

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: July 7, 2016****DEVELOPMENT NAME**Halls Mill South Industrial Park Subdivision,
Resubdivision and Addition to Lot 5**SUBDIVISION NAME**Halls Mill South Industrial Park Subdivision,
Resubdivision and Addition to Lot 5**LOCATION**5113 Halls Mill Road
(East side of Halls Mill Road, 2/10± mile South of
Demetropolis Road)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

I-1, Light Industry District

AREA OF PROPERTY

1 Lots / 0.6 ± acres

CONTEMPLATED USEPlanned Unit Development Approval to allow multiple
buildings on a single building site, and Subdivision
approval to create 1 lot.**TIME SCHEDULE
FOR DEVELOPMENT**

Not 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Show the recording information for the vacated easement on the Final Plat.
- E. Review the labeling of the POB and written description of a point of commencement for both the subdivision and the area to be vacated.
- F. Revised the fourth listed note to read "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.”

- G. Delete the sixth note – “DEVELOPMENT MUST COMPLY WITH THE MOBILE COUNTY FLOOD DAMAGE PREVENTION ...”
- H. 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.
- I. 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.
- J. Remove the County Engineer’s signature block and Mobile County Engineering Department statement from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.
- K. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures.
- L. After FINAL PLAT review by the Engineering Dept. provide a copy of the Final Plat along with the original and any review copies when submitting for City Engineer signature.

Planned Unit Development

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

- 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

Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All gravel should be removed from the right-of-way and replaced with concrete or asphalt as

approved by Engineering. 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 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 seeking Planned Unit Development Approval to allow multiple buildings on a single building site, and Subdivision approval to create 1 lot. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create one lot from one legal lot and a portion of vacated right-of-way (vacation proposed), with multiple buildings, thereby requiring the Planned Unit Development application. The applicant began the site's current use as a vehicle towing service in 2009.

The site came to the attention of staff in May 2013 when a complaint was received regarding the construction of a building on the site. After investigation, staff determined that the applicant was working without the appropriate approvals or permits.

The applicant received Subdivision and Planned Unit Development approval from the Planning Commission at its October 3, 2013 meeting, however, an additional request for a Sidewalk Waiver was denied. No actions were undertaken after the approvals to fulfill any conditions, thus the approvals expired.

Additional complaints were received in April and May 2016, and a reinvestigation by staff resulted in the determination of a failure to comply with the 2013 Planning Commission approvals.

The entire site appears to be depicted as a "Industrial" Development Area, per the recently adopted Map for Mobile Plan. The intent of this Development Area is to allow for:

- Minimize impacts to adjacent properties
- Connect to major infrastructure for ease of major industry
- Better streetscaping and aesthetic improvements
- Connect to nearby areas through transit accommodation for ease of workers' access

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan 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.

Planned Unit Development 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. PUD approval is site plan specific, thus any changes to the site plan / Subdivision plat will require approval 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 subject site is a legal lot of record created by Halls Mill South Industrial Park Subdivision, approved by the Commission in 1975. Dedication of 50' was provided to allow for a service road along Halls Mill Road. Since Halls Mill Road is to remain a collector street without a service road with a required 70' minimum right-of-way, and the current right-of-way is 100' along the site, the applicant proposes to have a 30' width of the current right-of-way vacated and added to the subject property via the proposed subdivision. This would result in a compliant 70' right-of-way remaining. The proposed lot would meet the minimum size requirements of the Subdivision Regulations.

Current access to the site is via two curb cuts along Halls Mill Road. The applicant, who operates a tow-truck company at this location, requests that both curb-cuts remain open. Typically, lots with a frontage width less than 200 feet are limited to a single curb-cut, and as the structures that have been added to the site without permits exceed the 50% criteria of the Zoning Ordinance regarding tree and landscaping compliance, additional area between the building and the right-of-way may be needed for frontage landscaping area compliance. Staff, therefore, recommends that the site be limited to a single curb-cut on the South side of the property, with the removal and landscaping of the other curb-cut area. Any modifications to the remaining curb-cut are to be approved by Traffic Engineering, and conform to AASHTO standards.

A 25' minimum building setback line is shown on both the preliminary plat and the PUD site plan, and takes into account the requested vacation of 30 feet of right-of-way of Halls Mill Road. The minimum building setback line should be retained on the Final Plat, if approved, as measured from the new right-of-way line after vacation. The plat should be revised to label the lot with its size in both square feet and acres after the vacation of the frontage right-of-way, or a table should be furnished on the Final Plat providing the same information.

If approved, the Right-of-Way Vacation process must be completed and the Vacation document recorded, prior to the signing of the Final Plat.

Regarding the site itself, there is an existing 1,520 office building that was constructed by 1984. Between 2010 and 2014, a 1,750 square foot "carport" structure, 370 square foot wooden shed, 292 square foot metal shipping container, and two uncovered concrete slabs totaling 717 square feet, were added to the site without permits. Furthermore, much of the site is covered in aggregate surfacing, including a portion of the Halls Mill Road right-of-way, which is used for the parking of towed vehicles and tow trucks.

The applicant wishes to retain aggregate surfacing on much of the site, removing any aggregate or asphalt from the Halls Mill Road right-of-way where not part of a driveway to the site. The applicant also proposes to plant four frontage trees, and provide both total and frontage landscape areas that comply with the minimum requirements, while retaining two curb-cuts to Halls Mill Road.

Aggregate surfacing cannot be used for any required parking and circulation areas, per the Zoning Ordinance, however, it can be used for outside storage and laydown yard areas. Staff calculates that a minimum of 7 paved parking spaces are required (6 for the office, 1 for employees in the "carport" area), however, only 1 fully paved parking space is proposed (the accessible parking space). The site plan should be revised to provide a minimum of 7 paved parking spaces.

The site is industrially zoned, however, it abuts a mobile home park in an R-3, Multi-Family Residential District to the South, and across Halls Mill Road are residences in an R-1, Single Family Residential District. The applicant is responsible for ensuring that there is an adequate residential adjacency buffer in place, compliant with Section 64-4.D.1. of the Zoning Ordinance, where the site directly abuts residentially used property. A ten foot wide setback is indicated along the South property line. That portion of the parking area along Halls Mill Road should be screened with a 3 foot high evergreen hedge or wall, in compliance with Section 64-6.A.3.i. of the Zoning Ordinance.

A note on the site plan indicates that garbage collection will be by curb-side pickup. If, at any point in the future a dumpster is added to the site, its location and placement must comply with 64-4.D.9. of the Zoning Ordinance.

A sidewalk is not shown on the PUD site plan. As the previous Sidewalk Waiver request was denied in 2013, and as no new request was submitted with the applications at hand, a sidewalk must be provided.

A note on the site plan indicates that a zero foot setback is requested along the Northern and Eastern property lines. Such a setback is allowed in an I-1 district, however, the site plan depicts all structures meeting a minimum 5-foot side yard setback along these sides.

If the improvements proposed by the applicant, as well as the provision of a sidewalk, parking screening, residential adjacency buffering, and 7 paved parking areas, the site will be brought into a more compliant status as it relates to the recommendations of the Map for Mobile. To do so, the applicant must file for and complete the land disturbance process, and must obtain after the fact permits for all structures added to the site without permits.

RECOMMENDATION

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

- 1) placement of a note on the Final Plat stating that the lot is limited to the Southern curb cut, with any changes to the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) retention of the 25' minimum building setback line on the Final Plat as measured from the new right-of-way line following vacation;
- 3) revision of the plat to label the lot size in both square feet and acres on the Final Plat after vacation, or the furnishing of a table on the Final Plat providing the same information;
- 4) subject to the Engineering comments: *(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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Show the recording information for the vacated easement on the Final Plat. E. Review the labeling of the POB and written description of a point of commencement for both the subdivision and the area to be vacated. F. Revised the fourth listed note to read "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." G. Delete the sixth note – "DEVELOPMENT MUST COMPLY WITH THE MOBILE COUNTY FLOOD DAMAGE PREVENTION ..." H. 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. I. 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. J. Remove the County Engineer's signature block and Mobile County Engineering Department statement from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. K. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures. L. After FINAL PLAT review by the Engineering Dept. provide a copy of the Final Plat along with the original and any review copies when submitting for City Engineer signature.);
- 5) subject to the Traffic Engineering comments: *(Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All gravel should be removed from the right-of-way and replaced with concrete or asphalt as approved by Engineering. 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.);*

- 6) subject to the 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 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));*
- 8) completion and recording of the right-of-way vacation prior to signing the Final Plat; and
- 9) submission of two copies of a revised PUD site plan showing compliance with all conditions of approval prior to signing of the Final Plat for the Subdivision.

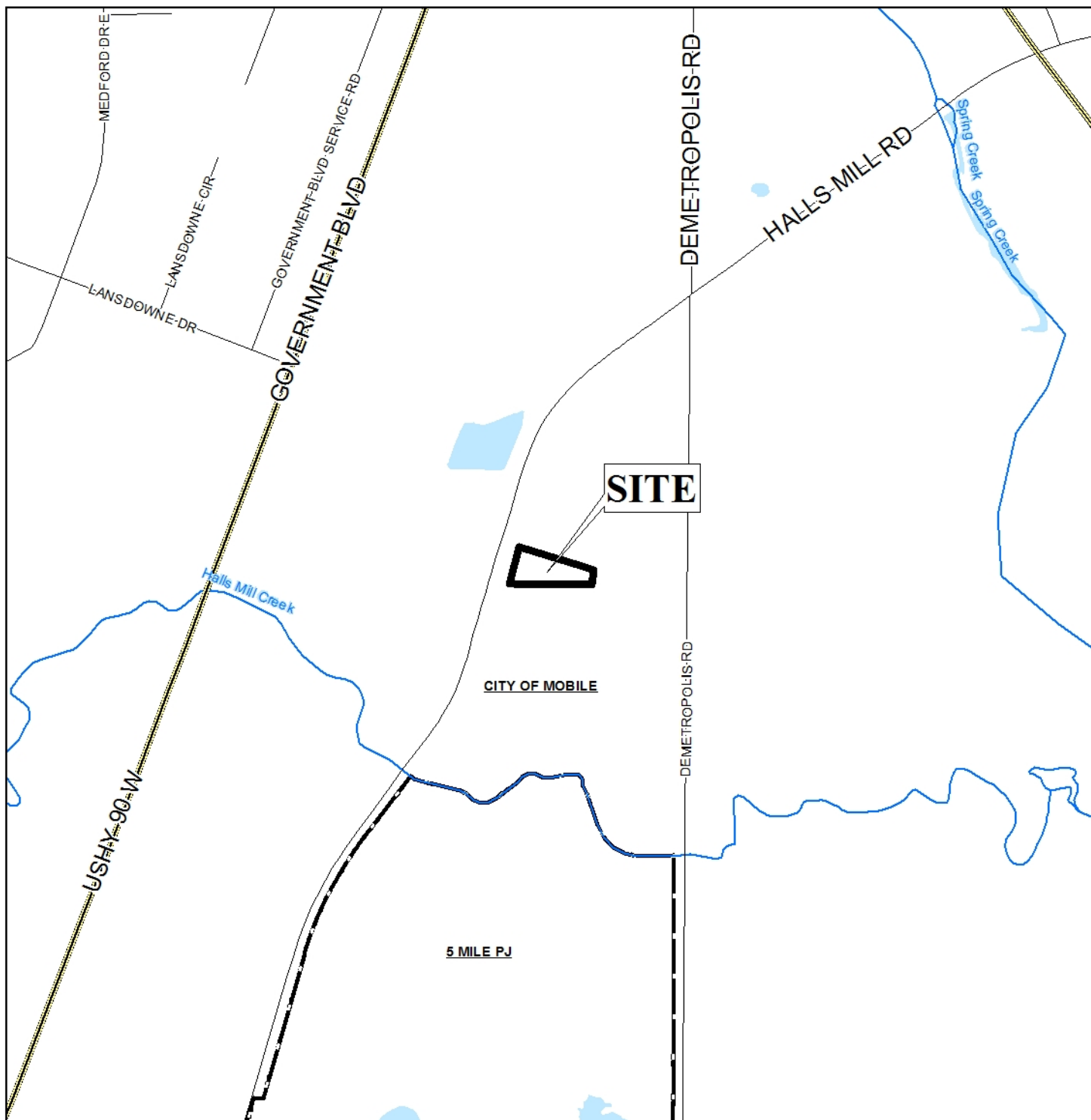
Planned Unit Development: Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) obtaining of all required after-the-fact permits for all impervious areas and structures added without appropriate land disturbance or building permits within one year of the approval of the PUD;
- 2) revision of the site plan to eliminate the Northern curb cut and drive;
- 3) revision of the site plan to depict a sidewalk along Halls Mill Road, or approval of a sidewalk waiver request;
- 4) revision of the site plan to provide the minimum required front yard landscaping ratio;
- 5) revision of the site plan to remove the gravel surfacing within the front parking area and provide asphalt, concrete, or an approved alternative paving surface;
- 6) provision of four over-story frontage trees as indicated on the site plan;
- 7) placement of a note on the site plan stating that if curb-side garbage collection is ever replaced with a dumpster, the location and placement of the dumpster must comply with Section 64-4.D.9. of the Zoning Ordinance;
- 8) retention of the 10' side yard setback line on the site plan along the South side adjacent to residential zoning and use;
- 9) provision of parking and residential adjacency buffers, in compliance with Sections 64-6.A.3.i. and 64-4.D.1. of the Zoning Ordinance;
- 10) subject to the Engineering comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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.);

- 11) *subject to the Traffic Engineering comments: (Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All gravel should be removed from the right-of-way and replaced with concrete or asphalt as approved by Engineering. 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.);*
- 12) *subject to the 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).);*
- 13) *compliance with 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));*
- 14) *provision of two (2) copies of the revised PUD site plan to the Planning & Zoning Department prior to the signing of the final plat; and*
- 15) *full compliance with all municipal codes and ordinances.*

LOCATOR MAP



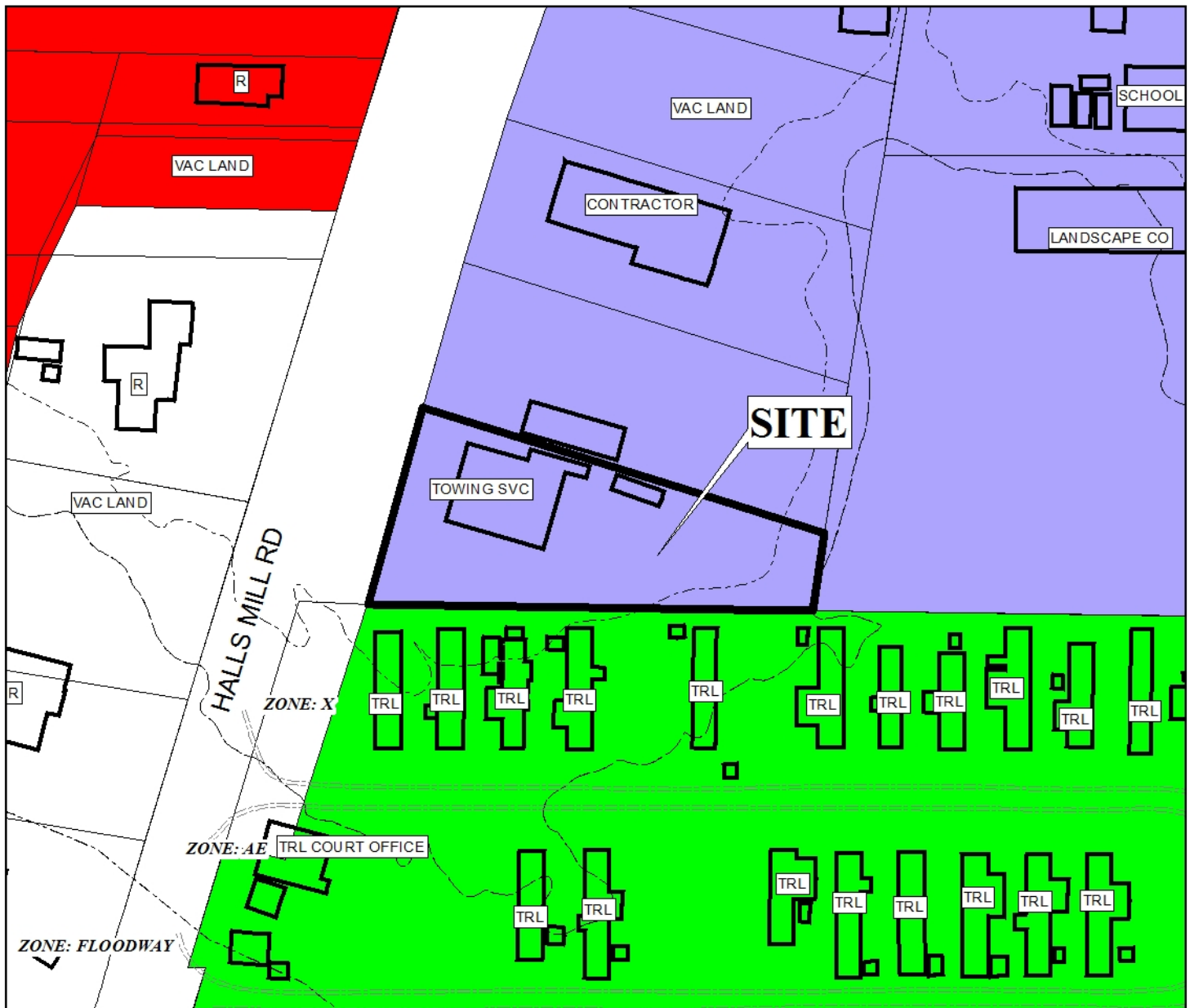
APPLICATION NUMBER 13 DATE July 7, 2016

APPLICANT Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A contractor lies north of the site.

APPLICATION NUMBER 13 DATE July 7, 2016

APPLICANT Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5

REQUEST Subdivision, Planned Unit Development

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 residential units. A contractor lies north of the site.

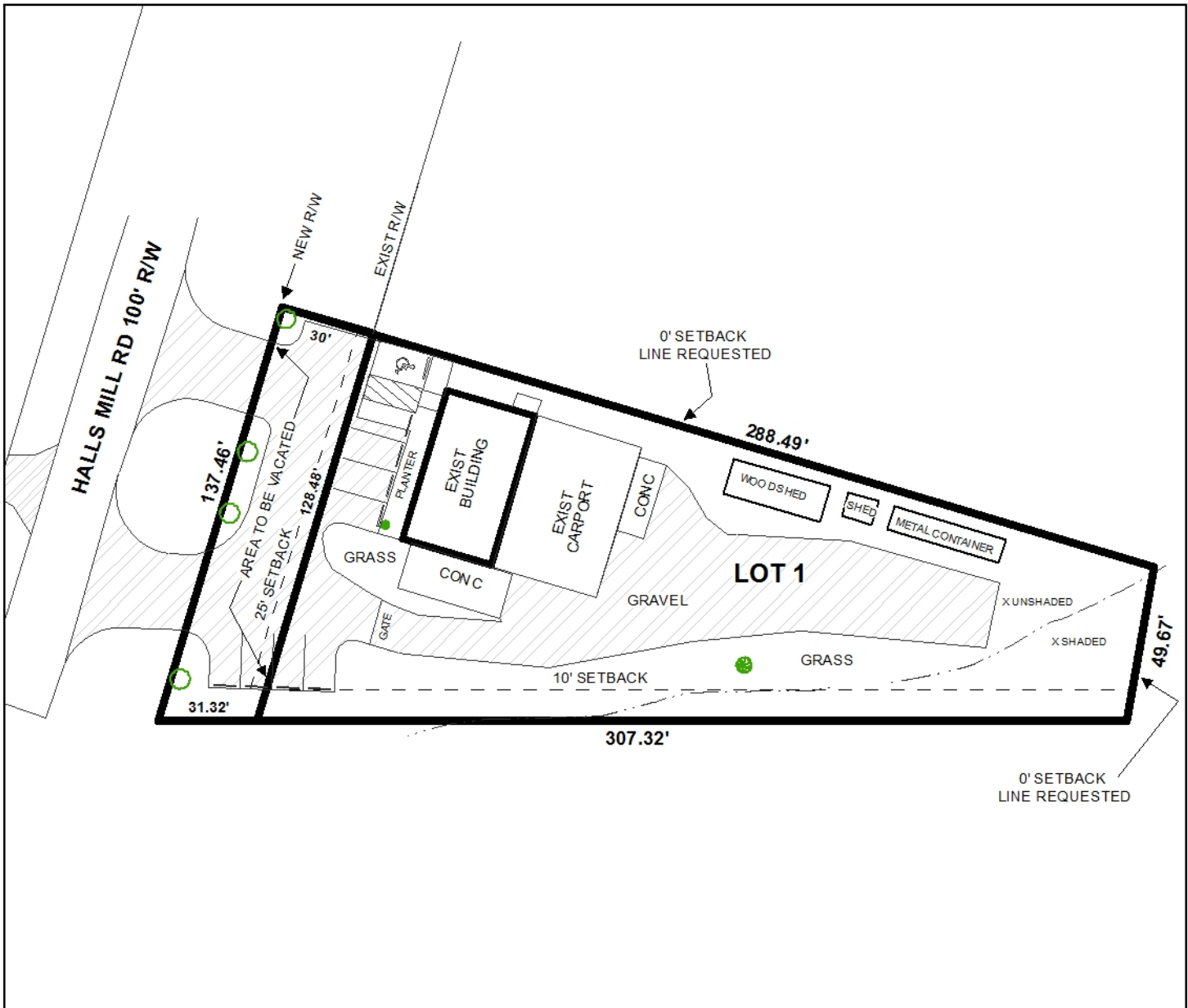
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REQUEST Subdivision, Planned Unit Development



SITE PLAN



The site plan illustrates the existing buildings, setbacks, trees, and right of way to be vacated.

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