

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: July 16, 2020****APPLICANT NAME**

Southern Lift Truck

SUBDIVISION NAME

Washington Pillans Subdivision

LOCATION

871 South Washington Avenue & 759 and 763 Pillans Avenue
(East side of South Washington Avenue, 135'± South of Pillans Avenue, extending to the South side of Pillans Avenue, 137'± East of South Washington Avenue).

**CITY COUNCIL
DISTRICT**

Council District 3

PRESENT ZONING

B-3, Community Business District and R-2, Two-Family Residence District

PROPOSED ZONING

B-3, Community Business District

AREA OF PROPERTY

1 Lot / 1.9± Acres

CONTEMPLATED USE

Subdivision Approval to create a single lot of record from three metes-and-bounds parcels; and Rezoning from B-3, Community Business District, and R-2, Two-Family Residence 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 and label the monument set or found at each subdivision corner.

- C. Check the Point of Commencement. The written legal description refers to the southwest corner instead of the southeast corner of that intersection.
- D. Correct the spelling of Pillans St in the written legal description.
- E. Show and label all flood zones. New maps went into effect on June 5, 2020.
- F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- G. Provide the Surveyor's and Owner's (notarized) signatures.
- H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #74) LOTS 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 – 8,800 sf.
- 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. After all comments have been addressed 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

The site is limited to two curb cuts to South Washington Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required 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 single lot of record from three metes-and-bounds parcels; and Rezoning from B-3, Community Business District, and R-2, Two-Family Residence District to B-3, Community Business District.

The site has been given a Mixed Density Residential (MxDR) 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 mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 dwelling units per acre, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

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 three existing metes-and-bounds parcels. 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 placed on the Final Plat.

The site has frontage along Washington Avenue and Pillans Street. Washington Avenue is a collector street, with a compliant 70' right-of-way, thus no dedication is required. Pillans Street, a minor street with curb and gutter is depicted as having an existing 42' right-of-way, making dedication necessary to provide 25' from the centerline, if approved.

The preliminary plat illustrates the 25' minimum building setback lines along both street frontages. If approved, the plat should be revised to depict the 25' minimum building setback lines, adjusted for dedication.

The site appears to have two existing curb-cuts to both Washington Avenue and Pillans Street. The applicant is proposing to remove access to Pillans Street. If the Subdivision is approved on the condition that the site be denied access to Pillans Street, the existing curb-cuts will need to be removed. As a means of access management, a note should be placed on the Final Plat with Traffic Engineering comments.

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 and East by R-2, Two-Family Residence District; to the West by R-2, Two-Family Residence District and B-3, Community Business District; and to the South, by B-3, Community Business District.

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

We are submitting a 1 lot subdivision and rezoning application to combine 3 parcels into 1 lot to make for a cohesive development. The rezoning is also intended to remove split zoning along of R-2 and B-3 designation and combine all properties into B-3. We met with all departments in a Pre-development meeting and plan to utilize the site as presented at the meeting to allow fork lift operations and parts. We plan to utilize the site in the existing condition with surfacing already in place. As part of the rezoning we plan provide the proper buffers along residentially zoned property and adjacent to Pillans Street. We also will deny ourselves access voluntarily to Pillans street as part of the rezoning and only utilize the existing access along Washington Avenue. The justification for rezoning is to remove split zoning already created on existing parcels and the changing conditions to the area should allow for B-3 to be utilized with their operation. We ask that the 1 lot subdivision be considered and rezoning to clean up an existing problem and make for a cohesive development.

The proposed lot is currently developed with a single building, and the applicant is trying to resolve the existing split-zoning of the site. It should be noted that the site has been used commercially in the past, but has since lost its non-conforming status.

Because the site is adjacent to residentially zoned property, a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance should be provided, if approved.

It should be noted full site compliance is not required at this time as the applicant does not intend to make any changes to the site, however at such a time as the site is re-developed, the site will be required to be brought into full compliance with Zoning Ordinance requirements.

RECOMMENDATION

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

- 1) dedication to provide 25' from the centerline of Pillans Street;
- 2) revision of the lot sizes in square feet and acres, adjusted for dedication;
- 3) revision of the plat to depict the 25' minimum building setback lines, adjusted for dedication;
- 4) removal of unused curb-cuts to Pillans Street;
- 5) 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 and label the monument set or found at each subdivision corner. C. Check the Point of Commencement. The written legal description refers to the southwest corner instead of the southeast corner of that intersection. D. Correct the spelling of Pillans St in the written legal description. E. Show and label all flood zones. New maps went into effect on June 5, 2020. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #74) LOTS 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 – 8,800 sf. 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.

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- 6) placement of a note on the site plan stating the following Traffic Engineering comments: *(The site is limited to two curb cuts to South Washington Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.)*
- 7) 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*
- 8) 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, the application is recommended for Approval to B-3, Community Business District, subject to the following:

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

LOCATOR MAP



APPLICATION NUMBER 8 DATE July 16, 2020

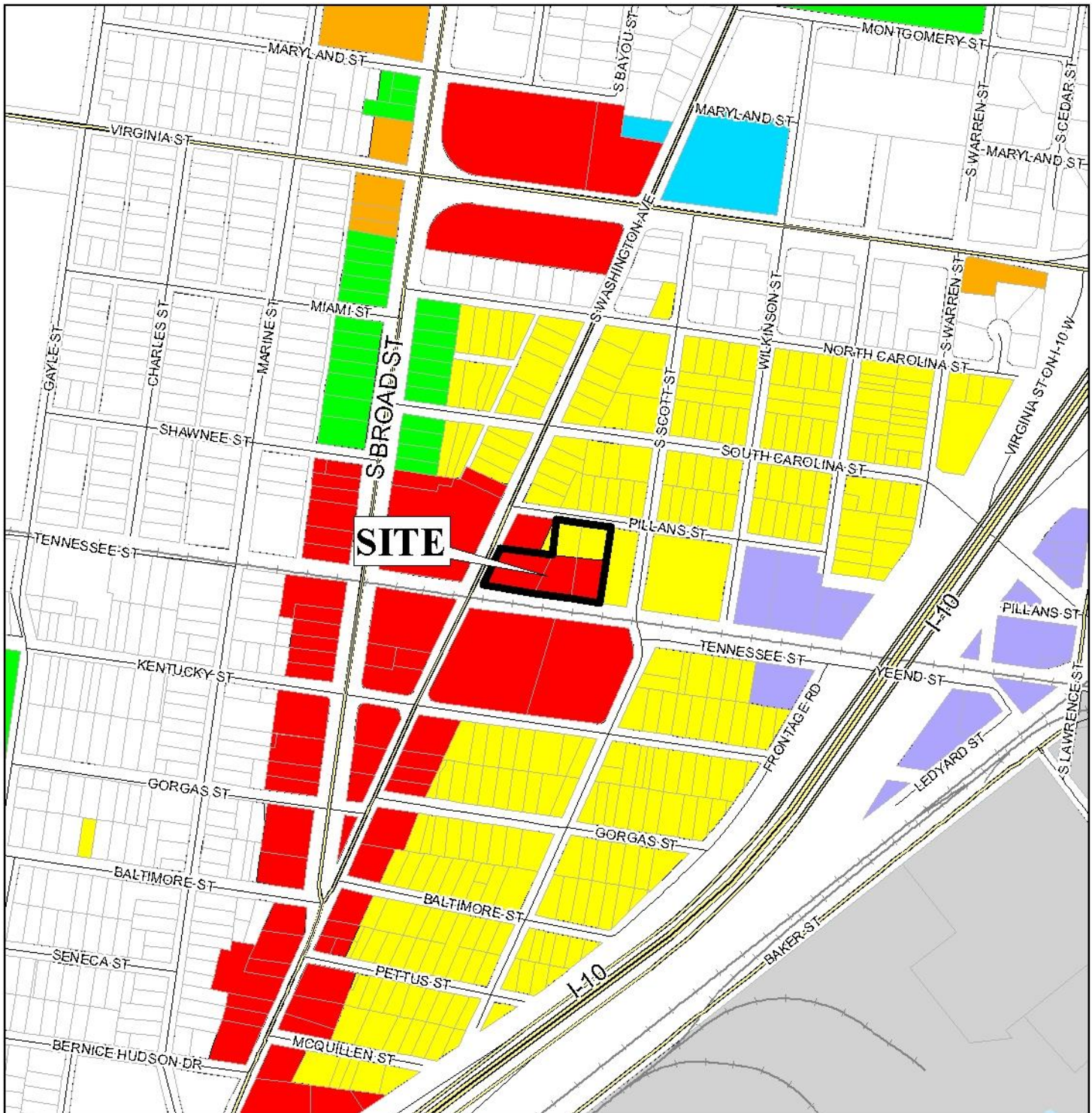
APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3



NTS

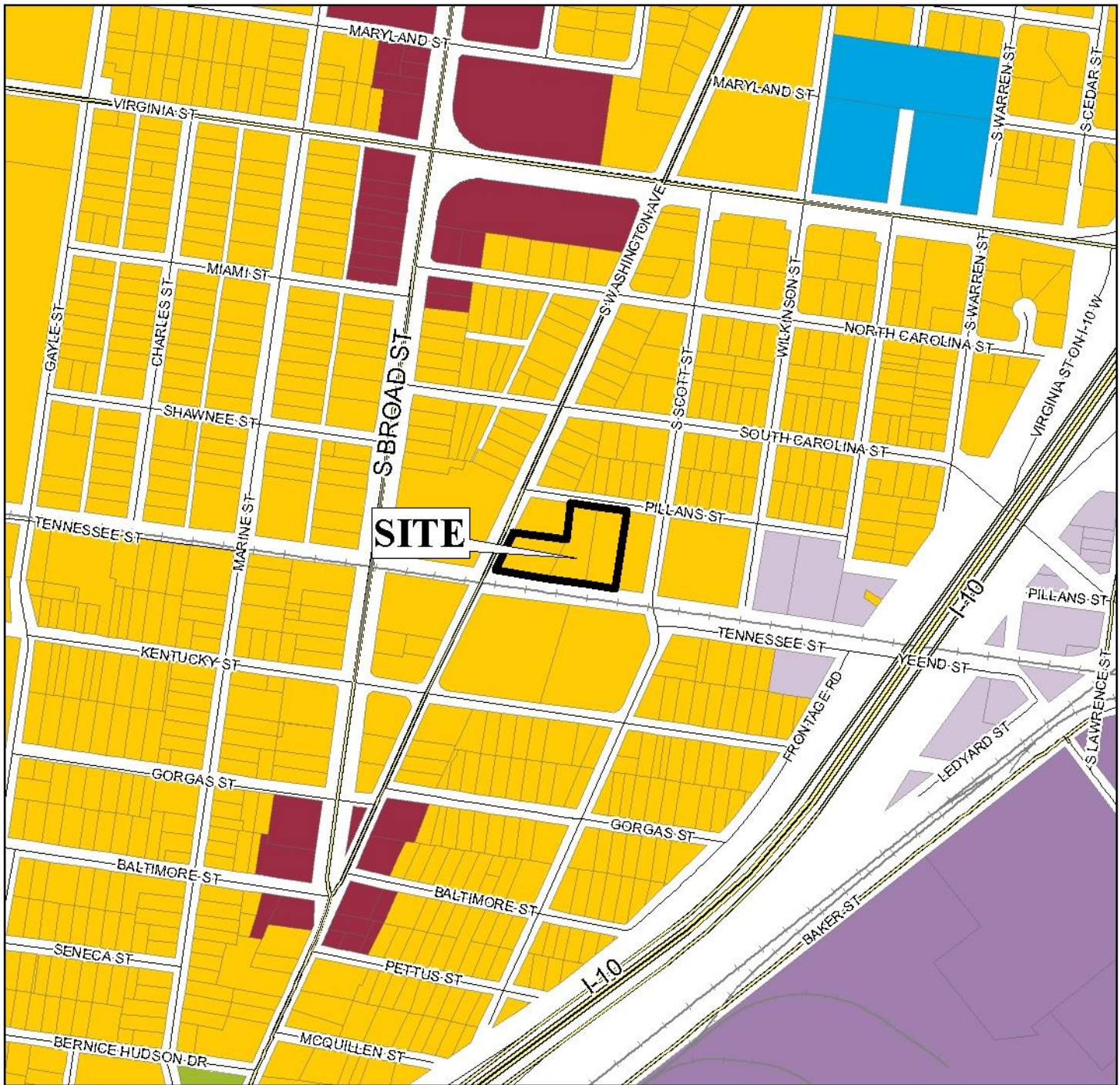
LOCATOR ZONING MAP



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APPLICANT Washington Pillans Subdivision
REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3



FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE July 16, 2020

APPLICANT Washington Pillans Subdivision

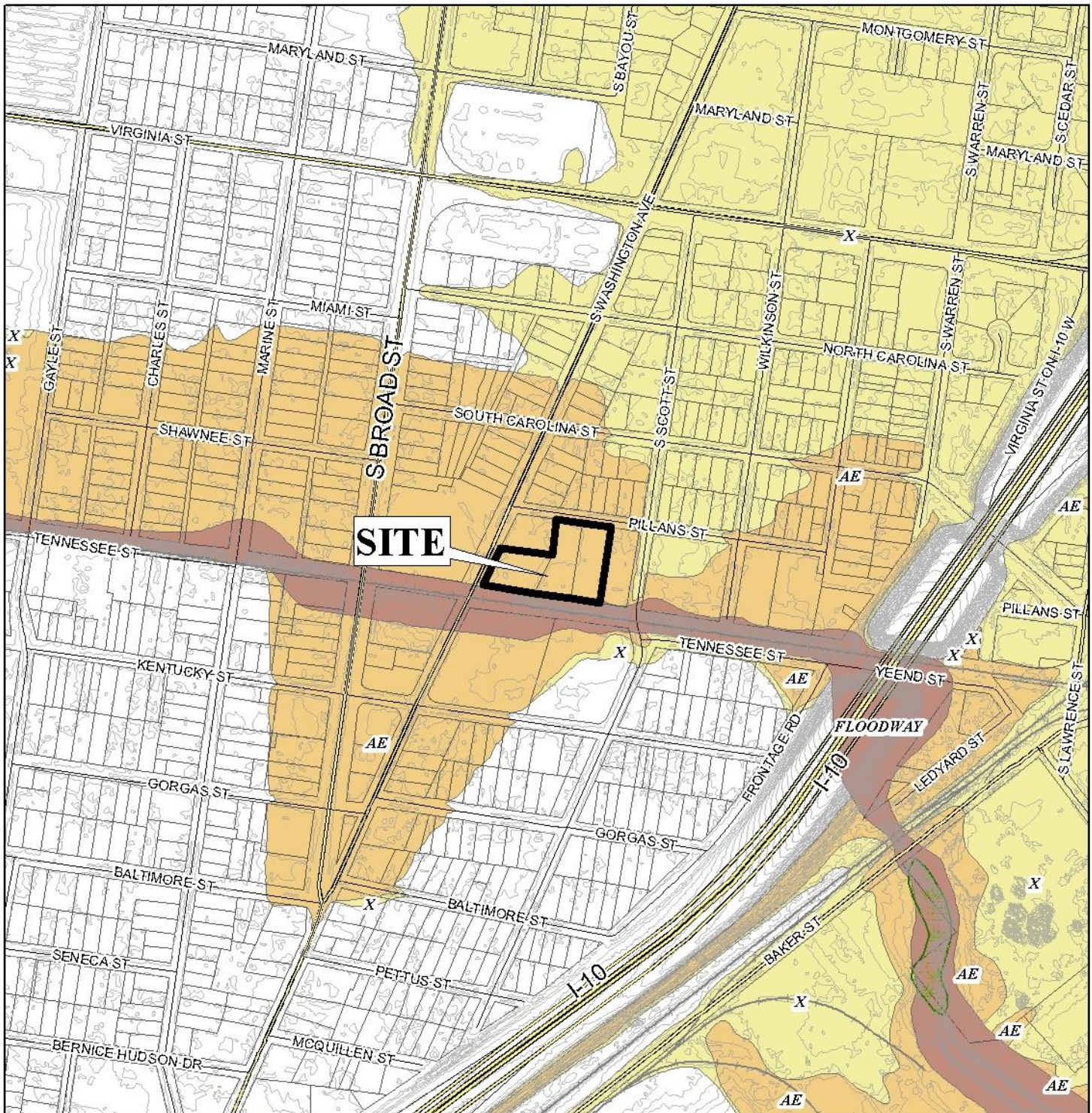
REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3

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	



NTS

ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 8 DATE July 16, 2020

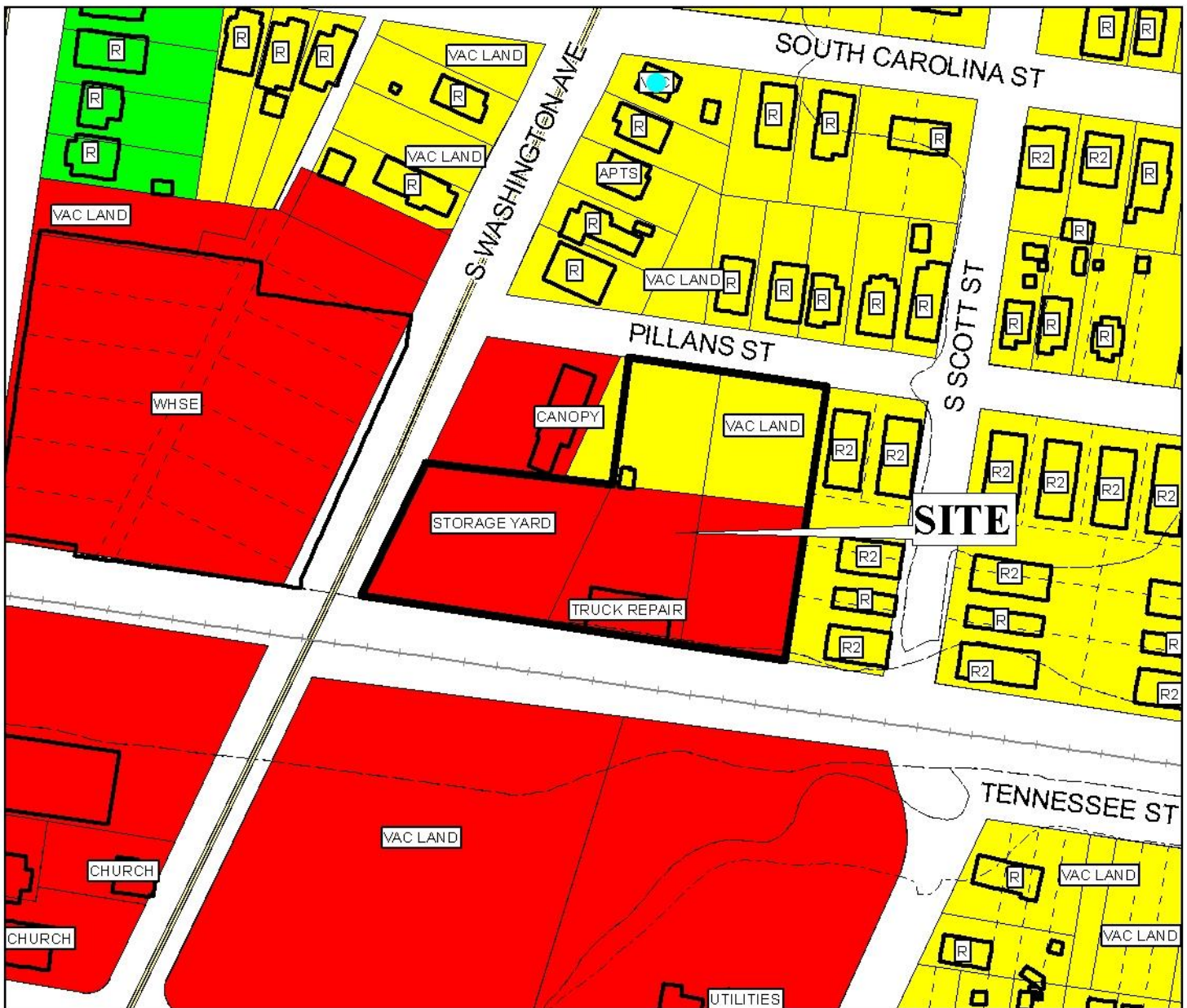
APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



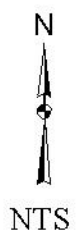
The site is surrounded by residential units to the east, and commercial units to the west.

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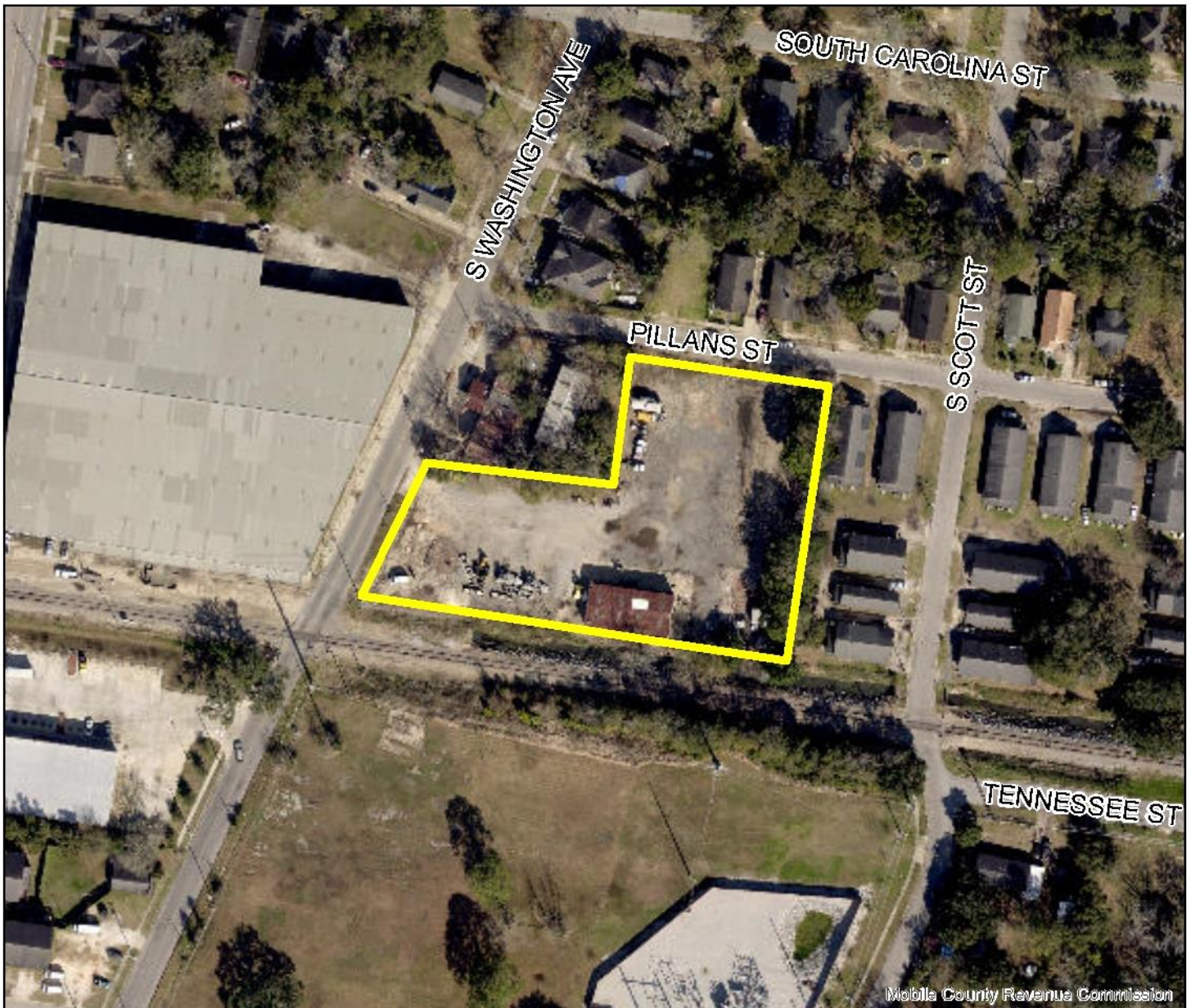
APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 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



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units to the east, and commercial units to the west.

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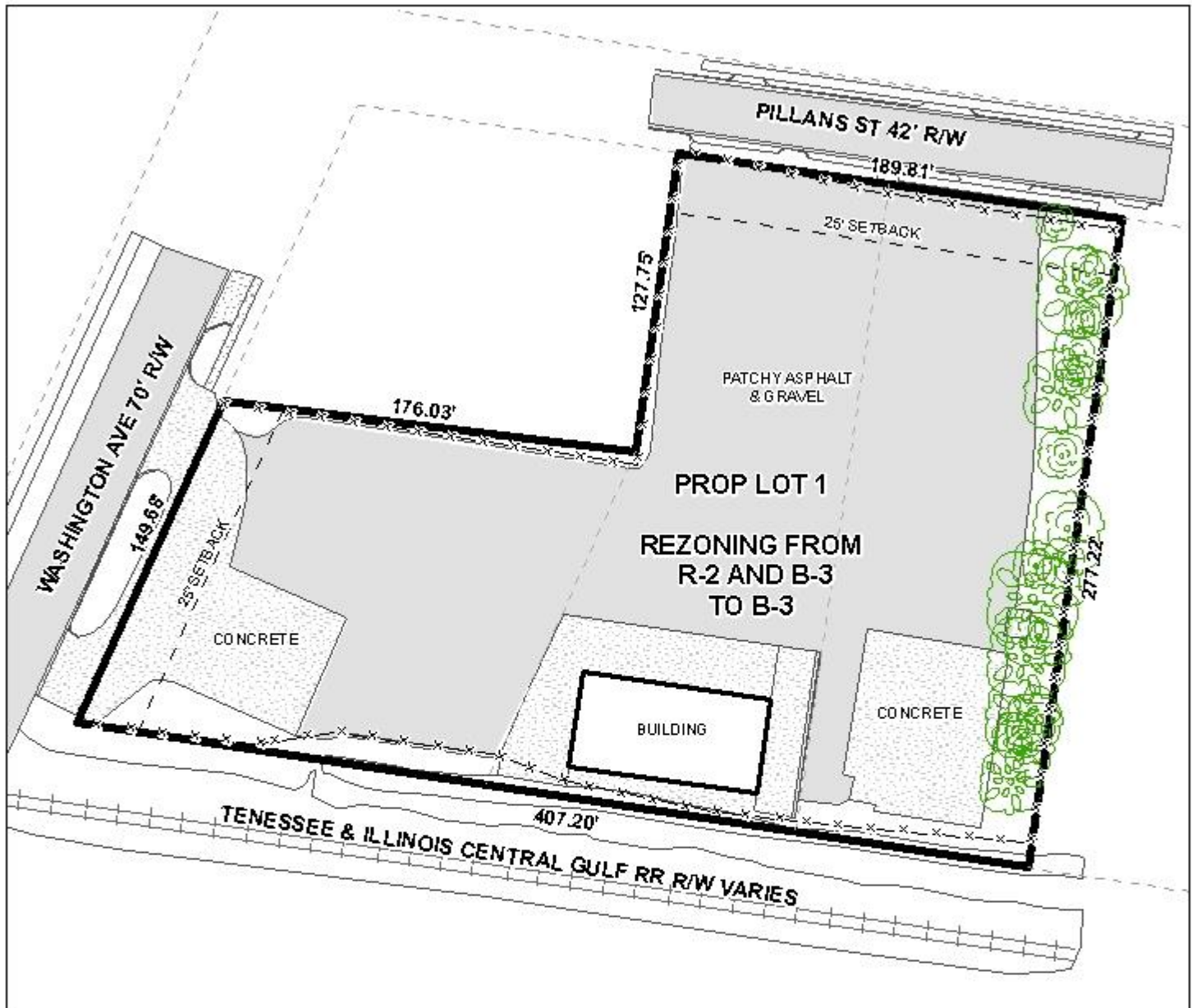
APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3



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SITE PLAN



The site plan illustrates the existing building, setbacks, and proposed lot.

APPLICATION NUMBER 8 DATE July 16, 2020

APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3



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DETAIL SITE PLAN



APPLICATION NUMBER 8 DATE July 16, 2020

APPLICANT Washington Pillans Subdivision

REQUEST Subdivision, Rezoning from B-3 and R-2 to B-3

