

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT**

Date: July 21, 2011

APPLICANT NAME

Gulf Coast Federal Credit Union

SUBDIVISION NAME

Gulf Coast Federal Credit Union Commercial Subdivision,
Resubdivision of

LOCATION

1001 Springhill Avenue and 970 Oak Street
(South side of Springhill Avenue, 150' ± East of North Pine
Street extending to the Eastern terminus of Oak Street)

**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

B-4, General Business District and R-1, Single-Family
Residential District

PROPOSED ZONING

B-4, General Business District

AREA OF PROPERTY

1 Lot / 0.7 Acre ±

CONTEMPLATED USE

Subdivision approval to create two legal lots of record from
an existing legal lot of record and a metes and bounds
parcel, and Zoning approval to rezone the site from B-4,
General Business District, and R-1, Single-Family
Residential, to B-4, General Business District, 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**

Subdivision of land.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate.

ENGINEERING**COMMENTS**

Show Minimum Finished Floor Elevation on each lot on Plat. There is to be no fill placed within the limits of the flood plain without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

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 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Subdivision approval to create two legal lots of record from an existing legal lot of record and a metes and bounds parcel, and Zoning approval to rezone the site from B-4, General Business District, and R-1, Single-Family Residential, to B-4, General Business District, to eliminate split zoning.

The applicant acquired an adjacent property to the East and South of its location and now wish to subdivide the Northern portion of the property from the Southern portion, and add the northern portion to their commercial lot. The remaining parcel, which is already split-zoned, is proposed to be altered to remove several derelict buildings and provide parking to the remaining building. The rezoning application is simply to correct the existing split-zoned situation.

The proposed Lot 1 fronts Springhill Avenue, a planned major street as shown on the Major Street Plan Component of the Comprehensive Plan, to the North. Springhill Avenue is depicted with an adequate 100-foot right-of-way, and, as such, no further dedication should be required. The proposed Lot 2 fronts Oak Street, a minor street provided with curb and gutter. Oak Street is depicted on the plat with a 40-foot right-of-way. Section V.B.14. of the Subdivision Regulations requires a minimum right-of-way width of 50 feet, further, Oak Street is a closed-end street, and, as such, the Subdivision Regulations also require a 120-foot diameter turnaround to be dedicated and constructed. There is not enough area on the applicant's property to construct the required turnaround and any turnaround construction would negatively impact the existing building on the site. Additionally, as the site is located at the end of Oak Street, dedication would not provide any useful additional area, since any dedication would be in the area where the turnaround should be constructed. As such, a waiver of Section V.B.14. regarding right-of-way widths for Oak Street may be appropriate.

Currently, the proposed Lot 1 is developed with two curb cuts. Because Springhill Avenue is a major street and a State Highway, access management is a concern. As such, the lot should be limited to the existing two curb cuts, with the size, design, and exact location of the curb cut to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards.

The proposed Lot 2 has frontage at the terminus of Oak Street. The proposed site plan submitted with the rezoning request illustrates two curb cuts for Lot 2 to Oak Street, one to accommodate an existing bay door for the warehouse on the site and the other would basically terminate the public street into the site's parking lot. This situation is not ideal. A more preferable situation would be to allow the curb cut to Oak Street to accommodate the existing roll up door and to have the applicant construct a "T-shaped" turnaround for the Fire Department and have parking provided on Lot 1 of this subdivision. This would require a Planned Unit Development application to allow the shared access and parking between the two lots, however, both lots have the same owner, so this should not be a problem. As such, the proposed Lot 2 should be limited to two curb cuts, one for the existing bay door on the warehouse, and the other for a dedicated "T-shaped" turnaround, with no parking allowed in that area. Additionally, approval of a Planned Unit Development should be required prior to signing of the Final Plat, if approved.

The lot area sizes are shown in acres, and these should be revised to show the lot area size in square feet on the Final Plat, if approved. Also, both of the proposed lots are either zoned B-4, or proposed to be zoned B-4, which do not require a front setback. As such, Section V.D.9. of the Subdivision Regulations regarding the 25-foot front setback could be waived, however, a note should be placed on the Final Plat that if either Lot is ever rezoned to a classification other than B-4, General Business District, then the required front yard for that zoning district shall be the required front yard.

Regarding the rezoning request, the site requested for rezoning is the proposed Lot 2 which is currently split zoned B-4, General Business District and R-1, Single Family Residential, however, the entire site is developed in a commercial manner, and has been, according to the Mobile Sanborn Maps, since at least 1956. According to Sanborn Maps and City of Mobile Revenue Department Data, that site functioned as a plumbing contractor office until 2008, which is the last time that a business license was issued. The site is bounded by properties zoned R-1, Single Family Residential District; to the South and West, and by properties zoned B-4, General Business District to the North and East.

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 site is depicted as being on the border between residential and commercial on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. The accuracy of recommended land uses on the General Land Use Component map is limited due to the large scale of the map. Moreover, the General Land Use Component 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 applicant's justification for rezoning is due to subdivision, specifically the creation a legal lot of record from an existing metes and bounds parcel. This justification appears to be adequate to warrant a change to commercial zoning and eliminate the split zoning.

It should be noted that, if the rezoning and subdivision are approved, a buffer compliant with Section 64-4.D.1. of the Zoning Ordinance would be required along the Southern and Western property lines, where the site abuts residentially developed property, except where the existing building is already built to the property line. Additionally, as the existing warehouse is built on the property line, compliance with all applicable building and fire codes regarding fire wall separation should be required. The site plan also depicts the demolition of four other buildings on the site, and this should be required in order for the applicant to comply with the construction of the turnaround.

Regarding the subdivision request, this 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 plat illustrates the proposed 1.1 acre \pm , 2-lot subdivision. The applicant states that the subdivision is served by both public water and sanitary sewer.

The proposed lots, as depicted, meets the minimum size and frontage requirements as regulated by the Subdivision Regulations.

Finally, the geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Rezoning: Based upon the preceding, the Rezoning request is recommended for approval subject to the following conditions:

- 1) completion of the subdivision process;
- 2) approval of a PUD for shared access and parking between the two building sites to allow Lot 2 access and parking from Spring Hill Avenue;

- 3) provision of a buffer compliant with Section 64-4.D.1. of the Zoning Ordinance along the Southern and Western property lines, where the site abuts residentially developed property, except where the existing building is already built to the property line;
- 4) compliance with all applicable building and fire code requirements regarding firewall separations for existing buildings;
- 5) full compliance with tree planting and landscaping area requirements of the Ordinance;
- 6) demolition of all buildings on the site except the westernmost warehouse;
- 7) construction of a T-shaped turnaround, with “No Parking” signs posted at the terminus of Oak Street;
- 8) compliance with Engineering comments: *“Show Minimum Finished Floor Elevation on each lot on Plat. There is to be no fill placed within the limits of the flood plain without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer;”* and
- 9) full compliance with all municipal codes and ordinances.

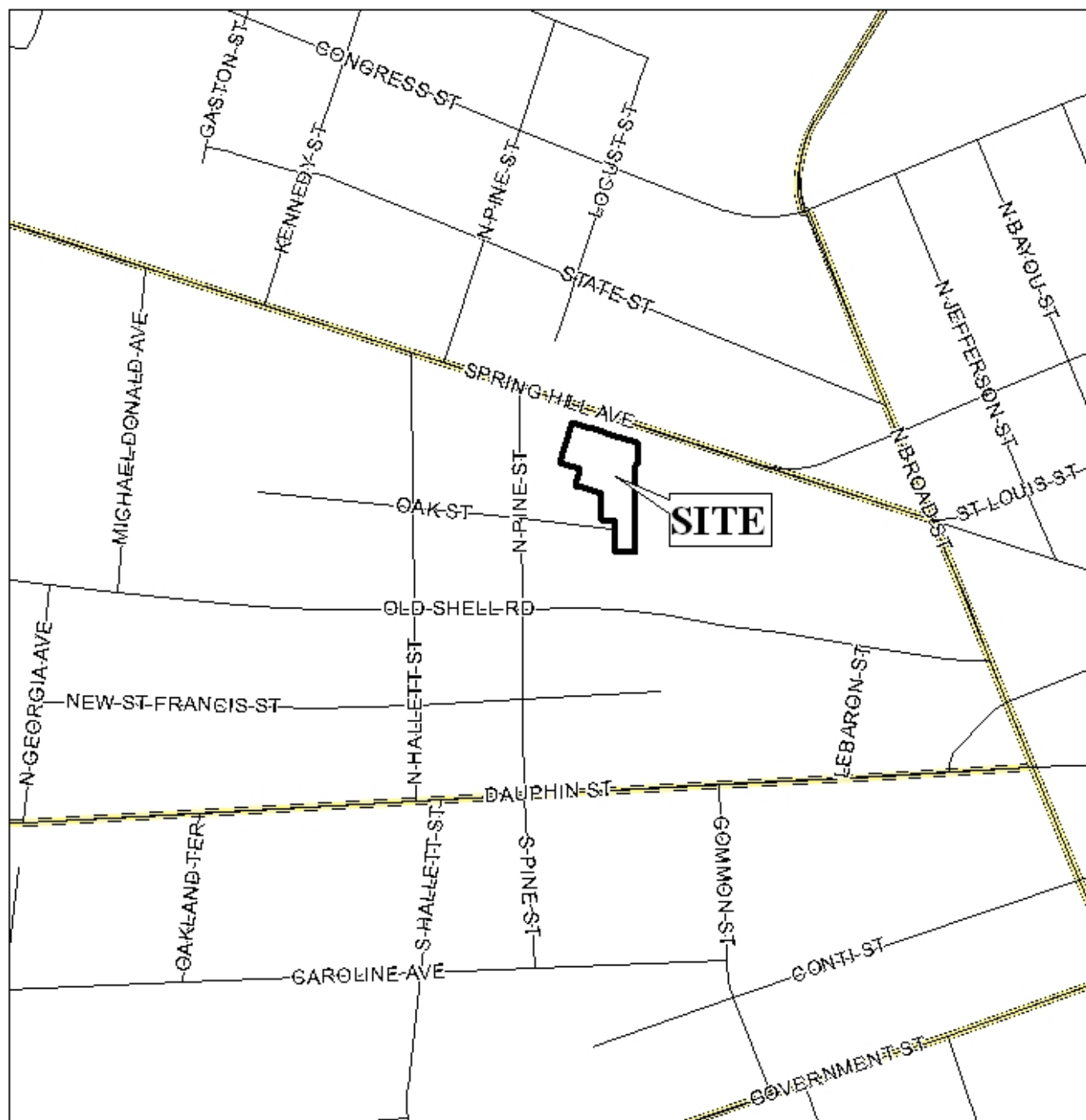
Subdivision: With a waiver of Section V.B.14. of the Subdivision Regulations regarding right-of-way widths for Oak Street and Section V.D.9. of the Subdivision Regulations regarding the 25-foot front setback, the Subdivision request is recommended for tentative approval subject to the following conditions:

- 1) demolition of all of the buildings on the site except the westernmost warehouse;
- 2) approval of a PUD for shared access and parking between the two building sites to allow Lot 2 access and parking from Spring Hill Avenue;
- 3) compliance with all applicable building and fire code requirements regarding firewall separations for existing buildings;
- 4) placement of a note on the Final Plat stating that Lot 1 is limited to the two existing curb cuts to Springhill Avenue, with the size, design, and exact location of the curb cut to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards;
- 5) placement of a note on the Final Plat stating that the Lot 2 is limited to two curb cuts to Oak Street, one to accommodate the existing bay door of the warehouse, and the other to accommodate a T-shaped turnaround at the terminus of Oak Street, with the size, design, and exact location of the curb cut to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) construction of a T-shaped turnaround at the terminus of Oak Street, with no parking allowed in the turnaround;
- 7) revision of the lot area size to be shown in square feet, on the Final Plat;
- 8) placement of a note on the Final Plat stating that if either Lot is ever rezoned to a classification other than B-4, General Business District, then the required front yard for that zoning district shall be the required front yard;
- 9) compliance with Engineering comments: *“Show Minimum Finished Floor Elevation on each lot on Plat. There is to be no fill placed within the limits of the flood plain without providing compensation. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.*

Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer;" and

- 10) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

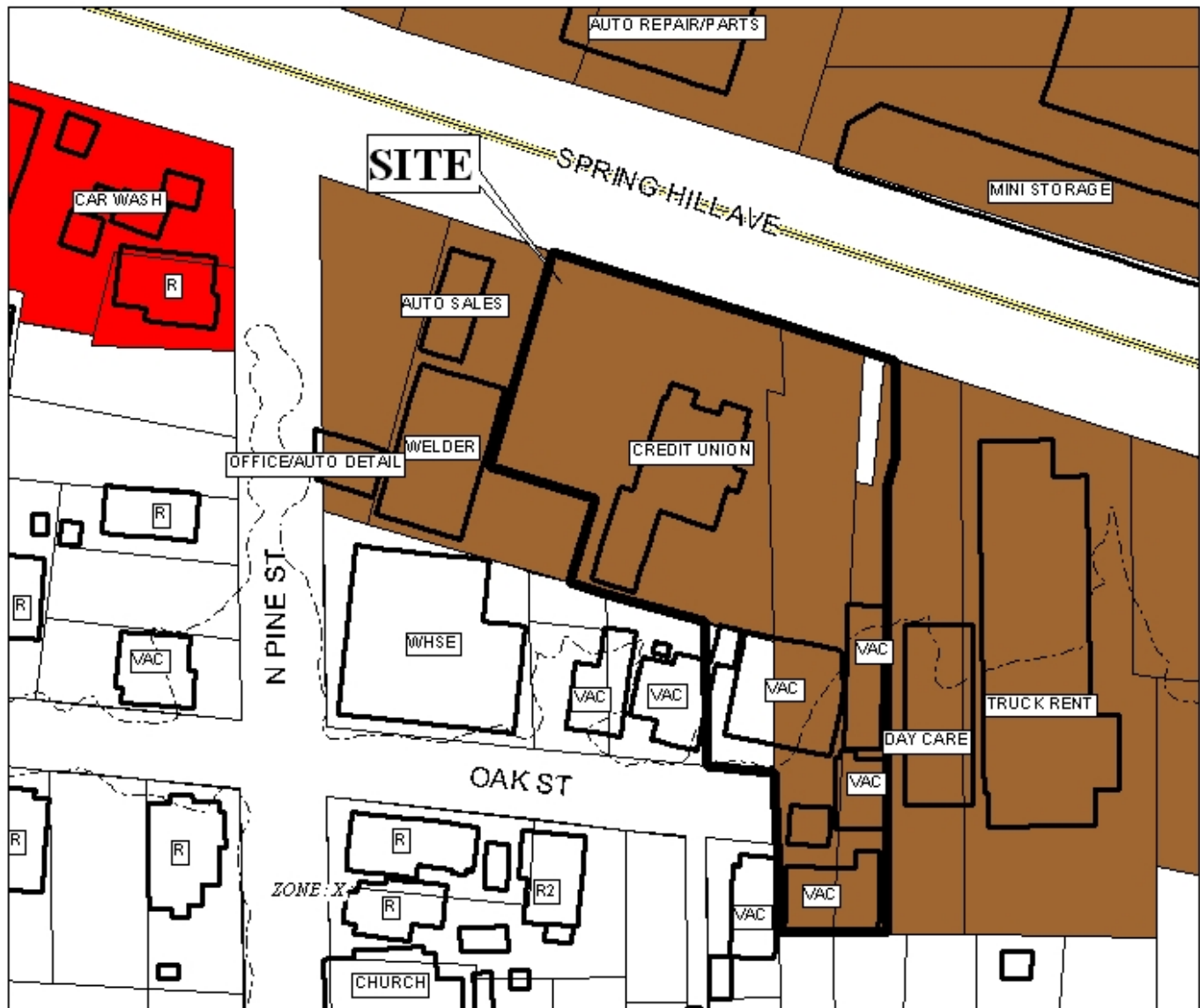
LOCATOR MAP



APPLICATION NUMBER 13 & 14 DATE July 21, 2011
 APPLICANT Gulf Coast Federal Credit Union Commercial
Subdivision, Resubdivision of
 REQUEST Subdivision, Rezoning from R-1 and B-4 to B-4



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There is an auto repair business to the north of the site, a daycare to the east, single family residential units to the south, and a welder and auto sales business to the west.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

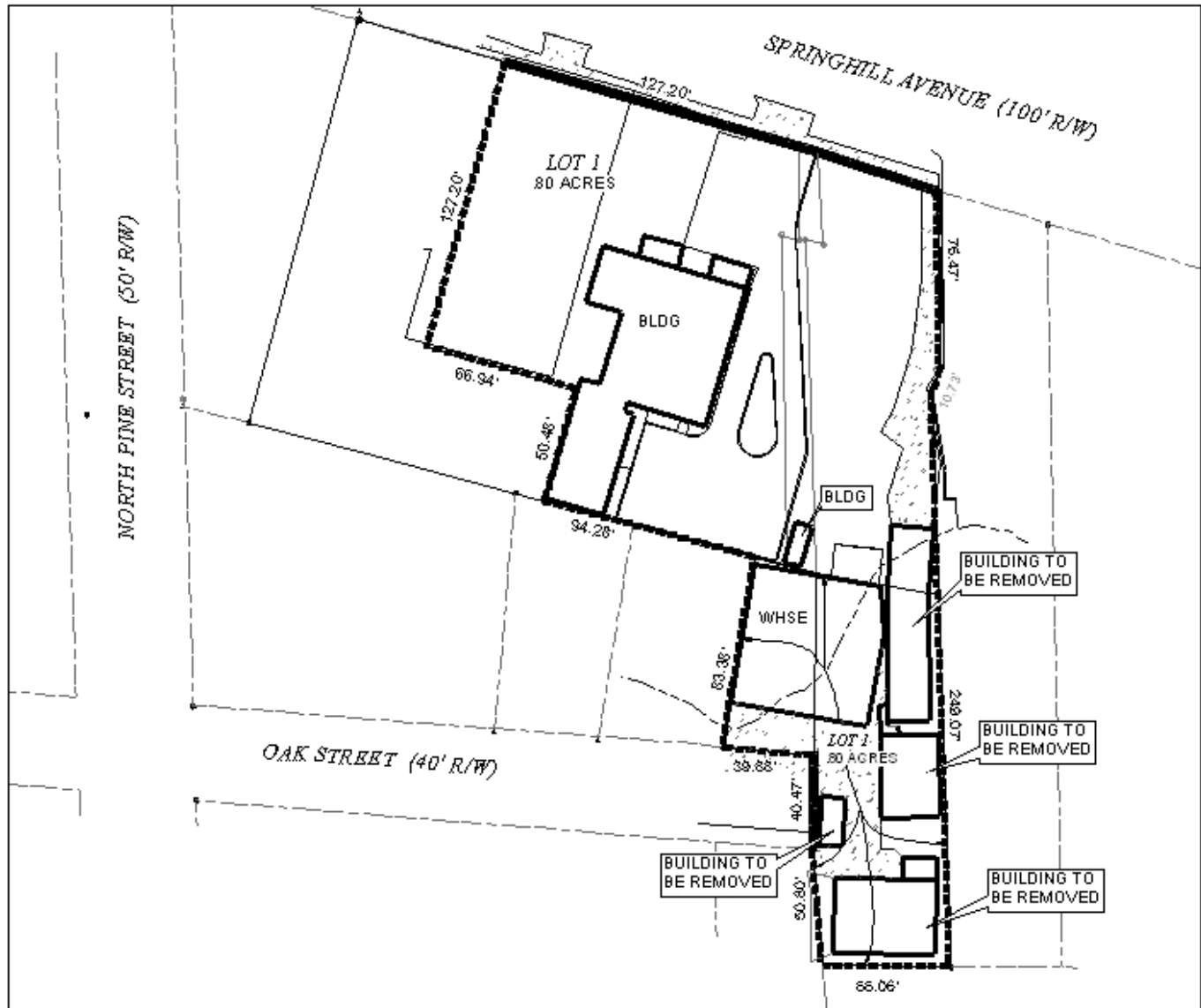


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SITE PLAN



The site illustrates the existing structures, and proposed lot configuration.

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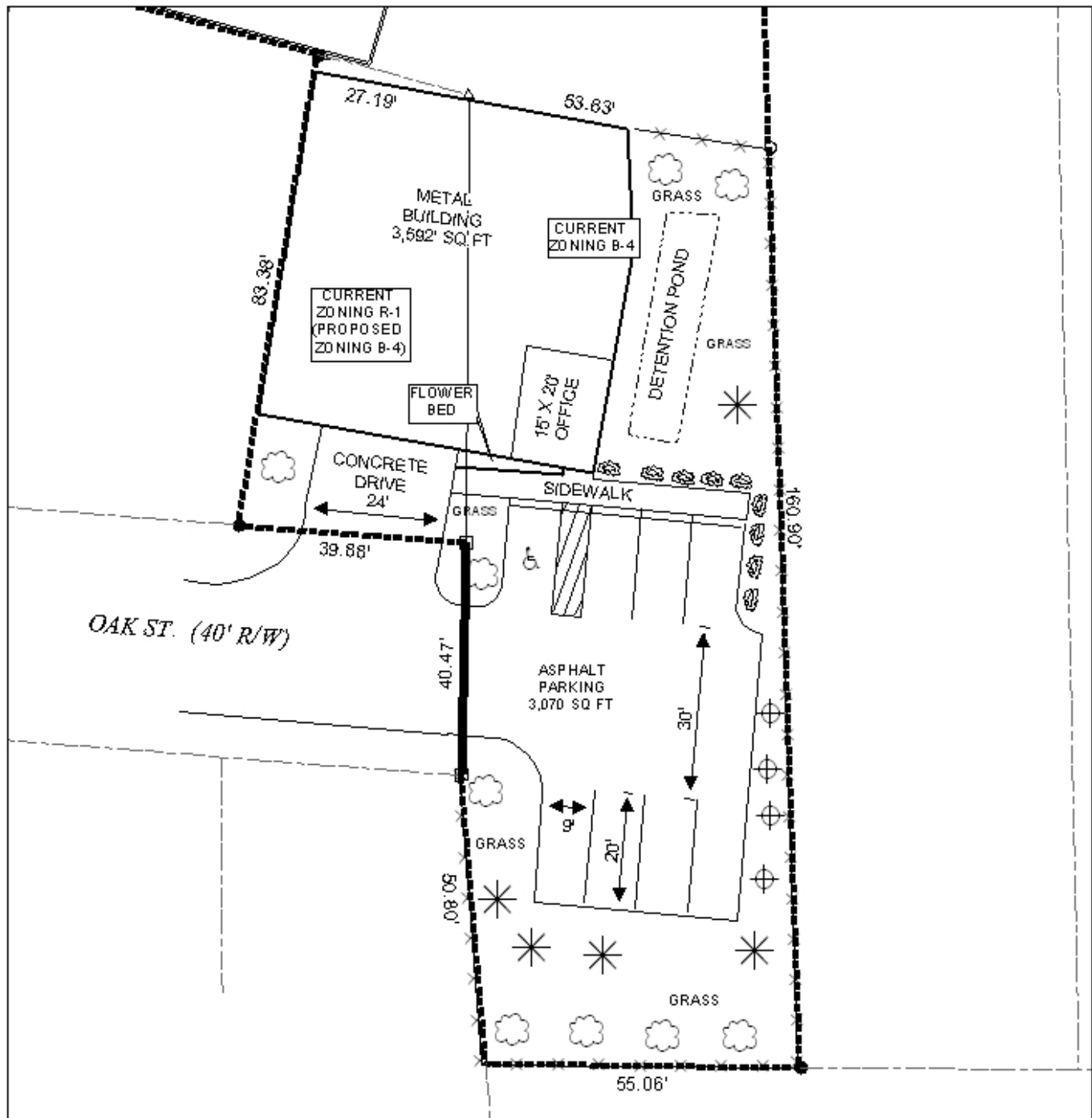
Gulf Coast Federal Credit Union Commercial

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REQUEST Subdivision, Rezoning from R-1 and B-4 to B-4

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PROPOSED SITE PLAN



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Resubdivision of
 REQUEST Subdivision, Rezoning from R-1 to B-2

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