

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: October 6, 2016**

<u>NAME</u>	Blankenship Enterprises
<u>SUBDIVISION NAME</u>	Blankenship Addition to Springhill Avenue Subdivision
<u>LOCATION</u>	1305 and 1307 Spring Hill Avenue (South side of Spring Hill Avenue, 90' ± West of North Ann Street).
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District, and B-3, Community Business District
<u>PROPOSED ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	1 Lot/ 2.3 Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision to create 1 legal lot of record from 1 legal lot of record and 1 metes-and-bounds parcel, and Zoning to rezone the site from R-1, Single-Family Residential District and Community Business District to Community Business District, to eliminate split zoning.</p> <p>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.</p>
<u>REASON FOR REZONING</u>	Applicant is requesting rezoning of the site to eliminate split zoning.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	None given.
<u>ENGINEERING COMMENTS</u>	<p>Subdivision: FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer):</p> <p>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.</p>

- B. Show and label the POB/POC.
- C. The written legal description does not seem to match the bearings and distances shown on the drawing.
- D. Provide and label the monument set or found at each subdivision corner. The legend is ambiguous concerning the “set” and “recovered” rod and cap.
- E. Provide the Surveyor’s, 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 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. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures.
- J. After FINAL PLAT review by the Engineering Dept. provide the red-line markup, a copy of the revised original Final Plat, and the original when submitting for City Engineer signature.

TRAFFIC ENGINEERING

COMMENTS

Springhill Avenue is an ALDOT maintained roadway. Lot is limited to no more than one curb cut to Springhill Avenue, and its existing two curb cuts to Ann Street, with size, location and design to be approved by ALDOT (where applicable) and 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). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC).

REMARKS

The applicant is requesting Subdivision approval to create 1 legal lot of record from 1 legal lot of record and 1 metes-and-bounds parcel, and Zoning approval to rezone the site from R-1, Single-Family Residential District and B-3, Community Business District, to and B-3, Community Business District to eliminate split zoning.

The site is currently developed with a hardware and glass supply store, with some existing asphalt and parking. The rear portion of the metes-and-bounds parcel is zoned R-1. The applicant would like rezone the portion of the metes-and-bounds parcel that is R-1, Single Family Residential to B-3 Community Business to eliminate split zoning and create one legal lot record; thus the reason for the Rezoning and Subdivision applications.

The site is bounded to the North by commercial uses in a B-3, Community Business District, and to the East, Southwest, and South by residential uses in a R-1, Single Family Residential District, and to the West by residential and commercial uses in a B-3, Community Business District.

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.

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 split-zoned parcel, the former site of an auto re-painting facility (recently demolished), was the subject of the first rezoning amendment under the 1967 Zoning Ordinance. The approval in 1967 limited the B-3 designation to the first 250 feet of the property. Overtime, however, the commercial use expanded to encompass the R-1 portion of the site.

According to the recently adopted Map for Mobile Plan, the site is located within a Traditional Center. The intent of this Development Area includes:

- Compatible scale (commercial, mixed-use, residential) development;
- More dense mixed-use development to include neighborhood services and retail under; residential;
- Buildings form a continuous street wall along primary streets in the center;
- Parking hidden behind structures;
- Auto, bicycle, transit and pedestrian traffic are accommodated.

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan 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 zoning classification. The Map for Mobile encourages connectivity and pedestrian friendly corridors, and while the subject site is before the Commission for a zoning and subdivision application, no major work is proposed for the site. However, it does appear that the proposed 20 space parking lot will be

setback 10 feet from the Springhill Avenue right-of-way line: this may allow room for some landscape screening of the parking.

The applicant states the following justification for rezoning:

“The applicant is making a one lot subdivision to make a legal lot of record for this property. The property along Springhill Avenue is zoned B-3 and a portion of the rear property is zoned R-1. The purpose of this application is to clear up split zoning and to make a one lot subdivision.”

The rezoning will resolve a resulting split-zoning condition that would be created if only the subdivision were approved. The subdivision and rezoning will resolve the split zoning and create legal lots.

The site plan depicts 20 new parking spaces, of which 2 spaces are handicap accessible, and a concrete walk. Based on aerial photos it appears that there are additional parking spaces on site located by North Ann Street; however the site plan does not show any existing parking.

With regards to tree and landscaping, it appears that one new tree is proposed as part of the new parking area.

The site fronts Spring Hill Avenue, a major street with a right-of-way illustrated as 100-feet, which in compliance with the Major Street Plan, and North Ann Street also a major street, with a compliant 60-foot right-of-way. Due to sufficient right-of-way, no dedication is required.

The site currently has three existing curb-cuts to Springhill Avenue and three existing curb-cuts to North Ann Street based on aerials. It appears that the applicant proposes to revise the curb-cuts onto Springhill Avenue, eliminating two of the three. The site should be limited to one curb cut to Springhill Avenue and its existing two curb cuts to Ann Street, with the size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards

The lot size is labeled in square feet and acres. If approved, the lot size in square feet and acres should be retained on the Final Plat, or the furnishing of a table providing the same information will be required.

The 25-foot minimum building setback line is not depicted on the preliminary plat. The plat should be revised to depict the 25' minimum building setback line along both street frontages. It should be noted, any redevelopment or new construction must comply with the minimum 25' building setback requirements.

It should be noted, due to the fact the site abuts residential property, that a 6' high 10' wide vegetative buffer or 6' high wooden privacy fence will be required where the site abuts residential property at the time of any new development.

RECOMMENDATION

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

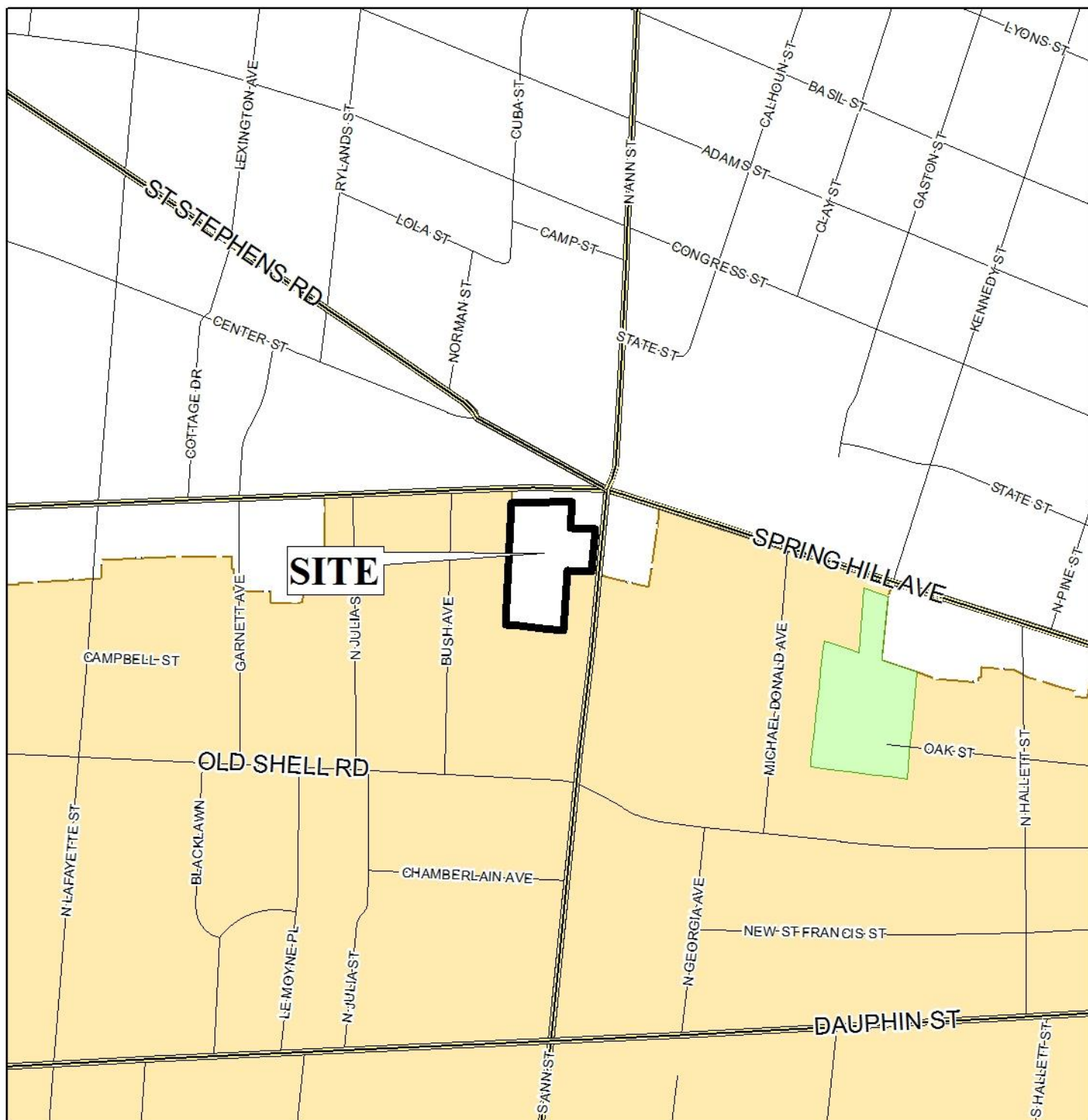
- 1) revision of the Final Plat to depict the 25-foot minimum building setback lines along both street frontages;
- 2) retention of the lot sizes in square feet and acres;
- 3) placement of a note on the Final Plat stating the site is limited to one curb cut to Springhill Avenue, and two curb cuts to Ann Street, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards;
- 4) placement of a note on the plat stating that a 6' high 10' wide vegetation buffer or 6' high wooden privacy fence will be required where the site abuts residential property at the time of any new development;
- 5) compliance with Engineering comments: *"FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Show and label the POB/POC. C. The written legal description does not seem to match the bearings and distances shown on the drawing. D. Provide and label the monument set or found at each subdivision corner. The legend is ambiguous concerning the "set" and "recovered" rod and cap. E. Provide the Surveyor's, 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 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. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures. J. After FINAL PLAT review by the Engineering Dept. provide the red-line markup, a copy of the revised original Final Plat, and the original when submitting for City Engineer signature."*;
- 6) compliance with Traffic Engineering comments: *"Springhill Avenue is an ALDOT maintained roadway. Lot is limited to no more than one curb cut to Springhill Avenue, and its existing two curb cuts to Ann Street, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance."*;
- 7) compliance with 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
- 8) 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). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)."

Rezoning: Based upon the preceding, this application is recommended for approval based on the following conditions:

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

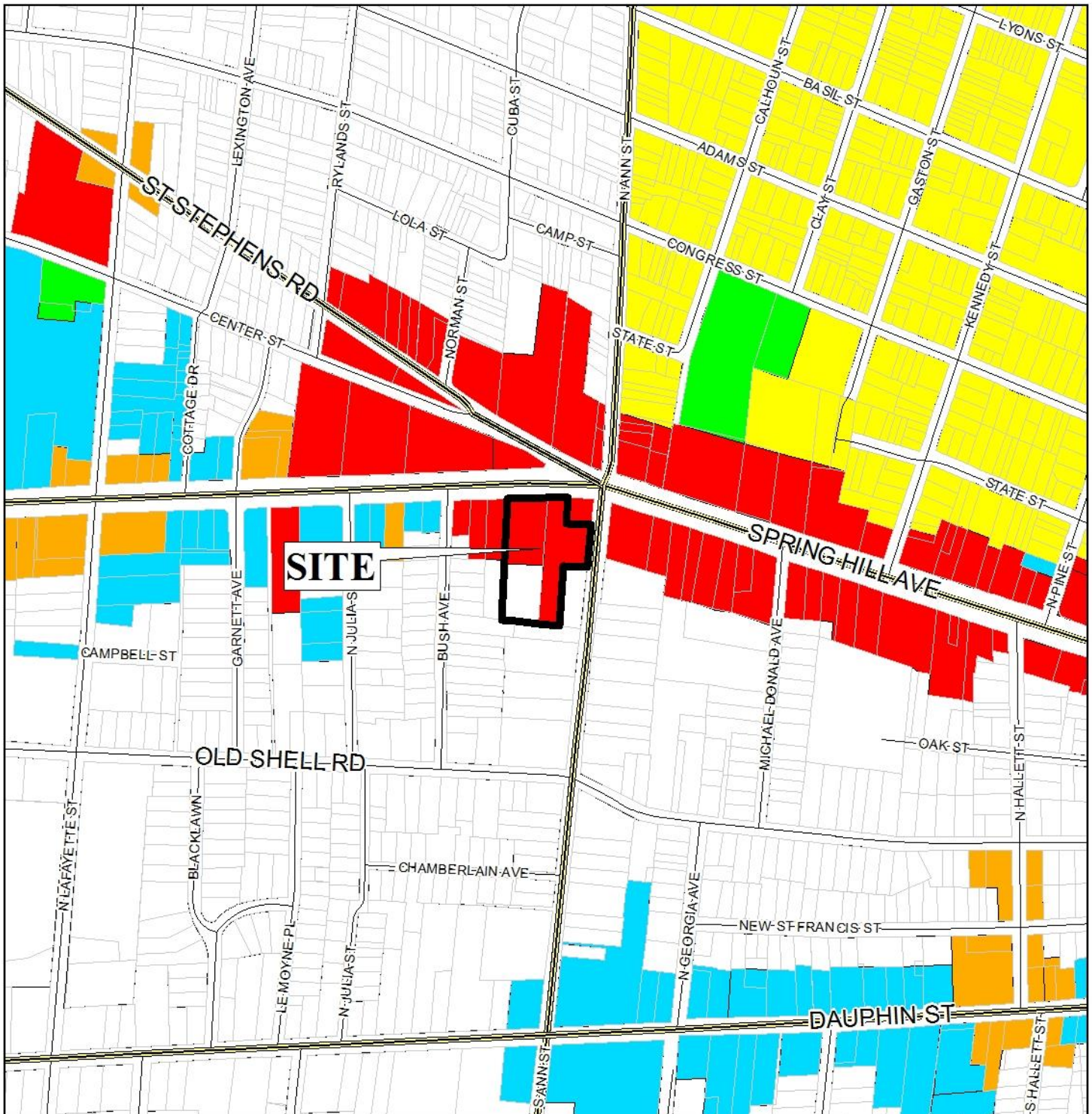
LOCATOR MAP



APPLICATION NUMBER 9 DATE October 6, 2016
APPLICANT Blankenship Addition to Springhill Avenue Subdivision
REQUEST Subdivision, Rezoning from B-3 and R-1 to B-3



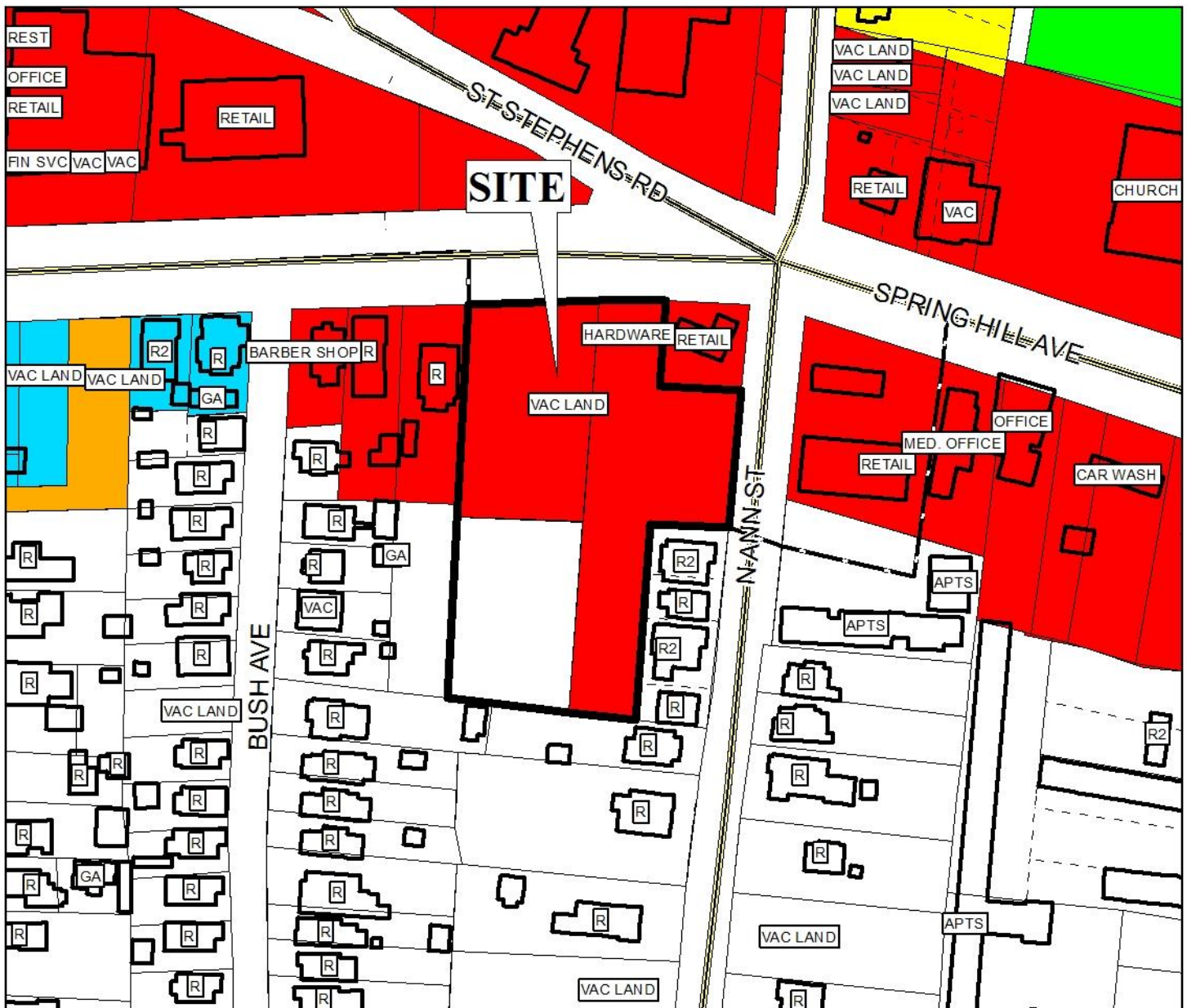
LOCATOR ZONING MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the south and commercial units to the north.

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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

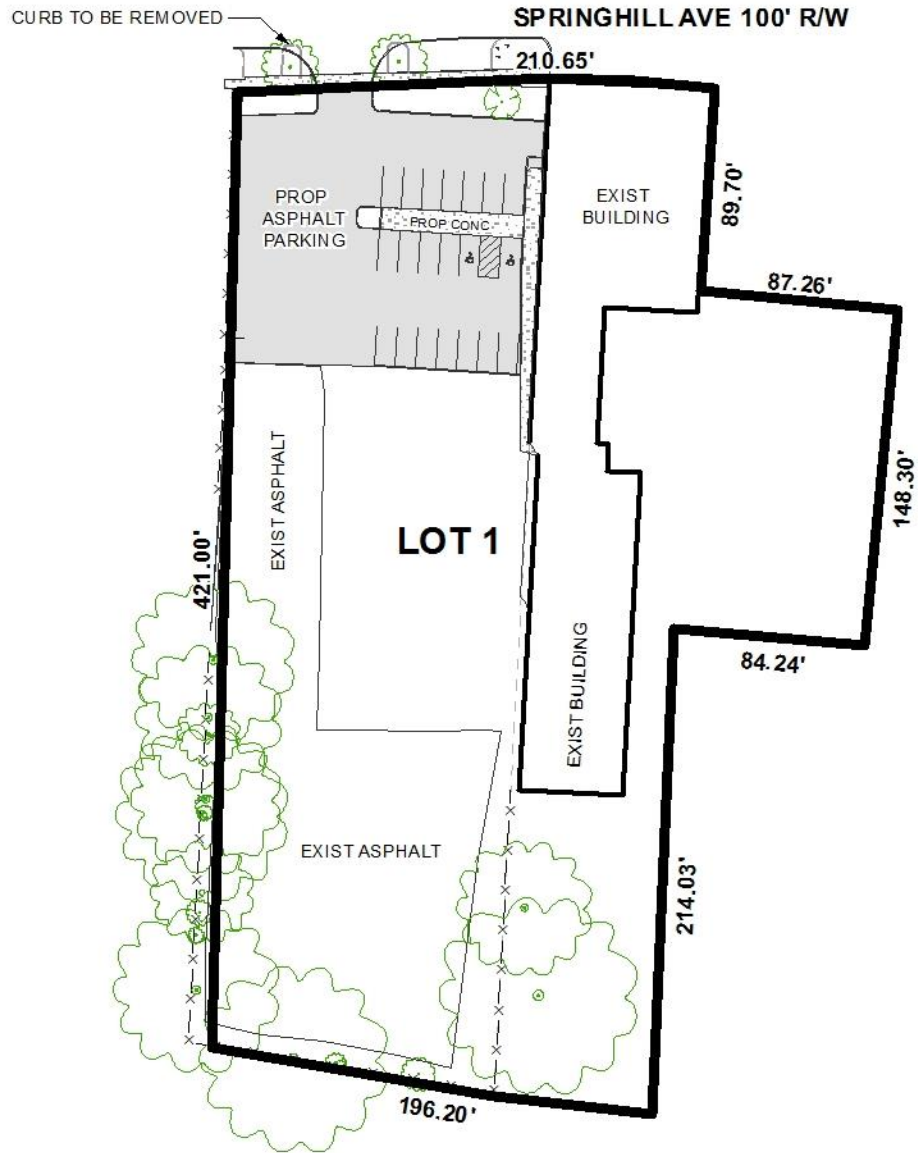


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SITE PLAN

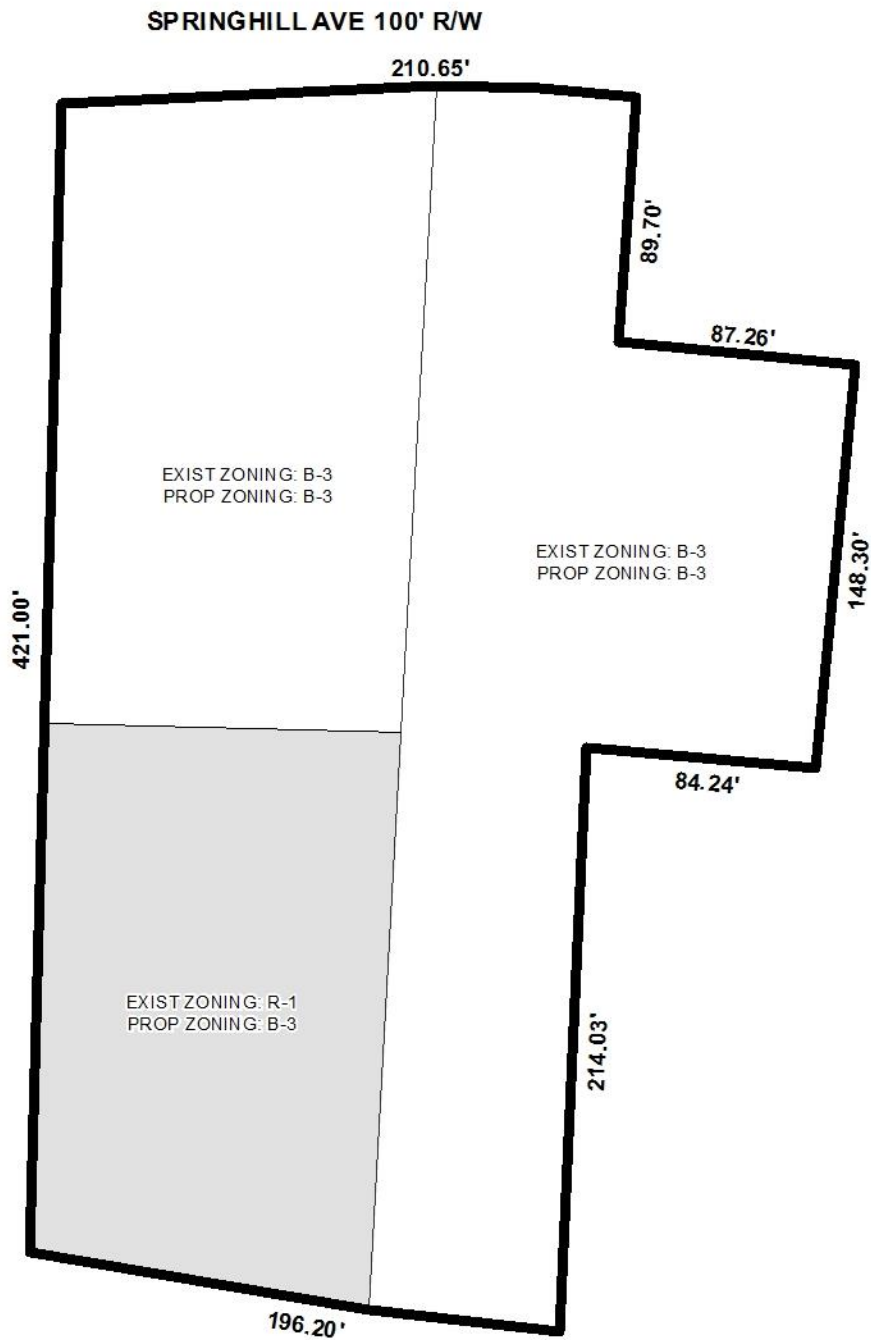


The site plan illustrates the existing building, existing asphalt areas, and the proposed asphalt parking area.

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DETAIL SITE PLAN



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