

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: November 21, 2019****APPLICANT NAME**

The Calirojae c/o Deborah Calhoun

SUBDIVISION NAME

The Calirojae, Inc. Subdivision

LOCATION

605 Texas Place

(Northeast corner of Texas Place and Texas Street, extending to the East terminus of Texas Place).

**CITY COUNCIL
DISTRICT**

Council District 2

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot / 5.1± Acres

CONTEMPLATED USE

Subdivision Approval to create one (1) legal lot of record from eleven (11) existing legal lots of record, and Rezoning from R-1, Single-Family Residential 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. Provide a vicinity map.
- C. Label the proposed LOT (i.e. LOT 1, LOT A).
- D. Show and label all flood zones.

- E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- G. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #73) the PROPOSED LOT 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). Coordinate with City Engineering Department staff to establish the exact amount that each Lot will receive prior to the submittal of a LAND DISTURBANCE permit.
- 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 and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.
- O. After addressing all of the FINAL SUBDIVISION PLAT review comments 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. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.

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 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**

Site is denied access to the I-10/Claiborne Street right-of-way and limited to its existing number of curb cuts with any changes to 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**

Not specified.

REMARKS

The applicant is requesting Subdivision Approval to create one (1) legal lot of record from eleven (11) existing legal lots of record, and Rezoning from R-1, Single-Family Residential District to B-2, Neighborhood Business District.

The site has been given a Mixed Density Residential 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 du/ac, 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 eleven legal lots of record created as part of the City's Central Texas Street Area urban renewal project of the 1970's. Although intended to generate single-family housing sites, no residences were ever constructed on any of the existing lots within the subject site. The proposed lot meets the minimum size requirements of Section V.D.2 of the Subdivision Regulations. If approved, the plat should be revised to label the lot with its size in both square feet and acres, or a table should be furnished on the Final Plat providing the same information. The applicant states that the site is served by public water and sanitary sewer services.

The site fronts onto Texas Place and Texas Street, both minor streets. Texas Place is a cul-de-sac with a compliant 50' right-of-way along the straight portion, but with a 100' diameter turn-around. As a 120' diameter is now required for cul-de-sacs, dedication should be required to provide 60' from the center of the turn-around. Texas Street has a compliant 70' right-of-way; therefore, no dedication would be required. To the East the site is bordered by the Interstate 10 right-of-way. The plat does not indicate a minimum building setback line along the street frontages; therefore, the plat should be revised to illustrate a 25' minimum building setback line along all street frontages as measured from any required dedication.

As per the Traffic Engineering comments, the site is denied access to the I-10/Claiborne Street right-of-way and limited to its existing number of curb cuts with any changes to 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. A note should be required on the Final Plat stating these comments.

As submitted, the preliminary plat is merely a boundary survey. Therefore, if approved, the plat should be revised to meet the requirements of Section IV. of the Subdivision Regulations.

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 subject site is bordered to the North by R-1 used as a City park; to the West by R-1 used as single-family residential; adjacent to the South by R-1 which is developed with a church and across Texas Street by R-1 used as single-family residential and churches. To the East the site is bordered by the I-10 right-of-way with I-1, Light Industry zoning along its East side.

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

Zoning Application Statement:

This property and current structure is located near the business district west of downtown Mobile right off the I-10. The request from a residential zone change to a commercial zone will be necessary to move forward with the future home of The Calirojae.

With the rezoning change, our neighbors will not only see a beautifully renovated structure, but an increase in their property values as well.

The Calirojae will also have excellent visibility from the I-10, which gets over 69,000 vehicles passing by daily, and will be within minutes of beautiful downtown Mobile, its historic museums, restaurants, the entertainment district and luxury hotels.

PLAN CONSISTENCY ANALYSIS

The Calirojae, Inc. aligns beautifully with the “Mobile’s Framework for Growth” and its 7 principles as set forth for the future growth of Mobile. The Calirojae will offer the citizens of Mobile the following:

- (1) A stronger community and neighborhood*
 - The Calirojae will become a staple in the community and provide a sense of pride for the nearby residents.*
- (2) Functional entryway*
 - The Calirojae will have an attractive and distinctive streetscape with adequate parking*
- (3) Strategic infill and redevelopment*
 - The Calirojae will have a redesigned building and newly constructed parking lot.*
- (4) A CONNECT COMMUNITY*
 - The Calirojae will provide ease of entry for automobiles and pedestrians.*
- (5) High quality design*
 - The Calirojae will have an attractive and distinctive streetscape with adequate parking.*
 - The Calirojae will maintain its beautiful landscape*
 - The Calirojae will be a new property that is distinguished, keeping inline with the character of the city and neighborhood*
- (6) A stronger downtown*
 - Hotels and restaurants will benefit greatly from out-of-town guests attending events at The Calirojae.*
 - The Calirojae will be appropriate for Mobile*
- (7) Great Opportunity*
 - The Calirojae is in very close proximity to beautiful downtown Mobile!*

Other than the Subdivision approval in 1975 to create the subject lots, the site has never been before the Commission or Board of Zoning Adjustment. It was developed in 1976 as the International Seamen’s Center, and was used as such until recently, but is now vacant. The applicant proposes to convert the facility to an event venue for receptions, get-togethers and meetings. Reception halls and banquet halls require B-2 zoning at a minimum. Given that the site was intended for residential use but was developed commercially and has been used as such since 1976, it seems that the residential zoning of the subject property may indicate changing conditions in the area since the site was developed in the 1970’s.

RECOMMENDATION

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

- 1) revision of the plat to label the lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 2) dedication to provide 60' from the center of the Texas Place cul-de-sac;
- 3) revision of the plat to illustrate a 25' minimum building setback line along all street frontages as measured from any required dedication;
- 4) 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 a vicinity map. C. Label the proposed LOT (i.e. LOT 1, LOT A). D. Show and label all flood zones. E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #73) the PROPOSED LOT 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). Coordinate with City Engineering Department staff to establish the exact amount that each Lot will receive prior to the submittal of a LAND DISTURBANCE permit. 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 and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. O. After addressing all of the FINAL SUBDIVISION PLAT review comments 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. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.];*
- 5) placement of a note on the site plan stating the Traffic Engineering comments: *(Site is denied access to the I-10/Claiborne Street right-of-way and limited to its existing number of curb cuts with any changes to 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.);*
 - 6) 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.];*
 - 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)];* and
 - 8) revision of the plat to meet to meet the requirements of Section IV. of the Subdivision Regulations.

Rezoning: Based upon the preceding, the application is recommended for Approval to B-2, Neighborhood Business District, subject to the following conditions:

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

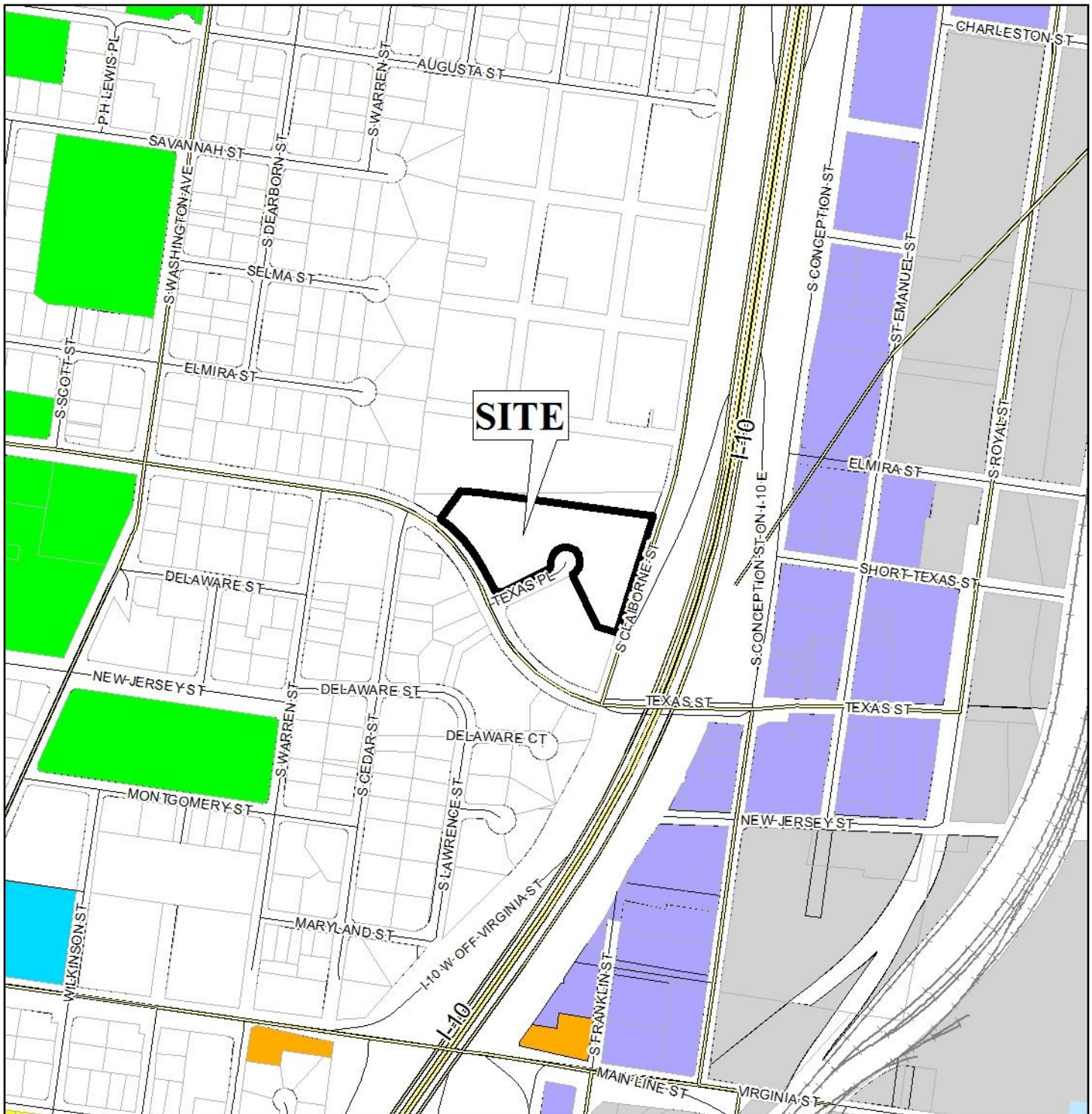
LOCATOR MAP



APPLICATION NUMBER 8 DATE November 21, 2019
APPLICANT Calirojae, Inc. Subdivision
REQUEST Subdivision, Rezoning from R-1 to B-2



LOCATOR ZONING MAP



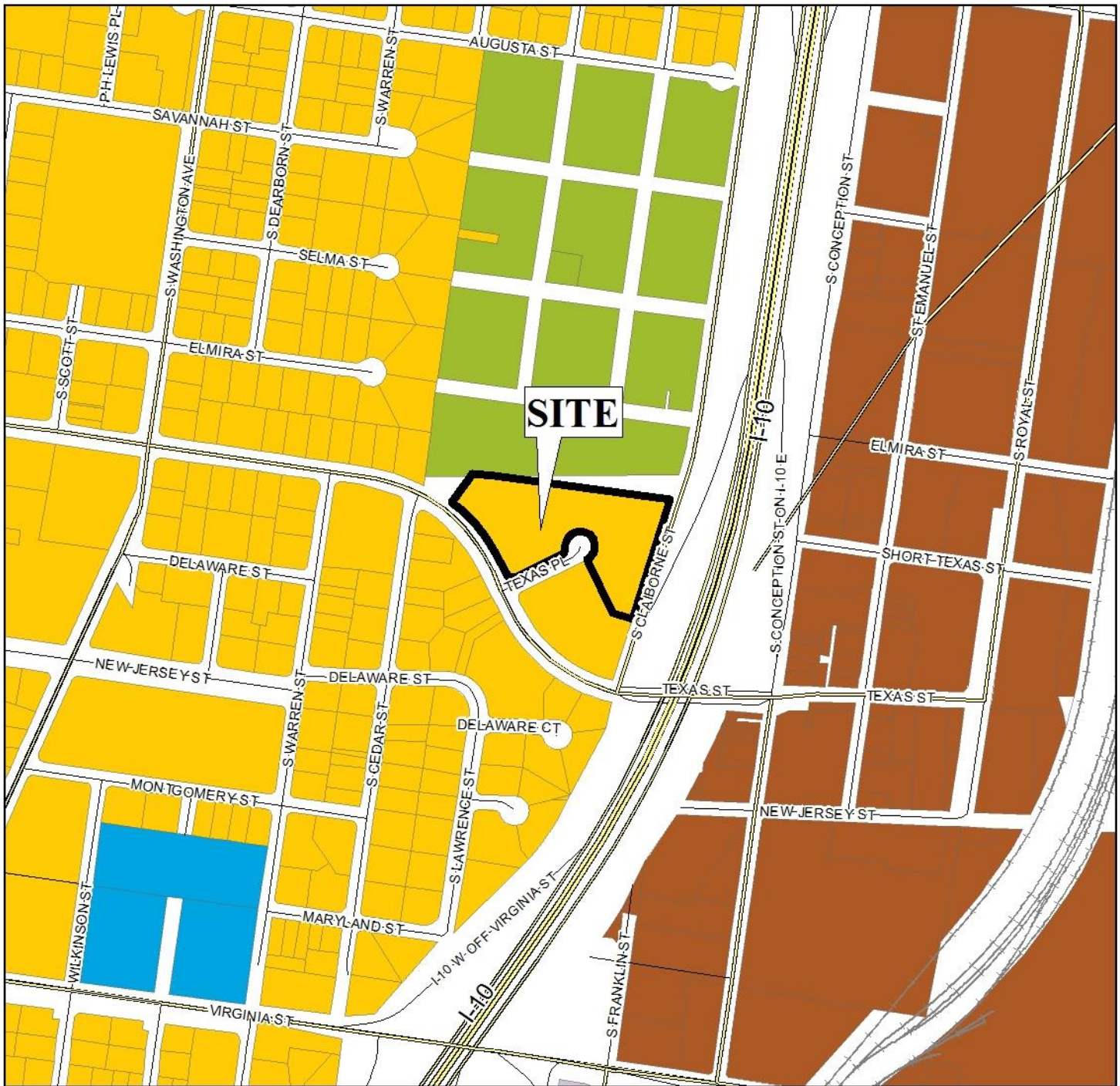
APPLICATION NUMBER 8 DATE November 21, 2019

APPLICANT Calirojae, Inc. Subdivision

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



FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE November 21, 2019

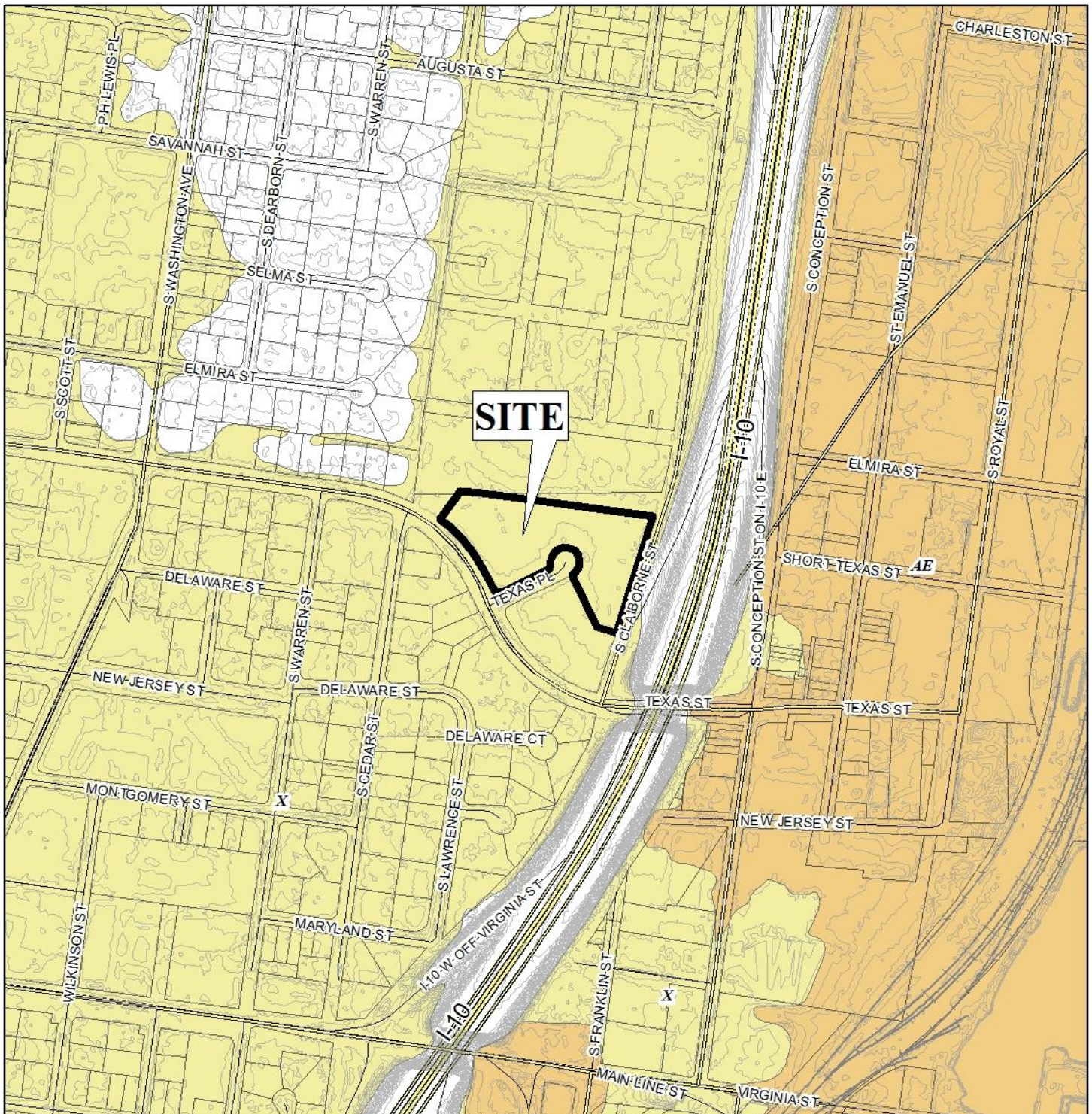
APPLICANT Calirojae, Inc. Subdivision

REQUEST Subdivision, Rezoning from R-1 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	



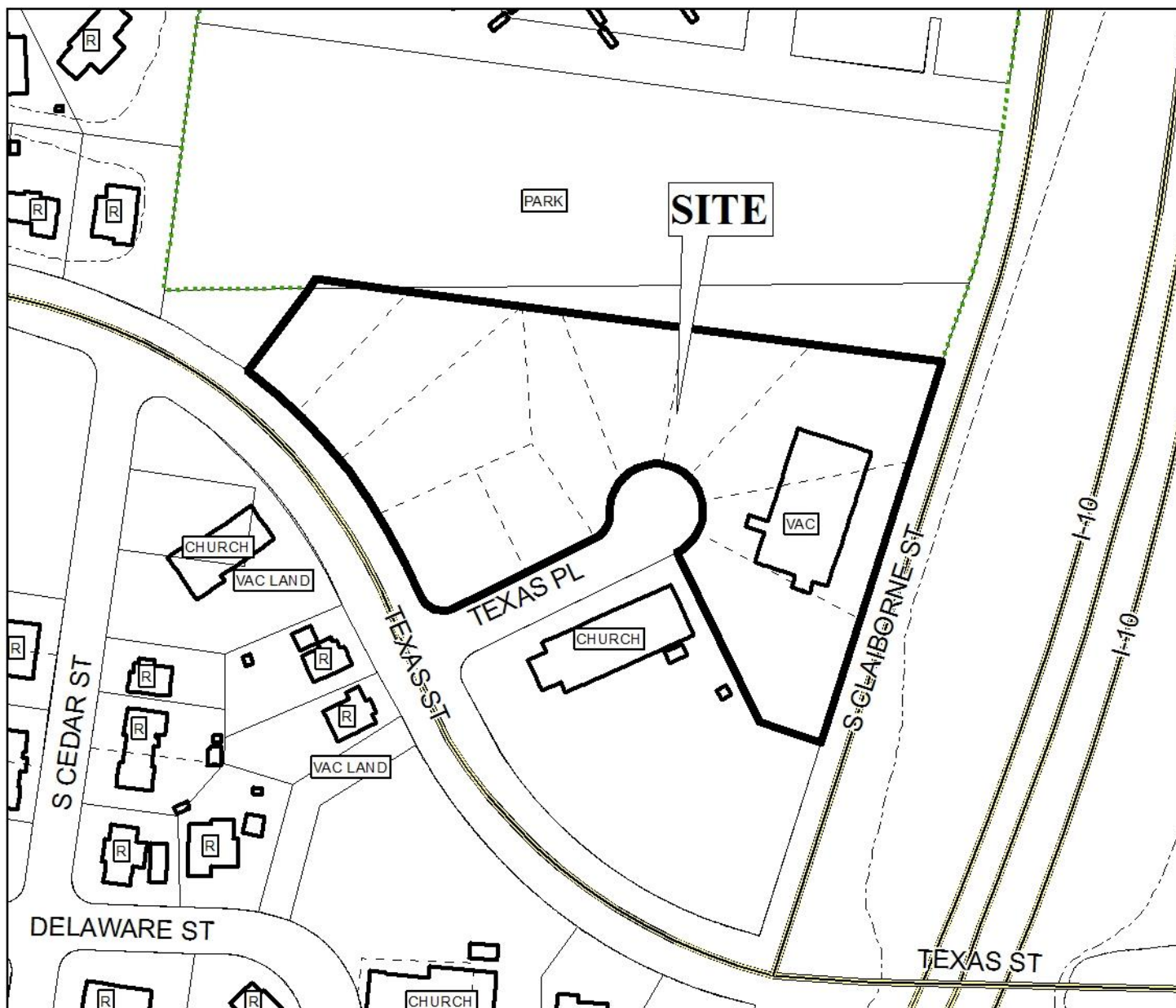
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 8 DATE November 21, 2019
APPLICANT Calirojae, Inc. Subdivision
REQUEST Subdivision, Rezoning from R-1 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.
A church lies south of the site and a park to the north.

APPLICATION NUMBER 8 DATE November 21, 2019

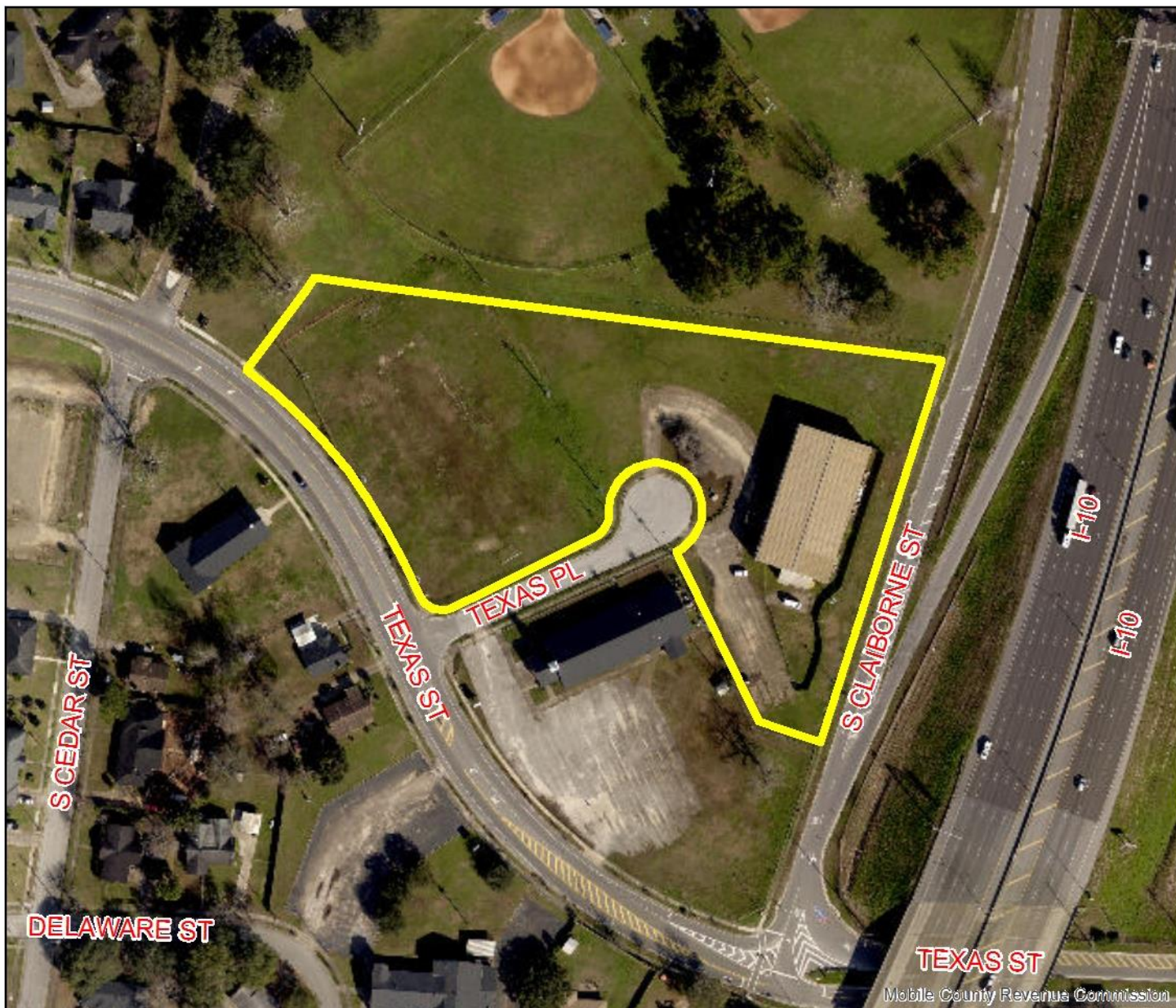
APPLICANT Calirojae, Inc. Subdivision

REQUEST Subdivision, Rezoning from R-1 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

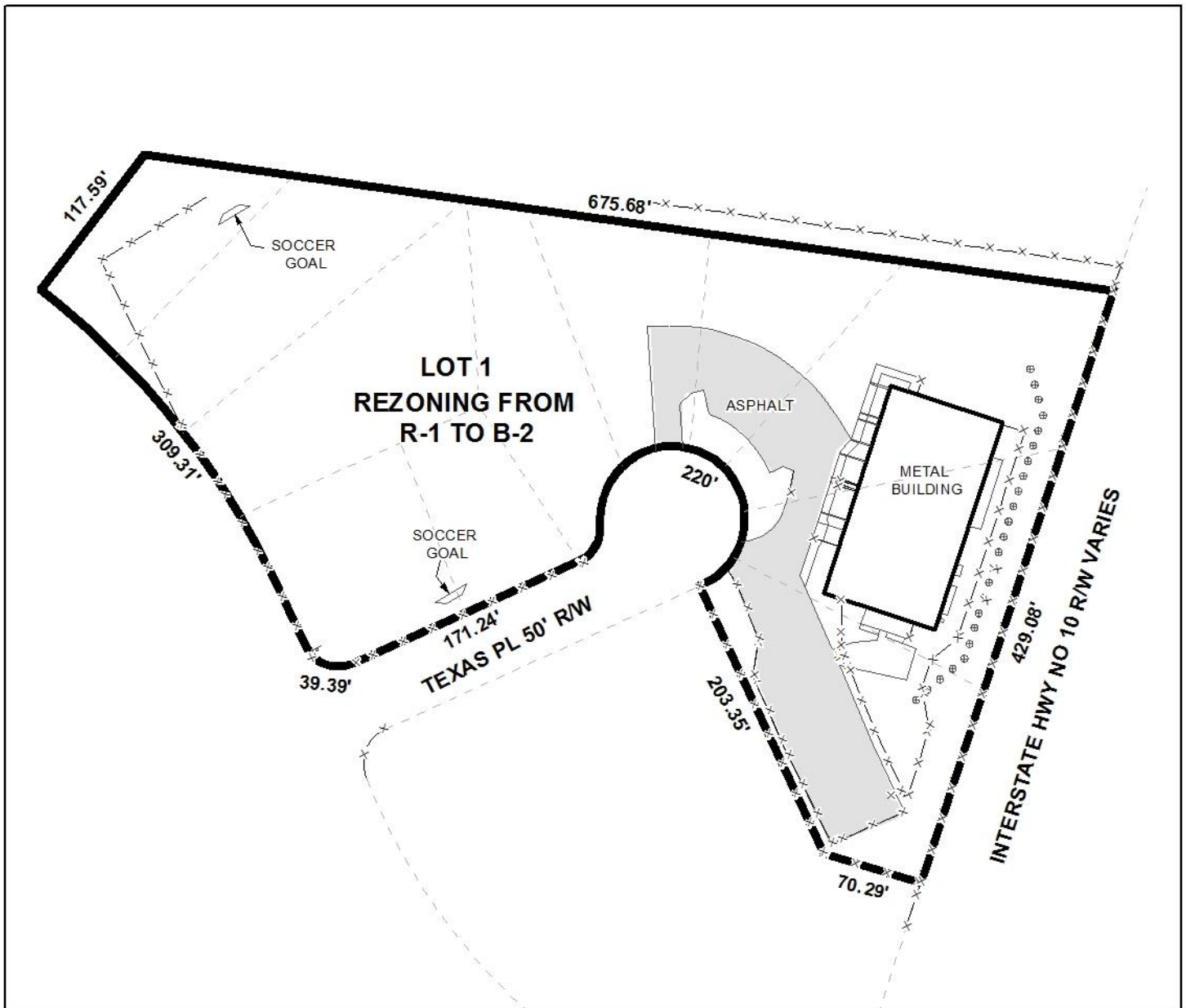


The site is surrounded by single family residential units.
A church lies south of the site and a park to the north.

APPLICATION NUMBER 8 DATE November 21, 2019
 APPLICANT Calirojae, Inc. Subdivision
 REQUEST Subdivision, Rezoning from R-1 to B-2



SITE PLAN



The site plan illustrates the proposed lot, existing building, fences, and soccer goals.

APPLICATION NUMBER 8 DATE November 21, 2019

APPLICANT Calirojae, Inc. Subdivision

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



