

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: May 3, 2018****APPLICANT NAME**

KESCO Subdivision

SUBDIVISION NAME

KESCO Subdivision

LOCATION2720 Government Boulevard
(Northwest corner of Government Boulevard and Fairway Drive).**CITY COUNCIL
DISTRICT**

Council District 5

PRESENT ZONING

B-2, Neighborhood Business District

PROPOSED ZONING

B-3, Community Business District

AREA OF PROPERTY

1 Lot/1.4± Acres

PRESENT ZONING

Subdivision Approval to create a single legal lot of record from six legal lots of record; and Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District, to allow the construction of a retail business with office and warehouse space.

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. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- D. Provide the Surveyor's Certificate and Signature.

- E. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. 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.
- G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos photo (FLIGHT 26 - #81) LOT A will receive historical credit of 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 prior to the submittal of a Land Disturbance Permit application). 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.
- H. 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.
- I. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- J. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- K. 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.

Rezoning: No Comments

TRAFFIC ENGINEERING COMMENTS

Government Boulevard (US Highway 90) and its Service Road are ALDOT maintained roadways. Lot is denied access to the Service Road and limited to one curb cut each to Fairway Drive and Sullivan Avenue with 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).

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)

MAWSS
COMMENTS

No Comments

TIME SCHEDULE

Within one year of approval.

REMARKS

The applicant is requesting Subdivision Approval to create a single legal lot of record from six legal lots of record; and Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District, to allow the construction of a retail business with office and warehouse space.

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 applicant is proposing to demolish an existing vacant structure, and construct a new building that would house 10,000 square feet of retail and office space, with 7,000 square feet of

warehouse space. A parking lot with 50 spaces would also be built, as would a loading dock area for the warehouse.

The lots size is provided in square feet and acres, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, this information should be retained on the Final Plat.

The site has frontage along Government Boulevard, Fairway Drive, and Sullivan Avenue. Both Fairway Drive, and Sullivan Avenue are minor arterial streets on the Major Street Plan and have curb and gutters; therefore they should have a 50' right-of-way minimum. As both streets meet the minimum required right-of-way, no further dedication will be required.

Government Boulevard is a major street on the Major Street Plan, and the Plan indicates that it should have a 250'± minimum right-of-way at this location. The preliminary plat depicts Government Boulevard as having an existing right-of-way of 236', which is in keeping with the right-of-way acquired per the ALDOT plans when Government Boulevard was originally planned and built. The Major Street Plan does not appear to reflect the fact that the Government Boulevard right-of-way, from approximately Pleasant Valley Road, east to Pinehill Drive, is depicted as 236 feet on the original ALDOT plans for Government Boulevard, and at Pleasant Valley Road to the west, is where the road widens to the 250 foot right-of-way width. As additional widening is unlikely along this segment of Government Boulevard, and as the Major Street Plan may have overlooked this change in right-of-way widths on the original plans for Government Boulevard, the Commission may wish to consider waiving Sections V.B.2. and VII.A.2. of the Subdivision Regulations, to require any additional right-of-way dedication for this site.

The preliminary plat does illustrate dedication of the corner radius at both Fairway Drive and Sullivan Avenue, and Government Boulevard and Fairway Drive, as required by Section V.D.6. of the Subdivision Regulations, and should be retained on the Final Plat, if approved.

The preliminary plat does not illustrate the 25' minimum building setback along any frontage. If approved, this should be depicted on the Final Plat.

As a means of access management, the proposed lot should be limited to one curb cut each to Fairway Drive and Sullivan Avenue, and denied direct access to the Government Street Service Road, with size, location and design of new curb cuts to be approved by Traffic Engineering and conform to AASHTO standards.

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, South, and East by properties zoned B-2, Neighborhood Business District; and to the West properties zoned R-1, Single-Family Residential District and R-3, Multiple Family Residential District.

The applicant states:

This project includes the demolition of the present dilapidated, single story structure previously used as a church and the proposed construction of a new 17,000 square feet, single story structure to be used for a kitchen supply showroom, offices and warehouse. This site is immediate next door and adjacent to the existing location of KESCO Mobile at 2716 Government Boulevard. It is the intent that once the new KESCO location is constructed, the existing location will be vacated and sold as a separate parcel.

Using the Map for Mobile: Framework for Growth Planning Initiative as our guide, the project maintains a strong neighborhood presence and connection and responds to the visual and functional needs of the public realm along the Government Boulevard corridor. The project replaces an "eye sore" and vacant property with a new visually appealing commercial structure. The new building will include an attractive and welcoming front facade including a covered entry arcade facing Government. There will be landscaping between the main facade and the street and all vehicular and truck parking will be behind the new building. All vehicular access will be from Fairway Drive and Sullivan Street. There will be no curb cuts along the Service Road.

The following elements will be included in the Master Site Plan.

- 1. Maintains no curb cuts for vehicular access to Government Boulevard Service Road.*
- 2. Main entry drive on Fairway Drive has been located away from the intersection.*
- 3. Installation of sidewalks that presently do not exist. The Owner is happy to work with City Planning for the proper treatment of sidewalks along Government Boulevard.*
- 4. ADA accessible curb cuts at all sidewalks.*
- 5. Retention of about 30% of the site in landscaped setting.*
- 6. Placement of new trees in appropriate street scape and site plan locations using Right Tree in the Right Place philosophy.*
- 7. Addition of new lighting in parking areas and for general site lighting.*
- 8. Installation of new bike racks.*
- 9. The new site parking design to receive extensive landscaping.*
- 10. The new site parking design to include a through street improving vehicle ingress/egress.*
- 11. The new site plan creates a landscaped front along Government Boulevard.*
- 12. The new building design is oriented towards street frontage and the public realm.*
- 13. The new buildings are constructed of high quality, permanent materials.*

ZONING CHANGE BASIS

The present zoning B2 does not accurately reflect the actual uses that are presently along Government Boulevard. These uses include non-conforming uses such as car sales facilities, of which there are many. The request to change to zoning to B3 better reflects

the present conditions and appears to be consistent with the future zoning intent for a Mixed Commercial Corridor. It is our feeling that the B2 zone is an error in the ordinance that can be corrected by allowing the zoning change to from B2 to B3. There have been several recent zoning change approvals to B3 within the Government Boulevard corridor so there is precedent for the Planning Commission to allow this request. There have obviously been changes in conditions along the Government business corridor that have justified these previous requests for a zoning change and for their ultimate approval. KESCO Mobile simply requests the same consideration as have been shown to its business neighbors.

Since the present use on this block includes those that conform to B3 zoning, it appears there is a need for additional sites to support this type of business that will be consistent with other businesses that are present. The zoning change from B2 to B3 will remedy this condition.

Along with the zoning change, it is the intent to create a subdivision plat to combine the separate lots into one commercially zoned parcel. This has been a desirable step in creating a consistent urban development area that is consistent with similar developments.

The applicant should be aware that the site will be required to fully comply with all Zoning Ordinance requirements including, but not limited to: tree planting and landscape area; residential buffers; sufficient parking spaces with maneuvering areas; photometric plans at time of permitting if more than 25 parking spaces are to be provided; dumpster enclosure and connection to sanitary sewer, if applicable; sidewalks; etc.

The applicant references the “Right Tree/Right Place”, however, it should be noted that no amendments have been made as of yet to the Zoning Ordinance to allow staff to consider alternatives to the current regulations. The site plan submitted depicts crepe myrtles along Government Boulevard, but these should be overstory frontage trees, under the current requirements.

The site plan has a note which states that 5 of the 50 parking spaces will be for warehouse employees, but there is no note that specifically states how many warehouse employees will be at the location. If approved, the site plan should be revised to include the number of warehouse employees.

The applicant discusses providing sidewalks where there currently are none, but the site plan submitted only depicts a sidewalk as part of a covered entry arcade along the front of the building, on private property. If approved, the applicant should be aware that sidewalks will be required to be placed along all street frontages, either in right-of-way, or on private property adjacent to the right-of-way along all frontages.

It should be noted that the applicant has requested rezoning the property to B-3, Community Business District to allow the construction of a retail business with office and warehouse space. Retail and office uses are allowed by right within a B-2, Neighborhood Zoning District (the site’s

current zoning), but the size of the proposed warehouse makes the proposed rezoning necessary. If the warehouse were reduced in size to be no more than 25% of the buildings footprint, the warehouse would be considered an accessory use to the retail use, and would therefore be allowed by right. Based on the 10,000 square foot retail/office space, the warehouse would need to be reduced to be no larger than 4,500 square feet. However, their existing facility next door is approximately 15,000 square feet, and while the facility is open to the public for retail sales, the primary focus of the business is providing engineering, design, delivery, installation and placement of products and equipment for customers in the commercial and institutional foodservice industry, and such would require a B-3 district.

The applicant references the block on which the subject property is located as having several non-conforming B-3 sites, as well as on abutting or nearby blocks. On the northwest corner of the block is a contracting business with storage yard, where it appears a variety of items may be stored, and which appears to have expanded its storage area between 2014 and 2017. South, across Fairway Drive from the site, is a non-conforming auto sales business in a B-2 district, and the same type business exists across Government Boulevard from the site. The applicant also references several recent rezonings to B-3 long Government Boulevard; however the nearest rezonings to B-3 are 630'± to the North and 850'± to the South, with the most recent occurring in 2000. This indicates that while portions of Government Boulevard may be changing to B-3, this particular segment does not appear to be making that transition.

RECOMMENDATION

Subdivision: Based upon the preceding, and with a waiver of Sections V.B.2. and VII.A.2. of the Subdivision Regulations, the application is recommended for Tentative Approval, subject to the following:

- 1) retention of the dedication of the corner radius at Fairway Drive and Sullivan Avenue per Section V.D.6. of the Subdivision Regulations;
- 2) retention of the dedication of the corner radius at Government Boulevard and Fairway Drive per Section V.D.6. of the Subdivision Regulations;
- 3) retention of the lot size in square feet and acres;
- 4) placement of a note on the Final Plat stating the lot should be limited to one curb cut each to Fairway Drive and Sullivan Avenue, with size, location and design of new curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the Final Plat stating that the lot is denied direct access to the Government Boulevard Service Road;
- 6) illustrate the 25' minimum building setback line along all frontages;
- 7) 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. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. D. Provide the Surveyor's Certificate and Signature. E. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note to*

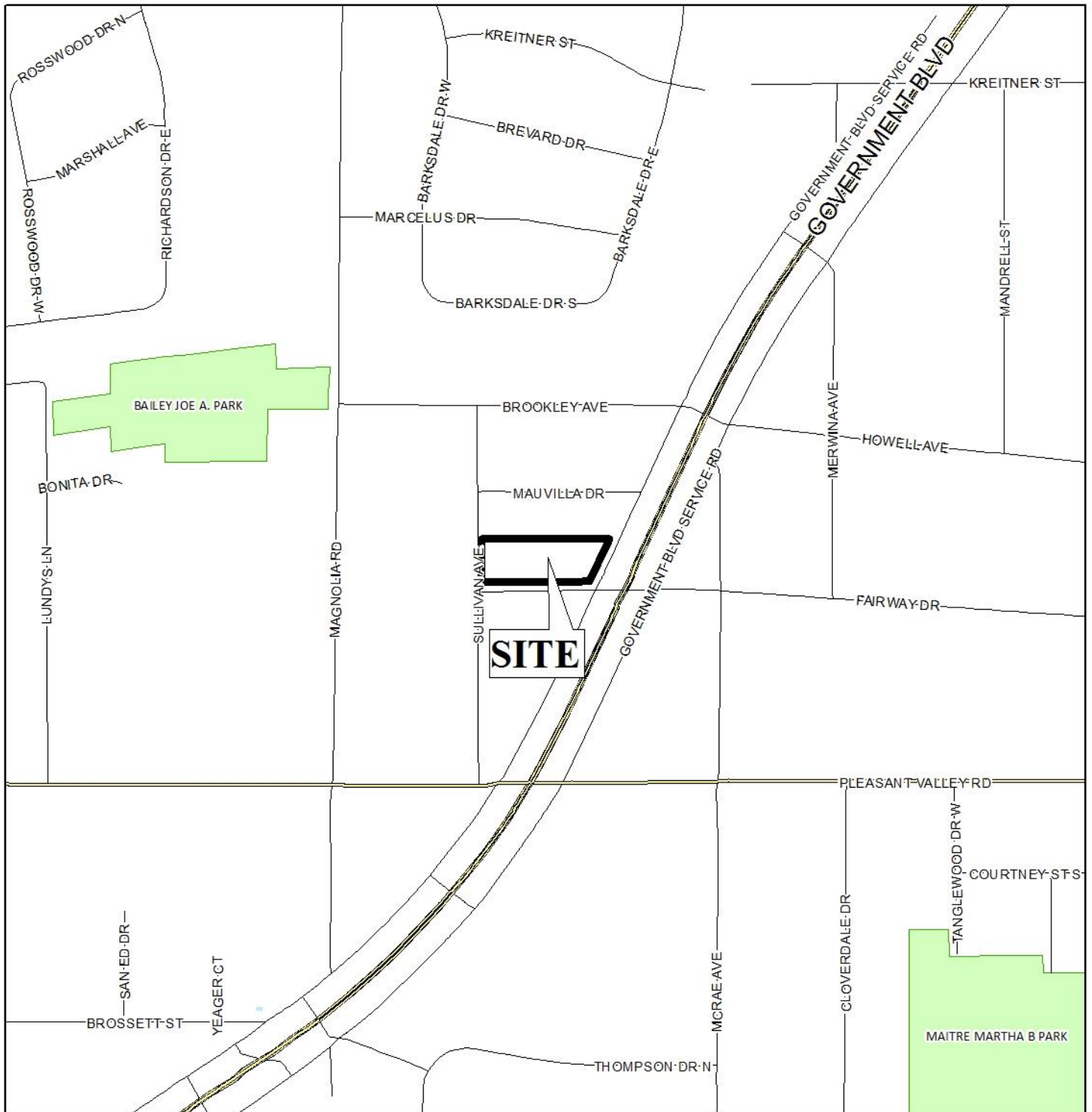
the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos photo (FLIGHT 26 - #81) LOT A will receive historical credit of 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 prior to the submittal of a Land Disturbance Permit application). 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. H. 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. I. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. J. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. K. 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.);

- 8) *compliance with Traffic Engineering comments (Government Boulevard (US Highway 90) and its Service Road are ALDOT maintained roadways. Lot is denied access to the Service Road and limited to one curb cut each to Fairway Drive and Sullivan Avenue with 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.);*
- 9) *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).); and*
- 10) *compliance with Fire 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, 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 May 3, 2018

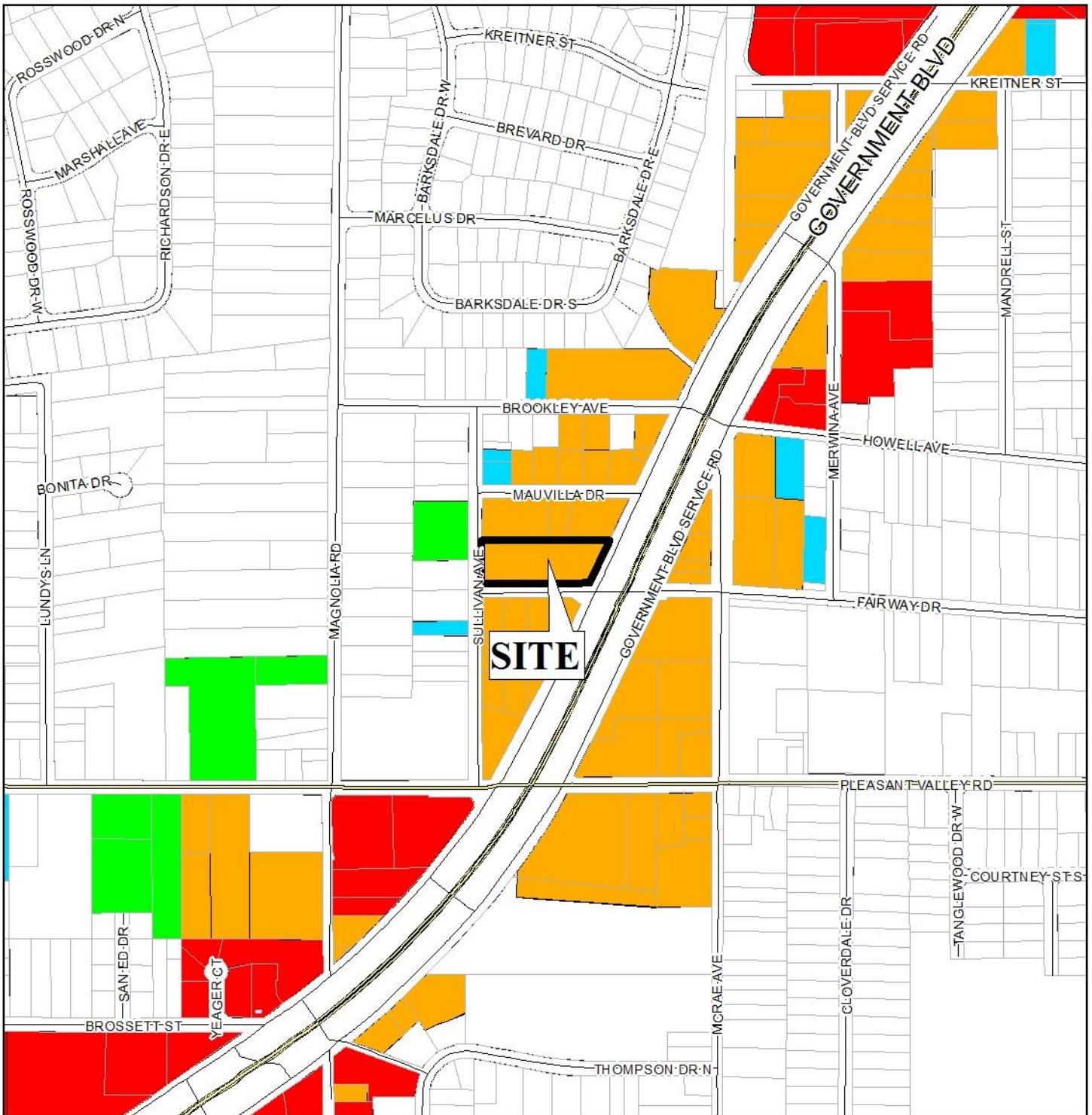
APPLICANT KESCO Subdivision

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



NTS

LOCATOR ZONING MAP



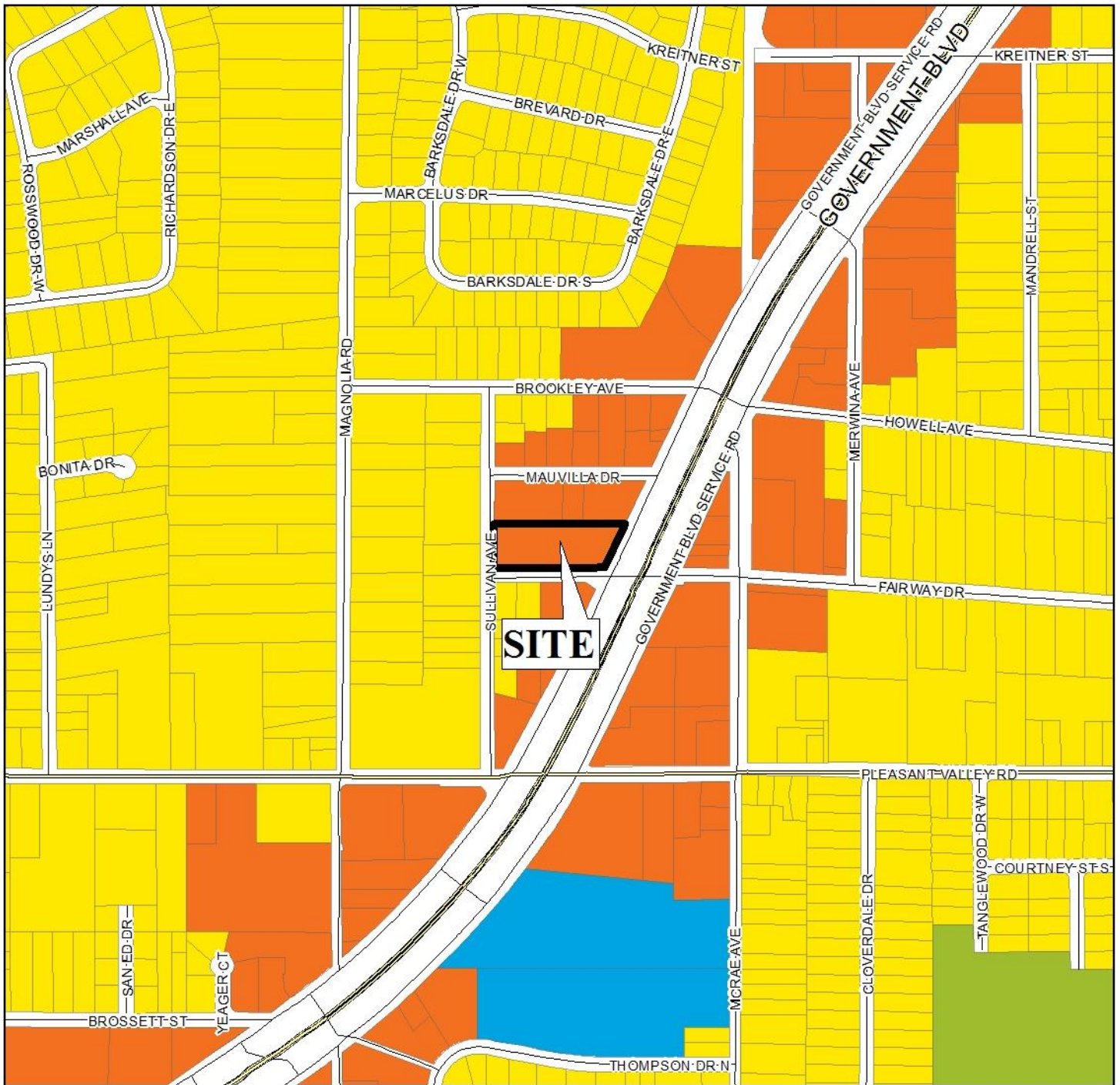
APPLICATION NUMBER 8 DATE May 3, 2018

APPLICANT KESCO Subdivision

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



FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE May 3, 2018

APPLICANT KESCO Subdivision

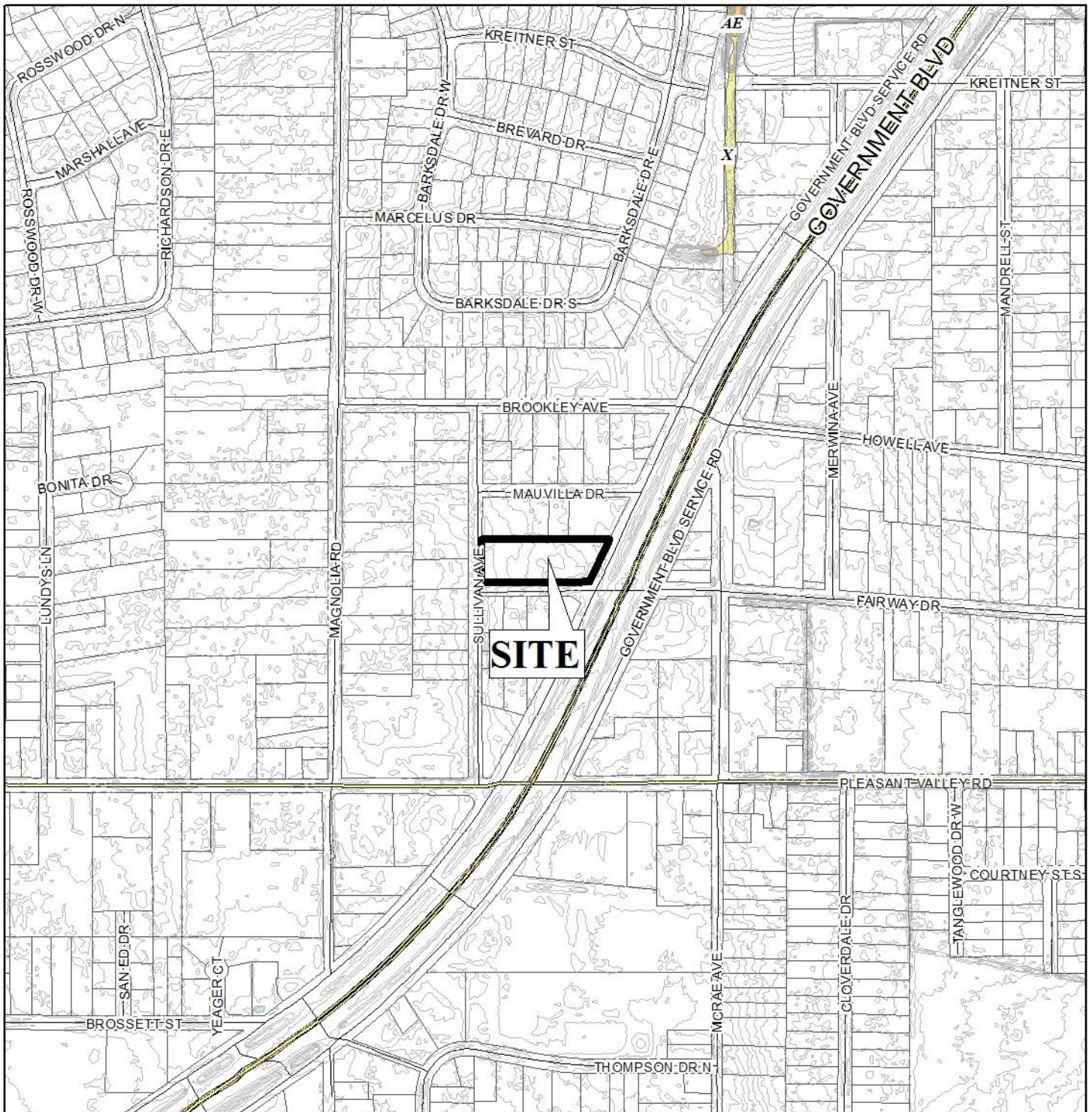
REQUEST Subdivision, Rezoning from B-2 to B-3

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



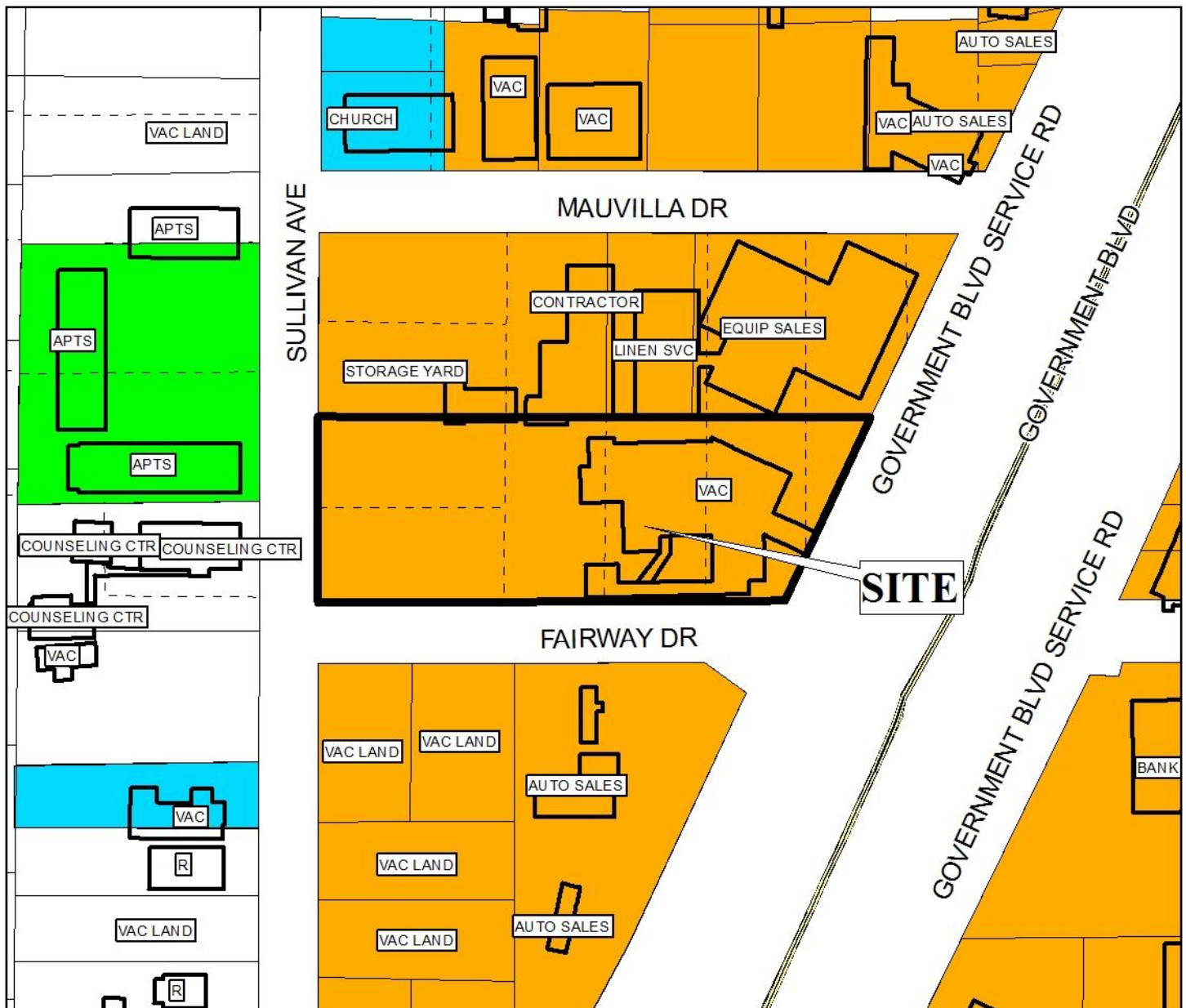
APPLICATION NUMBER 8 DATE May 3, 2018

APPLICANT KESCO Subdivision

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units. Residential units lie west of the site.

APPLICATION NUMBER 8 DATE May 3, 2018

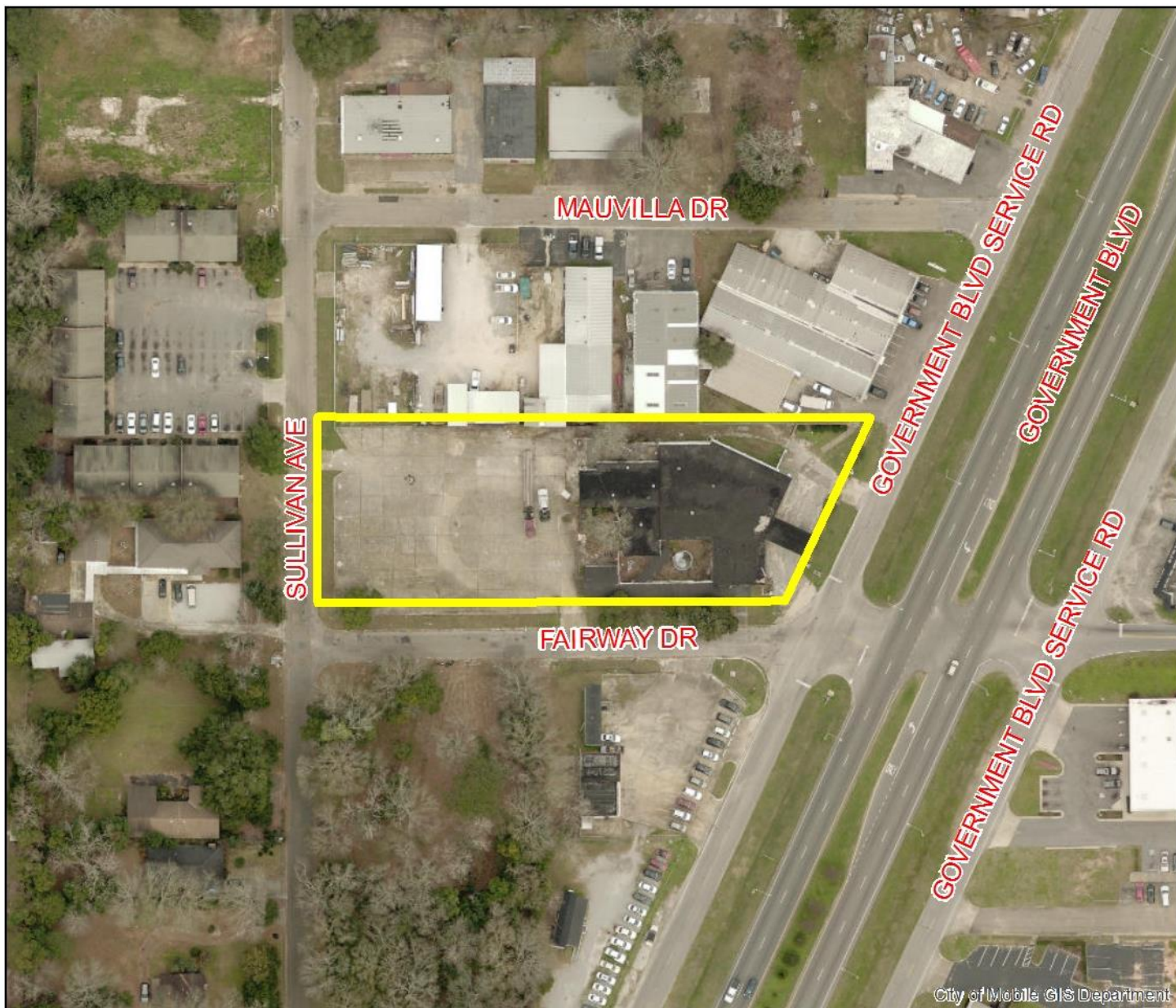
APPLICANT KESCO Subdivision

REQUEST Subdivision, Rezoning from B-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 commercial units. Residential units lie west of the site.

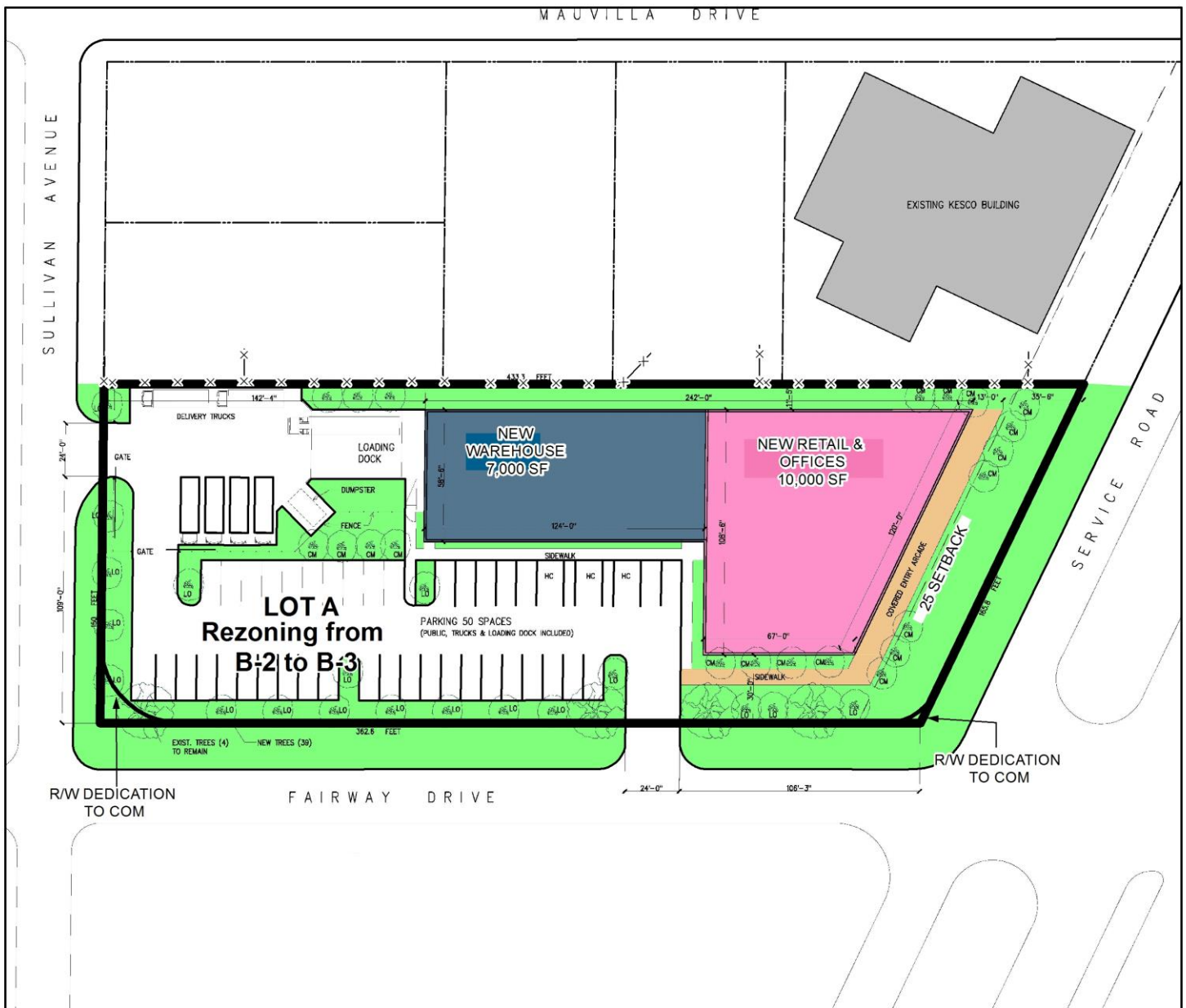
APPLICATION NUMBER 8 DATE May 3, 2018

APPLICANT KESCO Subdivision

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



SITE PLAN



The site plan illustrates the new buildings, setback, and parking.

APPLICATION NUMBER 8 DATE May 3, 2018

APPLICANT KESCO Subdivision

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



NTS

