

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT,  
PLANNING APPROVAL, &  
ZONING AMENDMENT STAFF REPORT****Date: August 1, 2019**

<b><u>NAME</u></b>	Mary Edmonds
<b><u>SUBDIVISION NAME</u></b>	Spring Hill Animal Clinic Subdivision
<b><u>LOCATION</u></b>	North side of Spring Hill Avenue, 105'± West of Knowles Street, extending to the West side of Knowles Street
<b><u>CITY COUNCIL DISTRICT</u></b>	District 7
<b><u>PRESENT ZONING</u></b>	R-1, Single Family Residential District
<b><u>PROPOSED ZONING</u></b>	B-2, Neighborhood Business District
<b><u>REASON FOR REZONING</u></b>	Changing conditions in the area
<b><u>AREA OF PROPERTY</u></b>	4 Lot / 5.4 ± Acres
<b><u>CONTEMPLATED USE</u></b>	<p>Subdivision approval to create four (4) legal lots of record from three (3) metes-and-bounds parcels, Planned Unit Development Approval to allow shared access between building sites, Planning Approval to allow an animal clinic with outside runs in a B-1, Buffer Business District, Rezoning from R-1, Single Family Residential District to B-1, Buffer Business District.</p> <p><b>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.</b></p>
<b><u>TIME SCHEDULE</u></b>	Not Specified.

**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 the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- C. 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.
- D. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- E. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- F. 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.

**Planned Unit Development:**

- 1. Each of the four (4) proposed LOTS will require a 911 street address. Please contact the Engineering Department (208-6216) to discuss the options.
- 2. Label the SITE PLAN sheet as "PUD SITE PLAN"
- 3. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:
  - a. 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).
  - b. 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.
  - c. 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.
  - d. 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.

- e. 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.
- f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**Planning Approval:**

- a. 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).
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- e. 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.
- f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**Rezoning:**

- a. 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).

- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Lots 1, 2 and 3 are limited to access via one curb cut to Spring Hill Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lot 4 is limited to one curb cut to Knowles Street. 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 (applies to commercial zoned properties only).

## **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 four (4) legal lots of record from three (3) metes-and-bounds parcels, Planned Unit Development Approval to allow shared access between building sites, Planning Approval to allow an animal clinic with outside runs in a B-1, Buffer Business District, Rezoning from R-1, Single Family Residential District to B-1, Buffer Business District.

The site has been given a Low Density Residential (LDR) land use designation, per the 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 designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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 site has frontage onto both Spring Hill Avenue and Knowles Street. Spring Hill Avenue is a major street on the Major Street Plan, and as such, should have a right-of-way width of 100', and is depicted as having 40.6'± to the centerline. If approved, the site plan should be revised to illustrate dedication to provide 50' to the centerline of Spring Hill Avenue. Knowles Street is a minor street without curb and gutter, and as such should have a right-of-way width of 50', and is

depicted as having 23.5'± to the centerline. It should be noted that the proposed Lot 3 is landlocked, without any street frontage at all, and is proposed to be accessed via a 50' wide access easement across Lots 1 and 2 onto Spring Hill Avenue. If approved, the Subdivision layout should be revised to either convert the proposed access easement into a public street, or convert Lot 3 into a proposed flag lot, which would be out of character for the area.

The preliminary plat illustrates 25' minimum building setback lines along all street frontages. If approved, a setback should be depicted for Lot 3, treating the access easement as if it were a street frontage.

The proposed lots each exceeds the 7,200 square foot minimum lot size requirements for lots served by public water and sanitary sewer systems. The preliminary plat provides the lot size in square feet and acres. If approved, the lot size information should be retained on the Final Plat.

Per Traffic Engineering comments, Lots 1, 2 and 3 are limited to access via one curb cut to Spring Hill Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lot 4 is limited to one curb cut to Knowles Street. 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 (applies to commercial zoned properties only).

The applicant submitted the following:

*The applicant is seeking PUD, Zoning, Planning and three lot Subdivision approval on a 5 acre parcel west of Knowles Street owned by the St. Ignatius Parish, Mobile, an Alabama non-profit corporation.*

*The property is currently zoned R-1. Applicant proposes a four (4) lot subdivision, whereby Lots 1 and 2, will front on Springhill Avenue, Lot 3 will have an access easement to Springhill Avenue, and Lot 4 will have access to Knowles Lane.*

*Re-zoning is requested for Lots 1 and 2 for commercial use under the B-1 classification. Lots 3 and 4 will remain residential and retain its R-1 classification. The applicant will construct on Lot 1 a full service veterinary clinic providing medical and surgical services with accessory use of limited boarding for cats, dogs, and other small animals. The accessory use will generate less than 25% of gross revenue. Lot 2 will remain available for other B-1 uses.*

*PUD approval is requested for the subdivision.*

*Change of zoning is necessary due to the following conditions:*

*The growth of the area and development at Springhill and McGregor, as well as the growth around The University of South Alabama, necessitates additional land to be zoned commercial for continued support of the area. Due to the plans for development at the corner of Springhill and McGregor Ave, there is no longer other available real estate in Springhill this side of the interstate. Specifically, none which would afford the size of*

*land needed for our use which is zoned Business. Thus, the rezoning could be viewed as an extension of surrounding businesses. The rezoning of the 2 frontage properties promote growth in Springhill while maintaining Residential zoning on back lots maintains the neighborhood of Springhill.*

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

PUD review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and, that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and, to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is **site-plan specific**, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The proposed site plan only shows the proposed 7,176 square foot vet clinic for Lot 1, and depicts the other lots as being vacant. It should be noted that as the proposed Lots 2 & 3 are depicted as having shared access with Lot 1 as part of the Planned Unit Development, that at such a time when those sites are developed, a new PUD must be submitted.

Based on the size of the proposed clinic, 24 parking spaces are required, and the site plan shows a total of 31 parking spaces with 17 in the front of the building, and 14 behind the building. As the site will have more than 25 parking spaces, a compliant photometric plan will be required at the time of permitting.

The site is proposed to be serviced by a dumpster. If approved, the site plan should be revised to include a note stating that the dumpster will be connected to sanitary sewer, and will have a compliant enclosure.

It should be noted that there is an existing sidewalk along Spring Hill Avenue that is not illustrated on the site plan submitted. If approved, the site plan should be revised to depict the existing sidewalk.

The site plan does indicate that more than the minimum amount of landscape area will be provided for Lot 1, but does not depict tree plantings. Due to the site being included in a Planned Unit Development, no trees are required for the shared interior lot line; however, compliance with all other tree plantings will be required.

The proposed vet clinic is maintaining a 20' setback from the R-1 property to the East. If approved, the site plan should be revised to clearly illustrate that there will be either a compliant vegetative or privacy fence buffer along both the North and East property lines for Lot 1.

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 subject site is bounded to the North, South, East, and West by R-1, Single Family Residential Districts.

The applicant states that changing conditions in the area make the rezoning desirable, however, given that the property proposed to be rezoned is not adjacent to any other commercial zoning district, the rezoning may not be appropriate at this time.

## **RECOMMENDATION**

**Subdivision:** The request is recommended for Denial due to the following:

- 1) The proposed subdivision layout would result in Lot 3 being landlocked.

**Planned Unit Development:** The request is recommended for Denial, due to the following:

- 1) Denial of the Subdivision and Rezoning makes the PUD application moot.

**Planning Approval:** The request is recommended for Denial, due to the following:

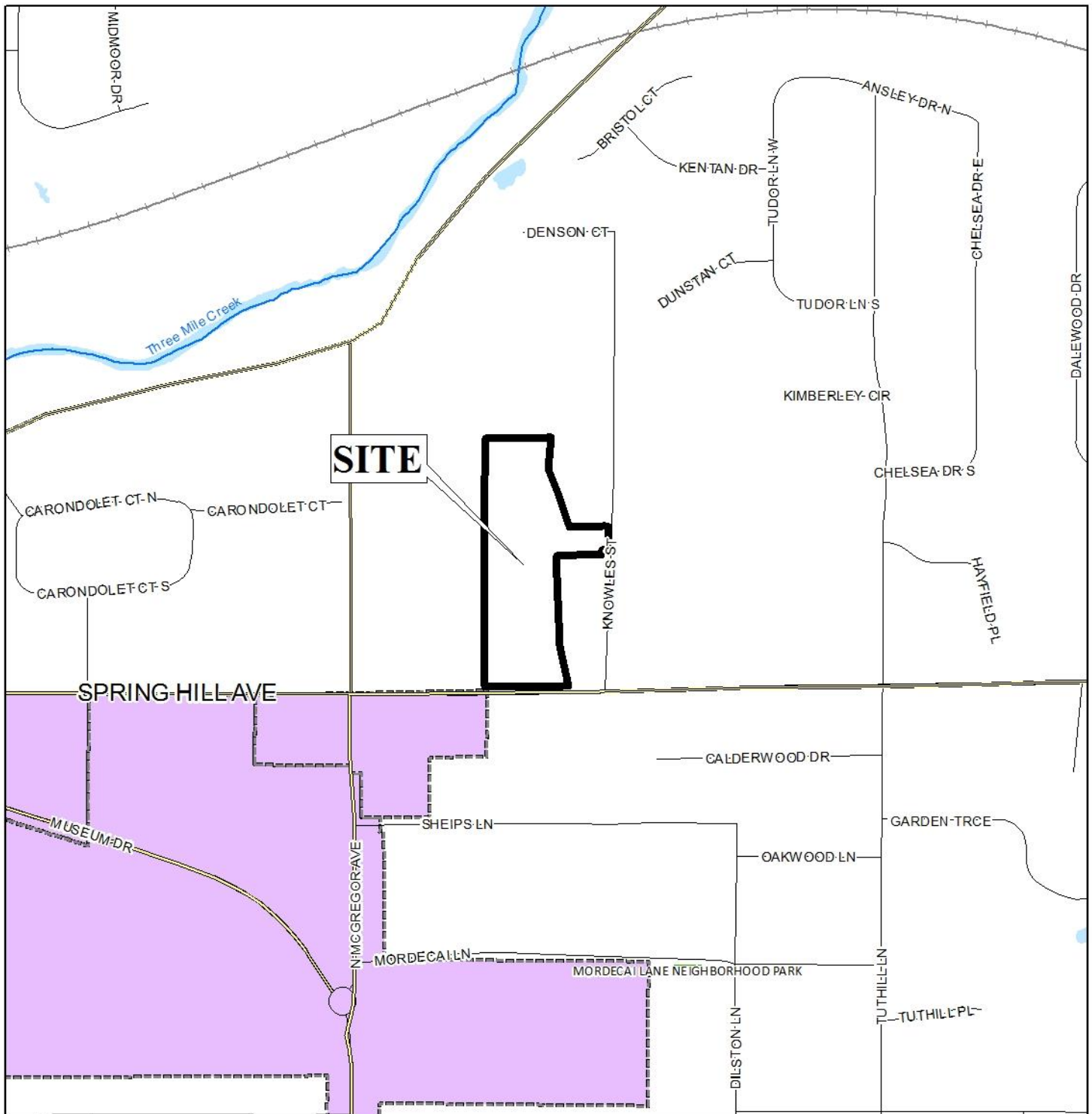
- 1) Denial of the Subdivision and Rezoning makes the PA application moot.

**Zoning:** The request is recommended for Denial, due to the following:

- 1) The applicant has not sufficiently proven that there are indeed changes in the area which make the rezoning necessary and desirable;
- 2) The applicant has not sufficiently proven that there is a need to increase the number of sites available to business or industry.



# LOCATOR MAP



APPLICATION NUMBER 11 DATE August 1, 2019

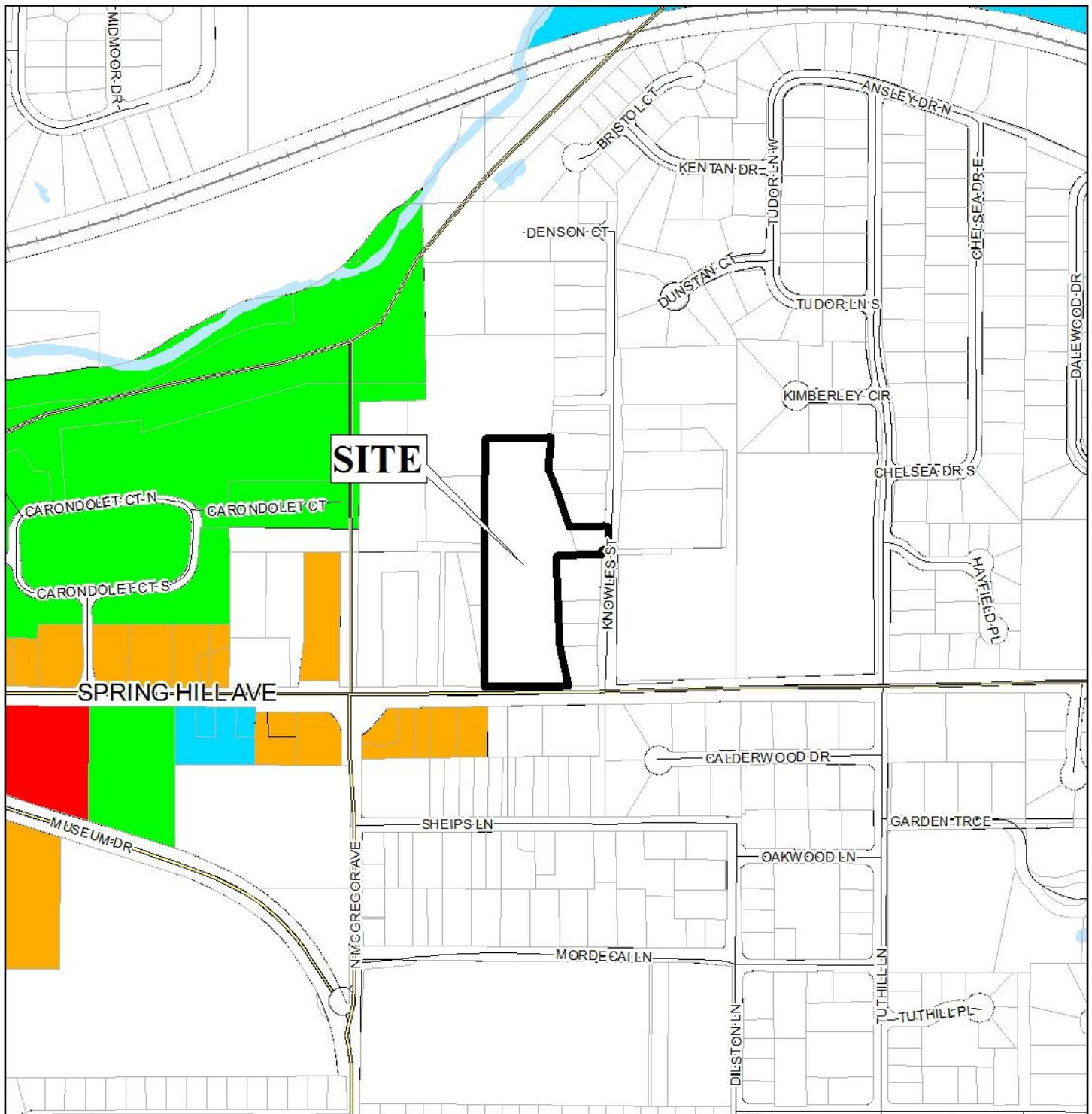
APPLICANT Spring Hill Animal Clinic Subdivision

REQUEST Subdivison, PA, PUD, Rezoning from R-1 to B-1



NTS

# LOCATOR ZONING MAP



APPLICATION NUMBER 11 DATE August 1, 2019

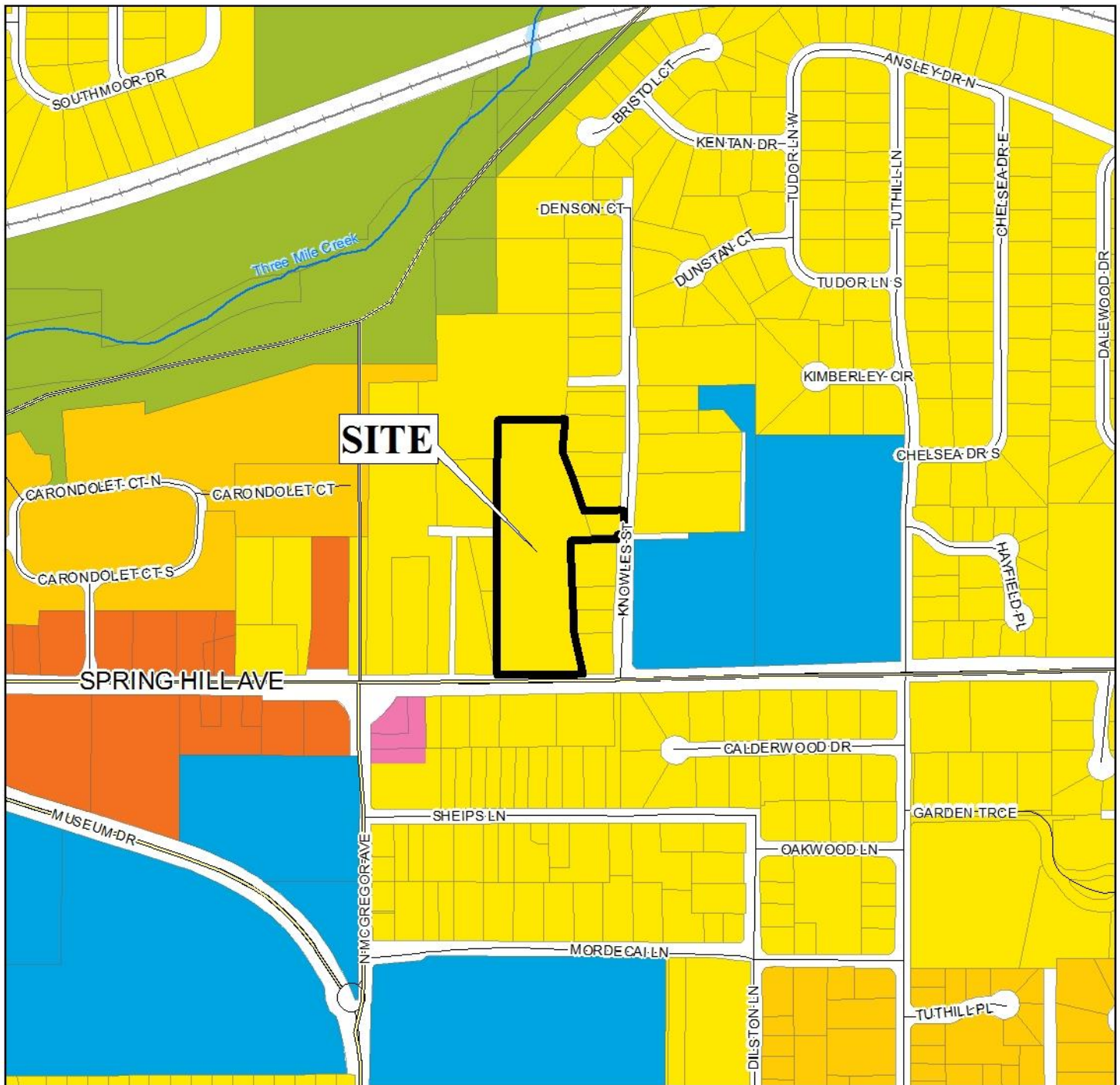
APPLICANT Spring Hill Animal Clinic Subdivision

REQUEST Subdivison, PA, PUD, Rezoning from R-1 to B-1



NTS

# FLUM LOCATOR MAP



APPLICATION NUMBER 11 DATE August 1, 2019

APPLICANT Spring Hill Animal Clinic Subdivision

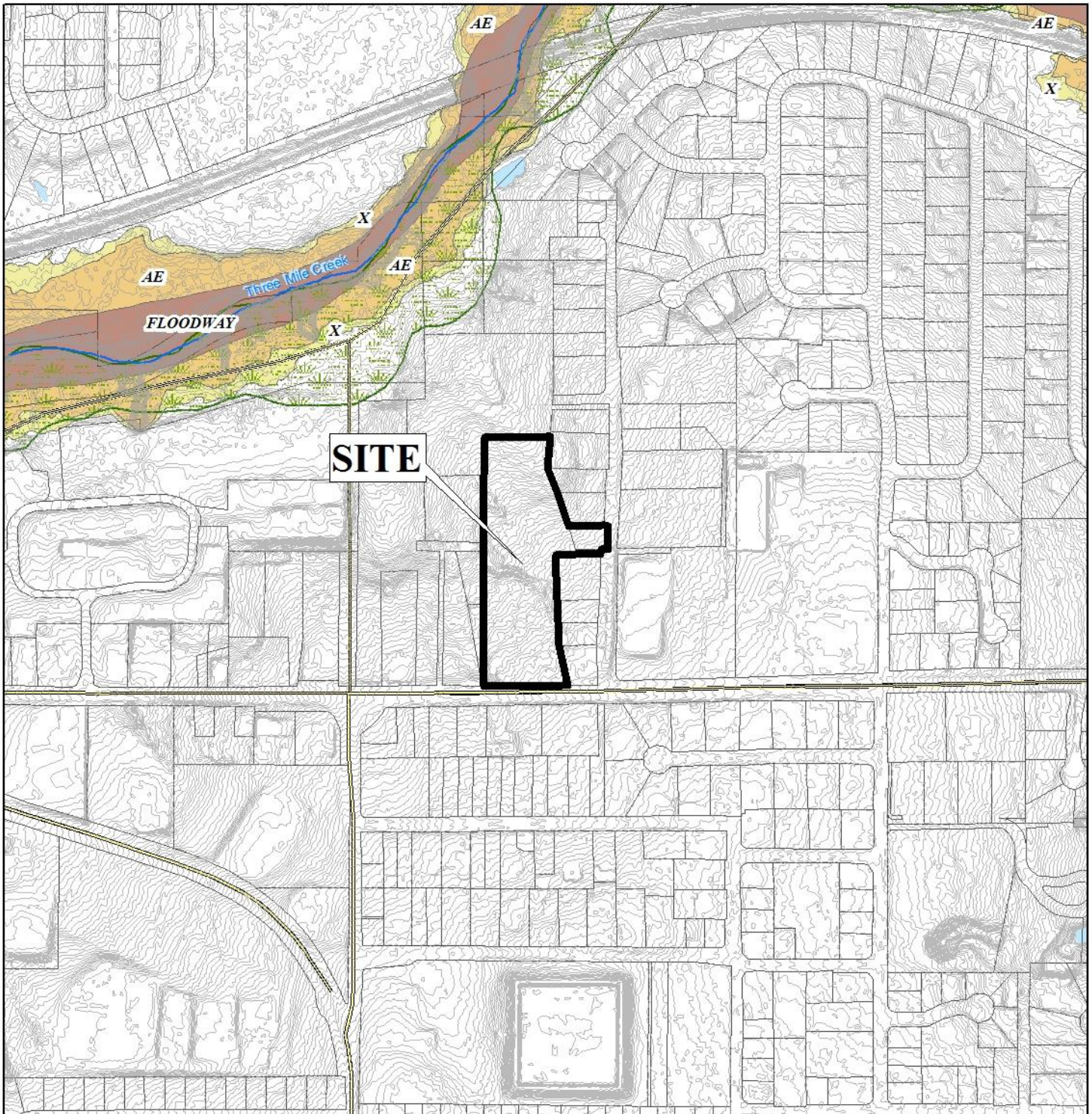
REQUEST Subdivision, PA, PUD, Rezoning from R-1 to B-1

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	
District Center	Mixed Commercial Corridor	Institutional	





# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 11 DATE August 1, 2019

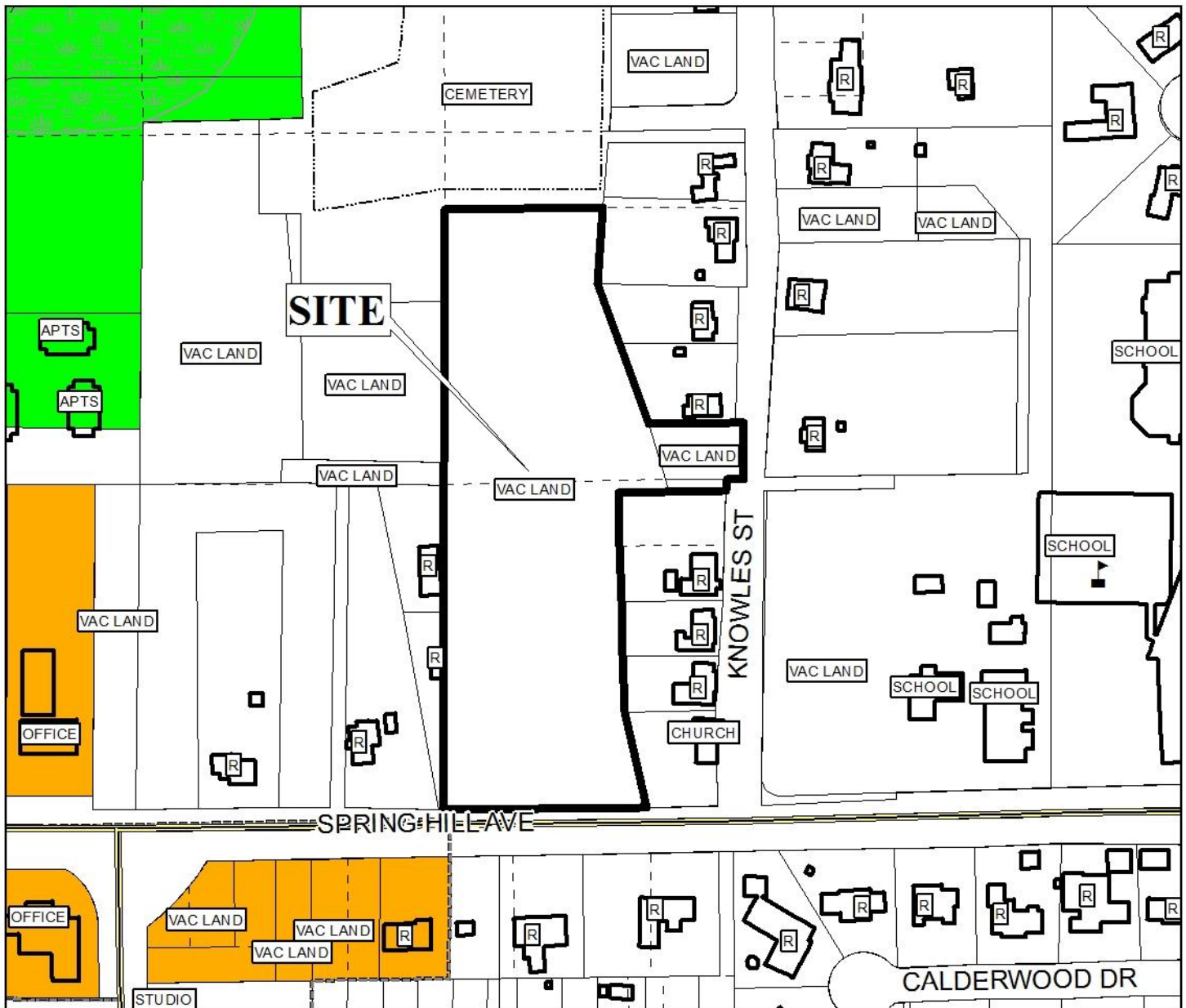
APPLICANT Spring Hill Animal Clinic Subdivision

REQUEST Subdivison, PA, PUD, Rezoning from R-1 to B-1





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units with a school to the east.

APPLICATION NUMBER 11 DATE August 1, 2019

APPLICANT Spring Hill Animal Clinic Subdivision

REQUEST Subdivision, PA, PUD, 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



## SITE PLAN


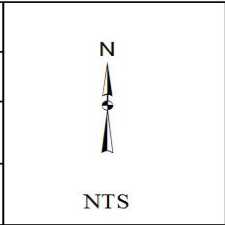


The site plan illustrates the proposed lots, the proposed building, setbacks, easements and buffers.

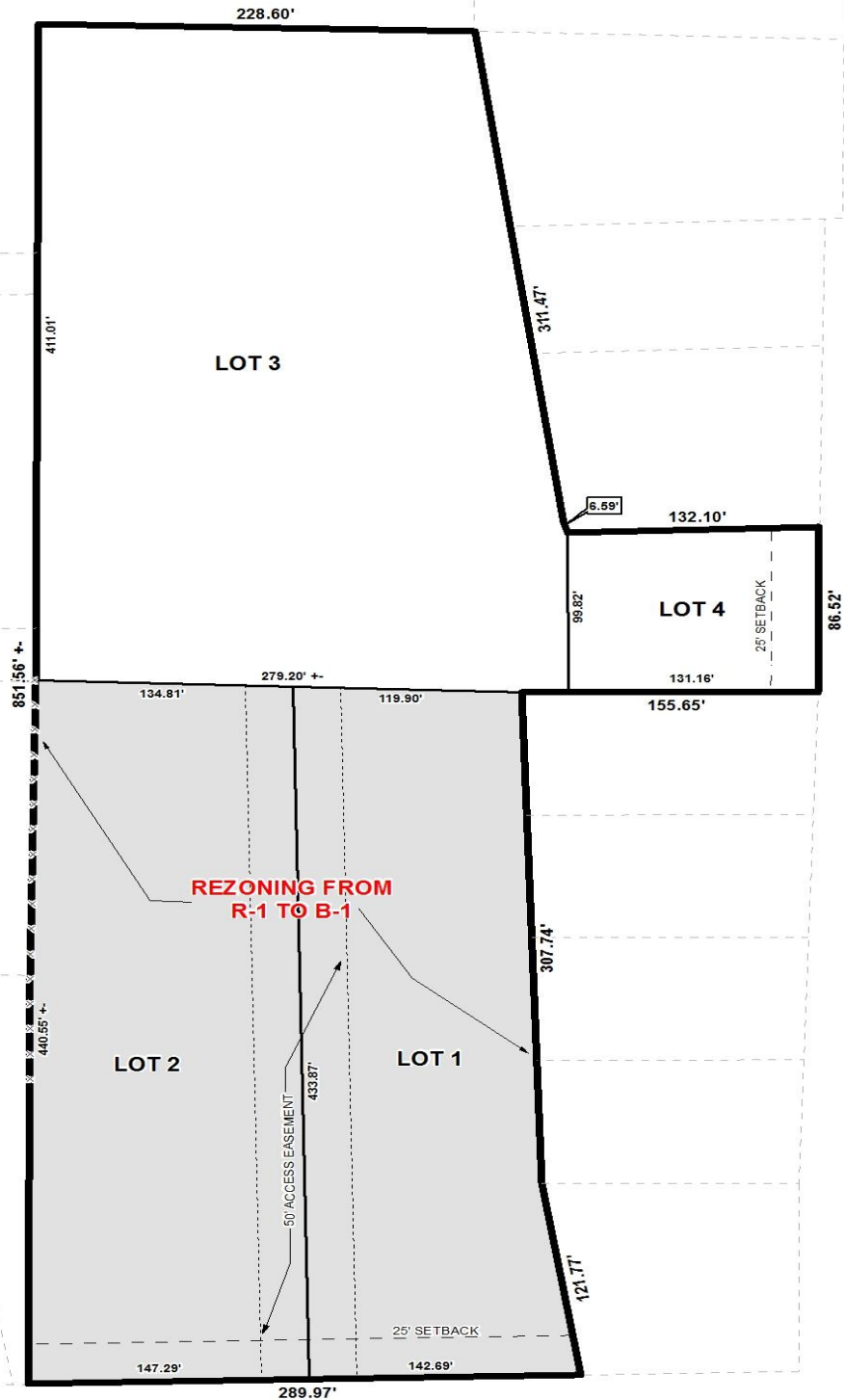
APPLICATION NUMBER 11 DATE August 1, 2019  
APPLICANT Spring Hill Animal Clinic Subdivision  
REQUEST Subdivision, PA, PUD, Rezoning from R-1 to B-1

APPLICATION NUMBER 11 DATE August 1, 2019  
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REQUEST Subdivision, PA, PUD, Rezoning from R-1 to B-1

APPLICATION NUMBER 11 DATE August 1, 2019  
APPLICANT Spring Hill Animal Clinic Subdivision  
REQUEST Subdivision, PA, PUD, Rezoning from R-1 to B-1



# DETAIL SITE PLAN



APPLICATION NUMBER 11 DATE August 1, 2019

APPLICANT Spring Hill Animal Clinic Subdivision

REQUEST Subdivison, PA, PUD, Rezoning from R-1 to B-1



NTS

