

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: May 7, 2015****APPLICANT NAME**

Sue K. Jackson

SUBDIVISION NAME

Big Boy Subdivision

LOCATION3923 Government Boulevard
(South side of Government Boulevard, 500'± East of
Azalea Road)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONINGB-2, Neighborhood Business District and R-3, Multiple
Family Residential District**PROPOSED ZONING**

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot / 2.8± Acres

CONTEMPLATED USESubdivision approval to create 1 legal lot of record, and
Zoning approval to rezone the site from B-2, Neighborhood
Business District and R-3, Multiple Family Residential
District to B-2, Neighborhood 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.****TIME SCHEDULE
FOR DEVELOPMENT**

None provided

**ENGINEERING
COMMENTS****Subdivision:** The following comments should be
addressed prior to submitting the FINAL PLAT for acceptance and 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. 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.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #84) the Lot will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- D. 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.
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- G. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

TRAFFIC ENGINEERING

COMMENTS

Government Boulevard is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any required 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 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

REMARKS

The applicant is requesting Subdivision approval to create one legal lot of record from one metes-and-bounds parcel, and rezoning the site from B-2, Neighborhood Business District and R-3, Multiple Family Residential District to B-2, Neighborhood Business District, to eliminate split zoning.

The site is currently vacant, and is bounded to the North by B-2, Neighborhood Business District and B-1, Buffer Business District; to the West by B-3, Community Business District; to the South by R-3, Multiple Family Residential District; and to the East by B-2, Neighborhood Business District and R-3, Multiple Family Residential District.

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 appears to be depicted as 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 states that the rezoning should be approved due to a manifest error in the Ordinance in that the existing parcel is split-zoned, and the proposed subdivision makes the rezoning request necessary.

It should be noted that the existing R-3, Multiple Family Residential District zoning appears to follow the legal description from a 1969 rezoning.

No site plan was submitted with the rezoning request, only a preliminary plat of the proposed subdivision. A sidewalk will be required at such a time as the site is developed, unless a Sidewalk Waiver application is approved by the Planning Commission.

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 preliminary plat submitted provides the lot size in acres and should be revised to include square feet as well. It should be noted that the proposed lot exceeds the minimum required lot size in Section V.D.2. of the Subdivision Regulations.

The site fronts onto Government Boulevard, a planned major street, and ALDOT maintained right-of-way. The preliminary plat illustrates Government Boulevard as having an existing right-of-way width of 250', making no dedications necessary.

As a means of access management, the lot should be limited to one curb cut to Government Boulevard with the size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards.

The 25-foot minimum building setback is not depicted for the proposed lot, and should be illustrated on the Final Plat, if approved.

RECOMMENDATION

Subdivision: The request is recommended for Tentative Approval, subject to the following conditions:

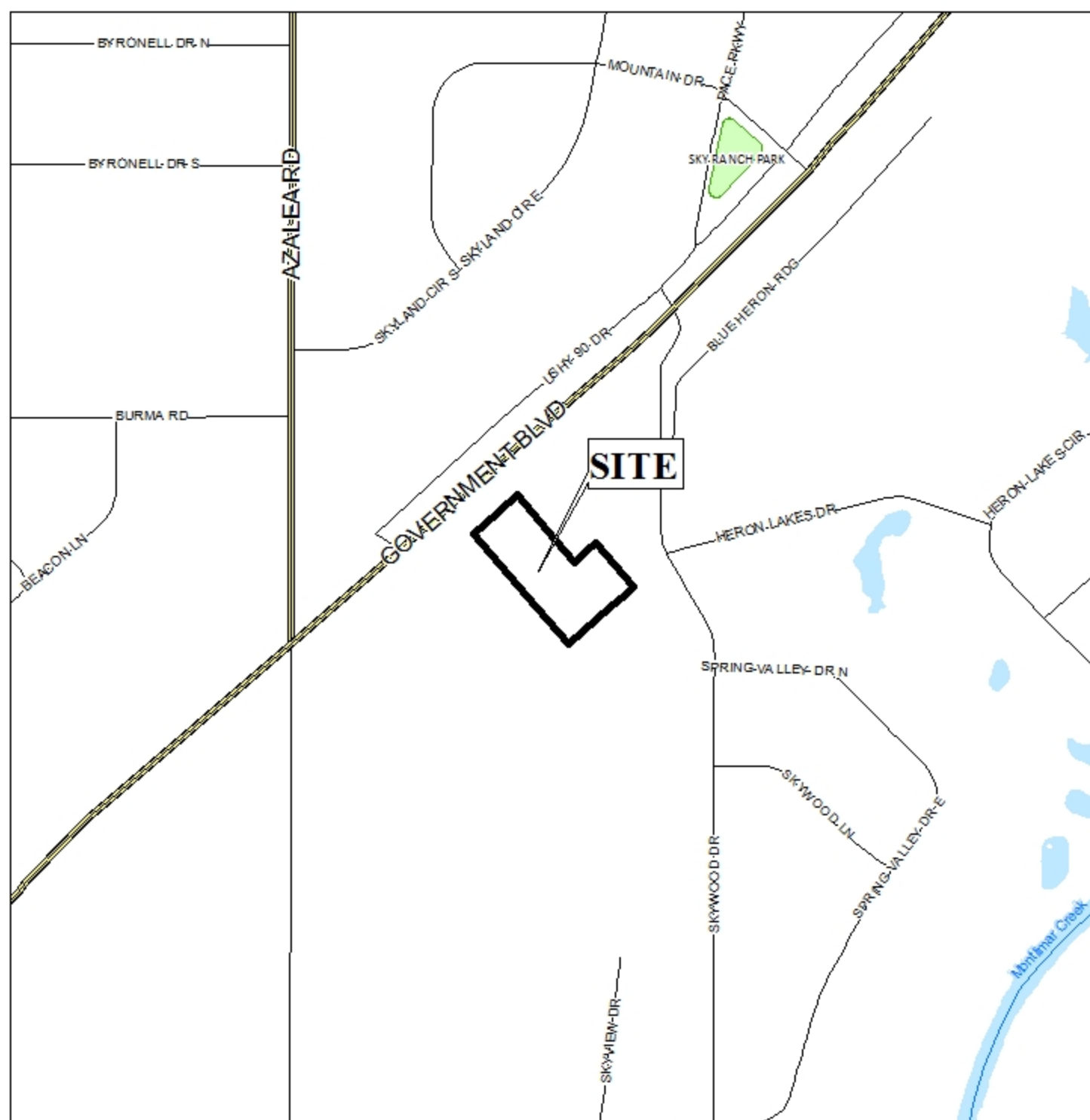
- 1) illustration of the 25' minimum building setback line along Government Boulevard;
- 2) provision of the lot size in square feet and acres;
- 3) full compliance with Engineering comments: (A. *The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: 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. *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.* C. *Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #84) the Lot will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control.* Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. *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.* E. *Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.* F. *Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.* G. *Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 4) full compliance with Traffic Engineering comments (Government Boulevard is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);

- 5) full 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 61-929 and City Code Chapters 57 and 64).;*
- 6) compliance with Fire 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.).*

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

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

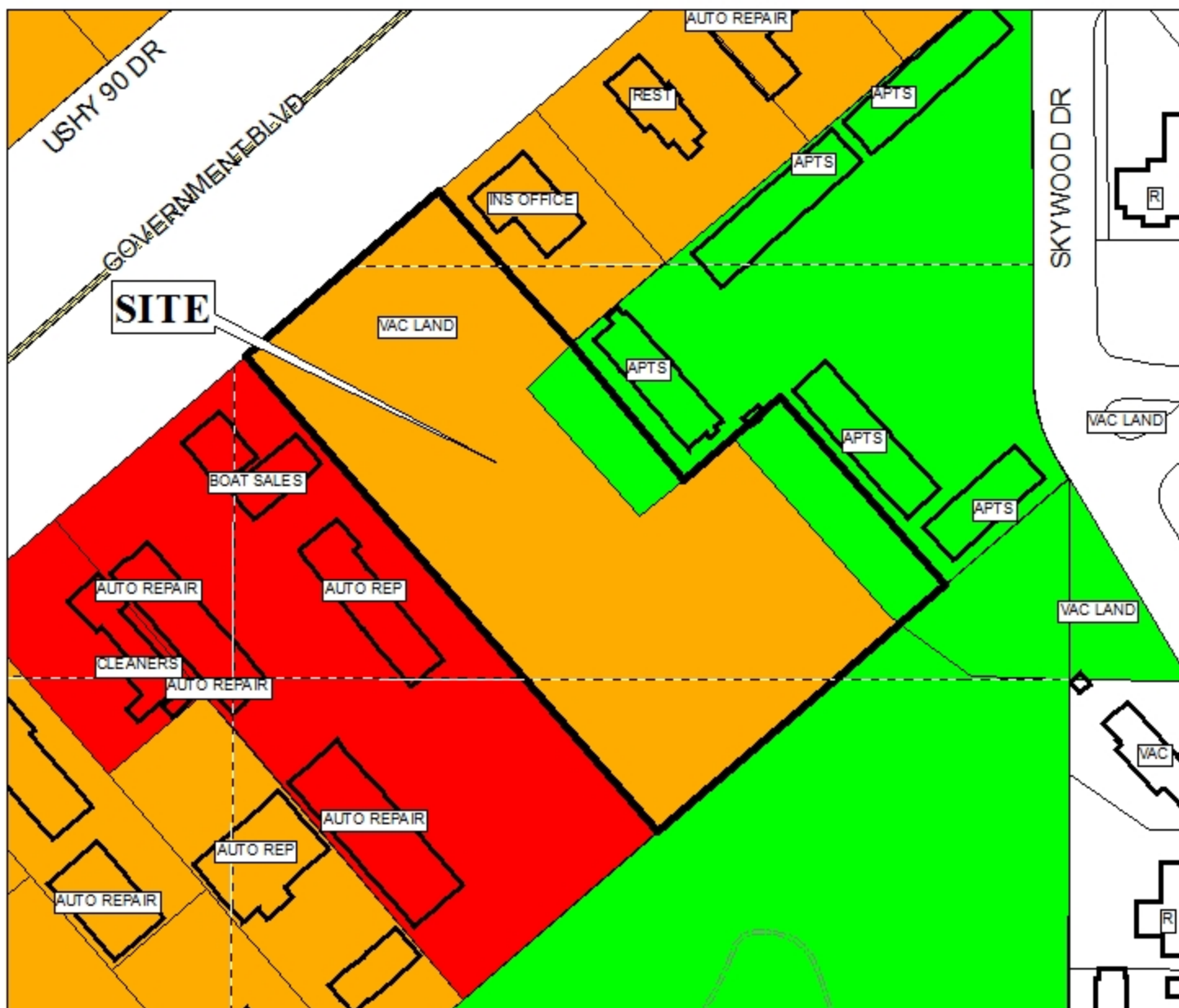
LOCATOR MAP



APPLICATION NUMBER 13 DATE May 7, 2015
 APPLICANT Big Boy Subdivision
 REQUEST Subdivision, Rezoning from B-2 and R-3 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units. Residences lie southeast of the site.

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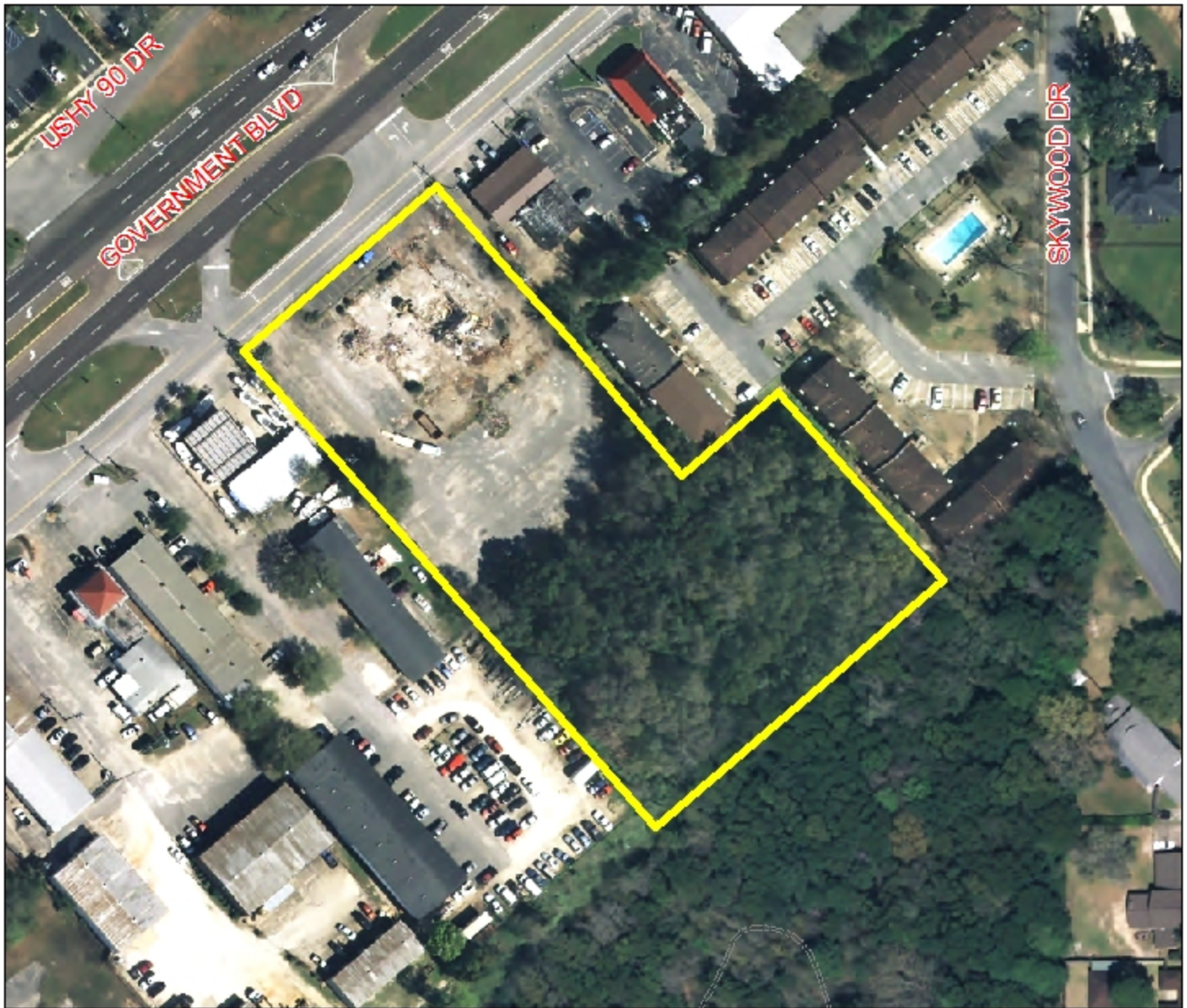
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

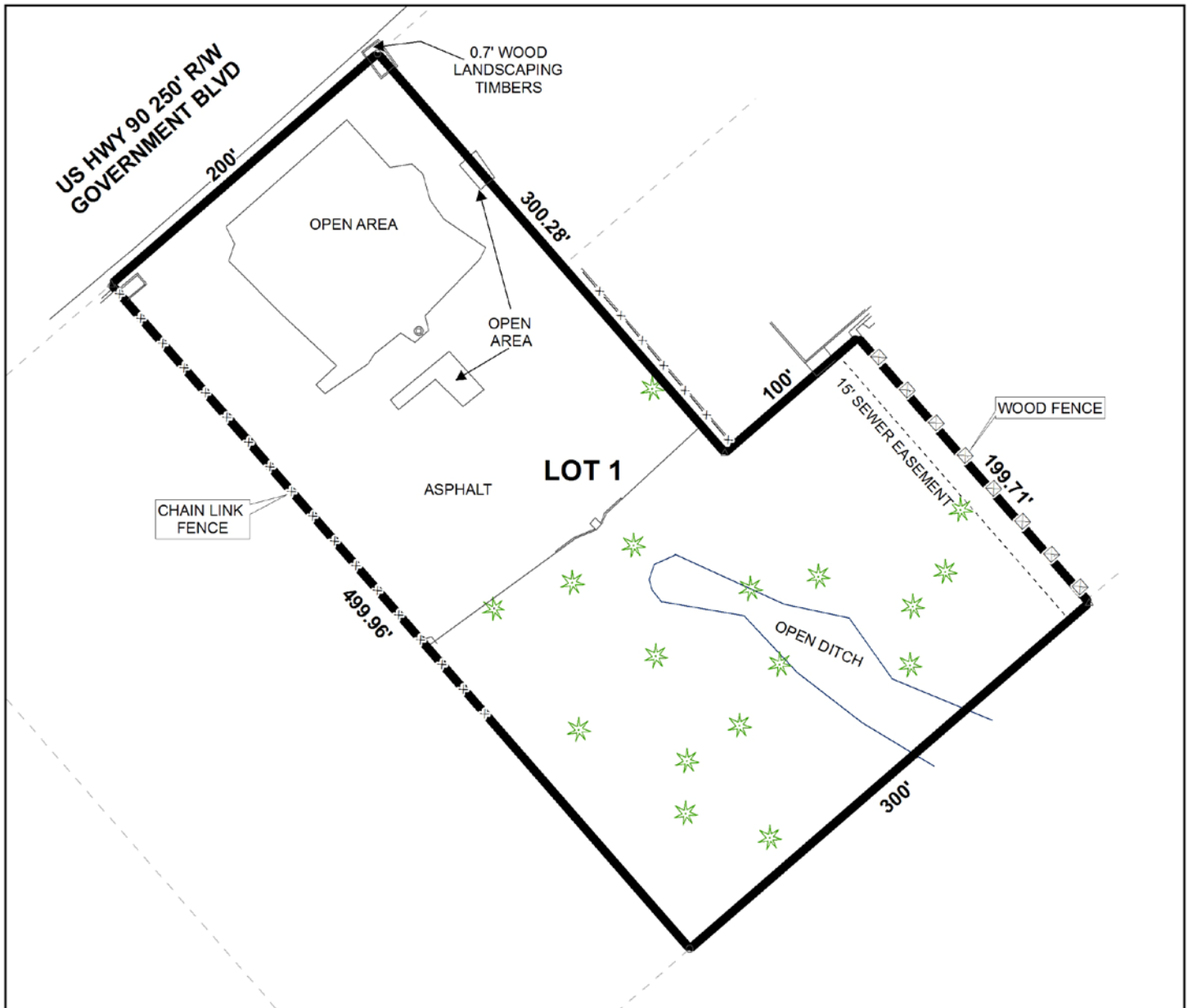


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SITE PLAN

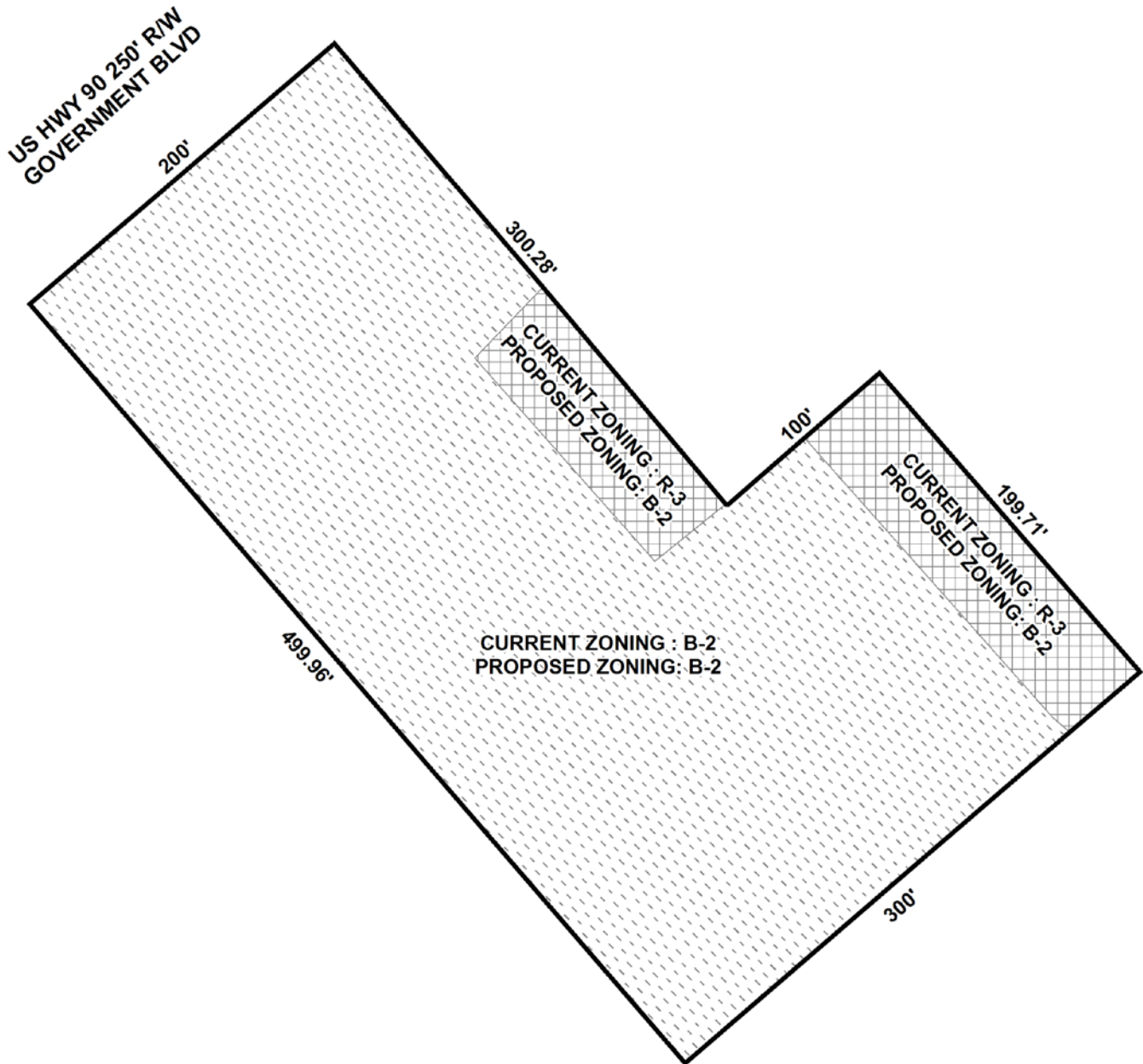


The site plan illustrates the open areas, easement, open ditch, and trees.

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DETAIL SITE PLAN



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