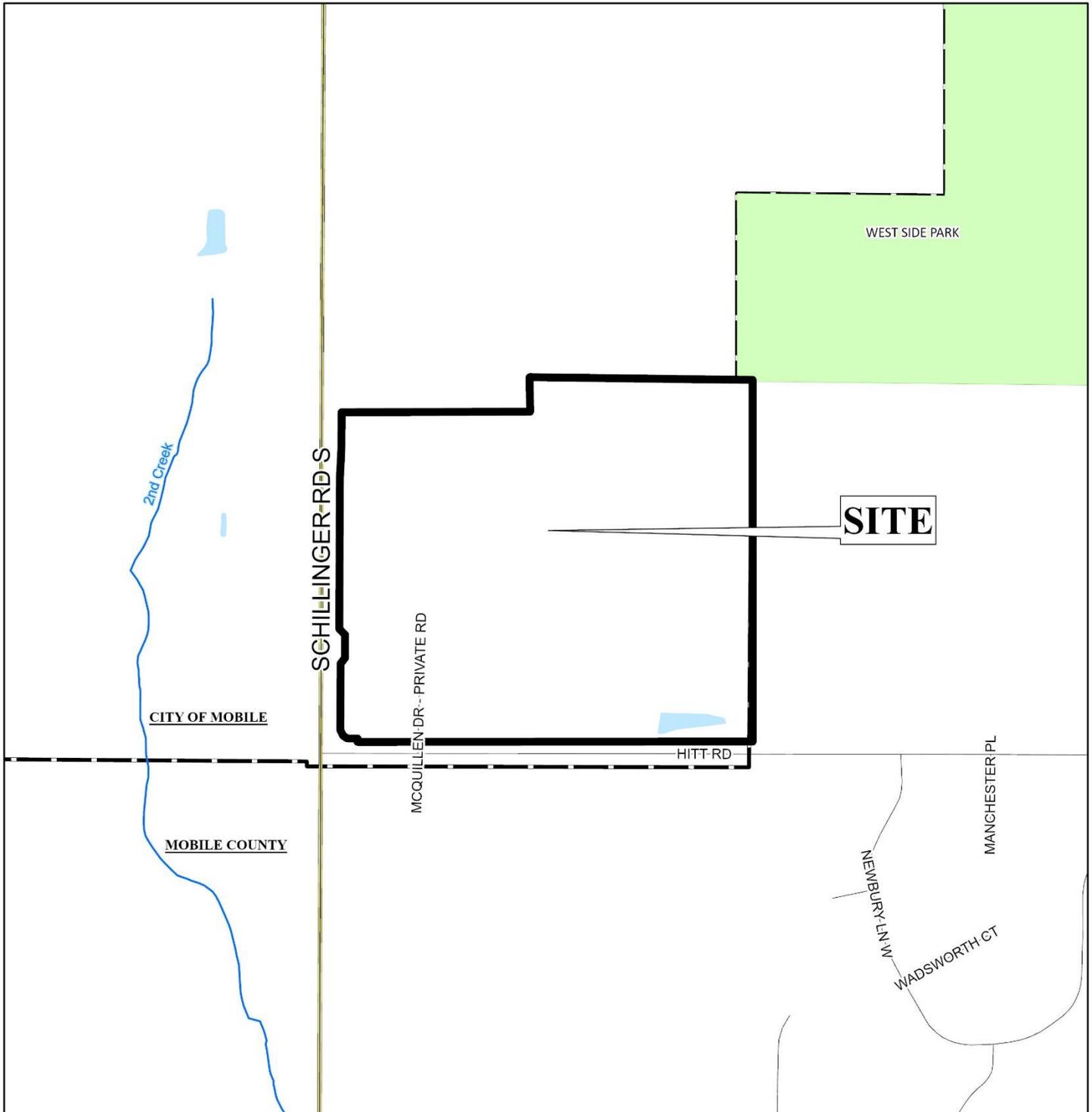
The approval should be subject to the following conditions:

- 1) Provision of the lot sizes in square feet and acres on the site plan, or provision of a table with the same information;
- 2) Renaming the proposed lots as “Lot 3A”, “Lot 3D”, and “Lot 3E”;
- 3) Revision of the plat to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations;
- 4) Placement of a note stating that no structures are allowed in any easements without the easement holder’s permission;
- 5) either depiction of a dumpster with compliant enclosure and sanitary sewer connections, or a note placed on the site plan stating that curbside pickup will be utilized for Lots 3D and 3C;
- 6) Each lot to fully comply with tree planting and landscape area requirements, with tree plantings to be coordinated with staff;
- 7) Lots 3D and 3C to be developed with signage standards for lots with a single business;
- 8) Compliance with Engineering comments: (*Retain ENGINEERING NOTES #1 - #6, as shown on the PUD dated 8/9/2022.*);
- 9) Placement of a note on the revised site plan stating 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 among 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. 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. 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.*);
- 10) 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 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.*);
- 11) 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). 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.); and

12) Full compliance with all other municipal codes and ordinances.

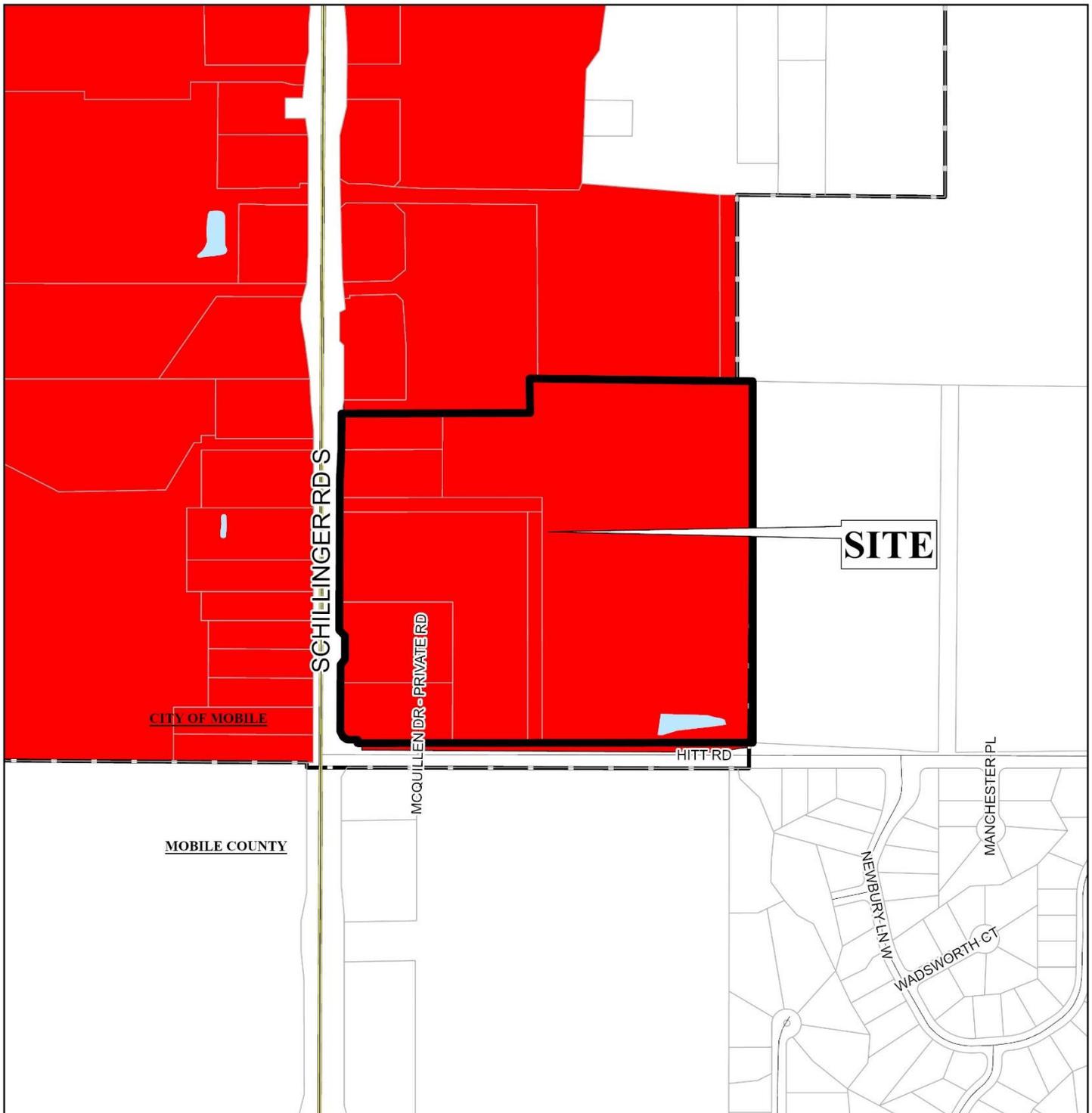
LOCATOR MAP



APPLICATION NUMBER 6 DATE September 15, 2022
APPLICANT Brewer Center Subdivision, Resubdivision Of Lot 3A
REQUEST Subdivision, PUD



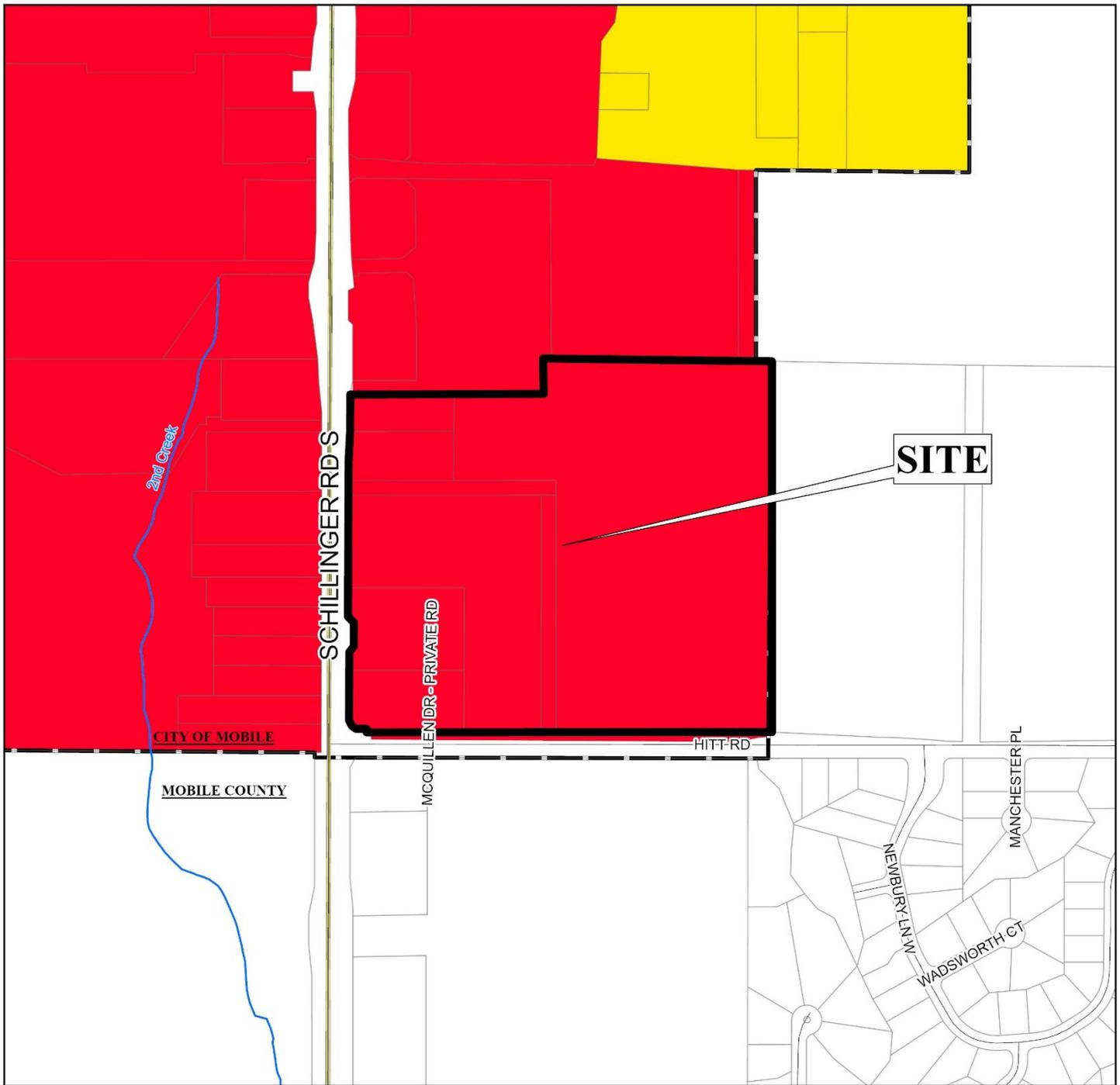
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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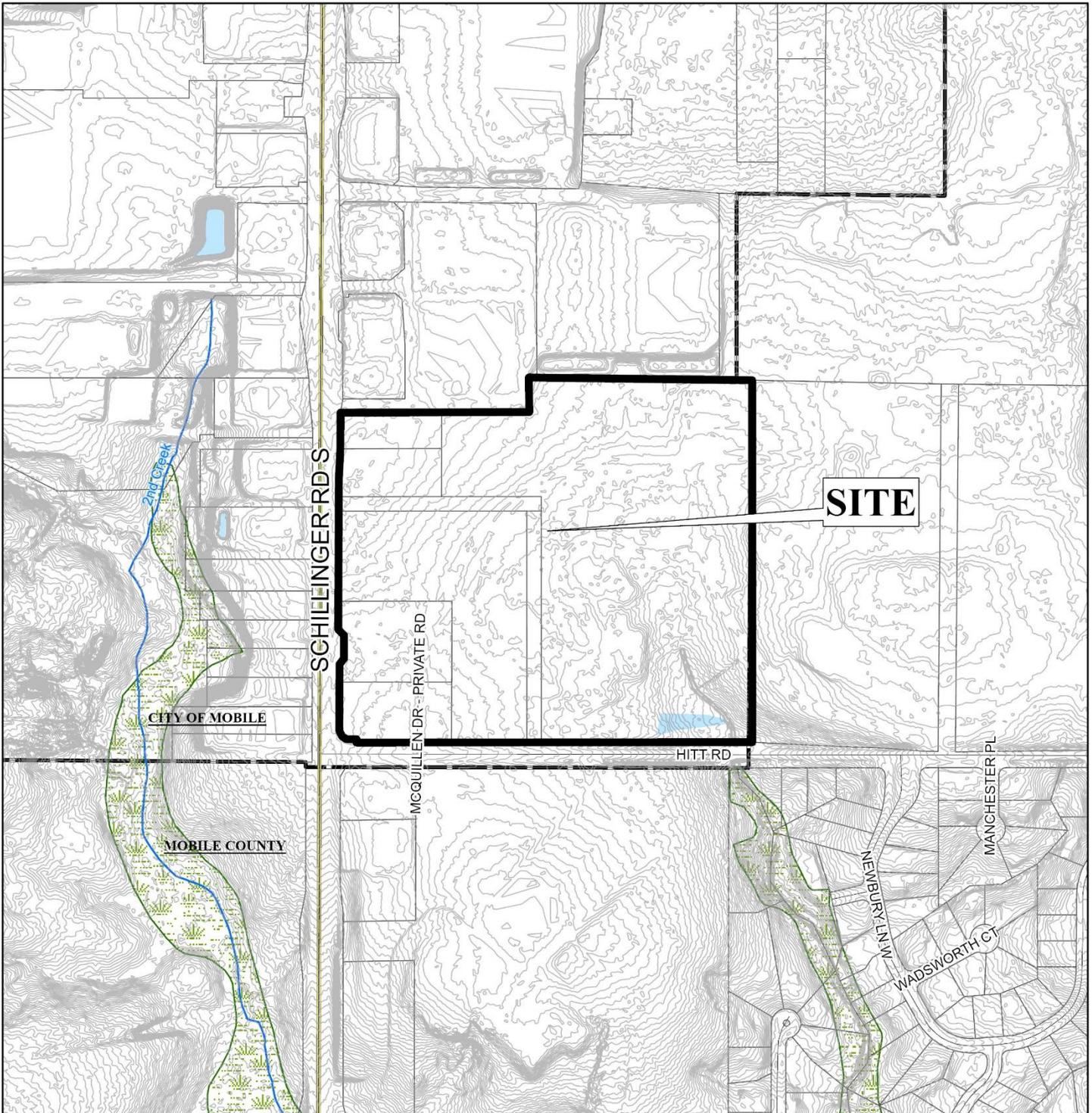
APPLICANT Brewer Center Subdivision, Resubdivision Of Lot 3A

REQUEST Subdivison, PUD

Layer2	 Downtown	 Traditional Corridor	 Heavy Industry
 Low Density Residential	 District Center	 Mixed Commercial Corridor	 Institutional
 Mixed Density Residential	 Neighborhood Center - Traditional	 Downtown Waterfront	 Parks & Open Space
	 Neighborhood Center - Suburban	 Light Industry	 Water Dependent



ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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APPLICANT Brewer Center Subdivision, Resubdivision Of Lot 3A

REQUEST Subdivison, 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

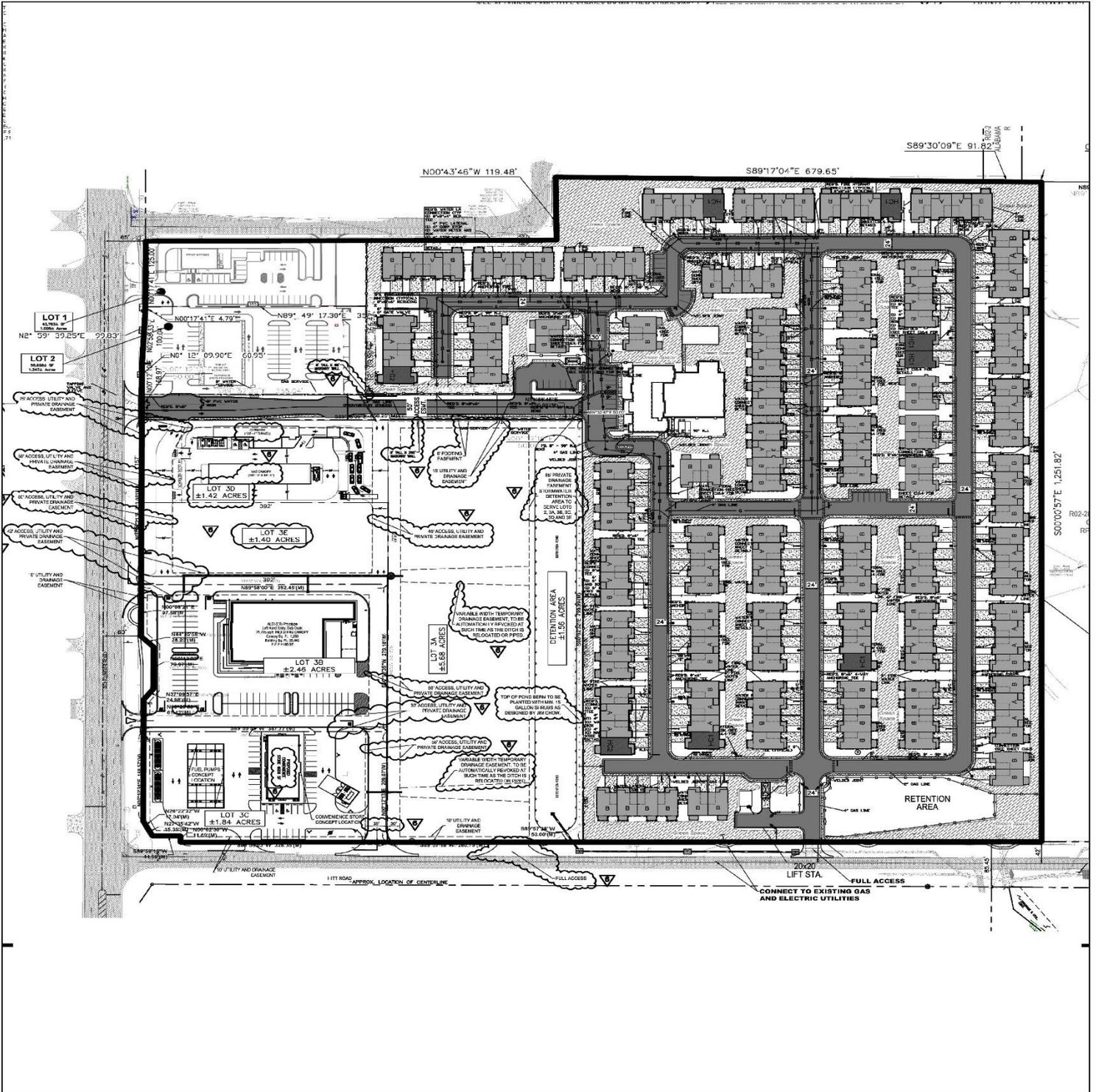


The site is surrounded by commercial units.

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SITE PLAN



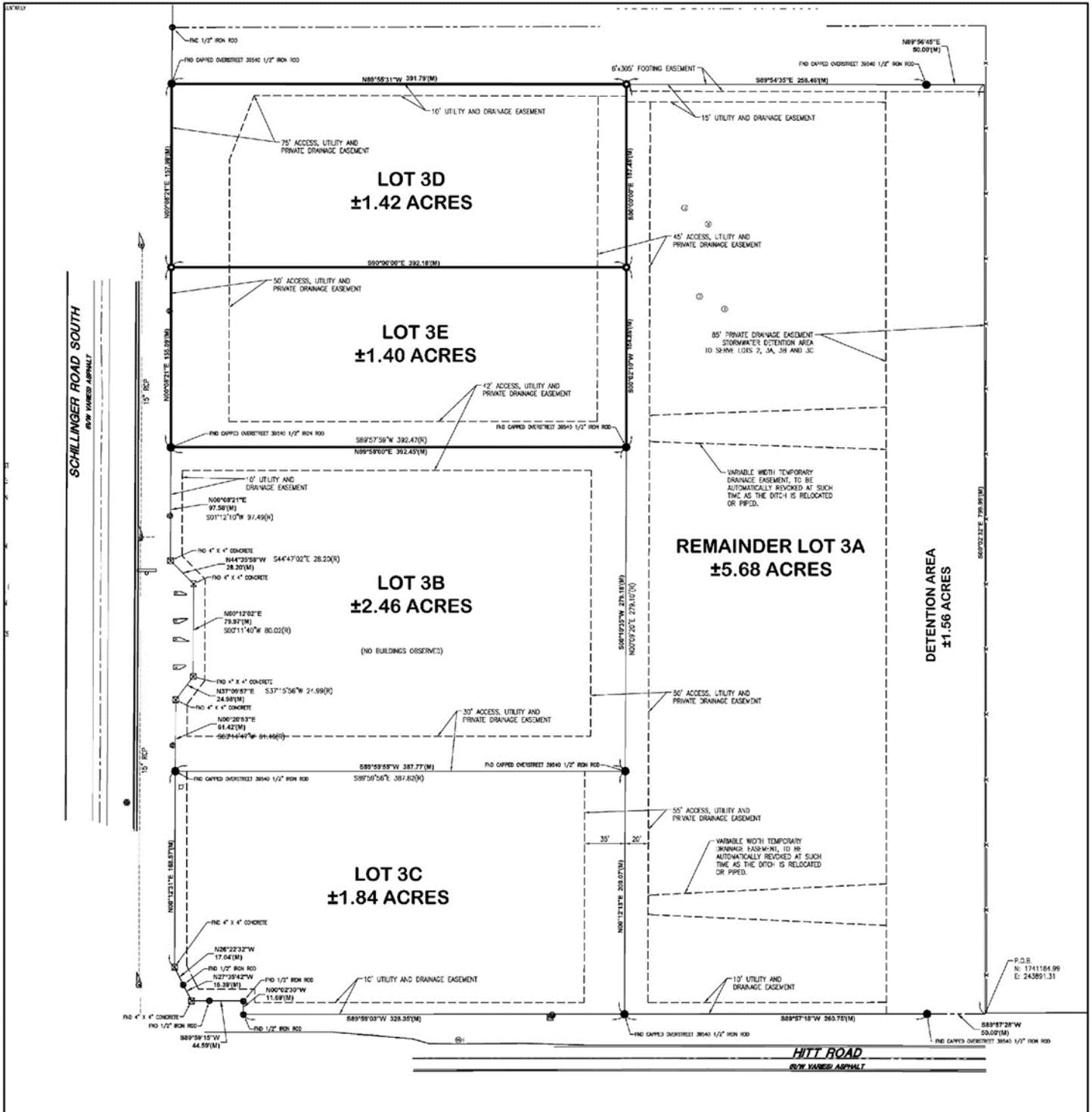
The site plan illustrates the existing apartments, buildings, and parking.

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NTS

DETAIL SITE PLAN



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 REQUEST Subdivision, PUD



