

**ZONING AMENDMENT &
SUBDIVISION STAFF REPORT****Date: March 15, 2018**

<u>NAME</u>	Smith, Clark & Associates, LLC
<u>SUBDIVISION NAME</u>	Mandrell's Subdivision, Merchants Addition to
<u>LOCATION</u>	5104 Moffett Road (North side of Moffett Service Road, 790'± West of Gash Lane)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>PROPOSED ZONING</u>	B-1, Buffer Business District
<u>REASON FOR REZONING</u>	To allow the construction of a single-story office building.
<u>AREA OF PROPERTY</u>	1 Lot / 2.2 ± Acres
<u>CONTEMPLATED USE</u>	Subdivision approval to create one legal lot from an existing metes-and-bounds parcel, and Rezoning from R-1, Single-Family Residential to B-1, Buffer Business District to allow the construction of a single-story office building. 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>	None given.
<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 a detail of the southeast corner of LOT 1 to clarify the location of the property line segment labeled C2.
- C. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- E. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- F. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- G. 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.

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. 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.
5. Any proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING**COMMENTS**

Moffett Road (US Highway 98) and its service road are ALDOT maintained roadways. Site is limited to one curb cut to be approved by ALDOT and Traffic Engineering and conform to AASHTO Standards. Driveway improvements cannot

extend across the extension of the property line to the curb without the written consent of the adjacent landowner. 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)

REMARKS

The applicant is requesting Subdivision approval to create one legal lot from an existing metes-and-bounds parcel, and Rezoning from R-1, Single-Family Residential District, to B-1, Buffer Business District to allow the construction of a single-story office building.

The site has been given a Mixed Commercial Corridor 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.

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.

Regarding the Subdivision request, the applicant proposes to create one legal lot of record from an existing metes-and-bounds parcel. The subject site was originally recorded as Lot 9, Mandrell's Subdivision, but right-of-way was later acquired to widen Moffett Road Service Road altering the original recorded lot configuration. The current application proposes to create one legal lot from the remainder of the originally-recorded lot.

The proposed lot meets the minimum size requirements of the Subdivision Regulations. However, the depth of the lot exceeds 3.5 times the width of the lot at the building setback line. Section V.D.3. of the Subdivision Regulations does not allow lots to exceed this ratio. However, as the original Lot 9, Mandrell's Subdivision further exceeded this ratio, a waiver of Section V.D.3. would seem in order.

The proposed lot fronts Moffett Road, a component of the Major Street Plan with a planned 100' right-of-way. The preliminary plat indicates a variable right-of-way width along the site frontage; therefore, the plat should be revised to indicate at least a 100' right-of-way width along the site frontage, or dedication should be required to provide 50' from the centerline of Moffett Road.

The lot size is not labeled on the plat; therefore, the plat should be revised to label the lot size in both square feet and acres, after any required frontage dedication, or a table should be furnished on the Final Plat providing the same information.

The preliminary plat illustrates a 25' minimum building setback along Moffett Road Service Road. If approved, the 25' minimum building setback line should be retained on the Final Plat but adjusted to be measured from any required frontage dedication.

The site fronts Moffett Road which is an ALDOT-maintained highway and access management is a concern; therefore, a note should be required on the Final Plat limiting the lot to one curb cut to Moffett Road Service Road, with the size, design and location to be approved by ALDOT and Traffic Engineering and comply with AASHTO standards.

The site has various water, pipeline and sanitary sewer easements running across it. Therefore, a note should be required on the Final Plat stating that no structure may be placed or constructed within any easement.

Due to the limited width of the property, 100 feet, but extreme depth at 953 feet, future subdivision should not be allowed until additional frontage on a public or compliant private street is provided.

Regarding the request for rezoning, the applicant proposes to rezone the proposed lot from its current R-1, Single-Family Residential District, to B-1, Buffer Business District to allow the construction of a single-story office building.

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 provided the following statement:

Proposed use:

The prospective owners of Lot 9 Mandrell's Subdivision plan to build a single-story office building. The current proposed building will be approx. 40' x 80' and will have a paved entrance and parking area.

Comprehensive Plan Consistency:

This area along Moffett Road has been heavily developed commercially. All properties to the east of Lot 9 along this service road to Moffett Road have now been rezoned for commercial use.

The properties East of the subject site and along the North side of the Moffett Road Service Road are developed and zoned commercially. Adjacent to the West and North are vacant R-1 properties, and to the South across Moffett Road is B-2, Neighborhood Business District, used as a fast-food restaurant, with other commercial uses to either side along the South side of Moffett Road.

The proposed rezoning to B-1 would align with the recommendation of the Future Land Use Map for mixed commercial use within the area and reflects a trend for properties along the North side of the Moffett Road Service Road away from single-family residential land uses. The applicant has illustrated that there are changing conditions within this area which would make a change in the Ordinance necessary and desirable and the requested zoning district would not be out of character with the Future Land Use Map.

The applicant has provided a site plan illustrating a proposed building with asphalt-paved parking and ingress/egress. Details have not been provided in terms of the building's square footage, parking calculations, public sidewalk, and landscaping and tree planting requirements. However, zoning review is not site plan specific. Development of the site will require full compliance with all requirements of the Zoning Ordinance at the time of permitting for construction, as well as all other applicable codes and ordinances.

RECOMMENDATION

Subdivision: With a waiver of Section V.D.3., the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions:

- 1) revision of the plat to indicate at least a 100' right-of-way width along the site frontage, or dedication to provide 50' from the centerline of Moffett Road;
- 2) revision of the plat to label the lot size in both square feet and acres, after any required frontage dedication, or the furnishing of a table on the Final Plat providing the same information;
- 3) retention of the 25' minimum building setback line on the Final Plat, adjusted to be measured from any required frontage dedication;
- 4) placement of a note on the Final Plat stating that the lot is limited to one curb cut to Moffett Road Service Road, with the size, design and location to be approved by ALDOT and comply with AASHTO standards;
- 5) placement of a note on the Final Plat stating that no structure may be placed or constructed within any easement;
- 6) placement of a note on the Final Plat stating that no future subdivision of the site is allowed until additional frontage on a public or compliant private street is provided;
- 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 a detail of the southeast corner of LOT 1 to clarify the location of the property line segment labeled C2. C. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. F. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. G. 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: *[Moffett Road (US Highway 98) and its service road are ALDOT maintained roadways. Site is limited to one curb cut to be approved by ALDOT and Traffic Engineering and conform to AASHTO Standards. Driveway improvements cannot extend across the extension of the property line to the curb without the written consent of the adjacent landowner. 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).;*
- 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));* and
- 11) completion of the Subdivision process prior to any requests for land disturbance or new construction..

Rezoning: Based upon the preceding, the Rezoning request is recommended for approval as B-1, Buffer Business, 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 March 15, 2018

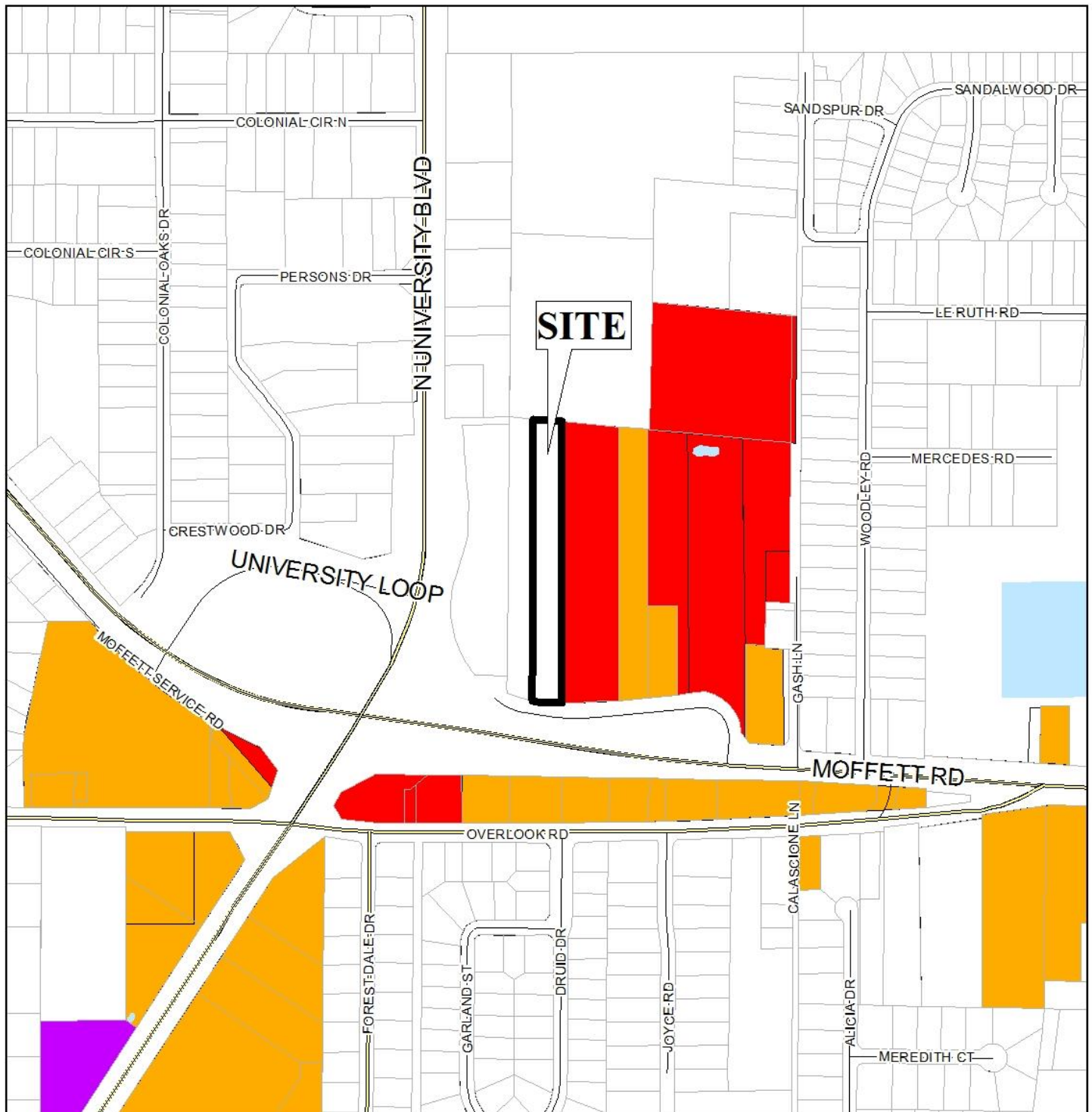
APPLICANT Mandrell's Subdivision, Merchant's Addition to

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



NTS

LOCATOR ZONING MAP



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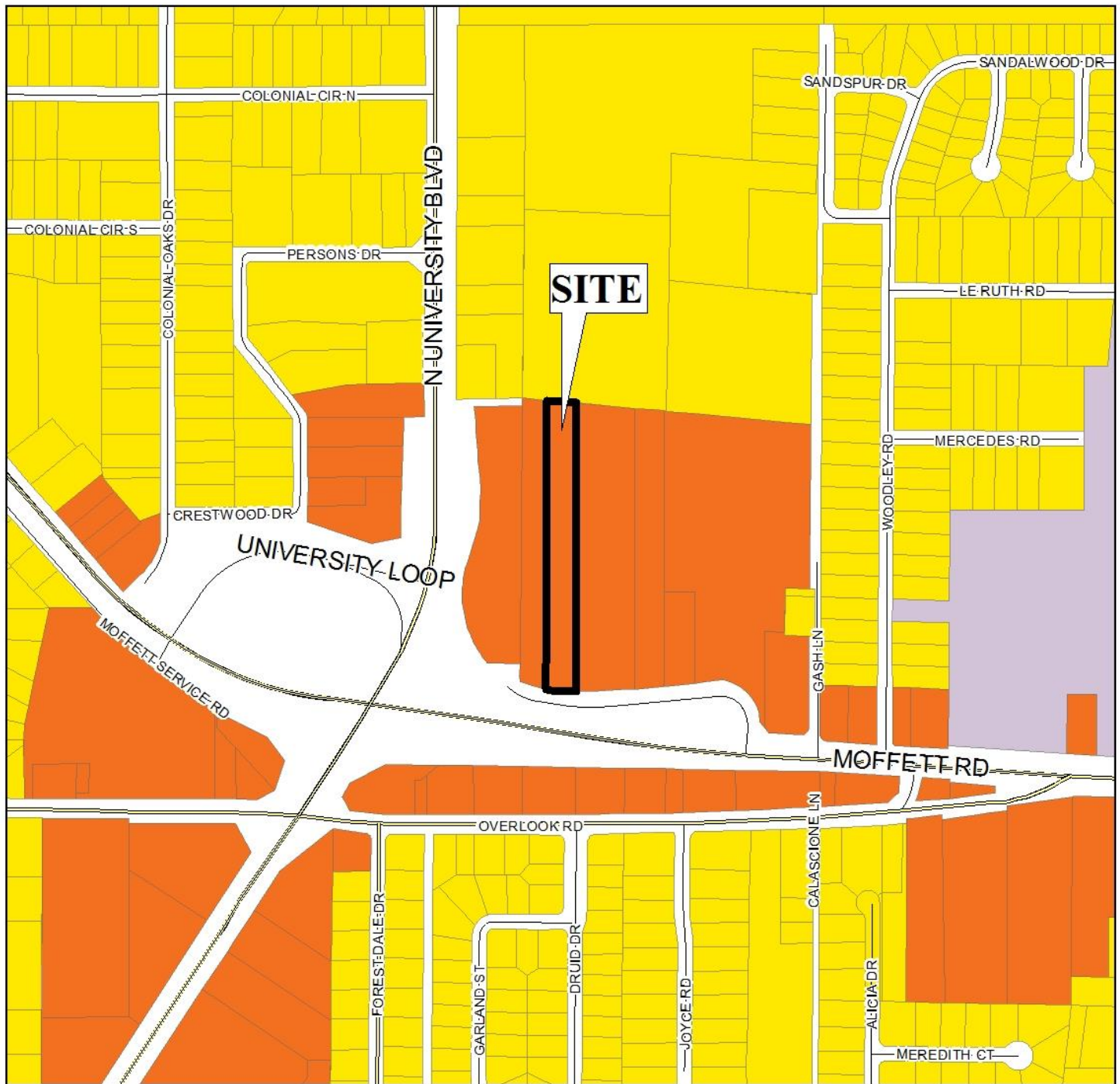
APPLICANT Mandrell's Subdivision, Merchant's Addition to

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



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 10 DATE March 15, 2018

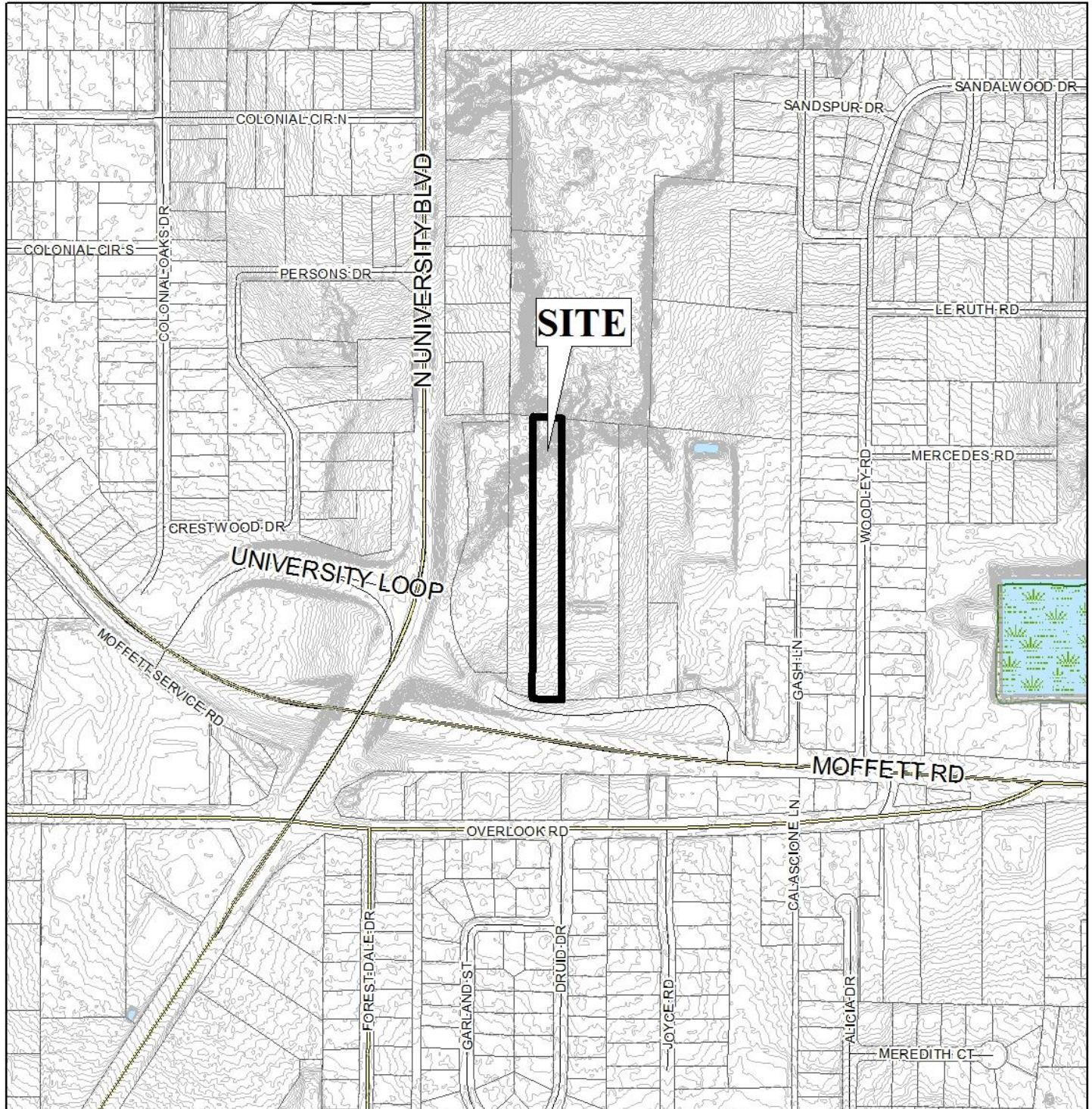
APPLICANT Mandrell's Subdivision, Merchant's Addition to

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

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	Institutional
District Center	Mixed Commercial Corridor		



ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 10 DATE March 15, 2018

APPLICANT Mandrell's Subdivision, Merchant's Addition to

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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APPLICANT Mandrell's Subdivision, Merchant's Addition to

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

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

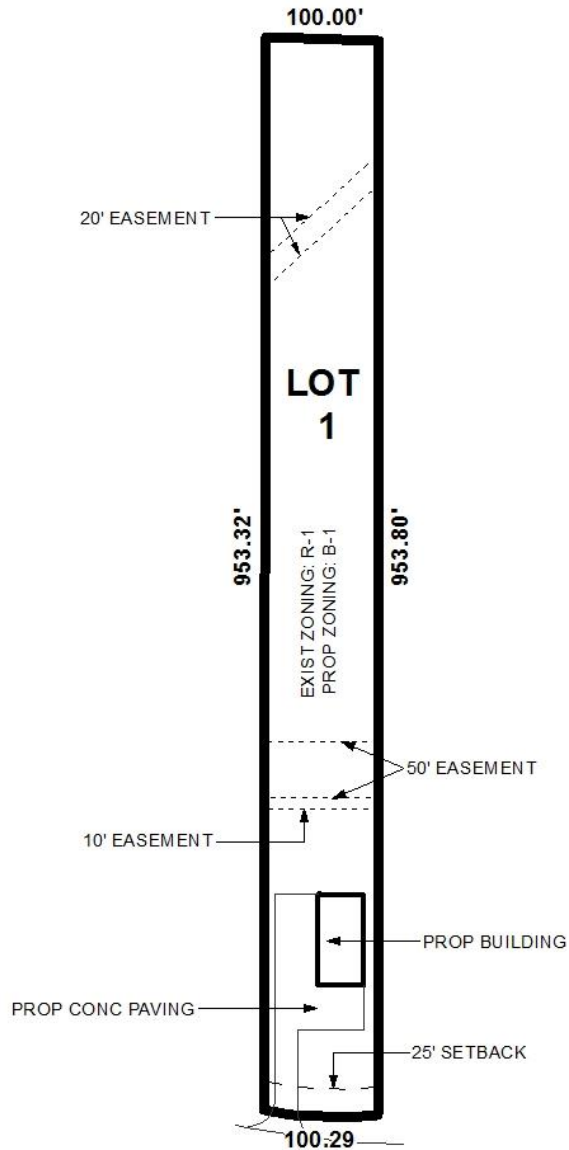


The site is surrounded by commercial units to the east and residential units to the west.

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SITE PLAN



The site plan illustrates the proposed building, proposed paving, setback, and easements.

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