

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: August 18, 2022****APPLICANT NAME**

Duplantis Design Group, PC

SUBDIVISION NAME

Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B

LOCATION1710 Dauphin Island Parkway, 2005 & 2009 Douglas Lane, and 2008 Faye Street
(Southwest corner of Dauphin Island Parkway and Douglas Lane, extending to the Northwest corner of Dauphin Island Parkway and Faye Street).**CITY COUNCIL
DISTRICT**

Council District 3

PRESENT ZONING

R-1, Single-Family Residential District and B-2, Neighborhood Business District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot / 2.3± Acres

CONTEMPLATED USE

Subdivision Approval to create a single legal lot of record from one (1) metes-and-bounds parcel, eight (8) legal lots of record, and a vacated right-of-way; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood 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. Add street names to the vicinity map (i.e. Dauphin Island Parkway, Faye Street).

- C. Show and label all flood zones. New maps went into effect on June 5, 2020.
- D. Provide a new Subdivision Title.
- E. Change the new lot designation from “PARCEL 1” TO “LOT 1”.
- F. Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #80) LOT 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 – 33,000 sf.
- H. 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.

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**

Dauphin Island Parkway (State Highway 163) is an ALDOT maintained roadway. Driveway number, size, location, and design to be approved by ALDOT (Dauphin Island Pkwy) and Traffic Engineering and conform to AASHTO standards. 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 [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. The applicant should review Chapter 23 of the International Fire Code (IFC) 2012, section 2304.

TIME SCHEDULE FOR DEVELOPMENT

None provided

REMARKS

The applicant is requesting Subdivision Approval to create a single legal lot of record from one (1) metes-and-bounds parcel, eight (8) legal lots of record, and a vacated right-of-way; and Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood Business District.

The site has been given a Low Density Residential (LDR) land use designation, per the adopted Future Land Use Plan and Map. 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 to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of

individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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 applicant proposes to create a single legal lot of record from one (1) metes-and-bounds parcel, eight (8) legal lots of record, and a vacated right-of-way. The lot size is depicted in acres on the plat, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size in square feet and acres should be provided on the Final Plat.

The site has frontages along Dauphin Island Parkway, Faye Street, and Douglas Lane. Dauphin Island Parkway, a proposed major street on the Major Street Plan and an ALDOT maintained roadway, should have a minimum 100-foot right-of-way, and is indicated as having a right-of-way that varies. The plat should be revised to depict the minimum existing right-of-way width, and if less than 100-feet, dedication may be necessary to provide 50-feet from the centerline. Faye Street, is a minor street without curb and gutter, therefore it should have an associated right-of-way of 60-feet. The preliminary plat illustrates Faye Street as having an existing right-of-way of 40-foot, making dedications necessary to provide 30-feet from the centerline. Douglas Lane, is a minor street with curb and gutter adjacent to a portion of the site, therefore it should have an associated right-of-way of 50-feet and 60-feet. The preliminary plat illustrates Douglas Lane as having an existing right-of-way of 40-feet, making dedications necessary to provide 25-feet and 30-feet from the centerline. Nicholson Road is a right-of-way that bisects the site, was vacated in 2017, and is included as part of the subject property.

The preliminary plat does not illustrate the 25-foot minimum building setback line along any street frontage. If approved, the setback should be depicted on the Final Plat, along all frontages, adjusted for dedication.

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

The existing site is mostly undeveloped, with an existing dwelling and accessory structure located on a portion of the site. If approved, one or both of these structures should be demolished, with permits, so as to prevent multiple structures from being located on a single commercial site.

It should be noted that the portion of the site to the East of the vacated Nicholson Road had similar, previous one (1)-lot Subdivision and Rezoning applications before the Planning Commission at its March 3, 2016 meeting, however the applications were withdrawn.

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 site is bounded to the North, across Douglas Lane, by B-3, Community Business District; to the West, by B-2, Neighborhood Business District developed residentially; to the South, across Faye Street, by R-1, Single-Family Residential District; and to the East, across Dauphin Island Parkway, by B-3 and R-1 property.

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

DDG, on behalf of DIP I-10, LLC and as authorized on the enclosed Affidavit of Ownership by the owners of the subject property is applying for resubdivision and rezoning of certain property 17110 Dauphin Island Parkway, Mobile, AL 36605.

Our client has acquired several adjacent parcels and completed vacation of the Nicholson Road right-of-way. We are requesting to combine these properties into a single lot of record through the subdivision process. Additionally, we are requesting to rezone parcel 3204340003127001 from R-1 to B-2 to be consistent with the zoning of the other parcels included in the subdivision.

There is no definitive tenant or purchaser or firmly defined use for the property at this time; however, a commercial use would be consistent with the character of the area and contribute to the redevelopment of this part of the City of Mobile. Combination of these parcels will facilitate our client's marketing of this property for redevelopment. Given that no firm plans for development exist, and the requested zoning is consistent with the current zoning of the adjacent parcels included in the subdivision, a site plan and landscape plan is not available and should not be necessary to include with this request.

We appreciate the Planning Commission's and City's continued assistance with this important development effort.

Section 64-9.A.2.b. of the Zoning Ordinance states that new B-2 districts should contain a minimum of two (2) acres, unless abutting an existing commercially or industrially zoned property.

As the proposed lot to be rezoned is 2.3± acres, and contains existing B-2 zoning, this site meets the recommendations for the creation of a new B-2 district. Furthermore, if approved without the rezoning as proposed, the Subdivision would result in a split-zoned lot.

As there is no specific development proposed for the lot at this time, no site plan depicting a proposed development was submitted with the application. It should be noted that if approved, the site will be required to be developed under full compliance with the Zoning Ordinance.

Finally, it should be noted that a sidewalk will be required to be constructed at the time of development along all street frontages, unless a sidewalk waiver is granted by the Planning Commission.

RECOMMENDATION

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

- 1) either dedication to provide 50-feet from the centerline of Dauphin Island Parkway or revision of the plat to show sufficient right-of-way currently exists;
- 2) dedication to provide 30-feet from the centerline of Faye Street;
- 3) dedication to provide 25-feet from the centerline of Douglas Lane where it has curb and gutter;
- 4) dedication to provide 30-feet from the centerline of Douglas Lane where it does not have curb and gutter;
- 5) provision of the lot sizes in square feet and acres, adjusted for any dedication;
- 6) illustration of the 25-foot minimum building setback lines along all street frontages, adjusted for any dedication;
- 7) full 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. Add street names to the vicinity map (i.e. Dauphin Island Parkway, Faye Street). C. Show and label all flood zones. New maps went into effect on June 5, 2020. D. Provide a new Subdivision Title. E. Change the new lot designation from "PARCEL 1" TO "LOT 1". F. Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #80) LOT 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 – 33,000 sf. H. 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.*);

- 8) placement of a note on the Final Plat stating 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.*);
- 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 [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.*); and
- 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). 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.*

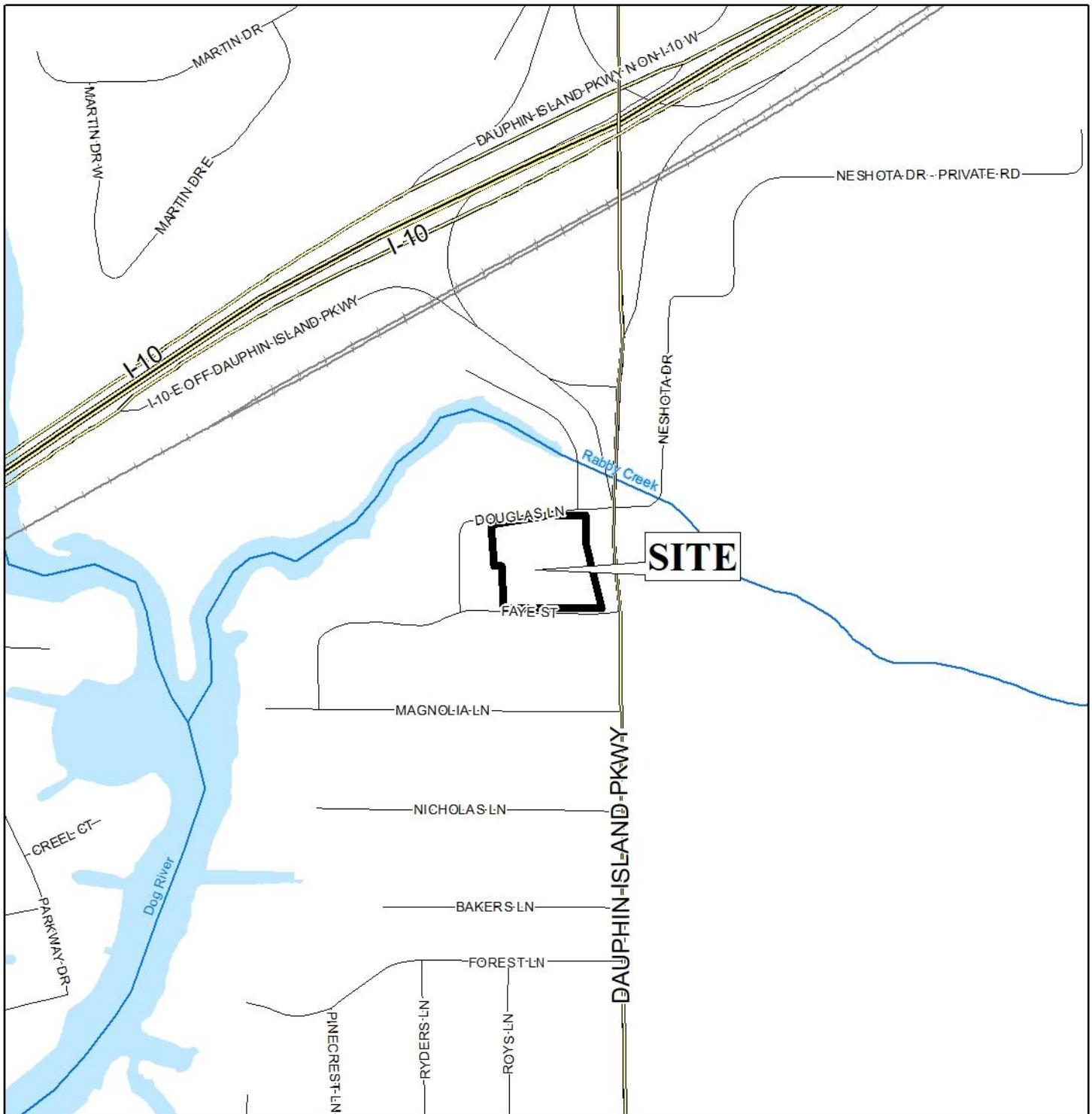
Rezoning: Based on the preceding, this application is recommended for Approval for the following reason:

- 1) the subdivision of land into building sites makes reclassification of the land necessary and desirable

The rezoning should be subject to the following condition:

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



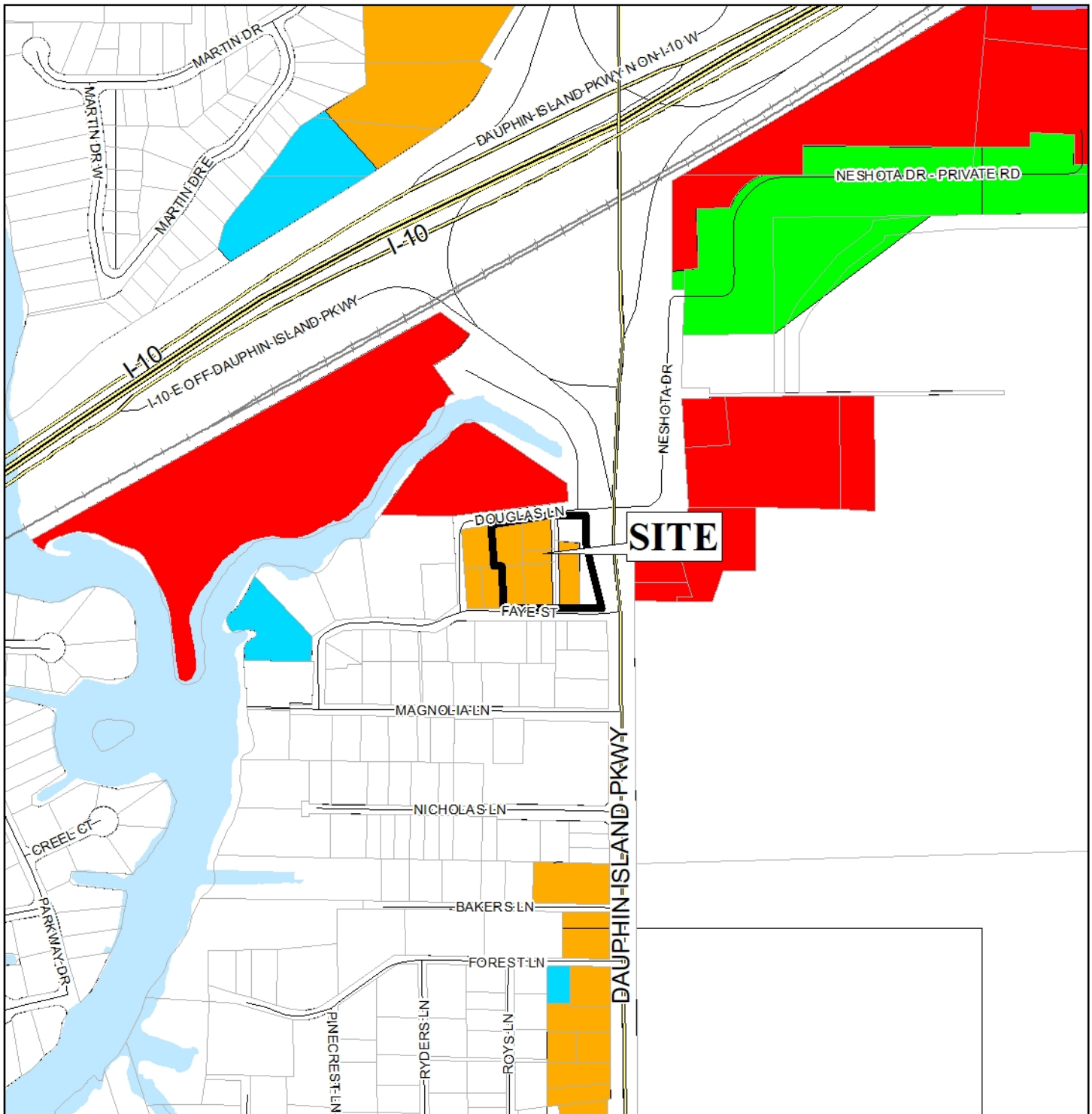
APPLICATION NUMBER 7 DATE August 18, 2022

APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B

REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2



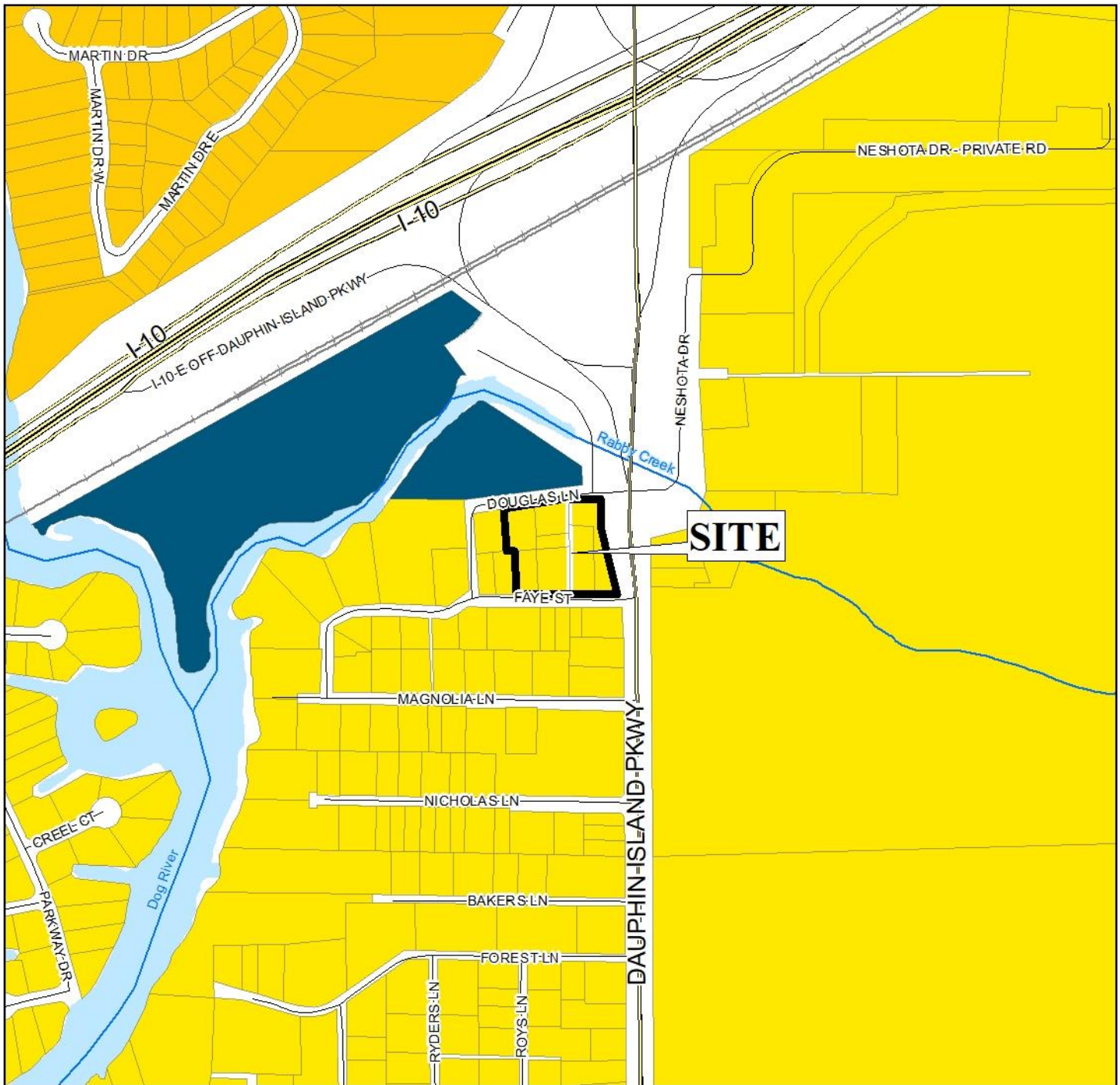
LOCATOR ZONING MAP



APPLICATION NUMBER 7 DATE August 18, 2022
 APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B
 REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2



FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE August 18, 2022

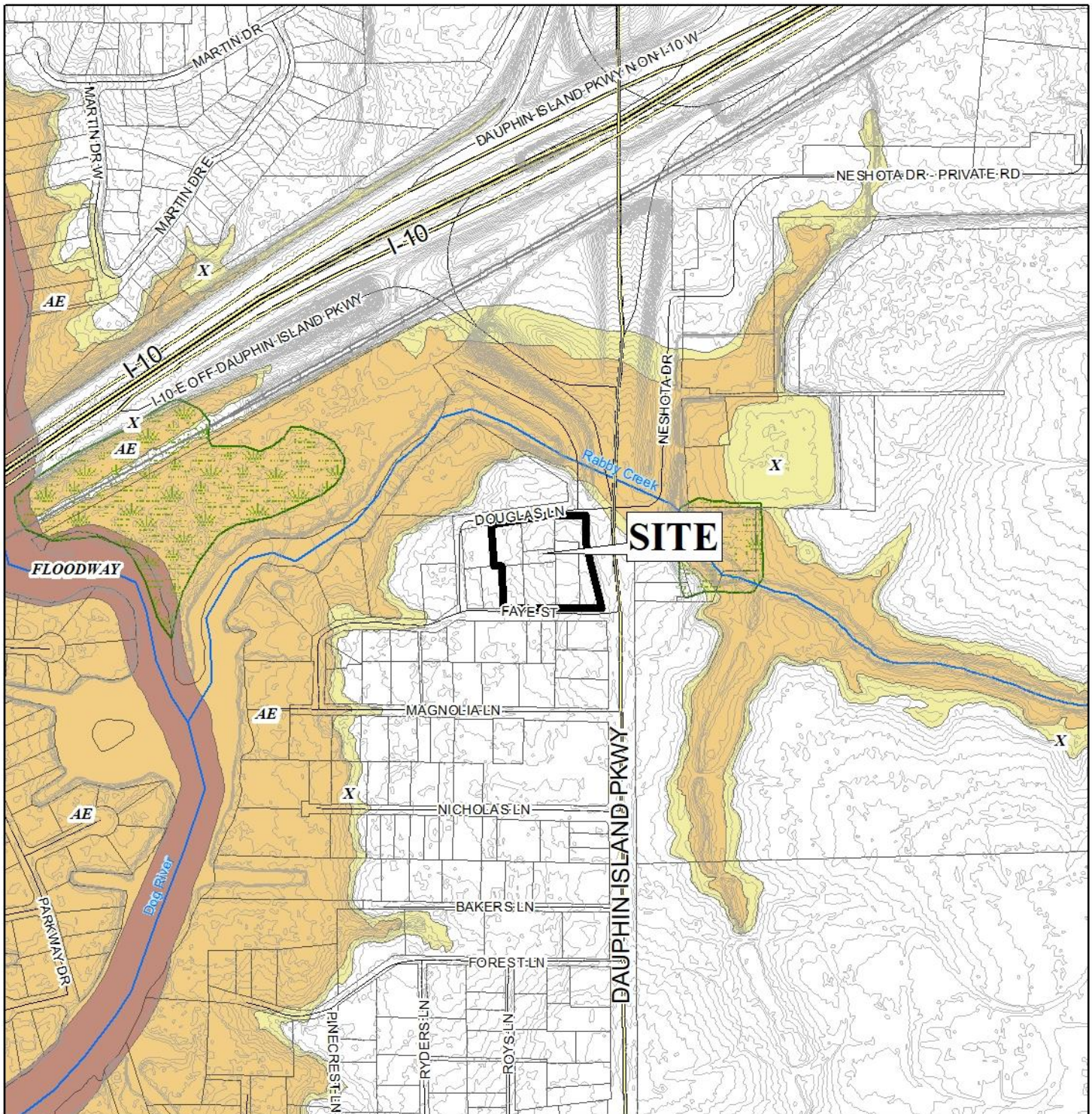
APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B

REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2

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	



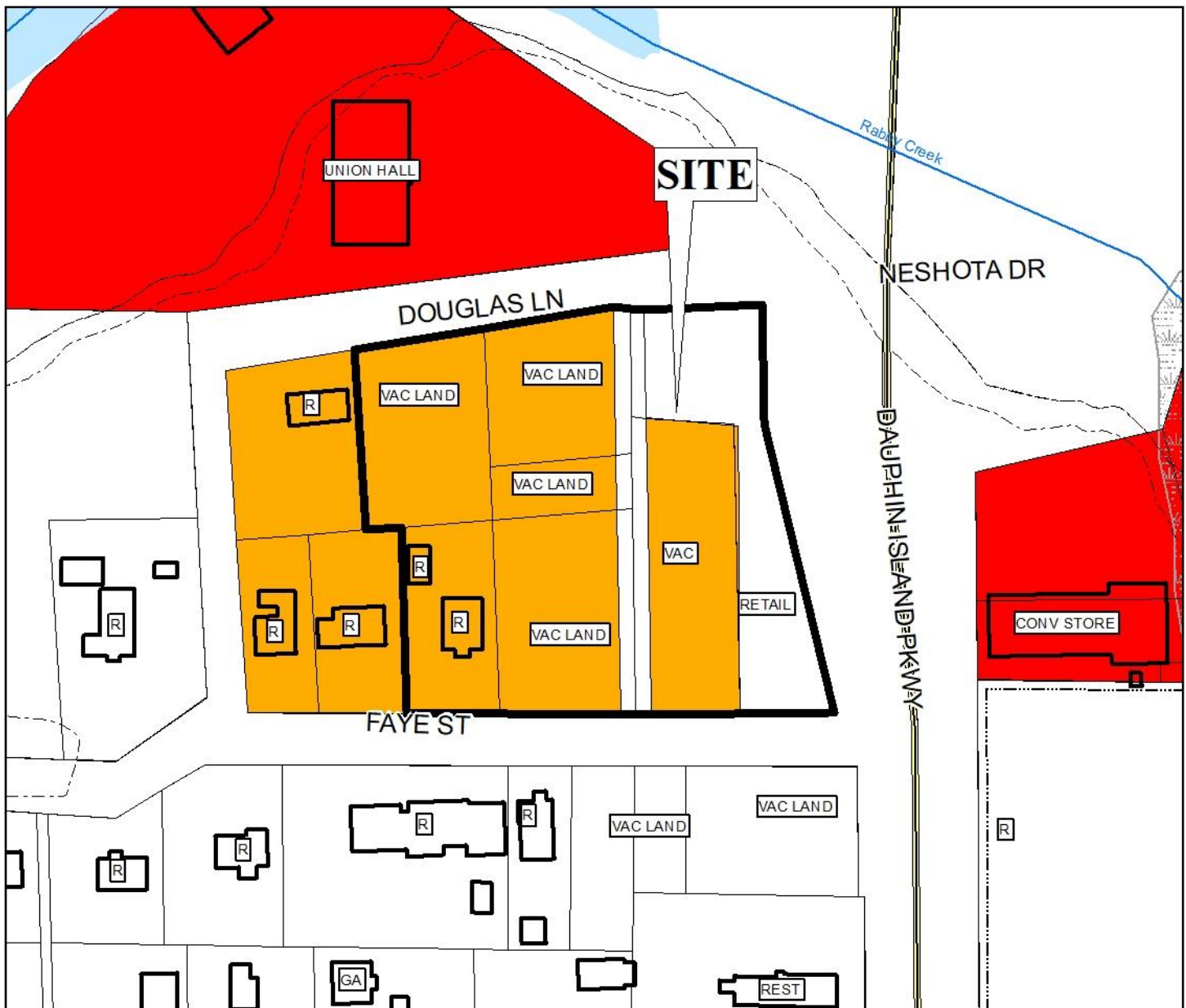
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 7 DATE August 18, 2022
APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B
REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A convenience store lies east of the site.

APPLICATION NUMBER 7 DATE August 18, 2022

APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B

REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2

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 residential units. A convenience store lies east of the site.

APPLICATION NUMBER 7 DATE August 18, 2022

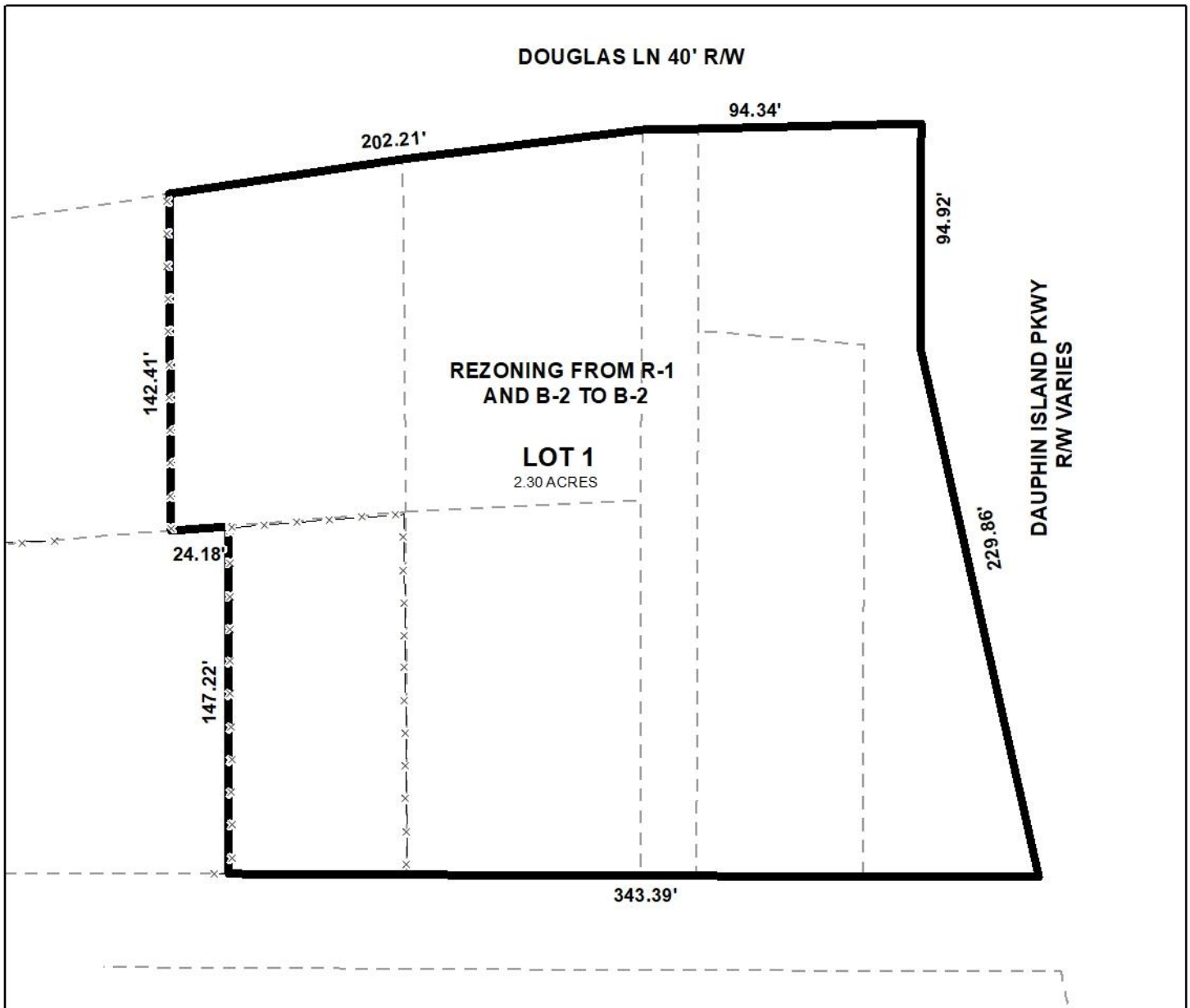
APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B

REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2



NTS

SITE PLAN



The site plan illustrates

APPLICATION NUMBER 7 DATE August 18, 2022
APPLICANT Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B
REQUEST Subdivision, Rezoning from R-1 and B-2 to B-2

