

PLANNING APPROVAL STAFF REPORT**Date: December 2, 2021****NAME**

Kindred Yoga

LOCATION1108 Dauphin Street
(North side of Dauphin Street, 314'± West of North Hallett Street).**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

B-1, Buffer Business District

AREA OF PROPERTY

1.0± Acres

CONTEMPLATED USE

Planning Approval to allow a yoga studio in a B-1, Buffer Business District.

**TIME SCHEDULE
FOR DEVELOPMENT**

None provided

**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 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

Driveway number, size, location, and design to be approved by 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 [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 Planning Approval to allow a yoga studio in a B-1, Buffer Business District.

The site has been given a Traditional Mixed-Use Corridor (MCC) 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.

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.

It is very important to note that the Planning Approval review is site plan specific; therefore any future changes to the site plan or to the scope of operations for the yoga studio, must be submitted for Planning Approval review.

The subject site is split-zoned with R-1, Single-Family Residential District; B-1, Buffer Business District; and B-2, Neighborhood Business District, with the proposed yoga studio to be located in a structure located entirely on the portion zoned B-1, thus requiring Planning Approval. It should also be noted that the site is a metes-and-bounds parcel. As such, either a pre-1962 deed with a legal description matching the existing configuration should be submitted, or the site will have to be made a legal lot of record via the subdivision process.

To the North, across New St. Francis Street, the site is bounded by R-1; to the South, across Dauphin Street, the side is bounded by B-1 and B-2; to the East, across North Hallett Street, by B-2; and to the West by B-1 and R-1.

The applicant states:

Kindred Yoga LLC will serve as a yoga studio providing yoga classes, but will also provide educational services including workshops around the various mental and physical benefits and philosophy of yoga, ayurvedic coaching, and training for yoga teachers. Our goal is to make yoga truly accessible to the citizens of midtown and downtown Mobile by providing a variety of pricing options and class types to accommodate a wide range of both income and physical fitness/abilities.

We will not alter the exterior footprint of the existing structure at all.

The propose use fits with the character of the surrounding neighborhood in that it will not involve disruptive, loud or late-night activities which might disrupt residential neighbors. It will mesh well with the surrounding commercial properties which include a wine store/restaurant, hair salon, and various offices, thus promoting walkability and making the area even more attractive to prospective residents, as well as those commuting from work downtown to other areas where they live.

Our use will support the needs of the community, as there is presently not a yoga studio in the midtown or downtown area. We believe our proposed use will continue to foster growth in the downtown/midtown area by promoting a mixed use environment where citizens can work, live, and recreate.

The subject site is currently developed with two multi-tenant commercial structures, and no change is proposed to be made to the building footprints. The previous occupant to the yoga studio space was an office, and therefore will have the same parking ratio. The site plan depicts 71 parking spaces on-site, yet the applicant states that there are 77 parking spaces available. A comparison of the site plan and aerial photos show that there has been a change in the parking layout, therefore the site plan should be revised to accurately show all parking on-site. The applicant also states that there are six parking spaces along Dauphin Street, and nine parking spaces along North Hallett Street, for a total of 92 parking spaces available to the site. As a total of 93 spaces are required for the site, and there are no changes proposed to the parking, this is considered an existing non-conforming aspect of the property.

As mentioned, the site does abut residential property. It appears that there is a compliant residential buffer adjacent to the residential site, but it is not illustrated on the plans. If approved, the site plan should be revised to depict the residential buffer.

RECOMMENDATION:

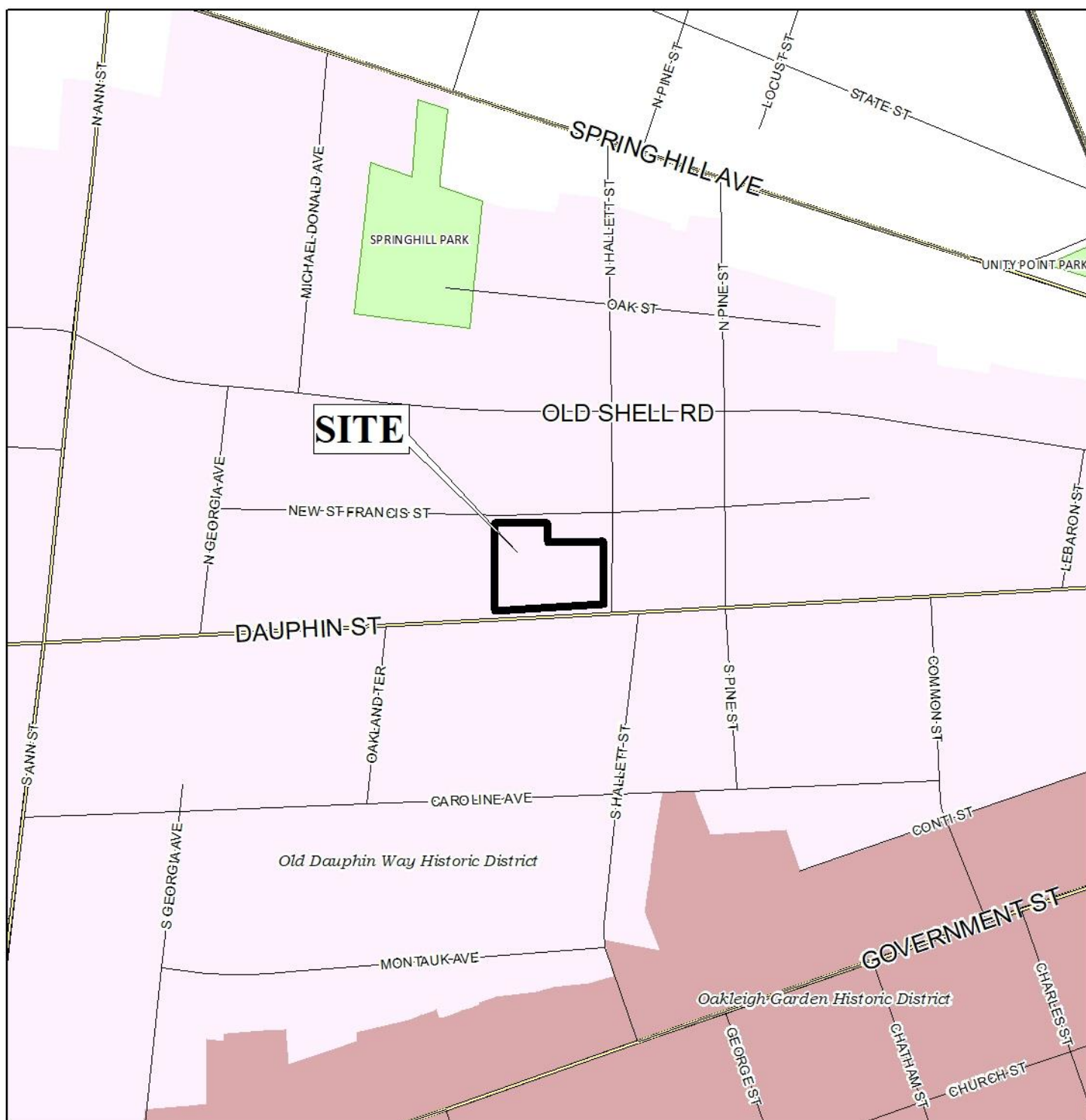
Based upon the preceding, staff recommends the following findings of facts for Approval of the Planning Approval:

- a) the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard; and
- c) the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located.

The approval should be subject to the following conditions:

- 1) revision of the site plan to depict a compliant buffer where the site abuts residentially zoned properties;
- 2) revision of the site plan to accurately depict all parking spaces available on-site;
- 3) submittal of a revised site plan (.pdf and hard copy) to Planning & Zoning prior to the issuance of a business license; and
- 4) full compliance with all municipal codes and ordinances.

LOCATOR MAP



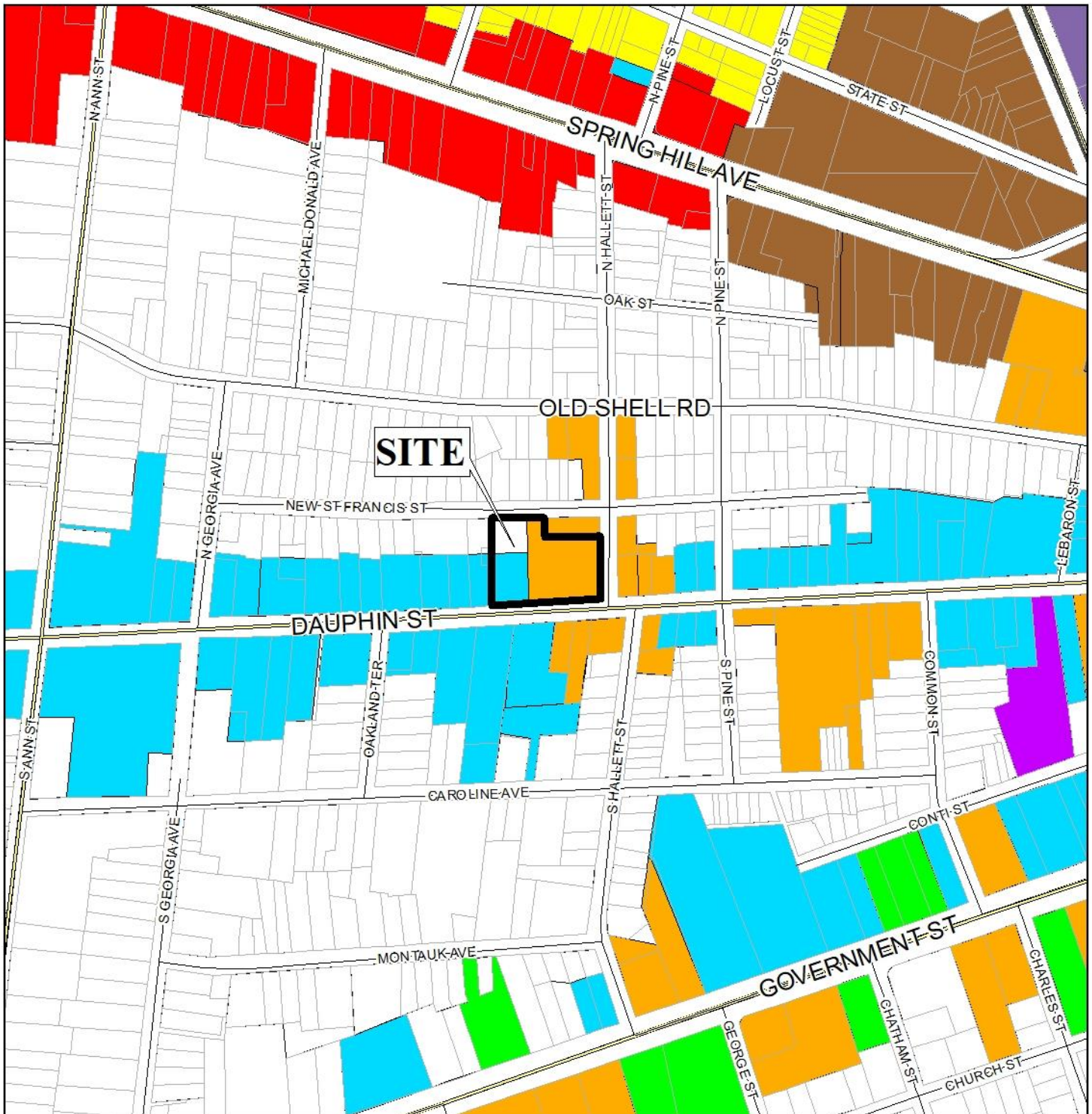
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APPLICANT Kindred Yoga

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LOCATOR ZONING MAP



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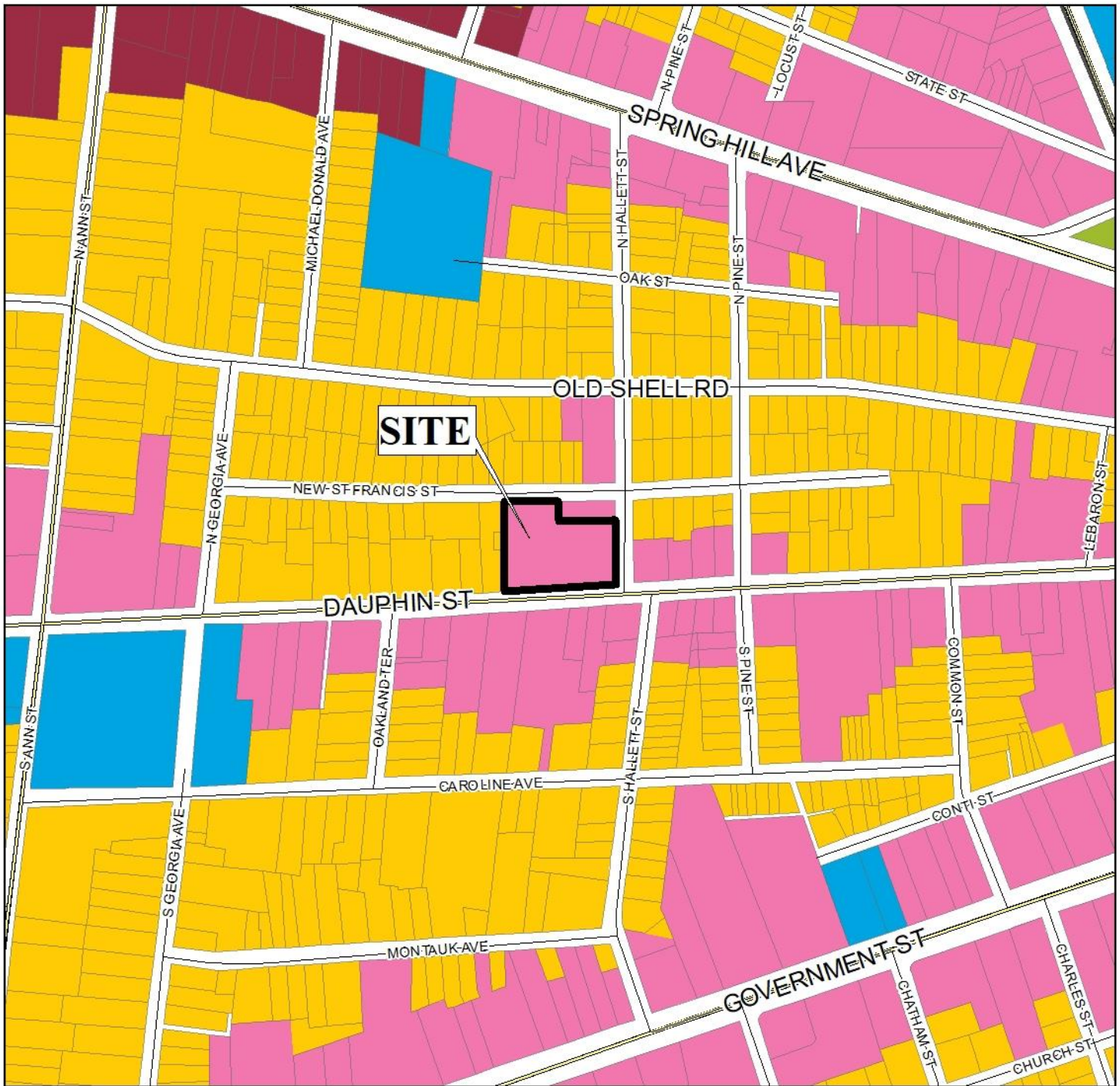
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NTS

FLUM LOCATOR MAP



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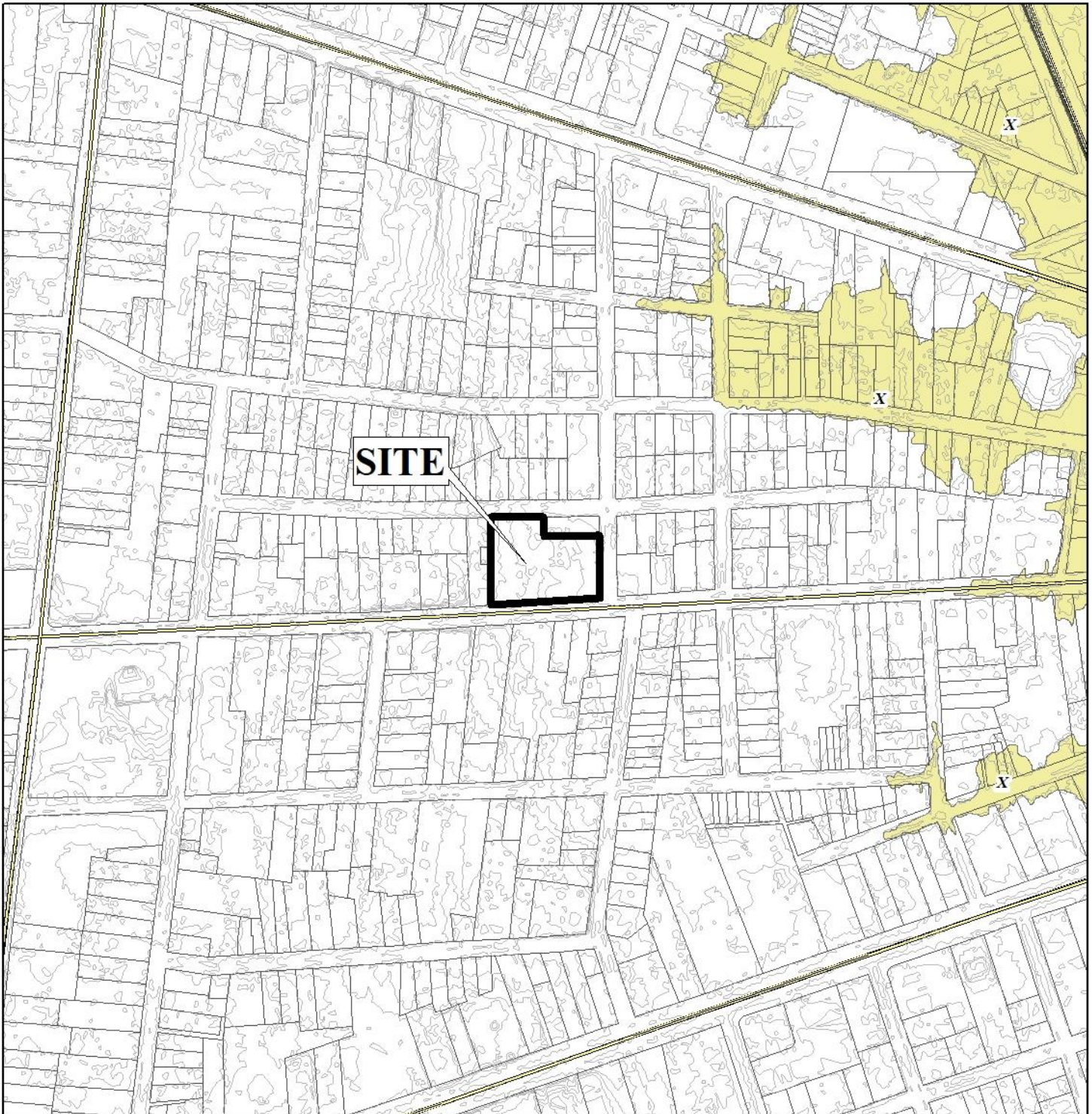
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| | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | 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 residential units, offices and commercial sites.

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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

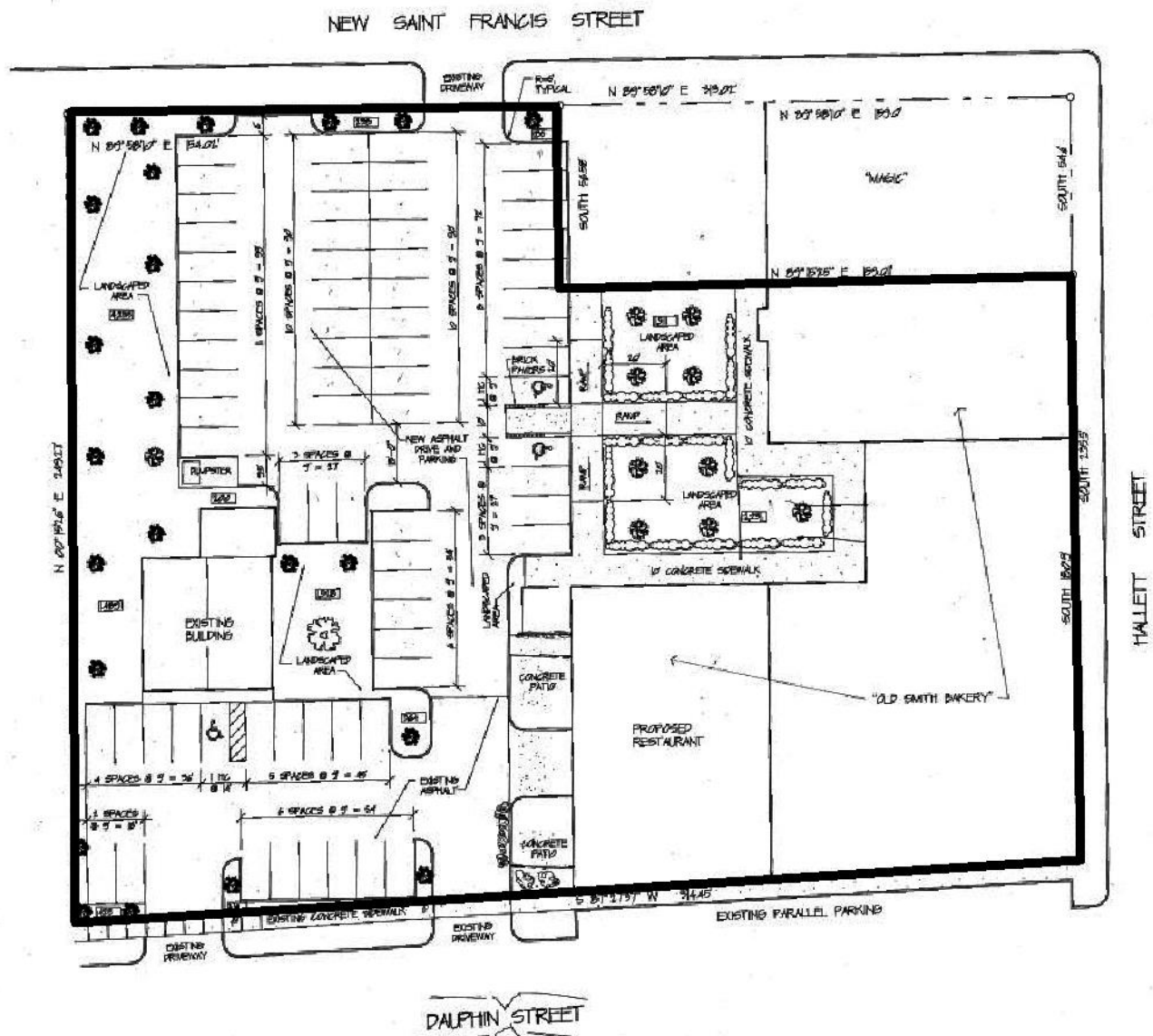


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SITE PLAN



The site plan illustrates existing structures, landscaping and parking areas.

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