

**AMENDMENT TO REGULATING PLAN
& SUBDIVISION STAFF REPORT****Date: July 6, 2017****DEVELOPMENT NAME**

PEI Downtown Subdivision

SUBDIVISION NAME

PEI Downtown Subdivision

LOCATION

402 St. Anthony Street
(Northwest corner of St. Anthony Street and North Franklin Street, 80' ± East of North Hamilton Street, extending to the South side of Dr. Martin Luther King Jr. Avenue and State Street).

**CITY COUNCIL
DISTRICT**

District 2

AREA OF PROPERTY

1 Lot/0.5 ± Acres

CONTEMPLATED USE

Subdivision to create one (1) legal lot of record from two (2) metes and bounds parcels and an amendment to the Downtown Development District Regulating Plan to change the regulating sub-districts from SD-WH & T5.1 to SD-WH to eliminate split zoning.

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.

**REASON FOR
REZONING**

Applicant is requesting the amendment to the regulating plan to eliminate split zoning.

**TIME SCHEDULE
FOR DEVELOPMENT**

Not specified.

**ENGINEERING
COMMENTS**

Subdivision: 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- E. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

TRAFFIC ENGINEERING COMMENTS

Subdivision: Due to the shortened length of the block, limited frontage and skew angle of the nearby intersection, Lot 1 is denied access to State Street. Lot is limited to one curb cut per street frontage for its three other street frontages, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any onsite parking provided, 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.

REMARKS

The plat illustrates the proposed 1-lot, 0.5± acre subdivision which is located on the Northwest corner of St. Anthony Street and North Franklin Street, 80'± East of North Hamilton Street, extending to the South side of Dr. Martin Luther King Jr. Avenue and State Street, within Council District 2. The applicant states that the subdivision is served by city water and sanitary sewer systems. The purpose of this application is to create one (1) legal lot of record from two (2) metes and bounds parcels.

The site has been given a Downtown land use designation, per the recently adopted Future Land Use Plan and Map. 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.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the city's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 du/ac); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7-active Downtown Mobile.

Development in the Downtown district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

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.

The southwestern portion of the proposed Lot 1 is located within in the SD-WH Subdistrict of the Downtown Development District (DDD), while the remainder of Lot 1 is within the T5.1 Subdistrict of the DDD. The preliminary plat, as illustrated, would result in split-zoning. The DDD has specific requirements regarding the subdivision of property, and as it is a part of the Zoning Ordinance, not the Subdivision Regulations, this review will be primarily based upon the DDD requirements.

The proposed subdivision fronts St. Anthony Street, North Franklin Street, and Dr. Martin Luther King Jr. Avenue. All are minor streets requiring a 50' right-of-way width. The right-of-way width of St. Anthony Street, North Franklin Street and Dr. Martin Luther King Jr. Avenue, as indicated on the preliminary plat, all reflect compliance with minor street standards and if approved, should be retained on the Final Plat. All abutting streets are "B" streets, according to the DDD Regulating Plan Street Hierarchy. Section 64-3.I.8.(a) of the DDD ordinance requires that one of the abutting streets be designed as the "primary" frontage.

Section 64.3.I.8.(b).3 of the DDD ordinance requires a minimum property width of 18' and a maximum property width of 120' along the primary frontage in a T-5.1, Mixed-Use, Medium-Intensity Sub-District. The proposed Lot 1 meets the property width requirements.

There are no building setback lines illustrated on the preliminary plat. The DDD, per Section 64-3.I.8.(d), allows from 0' minimum to 12' maximum setback along all street frontages. If approved, the Final Plat should be revised to illustrate a 12' maximum building setback line along all street frontages, with a note stating a 0' minimum is allowed.

The DDD requires a parking setback of at least the building setback for T-5.1 Sub-districts per Section 64-3.I.8.(d) of the DDD code. If approved, a note should be placed on the Final Plat indicating that a parking setback of at least the building setback is required.

The proposed lot exceeds the 7,200 square foot minimum lot size requirements of Section V.D.2. of the Subdivision Regulations for lots served by public water and sanitary sewer systems. The preliminary plat provides the lot sizes in square feet. If approved, the lot size information should be provided in both square feet and acres on the Final Plat. Also, there is no minimum lot area requirement for lots within the DDD.

As a means of access management, the Traffic Engineering comments should be placed on the Final Plat, if approved; stating that due to the shortened length of the block, limited frontage and skew angle of the nearby intersection, Lot 1 is denied access to State Street. Lot is limited to one curb cut per street frontage for its three other street frontages, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any onsite parking provided, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

New building construction must comply with the frontage requirements of Section 64-3.I.15 of the Zoning Ordinance. Approved frontage types for T-5.1 sub-districts are limited to Terrace, Stoop, Common Entry, Pedestrian Forecourt, Gallery and Shopfront. Continued use of the property for parking will require screening compliance with Section 64-3.I.11.(b).3. by November 30, 2017

It should also be noted that because this property is located in the Downtown Development District any future development to this site, including parking screening compliance, will require Consolidated Review Committee (CRC) approval.

Based upon the preceding, this application is recommended for Holdover to the August 3, 2017 meeting to allow the submission of Regulating Plan Amendment application by July 10th.

Revised for August 3, 2017 meeting

The previous application was held over from the July 6th meeting to allow the applicant to submit the associated Amendment to the Regulating Plan to change the regulating sub-districts from SD-WH & T5.1 to SD-WH to eliminate split zoning.

Regarding the request for Plan Amendment, the applicant proposes to amend the proposed lots, which front, St. Anthony Street, North Franklin Street and Dr. Martin Luther King Avenue from its current T5.1 and SD-WH districts to a SD-WH district, to eliminate split zoning.

Section 64-3.I.4.(d).of the Zoning Ordinance states the following:

“d) Regulating Plan Amendments

- 1. Adjustments to the transect sub-district and special district boundaries are limited to the following:*
 - I. Increases to the next higher transect sub-district provided the lot is adjacent to a lot of the higher transect sub-district for which the increase is requested. Adjustments to transect sub-districts require approval by the Planning Commission and City Council.*
 - II. Reconciliations of transect sub-district require approval by the Planning Commission and City Council.*
 - III. Modifications of boundaries resulting in a change from SD-WH to an adjacent mapped transect sub-district require approval by the Planning Commission and City Council.*
- 2. Master plans executed for Special District according to Paragraph 64-3.I.3 that assign or modify transect sub-district and special district boundaries must be recorded as an amendment to a regulating plan”*

The site is bounded to the North and East by properties zoned T5.1, to the South by property zoned SD-WH, and to the West by properties zoned both T5.1 and SD-WH.

The proposed layout for development depicts an asphalt paved parking area with 51 total parking spaces. The site plan also illustrates existing trees, proposed 6' decorative fencing along the perimeter of the lot, proposed lighting and a new proposed motorized gate to enter the property on St. Anthony Street. The site plan also illustrates only one curb cut to St. Anthony Street.

The site plan submitted does not depict any tree and landscape calculations, therefore staff cannot determine if the site meets the minimum tree and landscaping requirements. A site plan depicting full tree planting and landscaping requirements per Section 64-4.E of the Zoning Ordinance will be required at the time of submission for building permits.

A sidewalk will be required as part of the proposed new development, and is depicted on the submitted site plan.

RECOMMENDATION

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

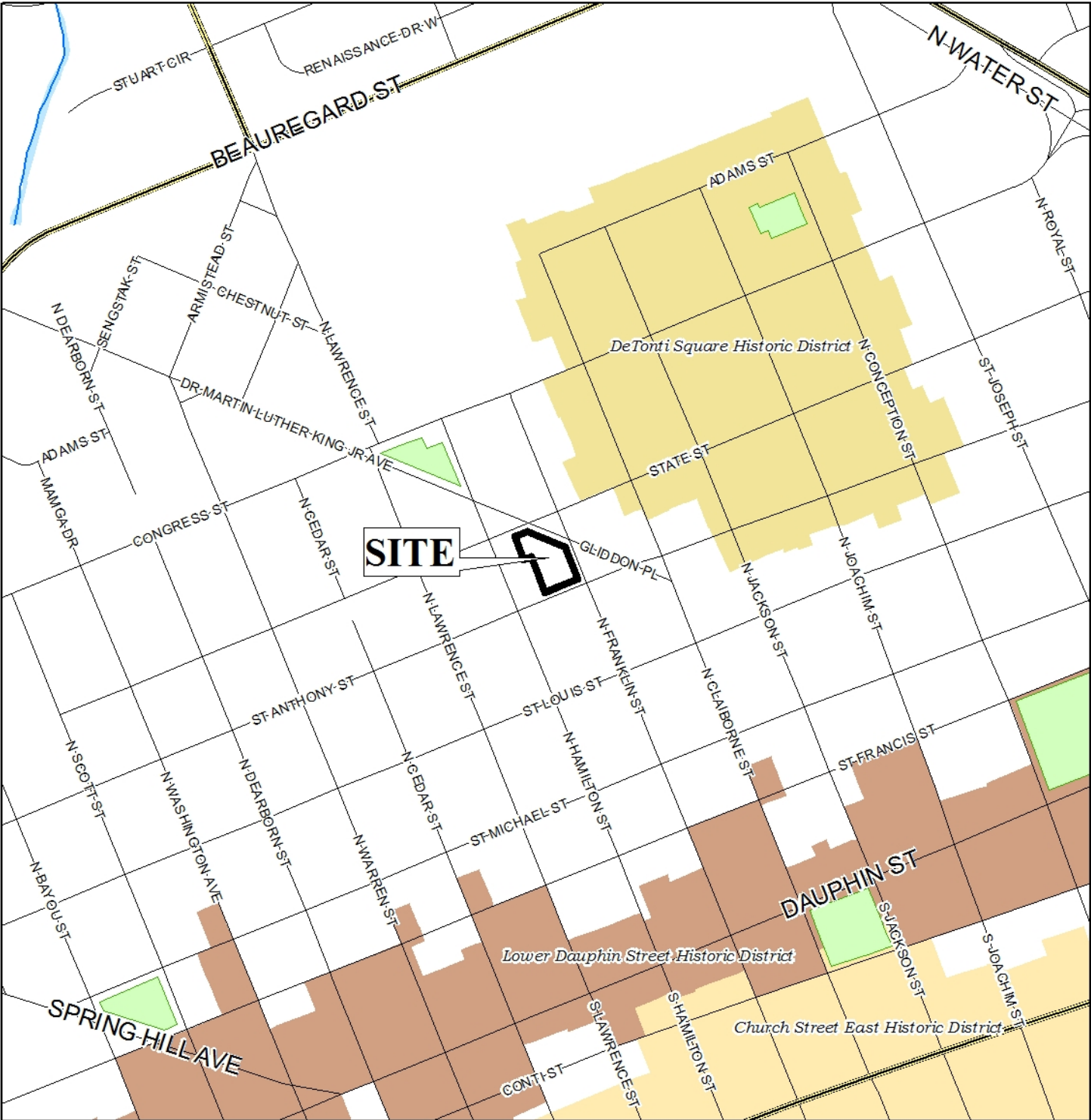
- 1) Retention of 50' right-of-way width along St. Anthony Street and North Franklin Street;*
- 2) Retention of 60' right-of-way width along Dr. Martin Luther King Jr. Avenue;*
- 3) Revision of building setbacks to reflect a maximum building setback line of 12' along all streets;*

- 4) *Placement of a note stating that a 0' minimum building setback is allowed;*
- 5) *Placement of a note stating that parking must be setback to at least the building façade setback from the property line;*
- 6) *Revision of the lot size information on the Final Plat to be depicted in square feet and in acres;*
- 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. E. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.*
- 8) *Compliance with Traffic Engineering comments and placement as a note on the Final Plat (Due to the shortened length of the block, limited frontage and skew angle of the nearby intersection, Lot 1 is denied access to State Street. Lot is limited to one curb cut per street frontage for its three other street frontages, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any onsite parking provided, 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 Department comments and placement of a note (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).*
- 11) *Completion of amending the Regulating Plan to one Downtown Development District sub-district prior to the signing of the Final Plat.*

Rezoning: *Based on the preceding, it is recommended that the Rezoning application be approved 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 10 DATE August 3, 2017

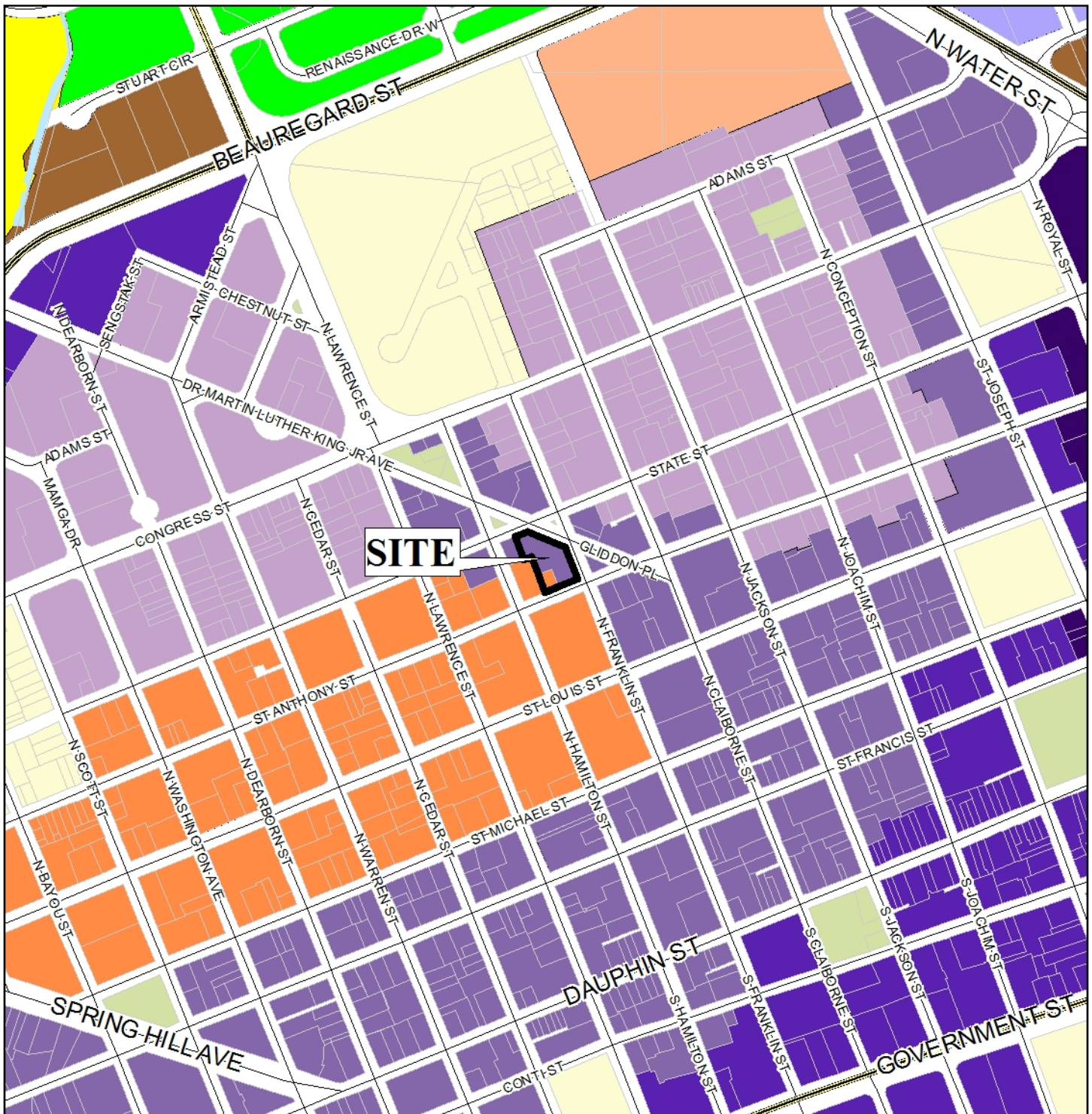
APPLICANT PEI Downtown Subdivision

REQUEST _____ Subdivision _____



NTS

LOCATOR ZONING MAP



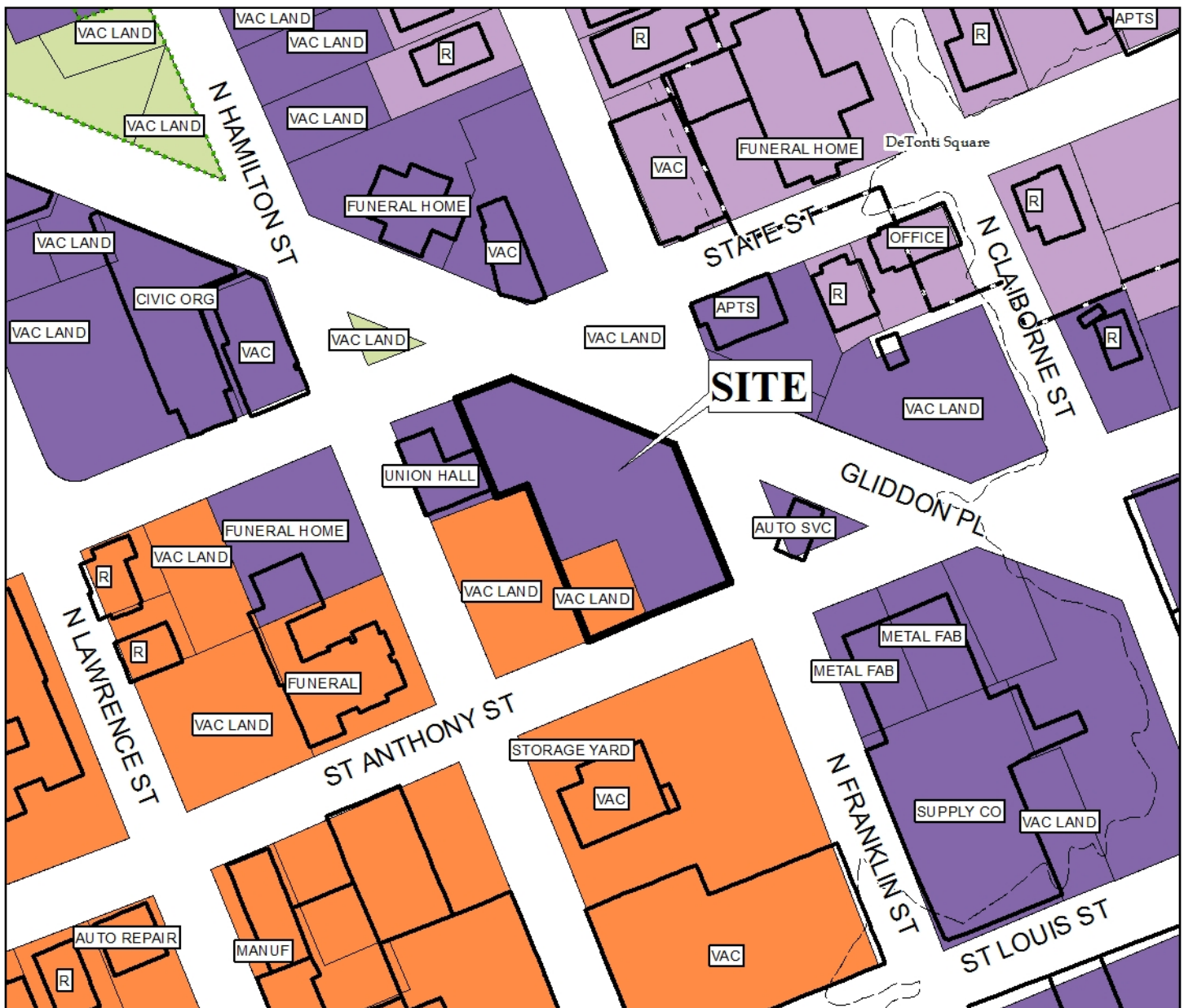
APPLICATION NUMBER 10 DATE August 3, 2017

APPLICANT PEI Downtown Subdivision

REQUEST Subdivision



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

APPLICATION NUMBER 10 DATE August 3, 2017
 APPLICANT PEI Downtown Subdivision
 REQUEST Subdivision, Rezoning from SD-WH and T5.1 to SD-WH

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

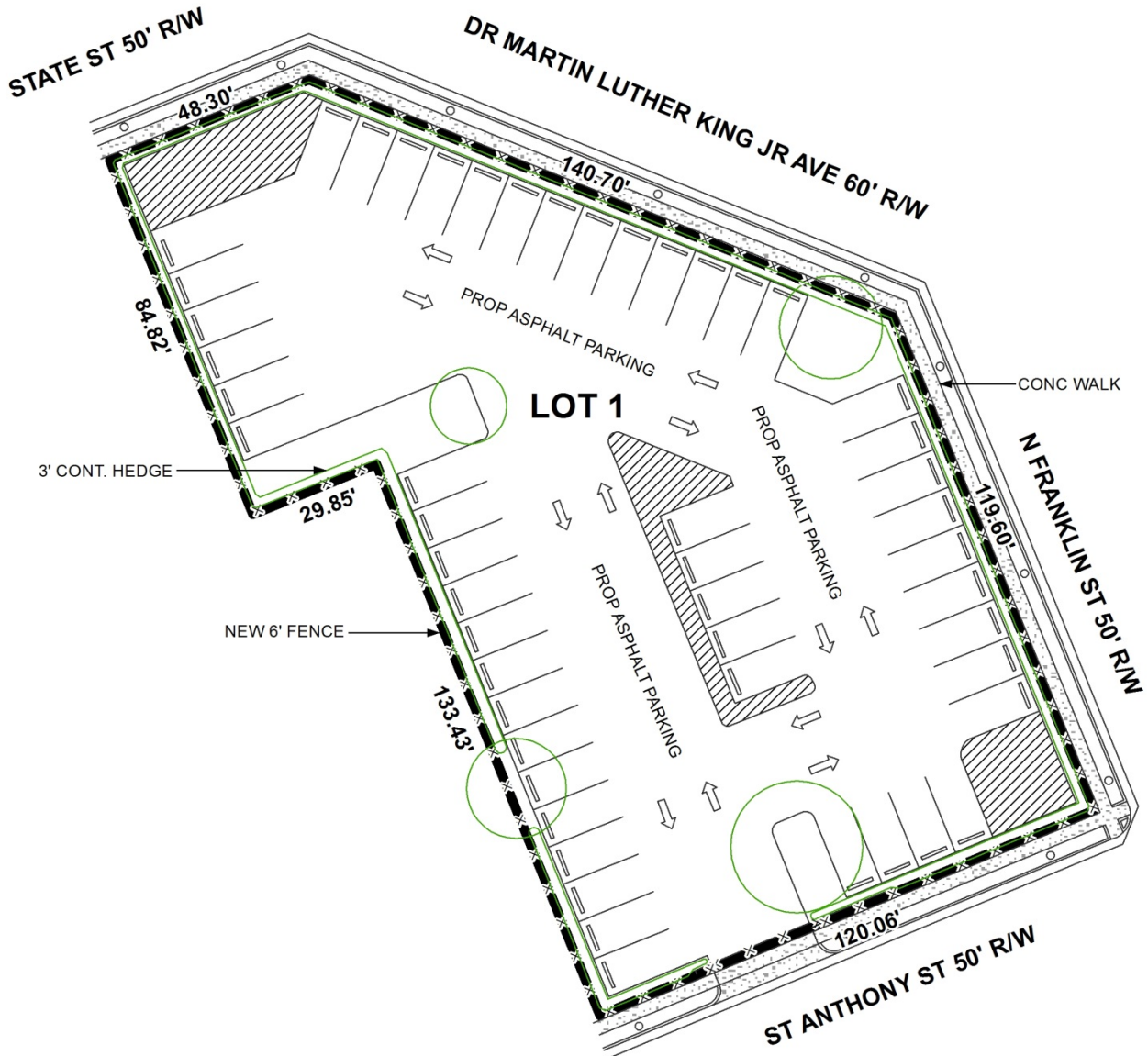


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SITE PLAN



The site plan illustrates the new fence and proposed asphalt parking areas.

APPLICATION NUMBER 10 DATE August 3, 2017
 APPLICANT PEI Downtown Subdivision
 REQUEST Subdivision, Rezoning from SD-WH and T5.1 to SD-WH



DETAIL SITE PLAN



APPLICATION NUMBER 10 DATE August 3, 2017
APPLICANT PEI Downtown Subdivision
REQUEST Subdivision, Rezoning from SD-WH and T5.1 to SD-WH

