

**ZONING AMENDMENT &
SUBDIVISION STAFF REPORT****Date: November 2, 2017**

<u>NAME</u>	David Shumer
<u>SUBDIVISION NAME</u>	Meadows Electric Subdivision
<u>LOCATION</u>	812, 816, 818, 820 and 822 Holcombe Avenue (Northside of Holcombe Avenue, 50'± West of Euclid Avenue.)
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	R-1, Single-Family District and B-3, Community Business District
<u>PROPOSED ZONING</u>	B-3, Community Business District
<u>REASON FOR REZONING</u>	To eliminate split zoning.
<u>AREA OF PROPERTY</u>	1 Lot / 1.6 ± Acre
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create one (1) legal lot from two (2) metes-and-bounds parcels and a vacated right-of-way; and Rezoning from R-1, Single-Family Residential and B-3, Community Business District to B-3, 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>TIME SCHEDULE</u>	None given.
<u>ENGINEERING COMMENTS</u>	<p>Subdivision: <u>FINAL PLAT COMMENTS</u> (should be addressed prior to submitting the FINAL PLAT for review and/or 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,</p>

- bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Correct the street names in the vicinity map.
 - C. Add Holcombe Ave and Dauphin Island Parkway to the vicinity map.
 - D. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
 - E. Revise the written legal description to include a written bearing and distance for the exterior boundary of the proposed subdivision.
 - F. 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.
 - G. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.
 - H. Show and clearly label all flood zones to distinguish them from the reference point tie line or the line labeled as top of bank.
 - I. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
 - J. Delete General Note #3. Show and label each and every Right-Of-Way and easement.
 - K. Show and label the tie line between the two (2) reference points.
 - L. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
 - M. 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.
 - N. 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.
 - O. 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.
 - P. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
 - Q. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
 - R. 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, paving, and all above ground structures, 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. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Lot is limited to two curb cuts to Holcombe Avenue, with 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).

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 (1) legal lot from two (2) metes-and-bounds parcels and a vacated right-of-way; and Rezoning from R-1, Single-Family Residential and B-3, Community Business District to B-3, Community Business District to eliminate split zoning..

The site has been given a Mixed Density Residential (MxDr) and Traditional Corridor (TC) 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.

Mixed Density Residential (MxDR) - This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential (LDR) areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

Traditional Corridor (TC)- This land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.

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 (1) legal lot from two (2) metes and bounds parcels and a vacated railroad right-of-way.

The proposed lot fronts Holcombe Avenue and is bounded on the West by Eslava Creek. Holcombe Avenue is a minor street requiring a 60' right-of-way width. The preliminary plat illustrates a compliant 60' right of way width and, if approved, should be retained on the Final Plat.

The site has a continuous curb-cut along Holcombe Avenue. As the site is vacant, and as the site has 343'± of frontage, the site should be limited to two curb cuts.

The lot size is labeled in both square feet and acres for each metes-and-bounds parcel. If approved, the Final Plat should be revised to provide the lot size information for the proposed lot in square feet and acres.

The preliminary plat does not provide minimum building setback lines. If approved, 25' minimum building setbacks should be illustrated on the Final Plat along Holcombe Avenue.

Regarding the request for rezoning, the applicant proposes to rezone the proposed lot from its current R-1, Single-Family Residential and B-3, Community Business district to B-3, Community Business District to eliminate split zoning.

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 property is located adjacent to Eslava Creek at its intersection with Holcombe Avenue. The property has been previously developed and all buildings are currently cleared with the concrete slabs remaining. This project consists of three (3) properties with the front and rear lots zoned B-3 and an abandoned railroad that is zoned R-1. The abandoned railroad property bisects the other two properties.

There are two (2) R-2 properties adjacent to the rear of the north parcel with the remaining adjacent properties zoned B-3.

The rezoning is proposed to prevent the non-matching zoning once the properties have been subdivided into a single parcel.

There is no current plan for redevelopment of the property. The purpose of the rezoning for the residential property to B-3 is to match the existing zoning of the adjacent parcels. This property is adjacent to Eslava Creek which is a designated Flood Way. The property is in the flood zones AE and X (Shaded).

PLAN CONSISTENCY ANALYSIS

The rezoning of the abandoned railroad bed will match the zoning of the two adjacent properties and will not alter the zoning or usage of the primary properties.”

The rezoning site is bounded to the North by R-2, Two-Family Residence Districts and B-3, Community Business Districts, to the West by B-3, Community Business Districts, and to the Southeast by B-3, Community Business Districts.

At this time, the applicant has not provided information in regards to any development at this location, thus it may be appropriate to consider a less intensive zoning district. As the Future Land Use Map depicts the site as “Mixed Density Residential” and “Traditional Corridor”, Staff recommends that the Planning Commission consider a B-2, Neighborhood Business District designation.

RECOMMENDATION

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

- 1) Provision of the 25-foot minimum building setback line along Holcombe Avenue;
- 2) Retention of 60’ right-of-way width to Holcombe Avenue;
- 3) Provision of the lot size information in both square feet and acres;
- 4) 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. Correct the street names in the vicinity map. C. Add Holcombe Ave and Dauphin Island Parkway to the vicinity map. D. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. E. Revise the written legal description to include a written bearing and distance for the exterior boundary of the proposed subdivision. F. 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. H. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. I. Show and clearly label all flood zones to distinguish them from the reference point tie line or the line labeled as top of bank. J. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. K. Delete General Note #3. Show and label each and every

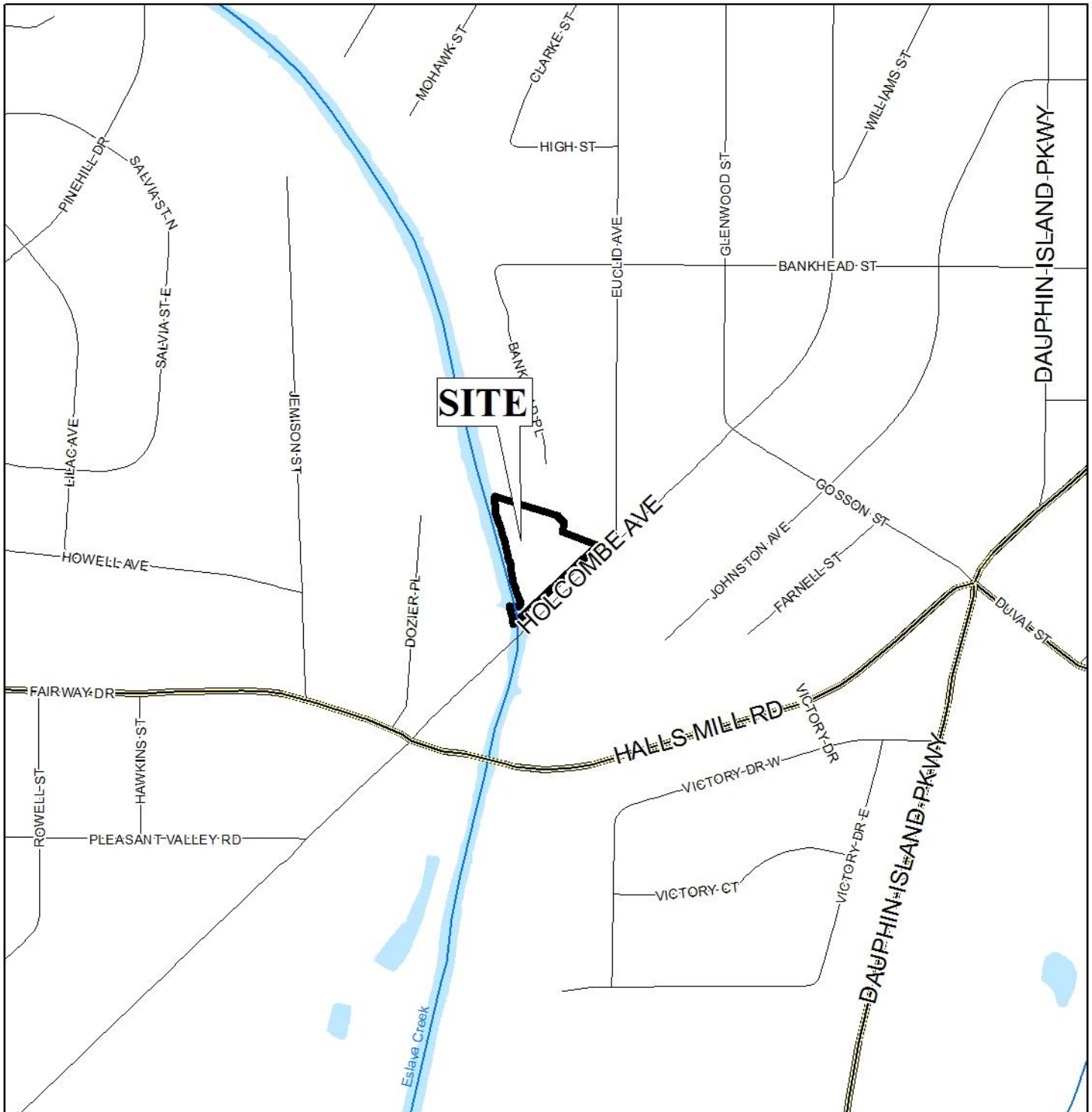
Right-Of-Way and easement. L. Show and label the tie line between the two (2) reference points. M. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. N. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any 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. O. 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. P. 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. Q. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. R. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. S. 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.);

- 5) *Compliance with Traffic Engineering comments: (Lot is limited to two curb cuts to Holcombe Avenue, with 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) *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).);*
- 7) *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*
- 8) *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-2, Neighborhood Business**, subject to the following conditions:

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

LOCATOR MAP



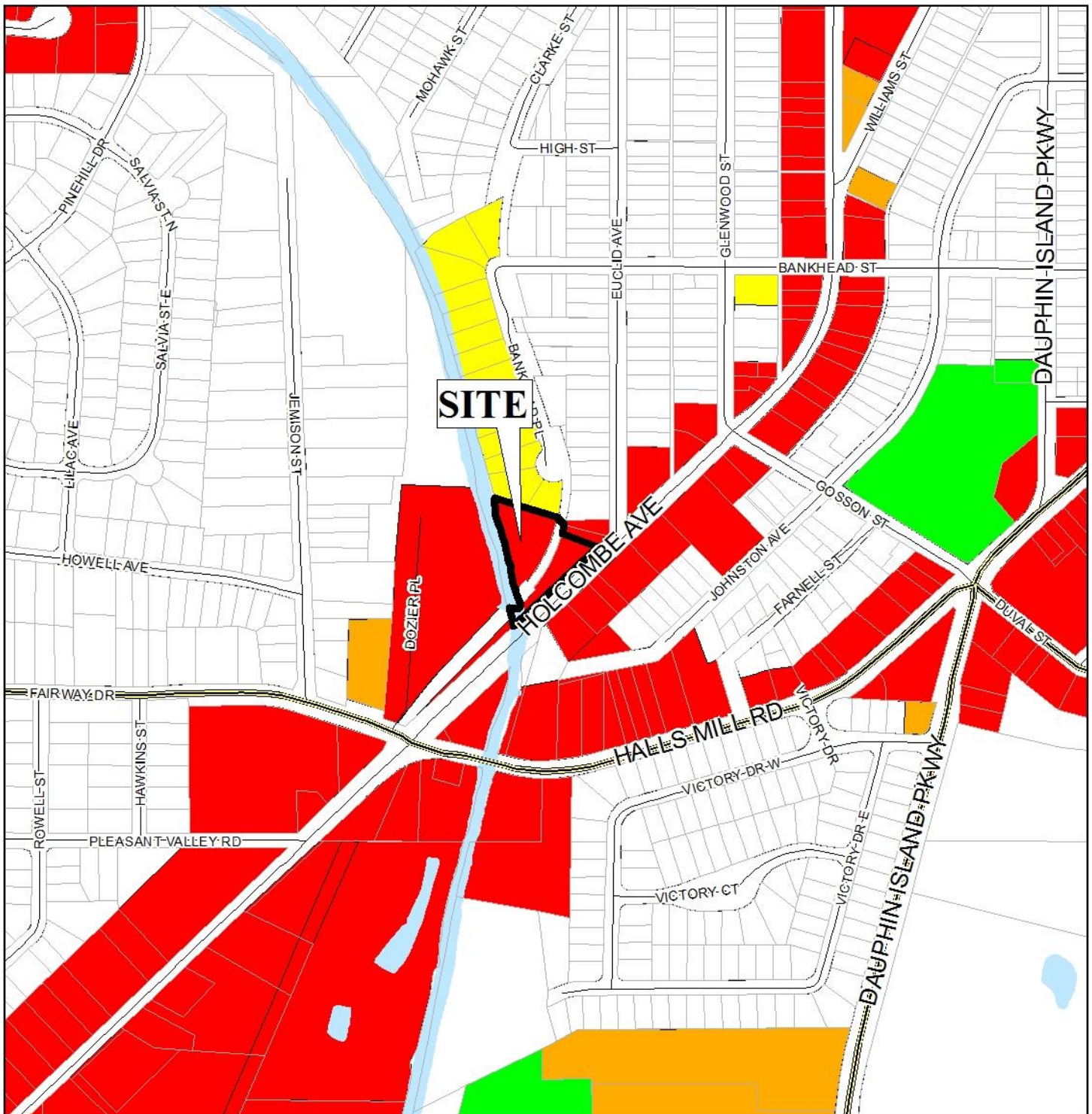
APPLICATION NUMBER 11 DATE November 2, 2017

APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3



LOCATOR ZONING MAP



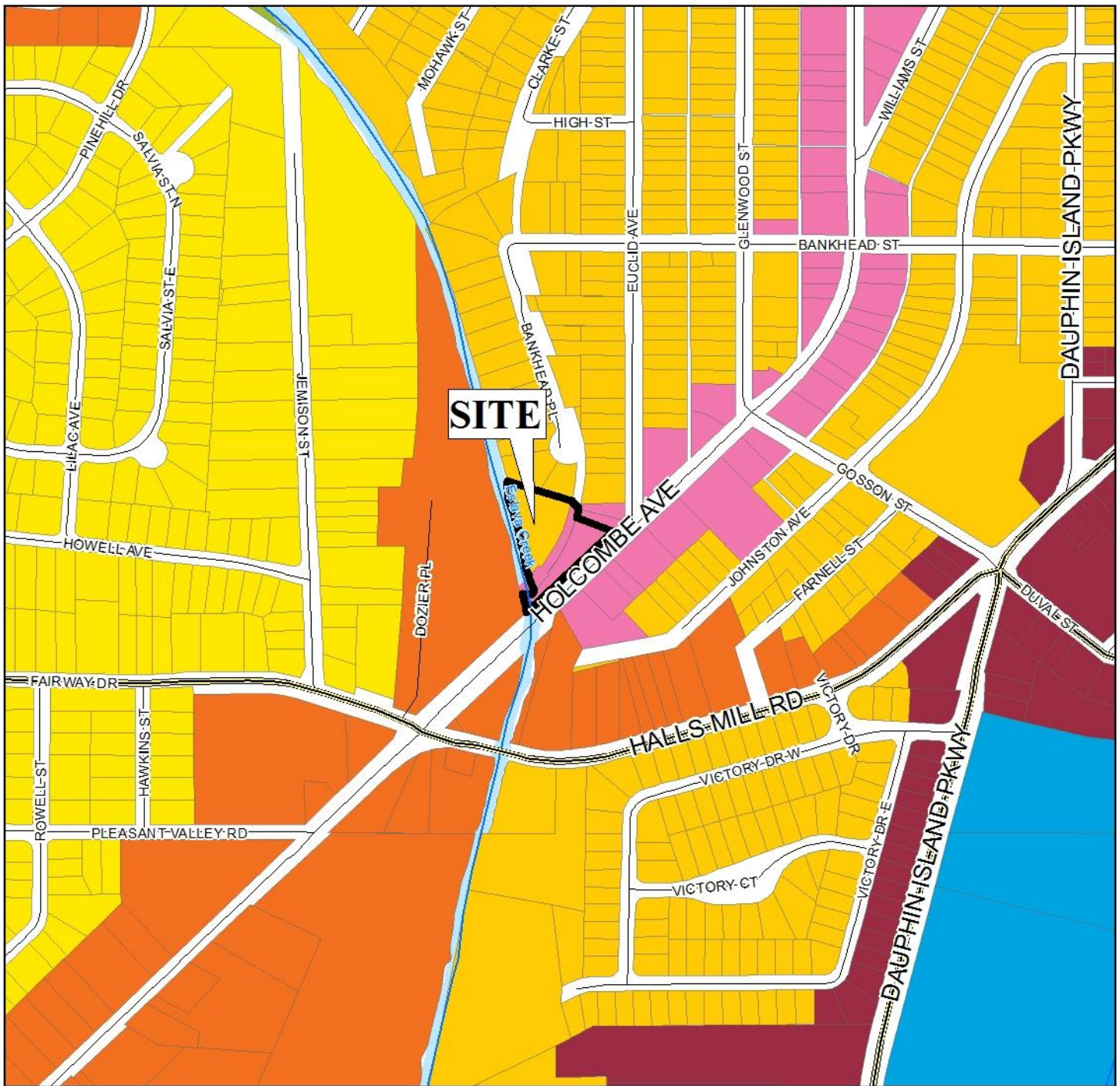
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APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3



FLUM LOCATOR MAP



APPLICATION NUMBER 11 DATE November 2, 2017

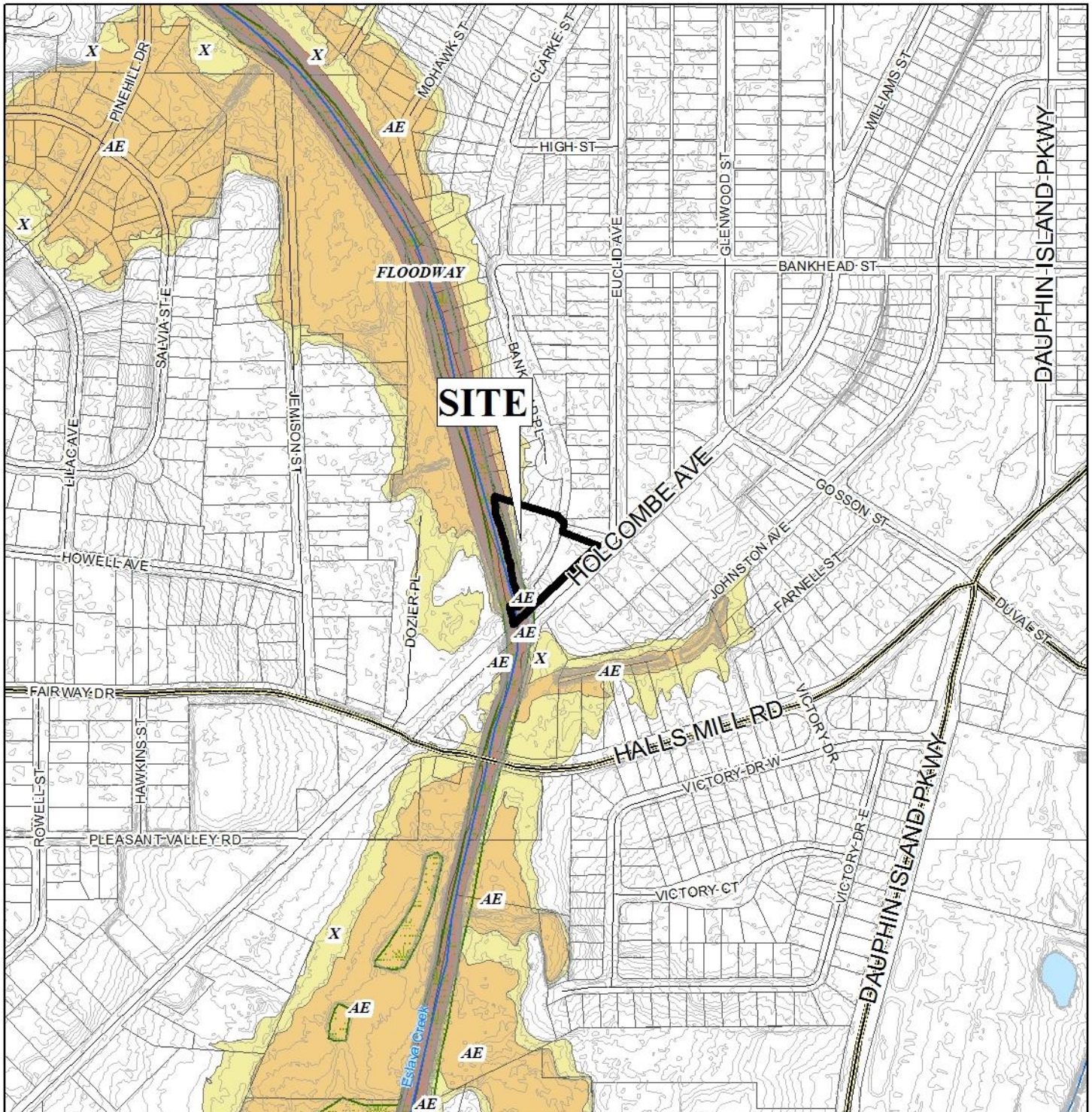
APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3

Low Density Residential	Neighborhood Center- Traditional	Downtown Waterfront	Water Dependent
Mixed Density Residential	Traditional Corridor	Light Industry	Parks & Open Space
Downtown	Neighborhood Center- Suburban	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



ENVIRONMENTAL LOCATOR MAP



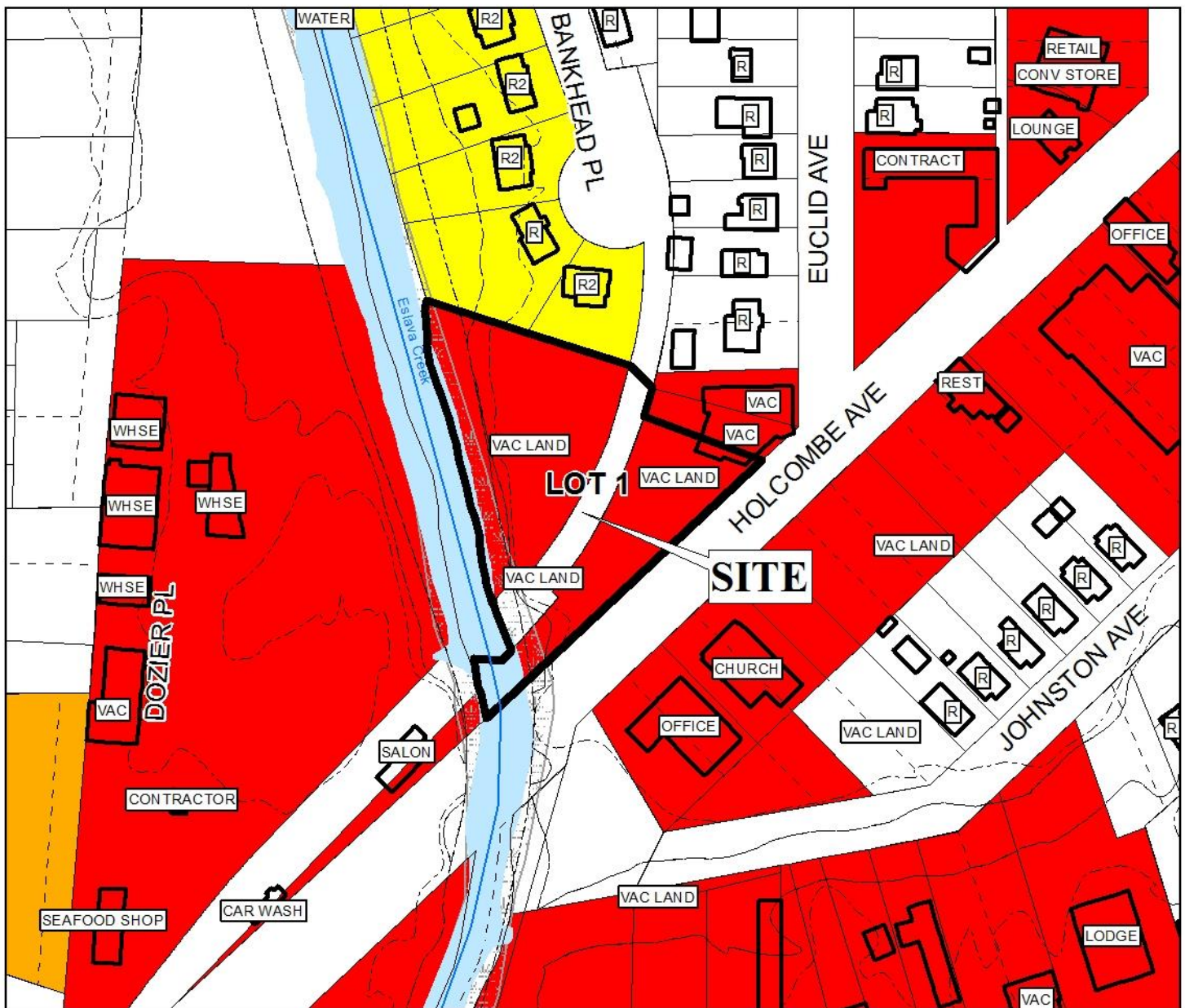
APPLICATION NUMBER 11 DATE November 2, 2017

APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous residential and commercial units.

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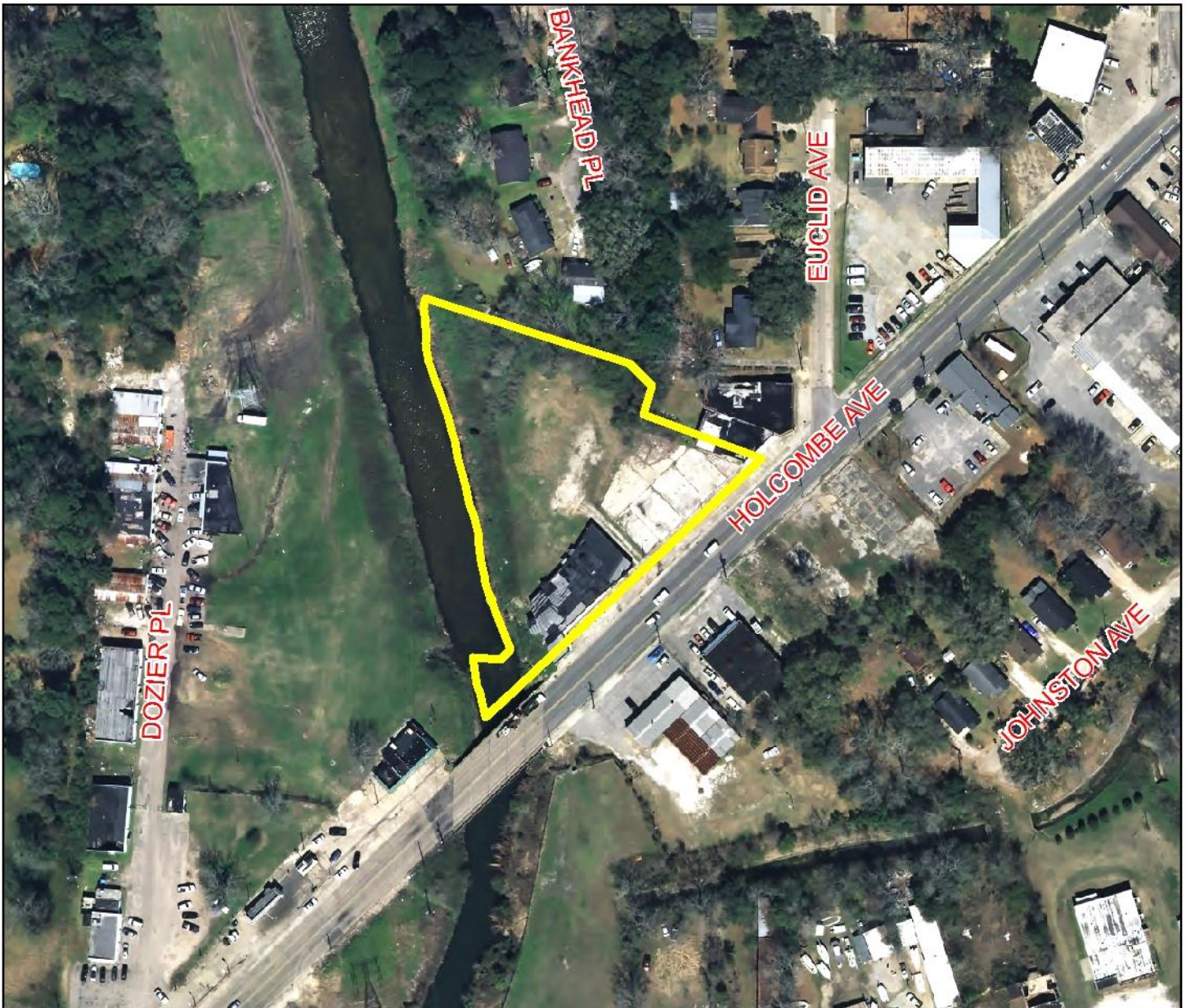
APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3

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 ZONING



The site is surrounded by miscellaneous residential and commercial units.

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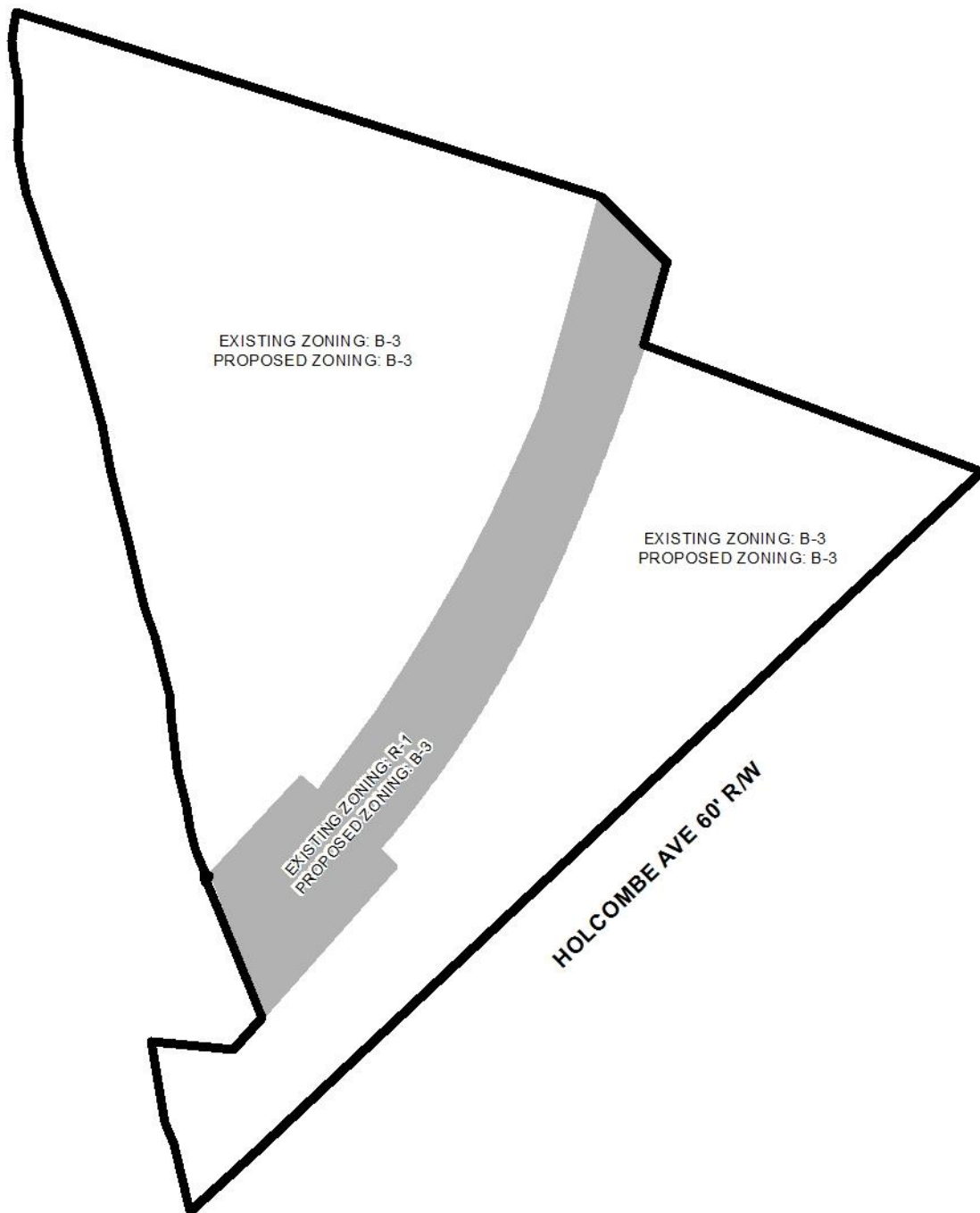
APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 11 DATE November 2, 2017

APPLICANT Meadows Electric Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-3 to B-3

