

**SUBDIVISION,
ZONING AMENDMENT &
SIDEWALK WAIVER STAFF REPORT****Date: March 21, 2019**

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|---|---|
| <u>NAME</u> | Woodmen of the World |
| <u>SUBDIVISION NAME</u> | Littlefield Acres Subdivision |
| <u>LOCATION</u> | 4059 Halls Mill Road (South side of Halls Mill Road, 325'± East of Azalea Road) |
| <u>CITY COUNCIL DISTRICT</u> | District 4 |
| <u>PRESENT ZONING</u> | B-1, Buffer Business District |
| <u>PROPOSED ZONING</u> | I-1, Light Industry District |
| <u>REASON FOR REZONING</u> | The subdivision of land. |
| <u>AREA OF PROPERTY</u> | 1 Lot / 1.5 ± Acres |
| <u>CONTEMPLATED USE</u> | Subdivision approval to create 1 legal lot of record, Rezoning from B-1, Buffer Business District, to I-1, Light Industry District, and Sidewalk Waiver to waive construction of a sidewalk along Halls Mill Road. 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. |
| <u>TIME SCHEDULE</u> | Not Specified. |
| <u>ENGINEERING COMMENTS</u> | |

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. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
 - D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #85) LOT 1 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 the Land Disturbance Permit application
 - E. 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.
 - F. 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.
 - G. 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.
 - H. 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.
 - 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:

- 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. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer.
5. 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.
6. 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.
7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Sidewalk Waiver: Although it appears that the current site conditions (trees and drainage ditch) may not allow for sidewalk construction within the ROW it appears that there is sufficient room outside of the ROW, within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

TRAFFIC ENGINEERING

COMMENTS

Site is limited to its existing curb cut 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).

REMARKS

The applicant is requesting Subdivision approval to create one legal lot of record from one existing metes-and-bounds parcel, Rezoning from B-1, Buffer Business District, to I-1, Light Industry District, and Sidewalk Waiver to waive construction of a sidewalk along Halls Mill Road.

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.

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.

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 states that the subject site is served by public water and sanitary sewer services, and the proposed lot meets the minimum size requirements of the Subdivision Regulations.

The site has frontage along Halls Mill Road which is considered a minor arterial street and requiring a 70' right-of-way. A current 50' right-of-way is indicated on the preliminary plat; therefore, dedication to provide 35' from the centerline of Halls Mill Road would be required. The 25' minimum building setback line should be revised so as to be measured from any required frontage dedication. The lot size label giving the lot size in both square feet and acres should be retained on the Final Plat, revised for any required frontage dedication, or a table should be furnished on the Final Plat providing the same information.

As a means of access management, a note should be placed on the Final Plat stating the Traffic Engineering comments.

Regarding the request for rezoning, the applicant proposes to rezone the proposed lot from its current B-1, Buffer Business District, to I-1, Light Industry District to allow the sales of medical supplies.

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 applicant states the following:

The property is currently zoned B-1 and we are requesting that it be changed to I-1. The business that will occupy the existing building will sell medical supplies for people with back problems. It is believed that the rezoning of this property to I-1 is in keeping with the trend of I-1 zoning already in place along Halls Mill Road.

The subject property is bordered to the West and South by I-1 zoning and use; to the East by R-1, Single-Family Residential used as such; and across Halls Mill Road by vacant B-3, Community Business.

Most of the surrounding area was originally assigned R-A, Residential-Agricultural zoning with the adoption of the current Zoning Ordinance in 1967. Since then, various rezoning amendments have changed the classification of various properties along the South side of Halls Mill Road to the current I-1 designation, and properties along the North side of Halls Mill Road to the current B-3 designation. This indicates that there are changing conditions within this particular area which would make a change in the ordinance necessary and desirable. Additionally, the adopted Future Land Use Map (FLUM) has assigned this general area as Light Industry. Therefore, the proposed I-1 classification would be in keeping with future growth plans for the City.

The site plan submitted indicates a proposed 10' wide landscape buffer along the East side of the site adjacent to residential property. This buffer should be planted and maintained as per Section 64-4.D. of the Zoning Ordinance, along its entire length.

The applicant has also requested a sidewalk waiver and states the following:

The site is located in an industrial area on Halls Mill Road, a narrow two-lane road with a heavy traffic load. An open ditch for collection of street runoff and a line of large Pine trees are located along the right-of-way where a city sidewalk would typically be located. No other sidewalks are located in the area. If a sidewalk was placed along the site frontage pedestrians would have to leave the sidewalk at either end of the property, cross the ditch and walk along the narrow shoulder of Halls Mill Road. For these reasons it is believed that a sidewalk would not be feasible to construct and that it would not be in the best interest of safety for pedestrians until Halls Mill Road is improved with sufficient right-of-way to accommodate sidewalks throughout the area.

It should be noted 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.

City Engineering has stated that, "Although it appears that the current site conditions (trees and drainage ditch) may not allow for sidewalk construction within the ROW, it appears that there is sufficient room outside of the ROW, within the property, for the construction of a sidewalk that could be approved through the ROW Permit process."

RECOMMENDATION

Subdivision: The application is recommended for Tentative Approval, subject to the following conditions:

- 1) dedication of sufficient right-of-way to provide 35' from the centerline of Halls Mill Road;
- 2) revision of the 25' minimum building setback line so as to be measured from any required frontage dedication;
- 3) retention of the lot size label in both square feet and acres, revised for any required frontage dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) subject to 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 monument set or found at each subdivision corner. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #85) LOT 1 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 the Land Disturbance Permit application. E. 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. F. 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. G. 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. H. 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. 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.];
- 5) placement of a note on the Final Plat stating the Traffic Engineering comments: (Site is limited to its existing curb cut 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) *subject to 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*
- 7) *subject to 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)].*

Rezoning: The Rezoning request is recommended for Approval, subject to the following conditions:

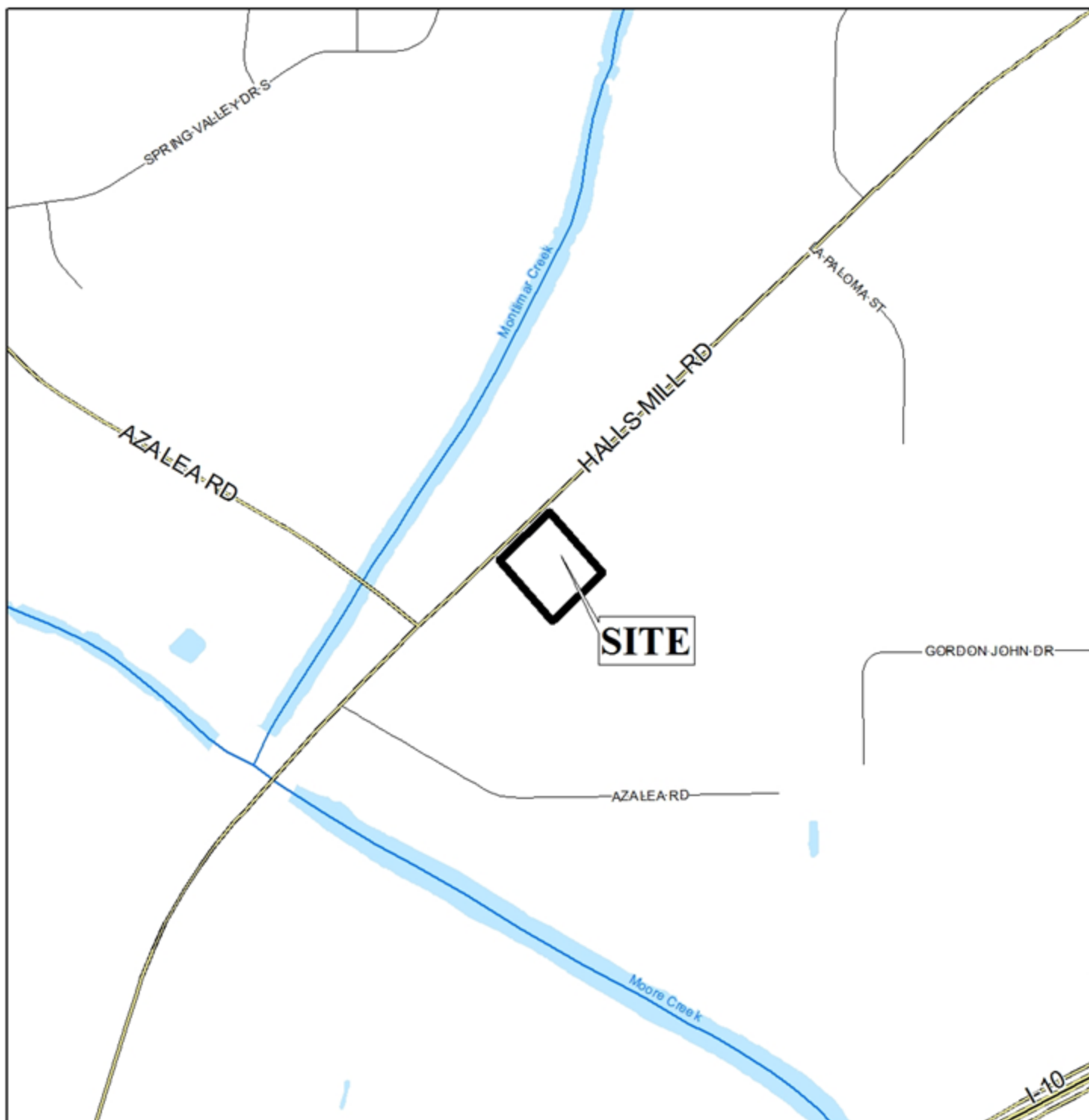
- 1) completion of the Subdivision process;
- 2) compliance with Section 64-4.D. of the Zoning Ordinance including a 10' wide vegetative buffer along the East side of the property;
- 3) subject to the Engineering comments: *[1. Any work performed in the existing ROW (right-of-way) such as driveways, 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. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer. 5. 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. 6. 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. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.]; and

- 4) full compliance with all municipal codes and ordinances.

Sidewalk Waiver: Based upon the preceding, this application for waiver of the construction of a sidewalk along Halls Mill Road is recommended for Denial

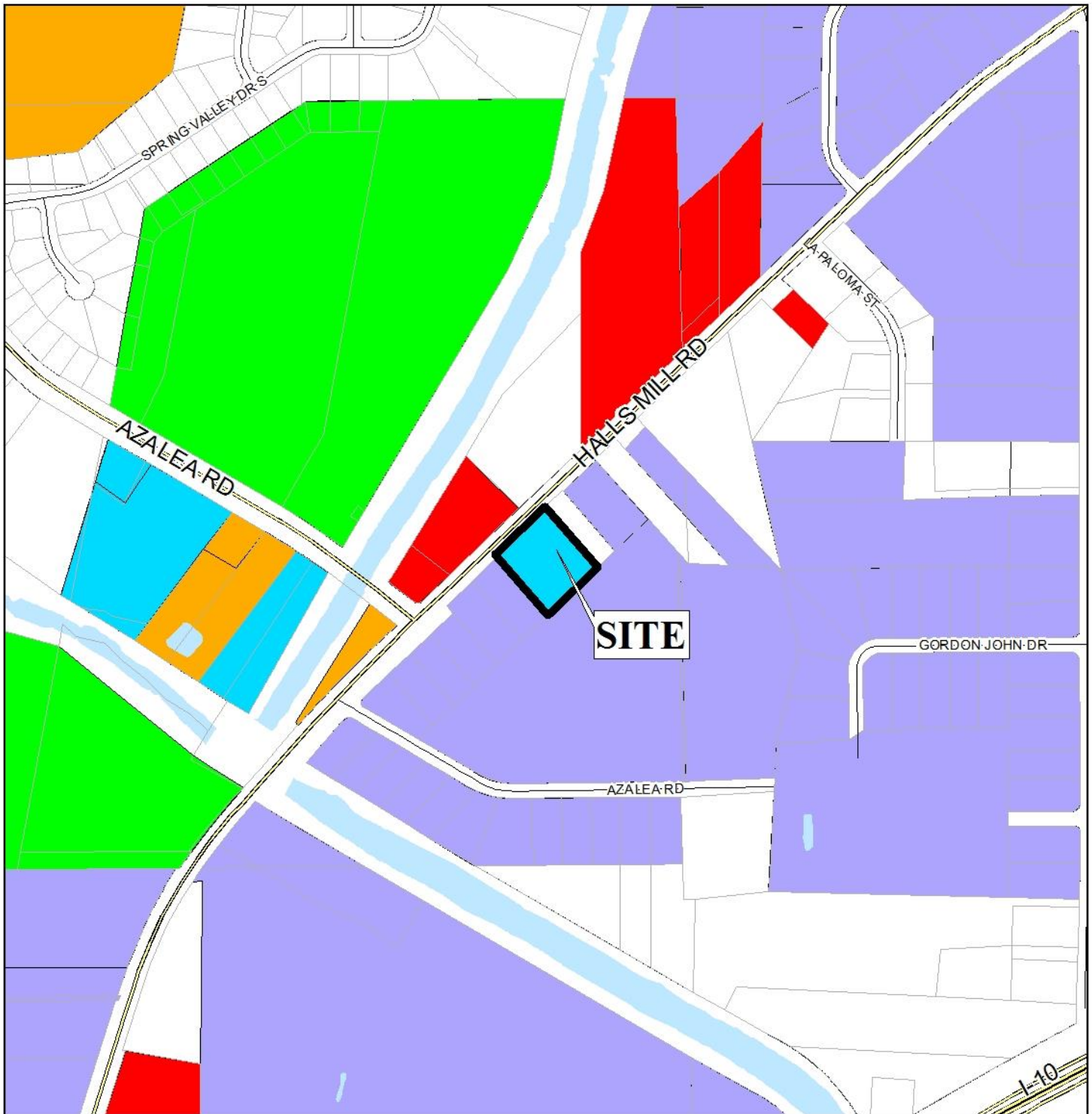
LOCATOR MAP



APPLICATION NUMBER 9 DATE March 21, 2019
APPLICANT Littlefield Acres Subdivision
REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1



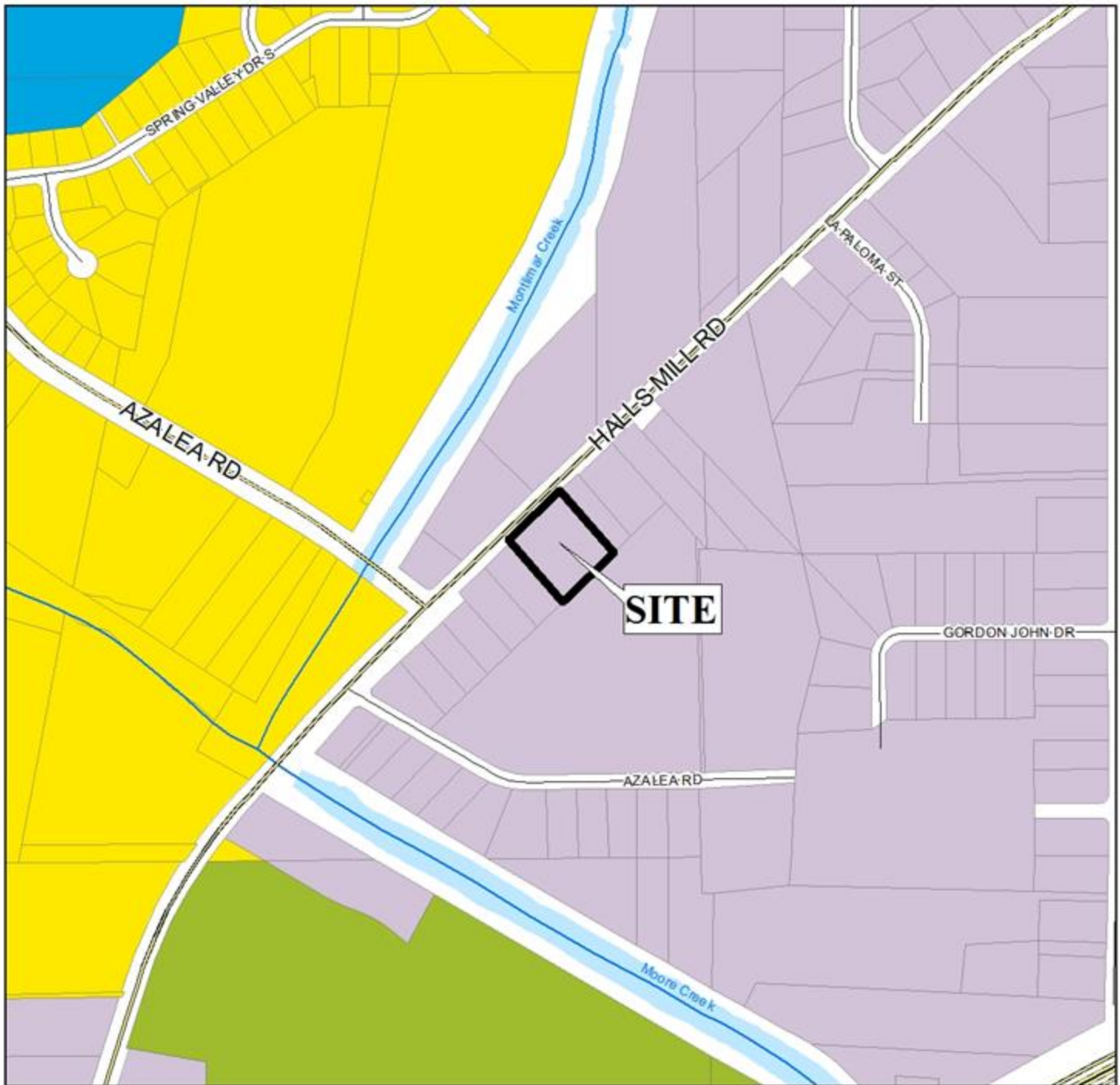
LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE March 21, 2019
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REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1



FLUM LOCATOR MAP

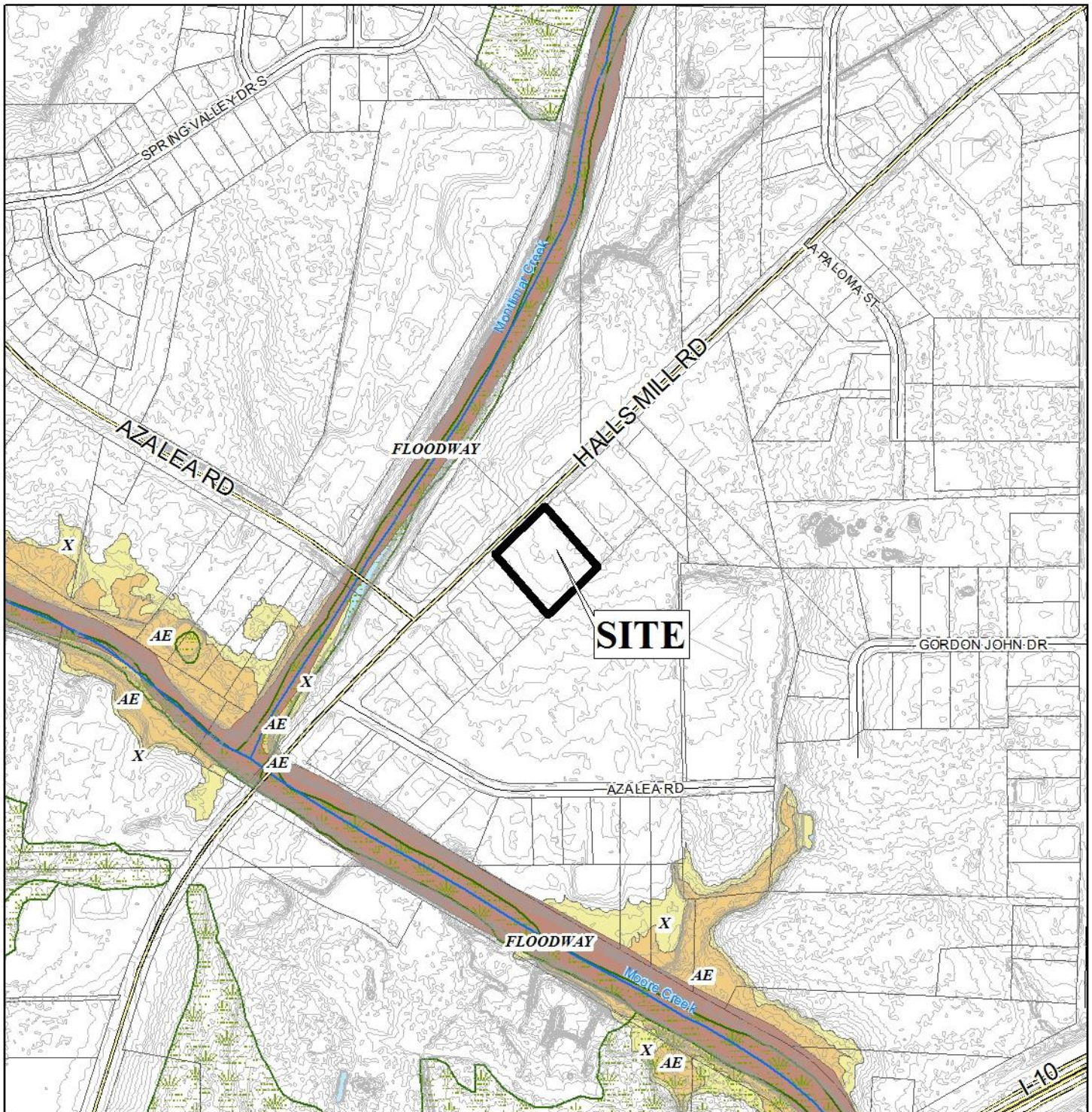


APPLICATION NUMBER 9 DATE March 21, 2019
 APPLICANT Littlefield Acres Subdivision
 REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1

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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 | |



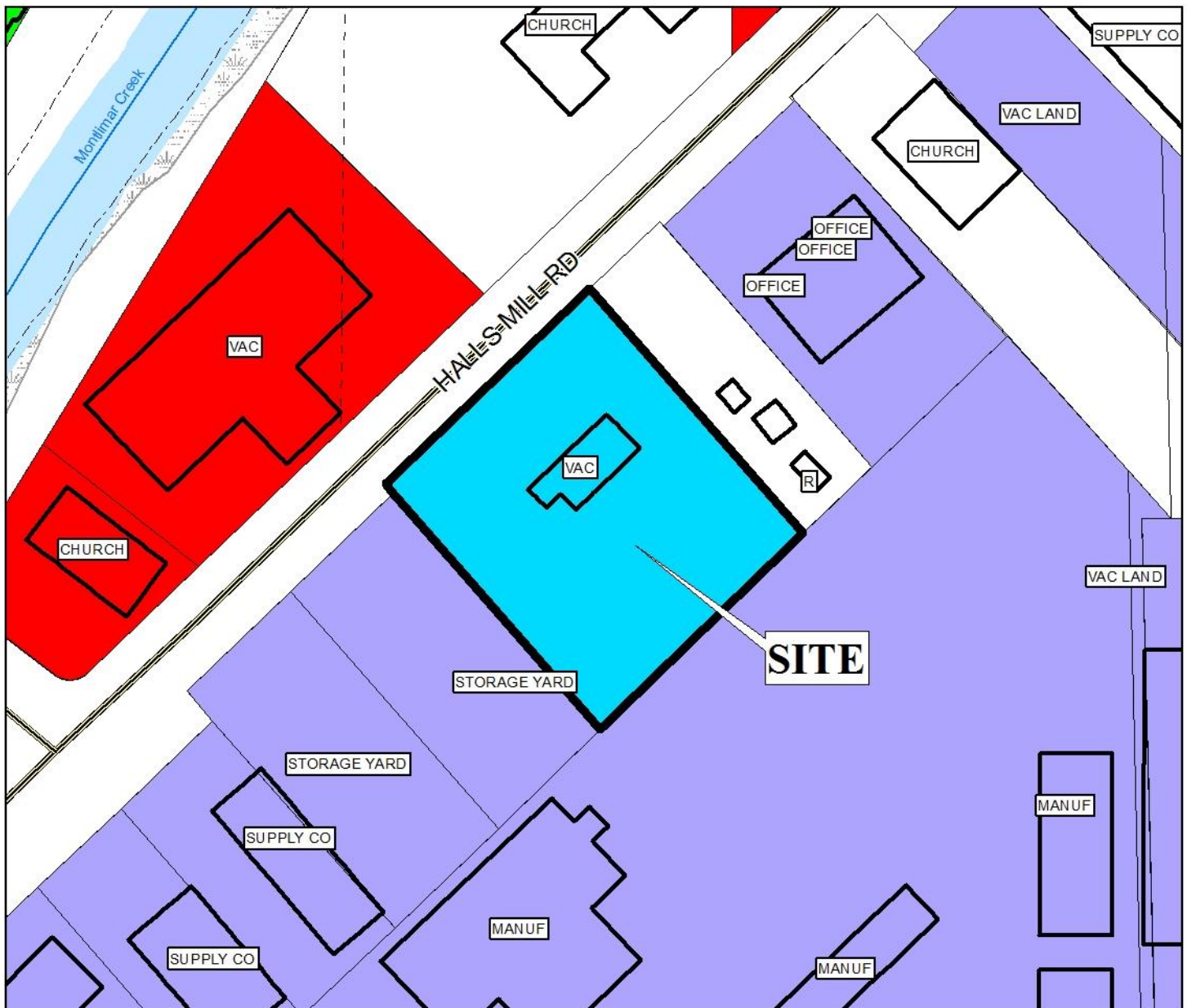
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 9 DATE March 21, 2019
APPLICANT Littlefield Acres Subdivision
REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



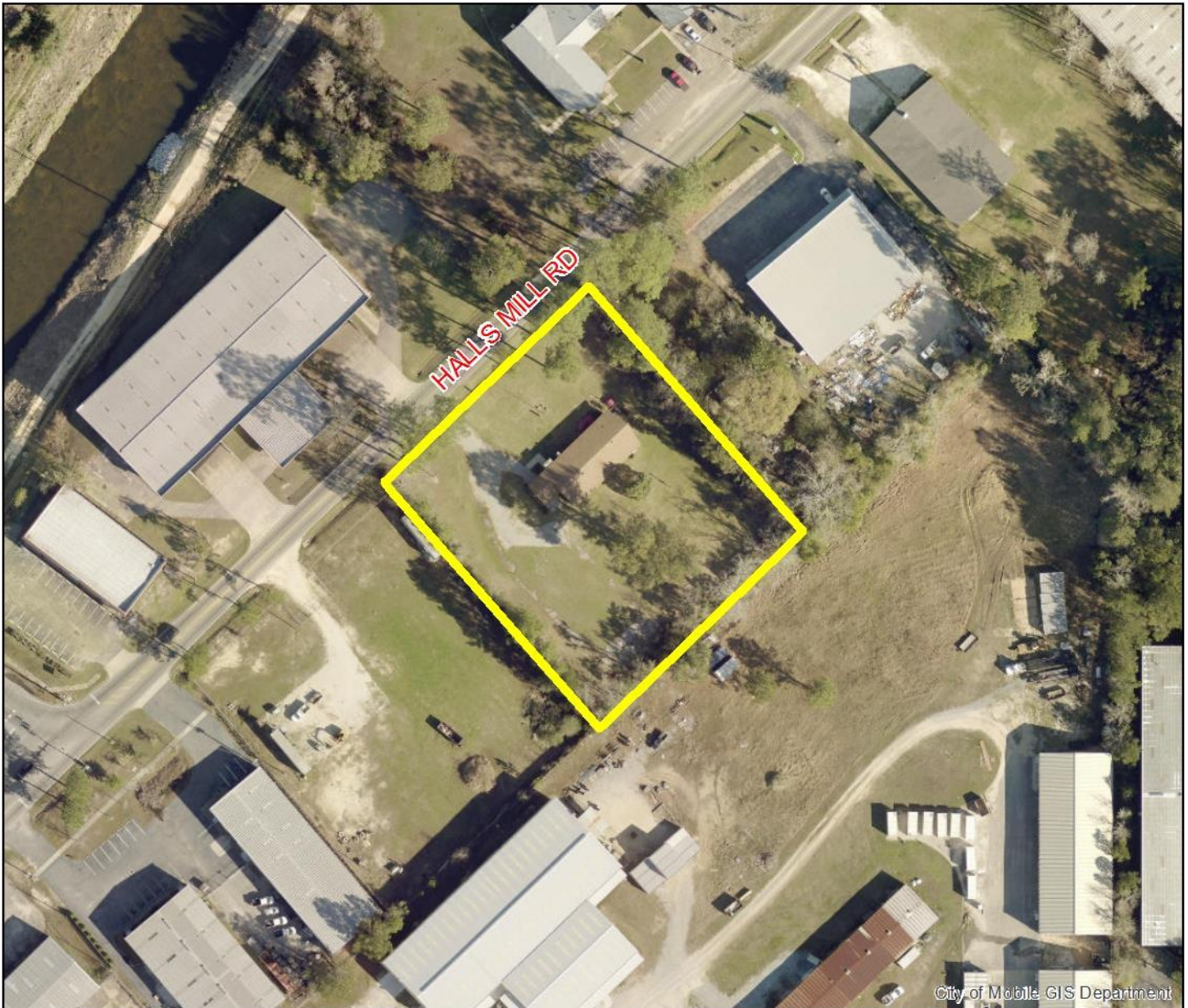
The site is surrounded by industrial and commercial units.

APPLICATION NUMBER 9 DATE March 21, 2019
 APPLICANT Littlefield Acres Subdivision
 REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1

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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

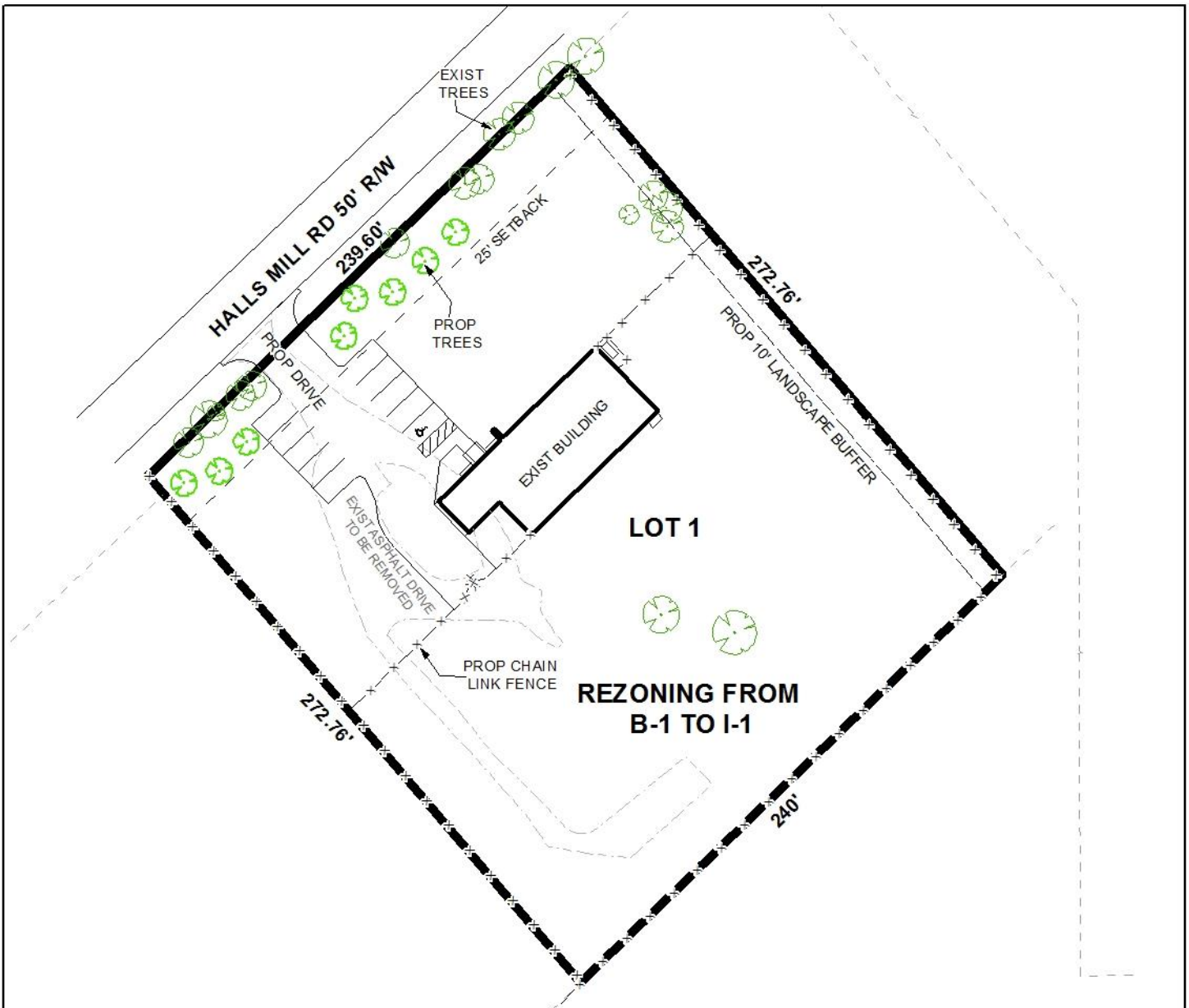


The site is surrounded by industrial and commercial units.

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REQUEST Subdivision, Sidewalk Waiver, Rezoning from B-1 to I-1



SITE PLAN

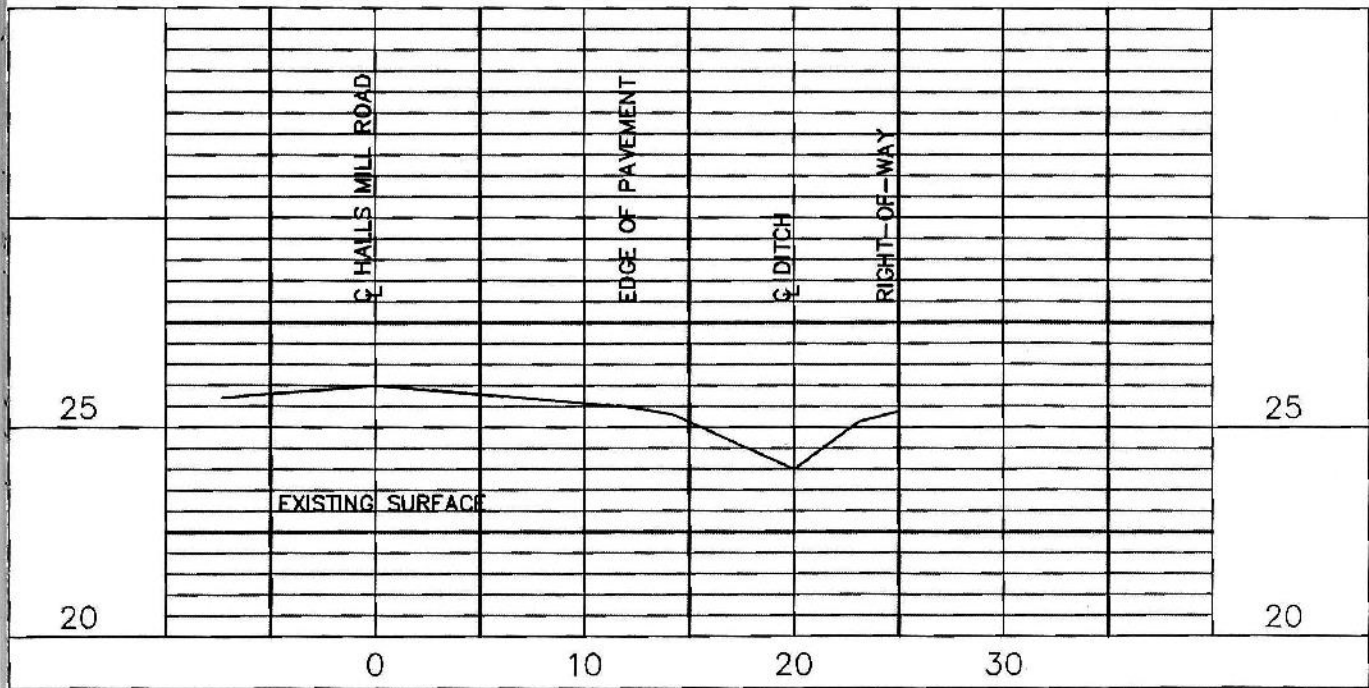


The site plan illustrates the existing building, proposed parking and drive, setback, and landscape.

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DETAIL SITE PLAN



TYPICAL CROSS SECTION

SCALE: 1" = 10' HORIZ.
1" = 10' VERTICAL

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