SUBDIVISION & ZONING AMENDMENT STAFF REPORT Date: August 6, 2020

APPLICANT NAME QuikTrip Corporation

SUBDIVISION NAME Highway 90 – Interstate 10 Business Park Subdivision

LOCATION 5535 Linwood Steiner Road and 5575 U.S. Highway 90 West
(East side of Linwood Steiner Road / U.S. Highway 90 West, 100'± North of Kooiman Road, extending to the North side of Kooiman Road, 200'± East of U.S. Highway 90 West)

CITY COUNCIL DISTRICT Council District 4

PRESENT ZONING B-3, Community Business District and B-5, Office-Distribution District

PROPOSED ZONING B-3, Community Business District

AREA OF PROPERTY 2 Lots/ 10.5± Acres

CONTEMPLATED USE Subdivision Approval to create a two legal lots of record from one legal lot of record and one metes-and-bounds parcel; and Rezoning from B-3, Community Business District and B-5, Office-Distribution District to B-3, Community 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. Provide reference, on the map and the description, to a monumented corner.
C. Provide and label the monument set or found at each subdivision corner.
D. Remove the County Engineer's signature block from the plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.
E. Remove the Mobile County Engineering Department note listed under NOTES. This proposed subdivision is located within the city limits. The County Engineering Dept. no longer reviews/comments on subdivision plats within the municipal limits of the City of Mobile.
F. Check and revise the first sentence of the written legal description "…above 4 mentioned Lot 4…"
G. Add a signature block for the Traffic Engineering Dept. and the City Engineer.
H. Provide the Surveyor's and Owner's (notarized) signatures.
I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #93) LOTS 4-A and 4-B 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 4-A – 35,000 sf and LOT 4-B – 5,000 sf.
J. 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.
K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
L. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
M. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
N. 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.
O. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.

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 US Highway 90 West is an ALDOT maintained roadway and as part of permitting for access on that route offsite improvements may be necessary. Owner/Developer must coordinate and permit any improvements in said right-of-way with ALDOT. Lot 4-A is limited to one curb cut to Linwood Steiner Road, two curb cuts to Kooiman Road and no more than one curb cut to US Highway 90 West. Driveway size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Lot 4B should be limited to one curb cut per street frontage. Any on-site parking, including ADA handicap spaces, should 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 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.

TIME SCHEDULE FOR DEVELOPMENT None provided

REMARKS The applicant is requesting Subdivision Approval to create a two legal lots of record from one legal lot of record and one metes-and-bounds parcel; and Rezoning from B-3, Community Business District and B-5, Office-Distribution District to B-3, Community Business District.

A portion of this site most appeared before the Planning Commission at the August 6, 2008 meeting where approval was granted for a 4-lot Subdivision, prior to the site being annexed into the City of Mobile in 2009.

The site has been given a Mixed Commercial 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 mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

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 site has frontage along U.S. Highway 90 West / Linwood Steiner Road and Kooiman Road. This portion of U.S. Highway 90 West is a major street on the Major Street Plan, and the preliminary plat indicates a minimum existing right-of-way width of 50 feet to centerline (labelled 100 feet overall width), expanding to 161 feet to centerline (no overall width). In 2017, the Major Street Plan was revised to reduce the required overall minimum right-of-way width from 250 feet to 180 feet. If the existing right-of-way is not at least 180 feet in width overall, or 90 feet to centerline, the dedication should be required to provide the necessary right-of-way; it should be pointed out that GIS mapping date indicates that the existing right-of-way may already be 180 feet overall, thus the applicant should verify the actual width. Kooiman Road, a minor street without curb and gutter, is shown as having a compliant 60' wide right-of-way, making no dedications necessary.

The applicant proposes to create two legal lots of record from one existing legal lot of record and one metes-and-bounds parcel. The lot sizes are depicted in square feet and acres on the plat, and exceed the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot sizes in square feet and acres should be retained on the Final Plat, adjusted for any required dedication.

As proposed, each lot meets the minimum area and width requirements of the Subdivision Regulations, however, proposed Lot 4-B is irregularly shaped. Section V.D.1. of the Subdivision Regulations does not generally allow for such lot shapes unless they are common to the area. There are a few irregularly shaped lots in the area, therefore a waiver of Section V.D.2. of the Subdivision Regulations may be appropriate.

The preliminary plat illustrates the 25' minimum building setback lines along the frontages for the portion of the site that is an existing legal lot, but not along the frontage of the existing metes-and-bounds parcel. If approved, the plat should be revised to depict the 25' minimum building setback lines along the entirety of both frontages, adjusted for any dedication that may be required along that portion of the site that is currently a metes-and-bounds parcel along U.S. Highway 90 West.

The site plan submitted for the proposed development on Lot 4-A depicts two proposed curb cuts to Kooiman Road, and two proposed curb cuts to U.S. Highway 90 West / Linwood Steiner Road. Per Traffic Engineering this is acceptable for Lot 4-A. The proposed Lot 4-B is limited to one curb cut per street frontage. If approved, a note stating Traffic Engineering comments should be placed on the Final Plat.

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 proposed rezoning is for the proposed Lot 4-A, which would be split-zoned if the subdivision request were approved without an associated zoning approval. Proposed Lot 4-B is to remain B-5, Office-Distribution District. As such, the Lot 4-A site will be bounded to the North and East by B-5; to the West (across U.S. Highway 90 West) by B-3, Community Business District; and to the South by B-3, R-1, Single-Family Residential District, and B-1, Buffer Business District.

The applicant states the following:

> *DESCRIPTION*
> *The proposed use of the property is a QuikTrip Travel Center that will provide fuel, supplies and care for automobile and tractor trailer travelers. In doing so, QT provides fueling stations, parking areas, a grocery store, bathrooms, and other amenities travelers.*
>
> *PLAN CONSISTENCY ANALYSIS*
> *The parcels are currently zoned B-3 and B-5. In speaking with the City of Mobile Planning staff, it was recommended that both of the parcels be rezoned to B-3. The future Land Use for these parcels is Mixed Commercial Corridor (MCC). The MCC designation is targeted to (1) encouraged to raise design quality; (2) improved connectivity to surrounding neighborhoods; (3) improve streetscapes; and (4) improve mobility and/or accessibility of all users of the corridor.*
>
> *The proposed project addresses all of the targets for the MCC designation.*
>
> 1. *The QT site plan utilizes current design requirements to provide attractive horizontal and vertical site components. QT is committed to providing a quality landscape*
> 2. *The proposed site plan allows for access to the site without having to access Highway 90 providing greater connectivity to the surrounding neighborhoods by allowing access from Barry Drive and Kooiman Road.*
> 3. *As stated earlier, QT is committed to provide a quality streetscape pan to enhance the corridor.*
> 4. *By requesting multiple access point to the site, mobility and accessibility to the corridor should be improved.*
>
> *ZONING DATA*
> *The parcels are currently zoned B-3 and B-5. In speaking with the City of Mobile Planning staff, it was recommended that both be zoned B-3 for the intended use. The Zoning change will allow for a larger site that can be developed in a consistent manner with the four (4) pillars of the MCC FLU discussed in the previous section.*

Regarding Section 64-9 of the Zoning Ordinance, condition 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable in this instance as the proposed Lot 4-A would otherwise be split-zoned. As the proposed zoning district (B-3) exists

on a portion of the site as well as an adjacent site to the South, and would allow the proposed use as a gas station with convenience store, it would seem appropriate to approve the request.

It should be noted full site compliance is required at the time of development to include: tree planting and landscaping, parking, signage and dumpster compliance. It is not clear based upon the submitted site plan if sufficient area will be available for the required trees and landscape areas.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Tentative Approval, with a waiver of Section V.D.2. of the Subdivision Regulations, subject to the following:

1) verification of the existing minimum right-of-way width of U.S. Highway 90 West, and where less than 180 feet overall, dedication to provide 90 feet from centerline;
2) retention of the lot sizes in square feet and acres;
3) revision of the plat to depict the 25' minimum building setback lines along the entire frontage of each lot;
4) 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. Provide reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner. D. Remove the County Engineer's signature block from the plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. E. Remove the Mobile County Engineering Department note listed under NOTES. This proposed subdivision is located within the city limits. The County Engineering Dept. no longer reviews/comments on subdivision plats within the municipal limits of the City of Mobile. F. Check and revise the first sentence of the written legal description "…above 4 mentioned Lot 4…" G. Add a signature block for the Traffic Engineering Dept. and the City Engineer. H. Provide the Surveyor's and Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #93) LOTS 4-A and 4-B 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 4-A – 35,000 sf and LOT 4-B – 5,000 sf. J. 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. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. L. Add a note to the plat stating that*

all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. M. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. N. 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. O. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

5) placement of a note on the site plan stating the following Traffic Engineering comments: *(US Highway 90 West is an ALDOT maintained roadway and as part of permitting for access on that route offsite improvements may be necessary. Owner/Developer must coordinate and permit any improvements in said right-of-way with ALDOT. Lot 4-A is limited to one curb cut to Linwood Steiner Road, two curb cuts to Kooiman Road and no more than one curb cut to US Highway 90 West. Driveway size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Lot 4B should be limited to one curb cut per street frontage. Any on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
6) 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.);* and
7) 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)"*.

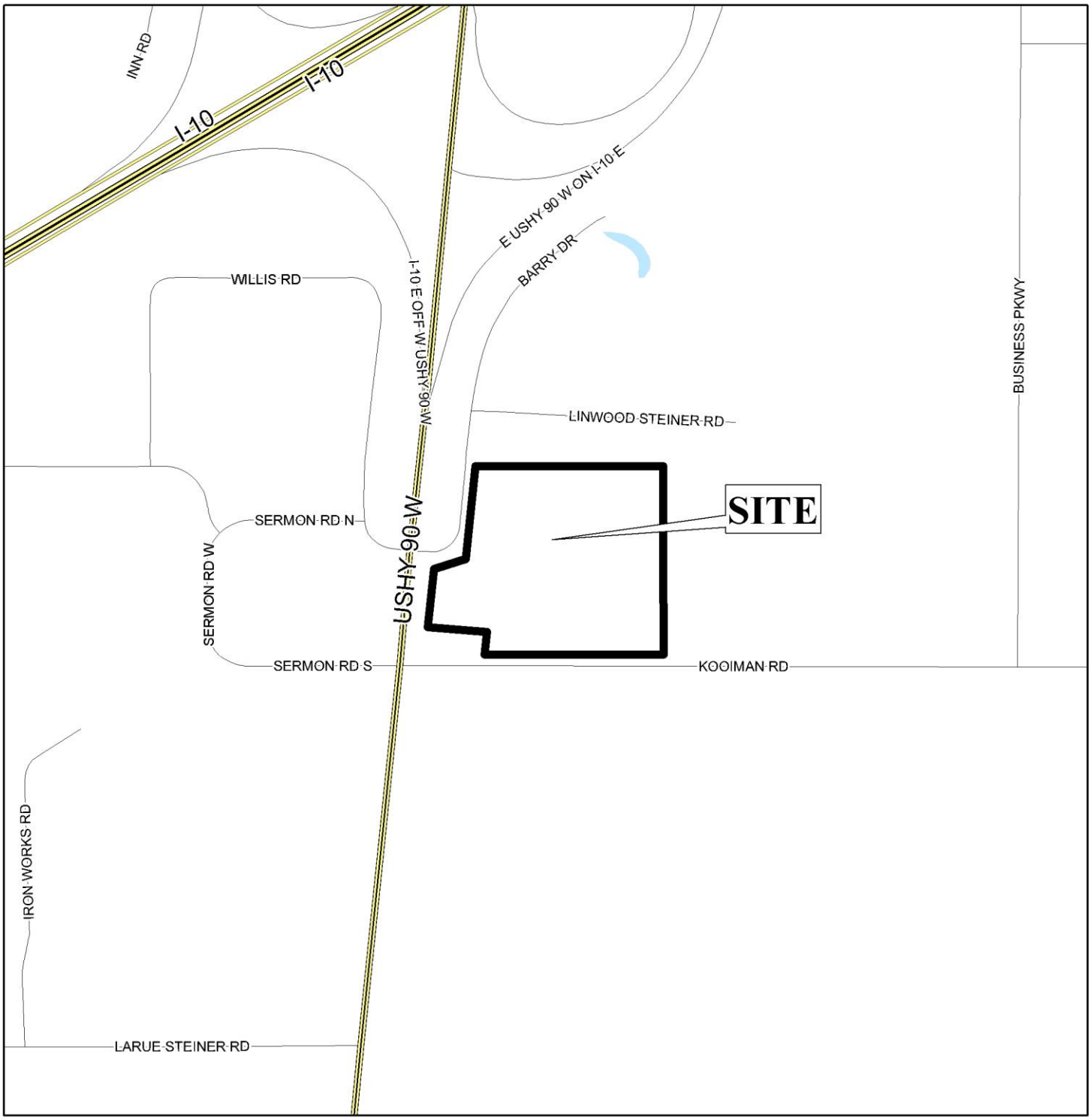
Rezoning: Based upon the preceding, staff finds that the following condition prevails to support the rezoning request:

i. Subdivision of land. The subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.

As such, staff recommends Approval of the rezoning request, subject to the following conditions:

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

LOCATOR MAP



APPLICATION NUMBER 8 DATE August 6, 2020

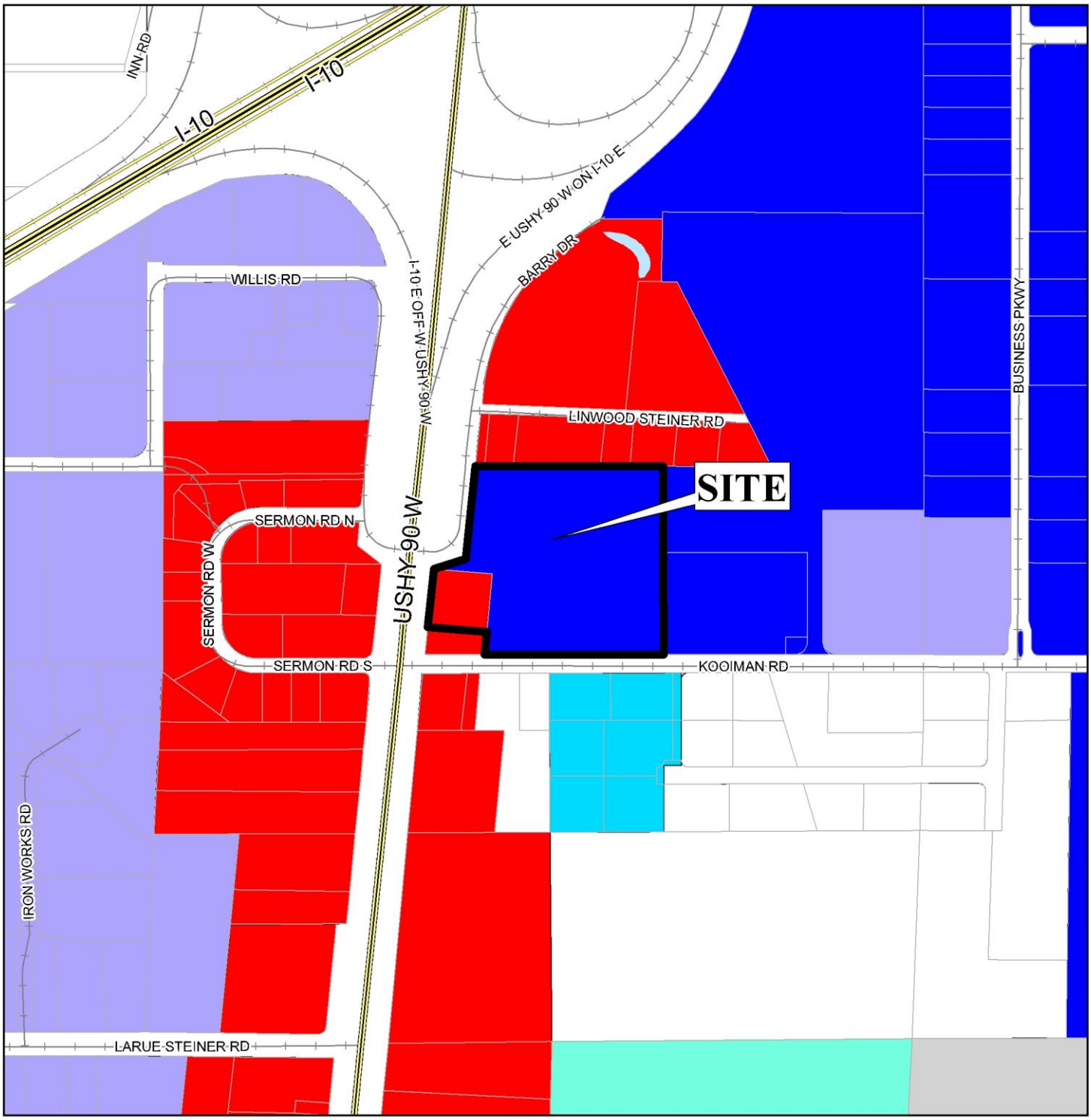
APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS

LOCATOR ZONING MAP



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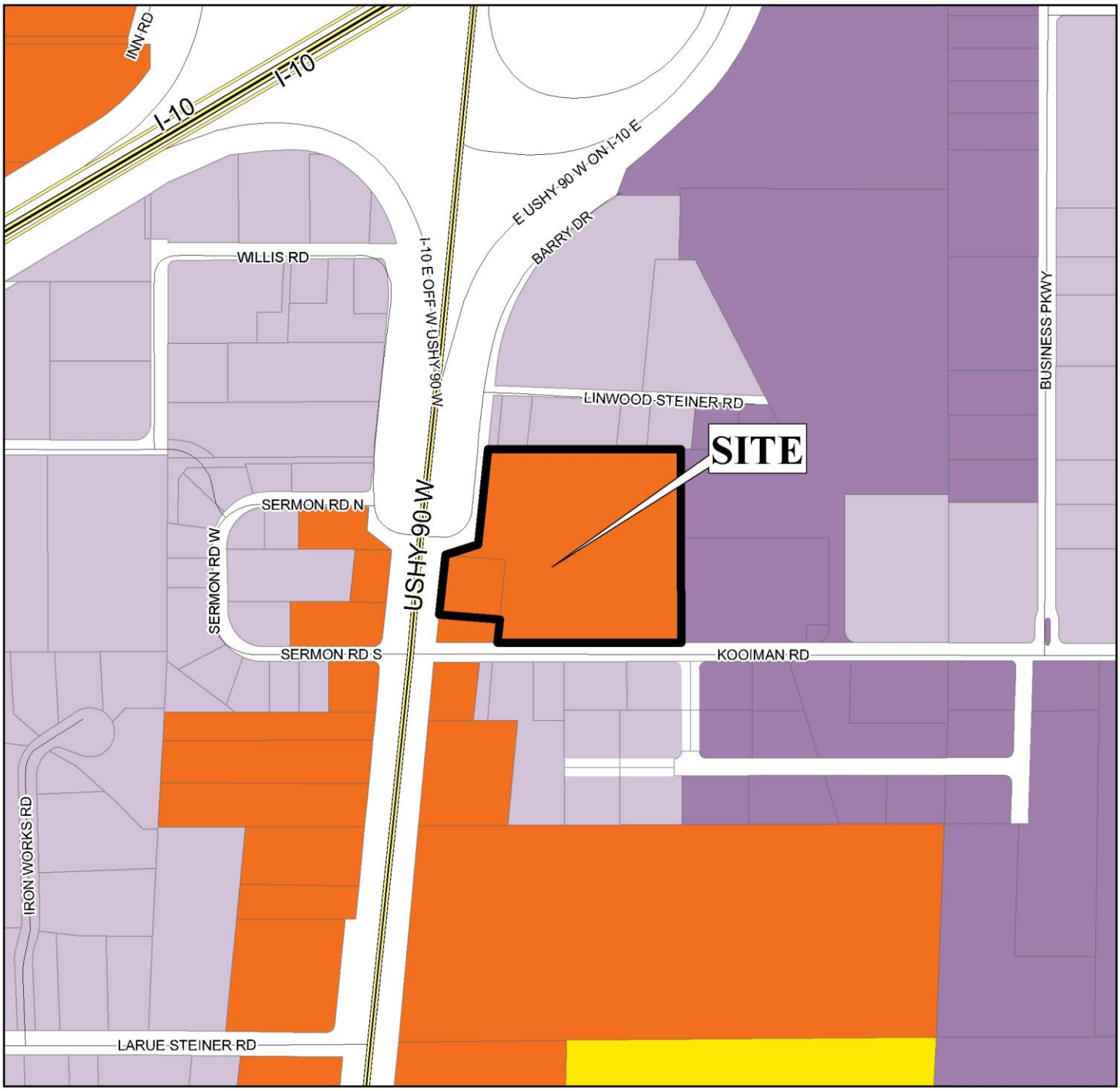
REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE August 6, 2020

APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

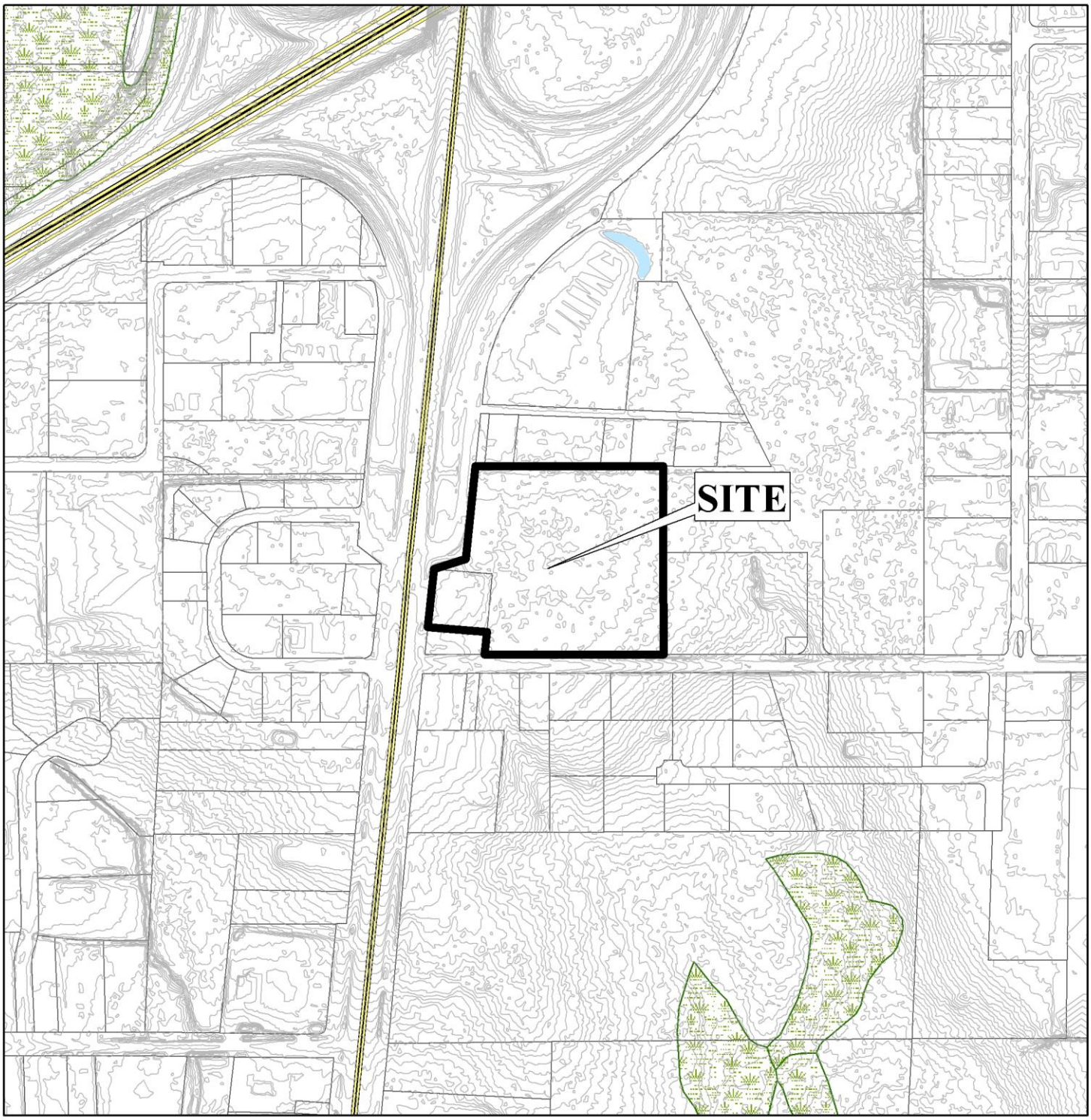
REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

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

N

NTS

ENVIRONMENTAL LOCATOR MAP



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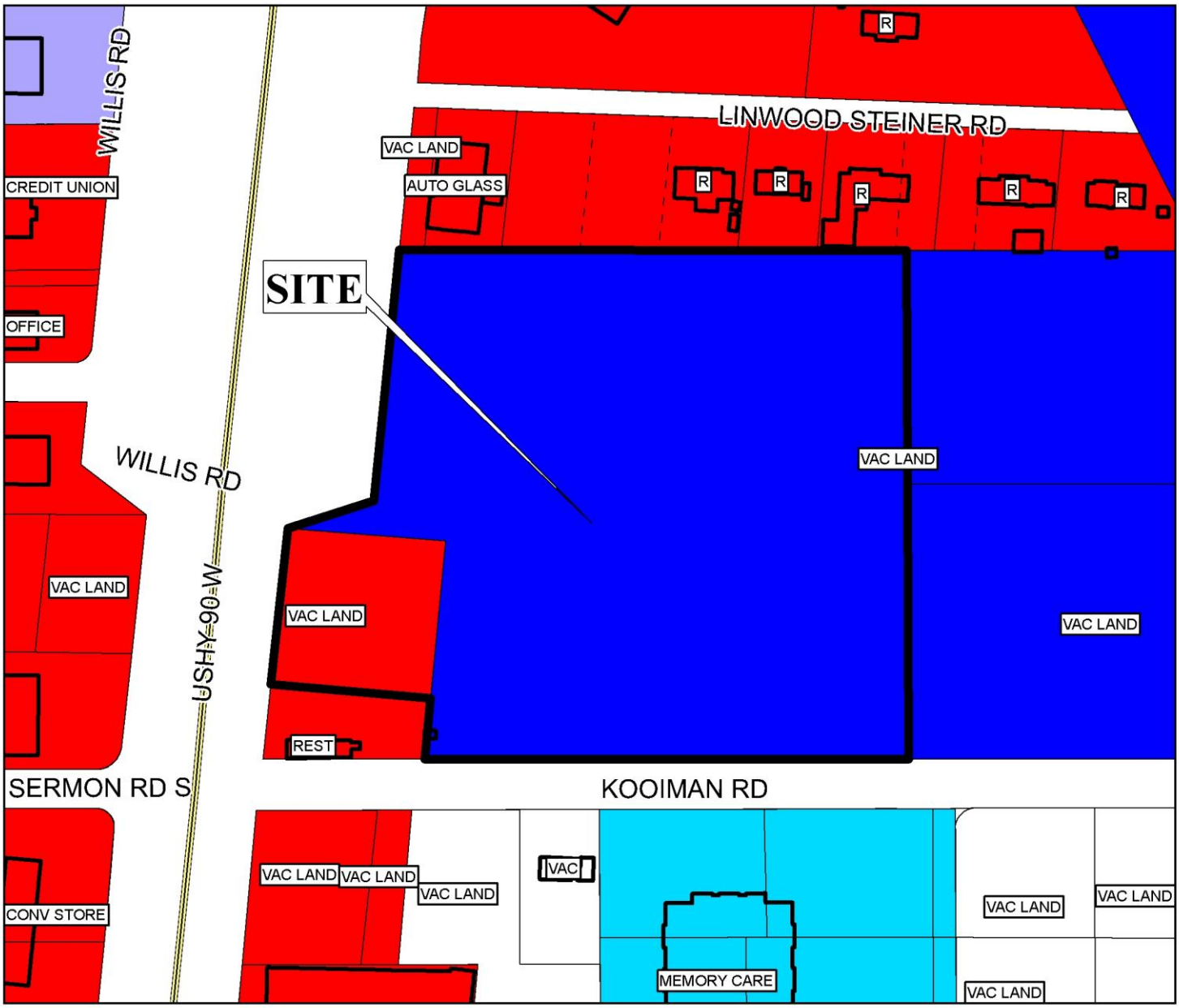
APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



The site is surrounded by vacant land and commerical units.

APPLICATION NUMBER 8 DATE August 6, 2020

APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 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

N

NTS

PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL

The site is surrounded by vacant land and commerical units.

APPLICATION NUMBER 8 DATE August 6, 2020

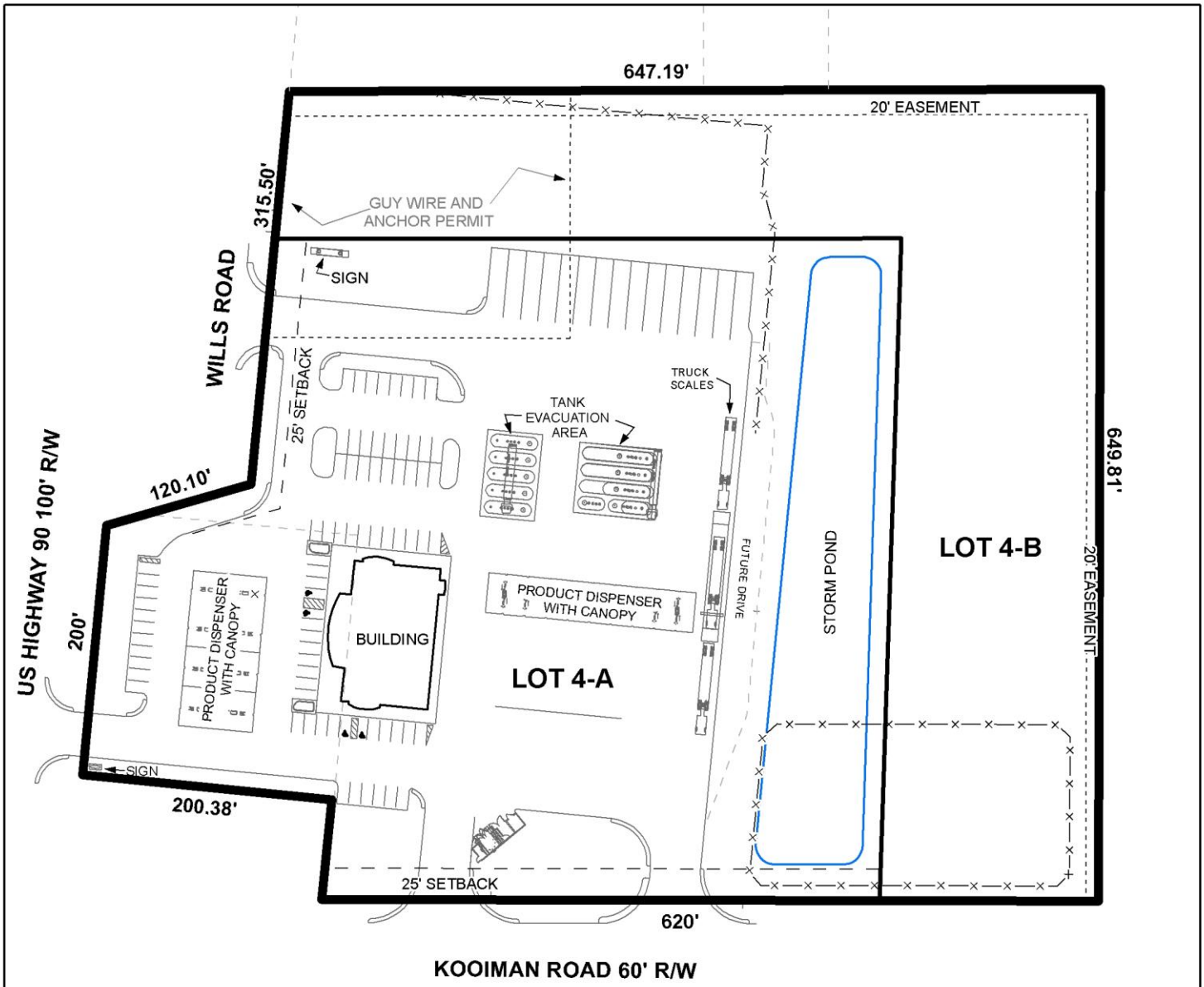
APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS

SITE PLAN



The site plan illustrates existing setbacks and easements, and proposed lots and structures.

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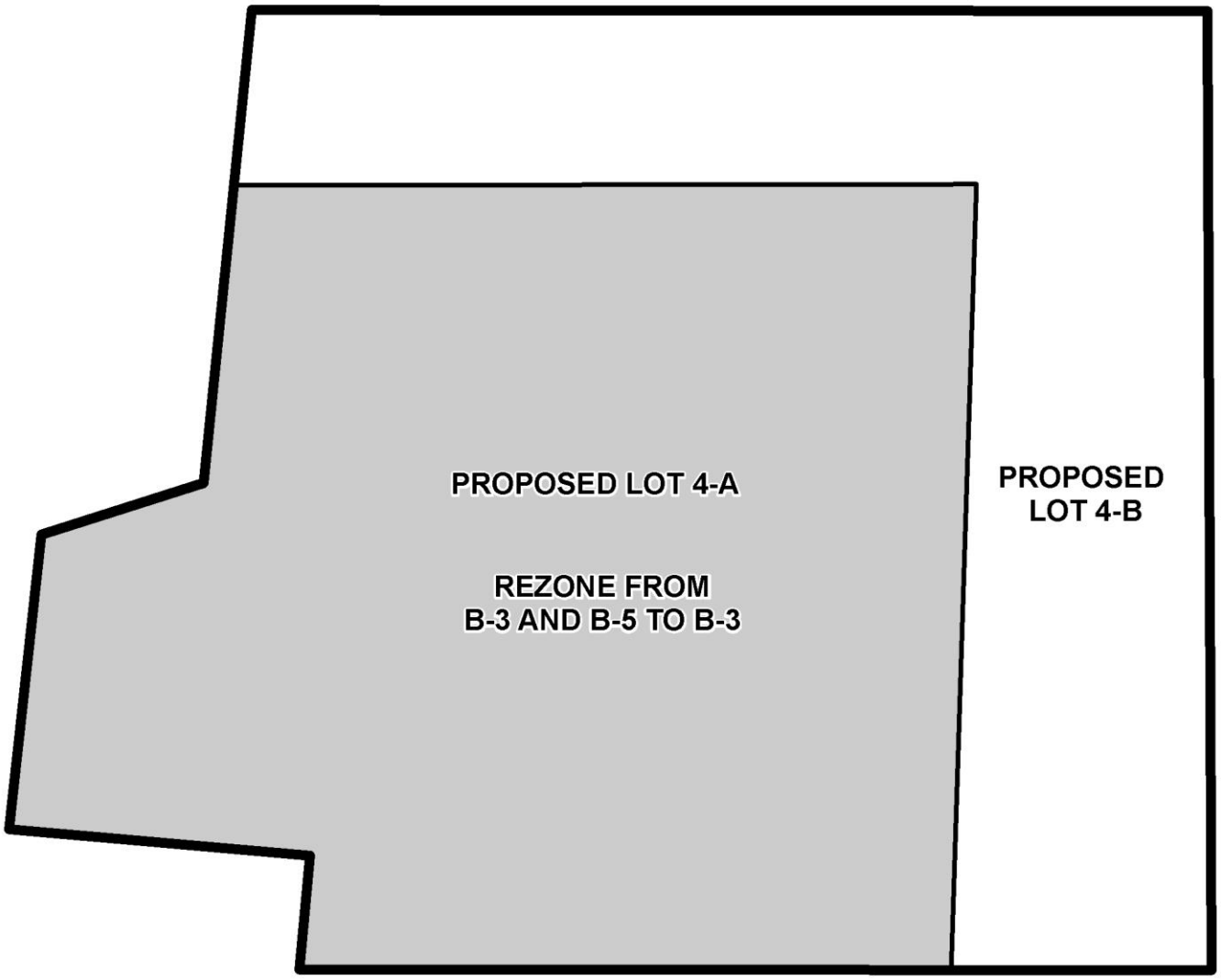
APPLICANT Highway 90 – Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS

DETAIL SITE PLAN



APPLICATION NUMBER 8 DATE August 20, 2020

APPLICANT Highway 90 - Interstate 10 Business Park Subdivision

REQUEST Subdivision, Rezoning from B-3 & B-5 to B-3

N

NTS