

**SUBDIVISION &
SIDEWALK WAIVER STAFF REPORT****Date: May 16, 2019****APPLICANT NAME**

Paul Persons, Jr.

SUBDIVISION NAME

Persons Development Subdivision

LOCATION

South side of Halls Mill Road, 425'± West of Rochelle Street.

**CITY COUNCIL
DISTRICT**

Council District 4

PRESENT ZONING

I-1, Light Industry District

AREA OF PROPERTY

1 Lot/0.9± Acres

CONTEMPLATED USE

Subdivision Approval to create one legal lot of record from an existing metes-and-bound parcel; and Sidewalk Waiver request to waive construction of a sidewalk along Halls Mill Road.

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 and label the reference monumentation for the corners labeled "NO CORNER SET" and "UNABLE TO SET" at the northeast corner of the propose lot.
- C. 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.
- D. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.
- E. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- F. Show and label all flood zones and boundary lines shown on the 2010 FEMA maps. Also indicate on the map by drawing or note that the proposed FEMA maps (2019) shows an increase in the X(unshaded) flood zone.

- G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. Coordinate with City Engineering Dept. to provide the correct elevation.
- H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- I. 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.
- J. 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.
- 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. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Sidewalk Waiver:

- 1. FRONTAGE LOCATED WEST OF THE EXISTING GUARDRAIL:
It appears that there is sufficient room within the ROW, for the construction of a sidewalk that could be approved through the ROW Permit process.
- 2. FRONTAGE LOCATED EAST OF THE EXISTING GUARDRAIL:
It appears that the proposed sidewalk would need to include relocating a portion of the bridge structure guardrail; therefore it is recommended that this portion of the request be approved.

TRAFFIC ENGINEERING**COMMENTS**

Lot is limited to one curb cut with any changes in size, location and design to be approved by 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 (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 one legal lot of record from an existing metes-and-bounds parcel, and Sidewalk Waiver request to waive construction of a sidewalk along Halls Mill road.

The subject site is bordered to the East by vacant B-2, Neighborhood Business zoning, formerly used as a restaurant; to the West by I-1 zoning in use as an office; and across Halls Mill Road by vacant R-1, Single-Family Residential zoning.

The site has been given a Light Industry (LI) 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 applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. If a light industrial use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements. This designation may also include uses such as complementary offices and retail.

LI also includes areas that may be regarded as “industrial business”, where the land uses include business administration and logistics operations for industrial concerns, building trade contractors facilities and advance research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks. Many parcels used for industrial business are smaller and scattered throughout Mobile. For this reason, these parcels are not singled out in the FLUM, but rather are addressed through zoning.

Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods. Development may take the form of

planned campuses in park-like settings or unified design corridors, with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.

Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations. Protection buffers may also be required by zoning.

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 a single metes-and-bounds parcel to allow for the development of the property. The proposed lot meets the minimum area size requirement of Section V.D.2. of the Subdivision Regulations. The applicant states that the site is served by public water and sanitary sewer services.

The site has frontage along Halls Mill Road which is considered a minor arterial street and requires a 70' right-of-way. The preliminary plat indicates a variable right-of-way width along the front of the subject site with a 34.6' dimension given from the centerline of the asphalt pavement to the current right-of-way/front property line. A 10.0' dedication is indicated along the street frontage. As the asphalt may or may not be centered within the right-of-way, the current width from the actual centerline of the Halls Mill Road right-of-way to the current property line should be verified, and, if less than 35', dedication sufficient to provide 35' from the centerline should be required. The 25' minimum building setback line should be retained on the Final Plat as measured from any required frontage dedication.

Although stated in the application, the lot size is not given on the preliminary plat. Therefore, the plat should be revised to label the lot with its size in both square feet and acres, after any required frontage dedication, or a table should be furnished on the Final Plat providing the same information.

The plat indicates an existing drainage easement running through the site. Therefore, a note should be required on the Final Plat stating that no structure may be constructed or placed within this easement.

In regards to the Sidewalk Waiver, the applicant simply states:

A guard rail and steep terrain prevent construction of a sidewalk.

It should be pointed out that the Mobile City Council adopted a “complete streets” policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians. The existing bridge appears to have a sidewalk; however, the approaches to the bridge do not have sidewalks.

It should be noted that a Sidewalk Waiver request was denied by the Commission in 1995 for the property approximately 250’ West of the subject site. The other developed sites between that site and the subject site were developed prior to that date.

Specific to this site, City Engineering has determined that a sidewalk can be constructed West of the existing guardrail along the street frontage; therefore, the Sidewalk Waiver request should be denied for this portion of the frontage. City Engineering has determined that a portion of the bridge structure guardrail would have to be removed to construct a sidewalk in the right-of-way East of the existing guardrail; therefore, the Sidewalk Waiver should be approved for that portion of the frontage.

RECOMMENDATION

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

- 1) verification of the width from the actual centerline of the Halls Mill Road right-of-way to the current property line, and, if less than 35’, dedication sufficient to provide 35’ from the centerline is required;
- 2) retention of the 25’ minimum building setback line as measured from any required dedication;
- 3) revision of the plat to label the lot with its size in both square feet and acres, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement;
- 5) compliance with the 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 and label the reference monumentation for the corners labeled “NO CORNER SET” and “UNABLE TO SET” at the northeast corner of the propose lot. C. 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. D. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. E. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. F. Show and label all flood zones and boundary lines shown on the 2010 FEMA maps. Also indicate on the map by drawing or note that the proposed FEMA maps (2019) shows an increase in the X(unshaded) flood zone. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. Coordinate with City Engineering Dept. to provide the correct elevation. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. 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. J. 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. 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. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.];

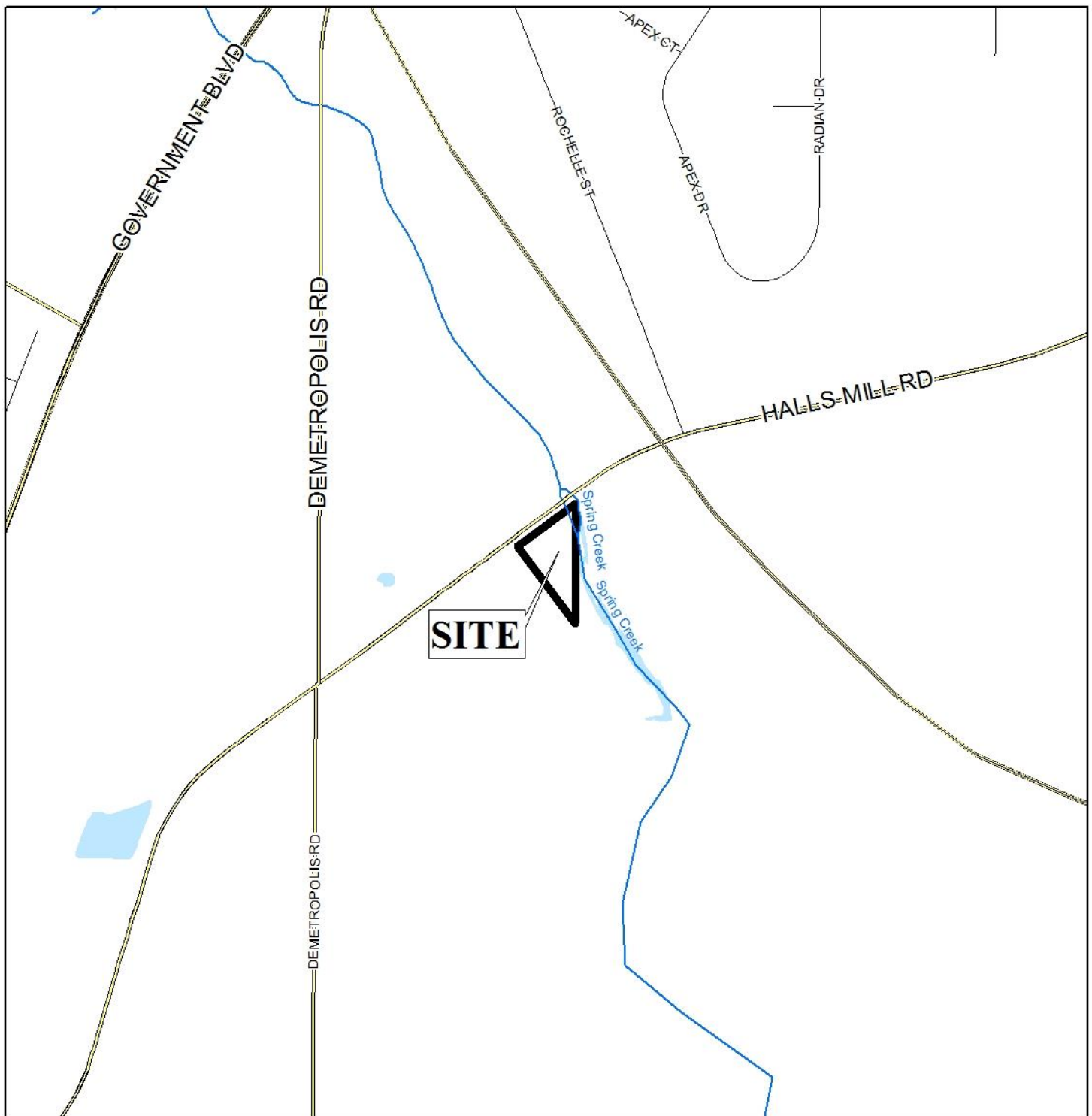
- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: (Lot is limited to one curb cut with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 7) 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);
- 8) 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 (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

- 9) completion of the Subdivision process prior to issuance of land disturbance/building permits.

Sidewalk Waiver: Based upon the preceding, the request to waive construction of a sidewalk along Halls Mill Road is recommended for approval for the portion of the frontage East of the existing guardrail. For the portion of the frontage West of the existing guardrail, the request to waive construction of a sidewalk is recommended for denial. .

LOCATOR MAP



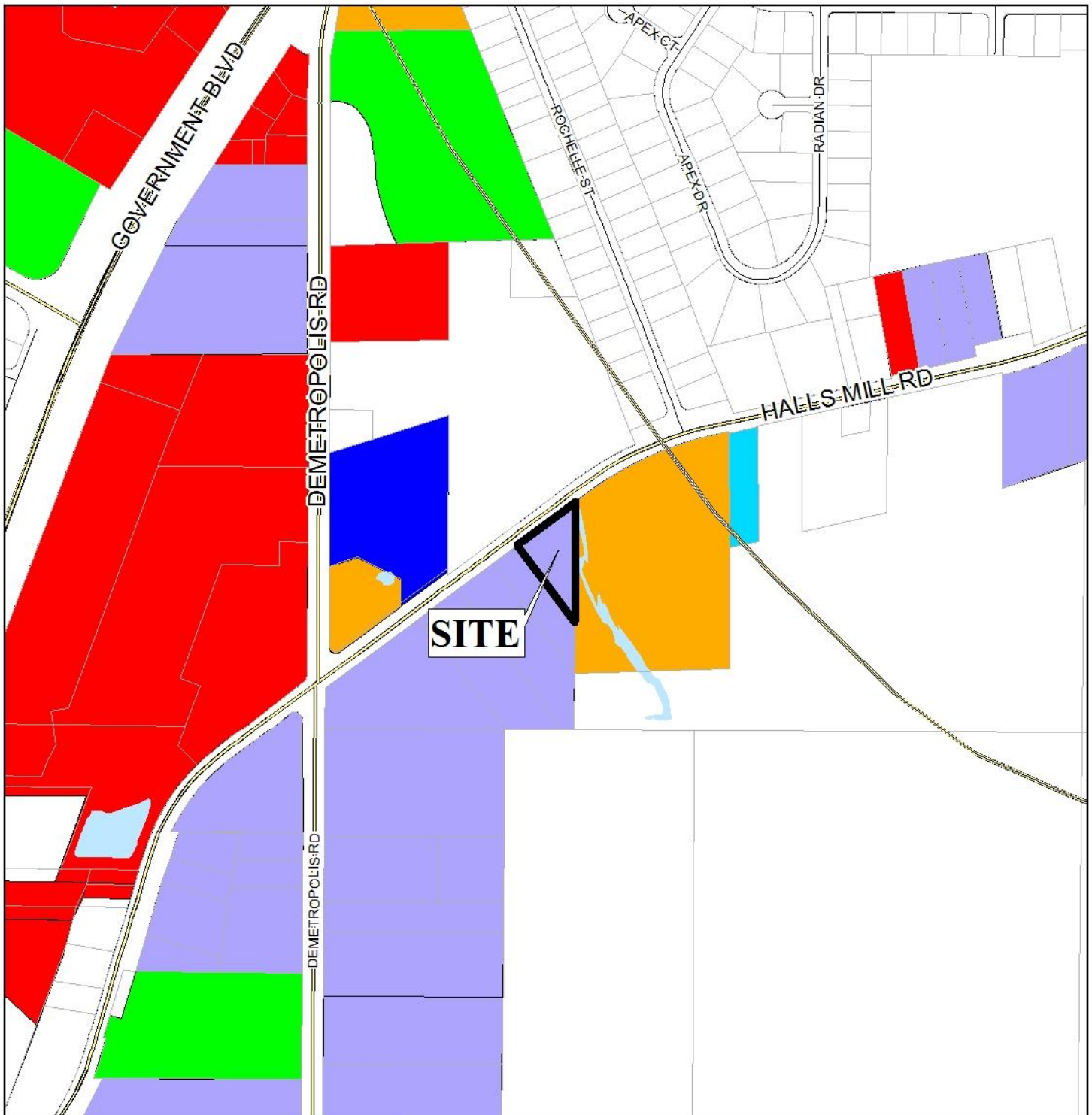
APPLICATION NUMBER 8 DATE May 16, 2019

APPLICANT Persons Development Subdivision

REQUEST Subdivision, Sidewalk Waiver



LOCATOR ZONING MAP



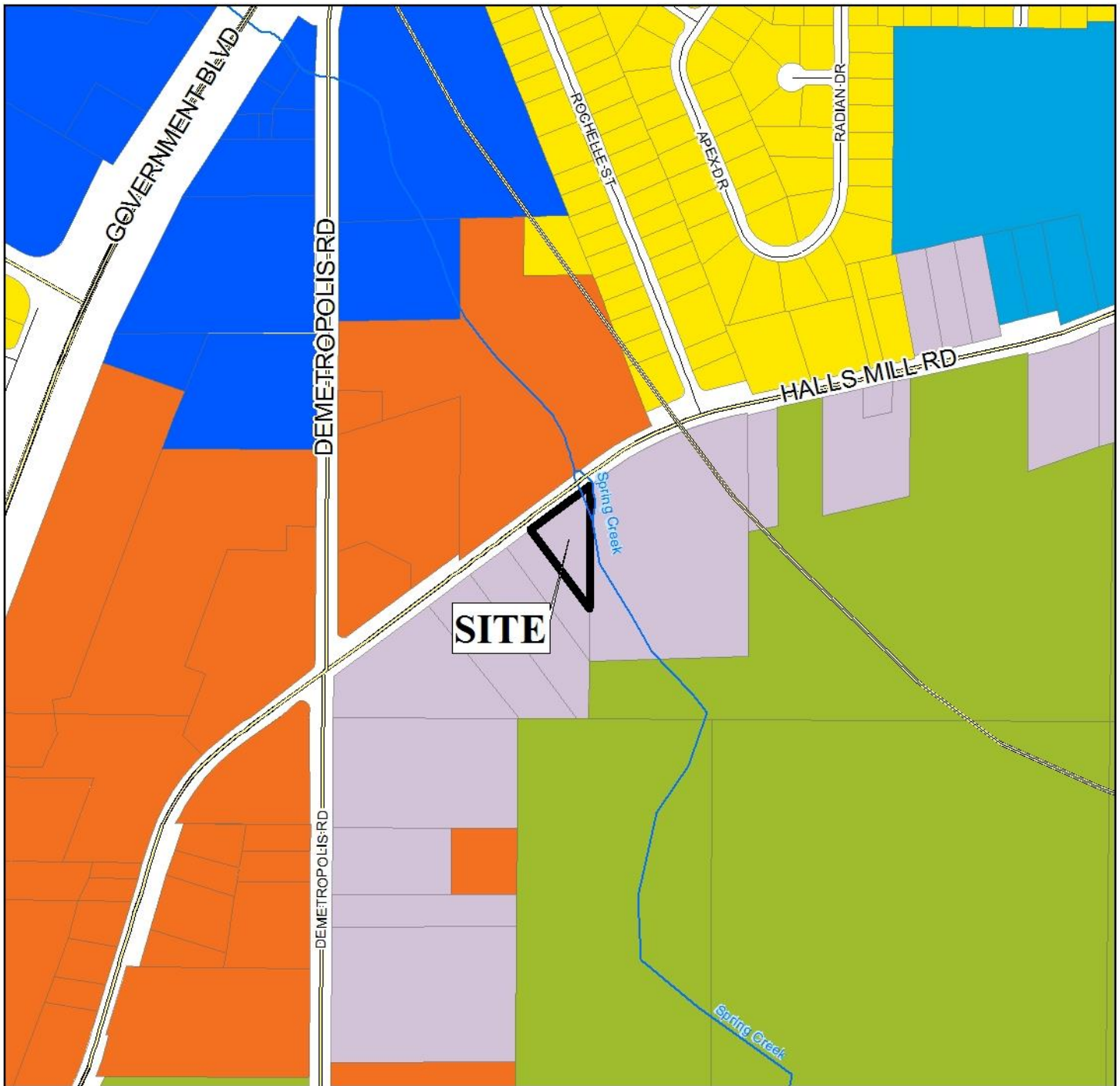
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REQUEST Subdivision, Sidewalk Waiver



FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE May 16, 2019

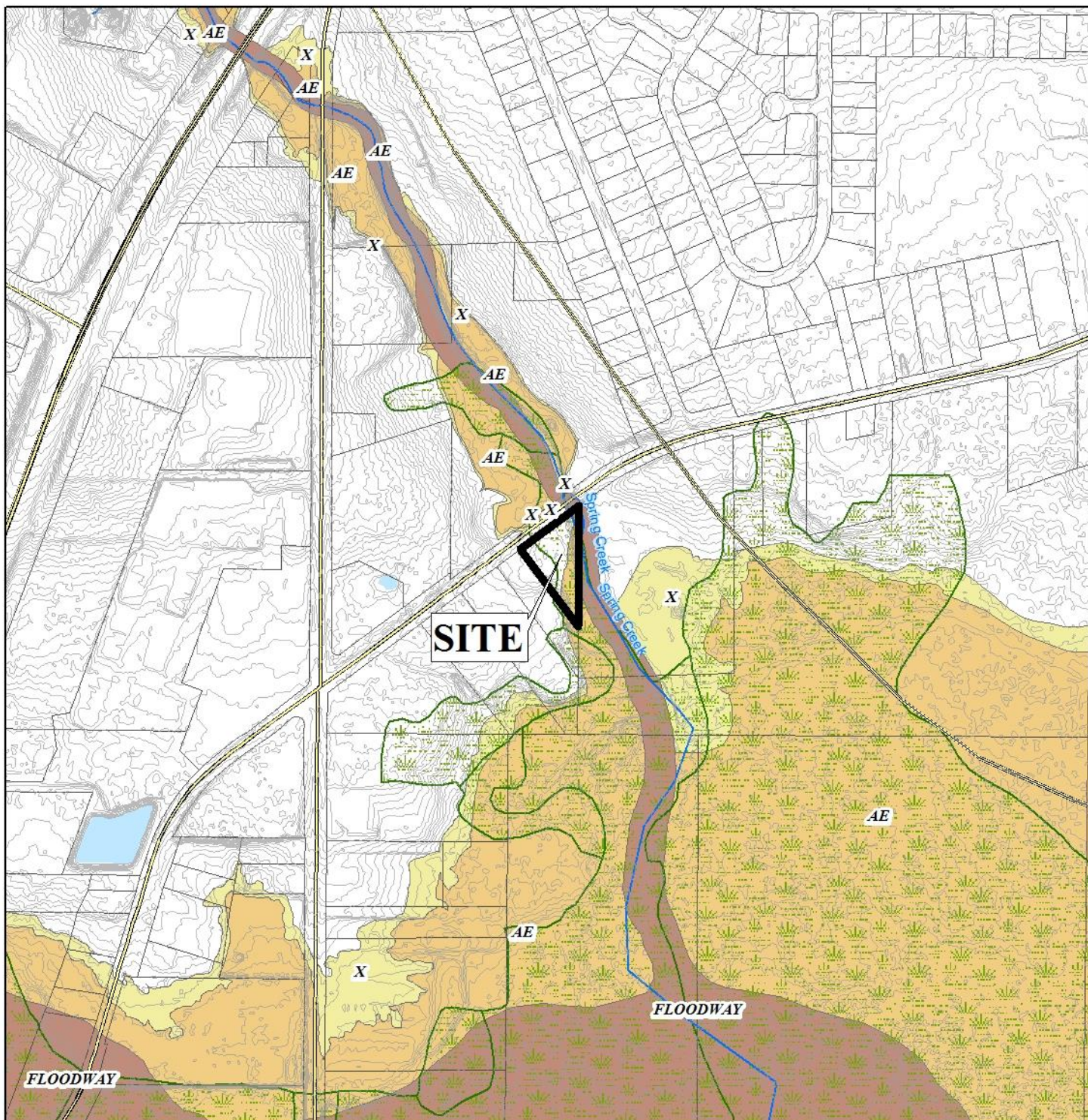
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



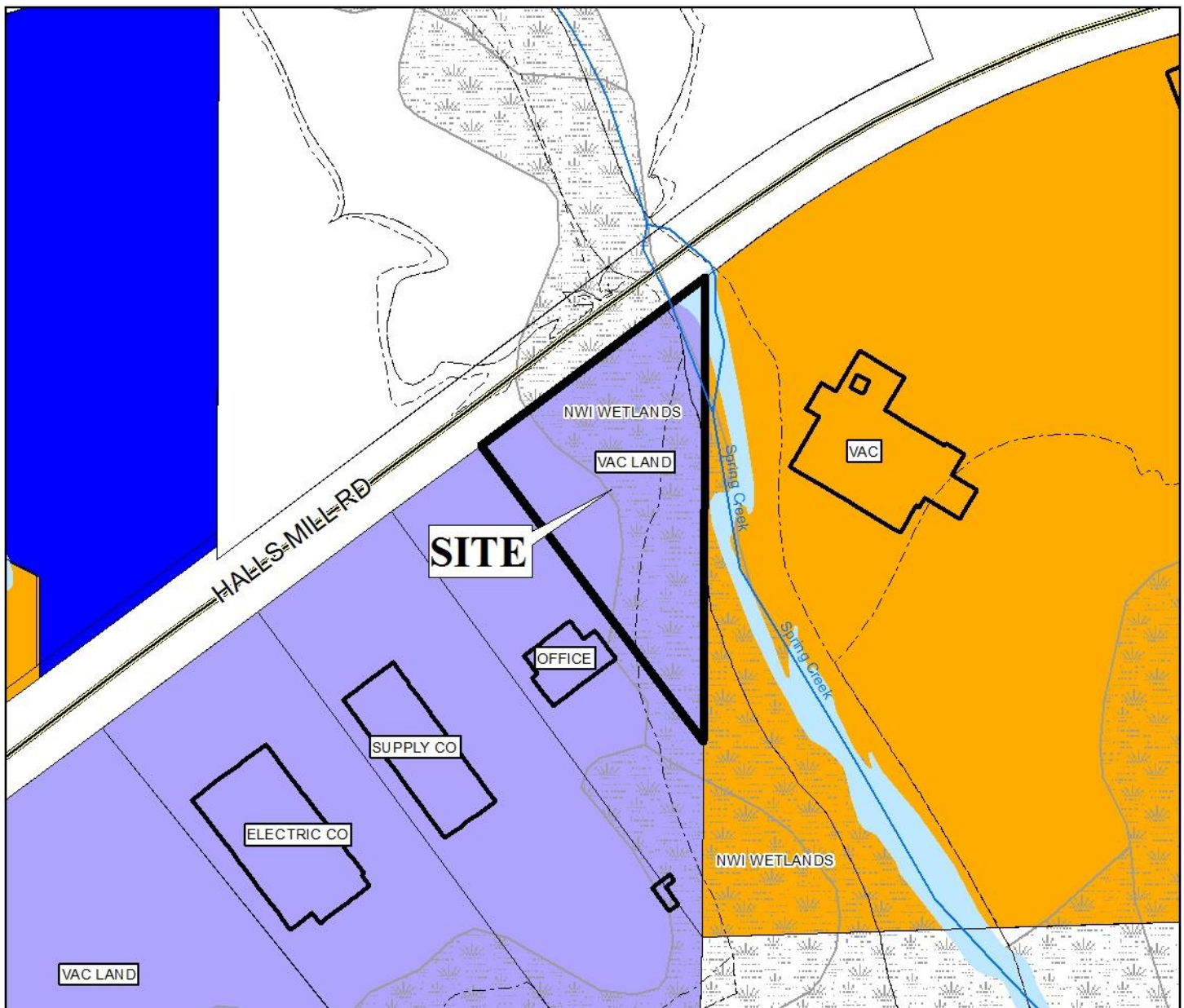
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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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



The site is surrounded by commercial units.

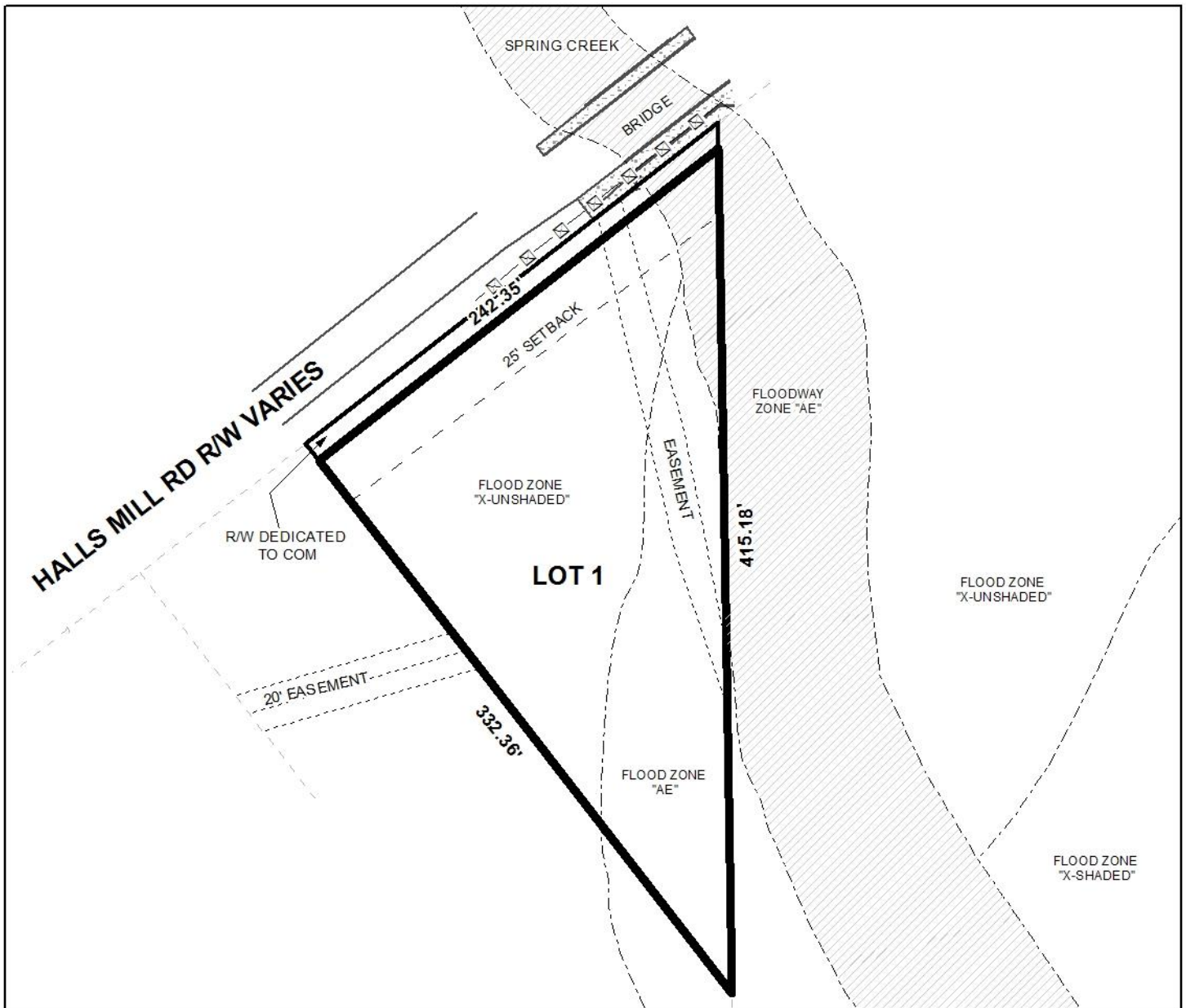
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SITE PLAN



The site plan illustrates the setback, easements, and floodways.

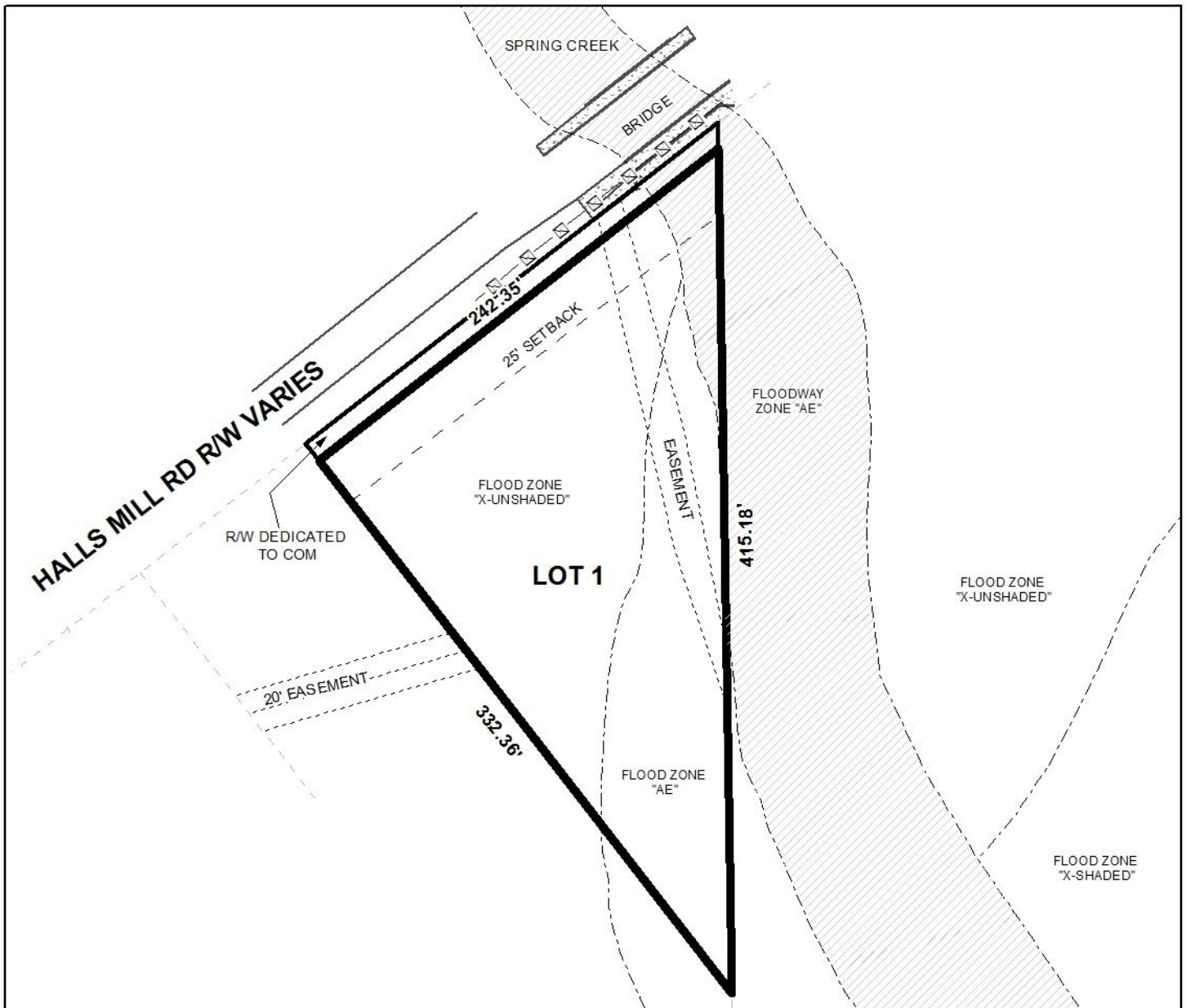
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The site plan illustrates the setback, easements, and floodways.

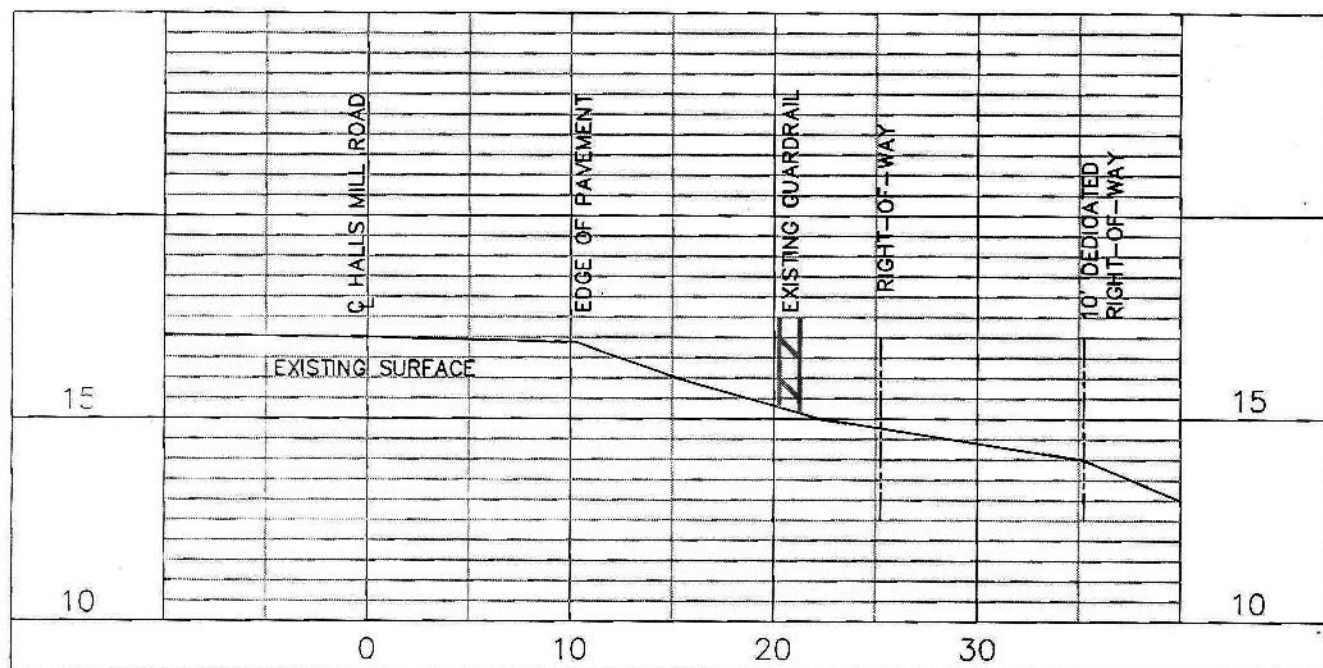
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DETAIL SITE PLAN



TYPICAL CROSS SECTION

SCALE: 1" = 10' HOR
1" = 10' VER

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