

**ZONING AMENDMENT,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: November 2, 2017

<u>NAME</u>	Bristol Mobile Partners, LLC
<u>SUBDIVISION NAME</u>	Meridian at the Port Subdivision
<u>LOCATION</u>	300 North Water Street (Area bounded by North Water Street, Adams Street, Delchamps Drive and Congress Street).
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	I-1, Light-Industry District
<u>PROPOSED ZONING</u>	B-4, General Business District
<u>REASON FOR REZONING</u>	To allow a proposed apartment complex
<u>AREA OF PROPERTY</u>	2 Lots / 3.7 ± Acres
<u>CONTEMPLATED USE</u>	Subdivision approval to create two legal lots of record from three metes-and-bounds parcels, two legal lots of record, and a vacated street right-of-way; Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site along with shared access and parking between multiple building sites for a proposed 267 unit apartment complex; and Rezoning from I-1, Light-Industry District, to B-4, General Business District, to allow a proposed apartment complex. 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.
<u>TIME SCHEDULE</u>	No timeframe provided.

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. Revise NOTE #4 – Delete “...THE FOLLOWING...”
- 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 ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development: No Comments

Rezoning: No Comments

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Lot 1 is denied access to its adjacent streets and limited to access through Lot 2. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance. The site is located within the boundaries where parking is not required; therefore any “compact” parking should be designated with signage and markings as needed. Approval of the PUD site plan should not include the approval of the site specific layout of the on-street parking as indicated. Owner/Engineer will have to illustrate adequate line of sight for nearby intersections before final layout of parking will be accepted and permitted. Concurrence with the adjacent property owner (where parking is shown across from the project) will also be required prior to permitting.

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)

MAWSS COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

REMARKS

The applicant is requesting Subdivision to create two legal lots of record from three metes-and-bounds parcels, two legal lots of record, and a vacated street right-of-way; Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site along with shared access and parking between multiple building sites for a proposed 267 unit apartment complex; and Rezoning from I-1, Light-Industry District, to B-4, General Business District, to allow a proposed apartment complex.

The site was previously developed, however a permit was issued for the demolition of all existing structures in October 2016. It appears that land disturbance and construction permits have been applied for, but not issued. As Subdivision and Planned Unit Development approvals are only valid for one year, both of these approvals have expired. Furthermore, there have been changes made to the proposed layout of the site, and as Planned Unit Developments are site plan specific, a new approval is required. It should be noted that the previous Rezoning approval was passed by the City Council with a condition stating, "If building permits are not issued within one year of approval, the zoning shall revert back to I-1". Staff has advised the applicant that the issuance of the demolition permit was sufficient in maintaining the recently approved rezoning; however, the applicant chose to submit a new rezoning request regardless. As the zoning for the site is still deemed to be B-4, General Business District, the currently proposed rezoning application is moot.

The site has been given a **Downtown Waterfront** (DW) 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.

This land use designation applies to an area generally bound by Virginia Street to the South, I-10 to the West, Beauregard Street to the North, and the Mobile River to the East. The primary intent of this designation is to promote opportunities for expanding public waterfront access and the possibility of additional public-oriented activities to make the waterfront more inviting and safe. The area may include incremental public access improvements and amenities that emphasize internal pedestrian and bicycle connections, as well as new linkages to Downtown and the surrounding neighborhoods.

Land uses in areas designated DW include existing industrial and heavy commercial facilities, but may also include complementary businesses and public facilities, as well as open spaces and access points to enhance the enjoyment and appreciation of the natural shoreline environment.

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 if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities. It should be noted that PUD approvals expire within one year if no permits have been obtained.

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 four streets: Water Street, Adams Street, Delchamps Drive and Congress Street. Water Street is a Major Street, according to the Major Street Plan component of the Comprehensive Plan, and as such, must have a minimum right-of-way width of 164 feet. The preliminary plat indicates the width of the Water Street right-of-way is sufficient. The Map for Mobile also recommends that Water Street be considered an Urban Corridor, and as such, it is recommended that new development along the corridor include elements to improve walking environment to make it more pedestrian-friendly. The other three abutting streets are considered minor streets, and as they have curb-and-gutter, should have a minimum right-of-way of 50-feet. The preliminary plat indicates that the rights-of-way for Delchamps Drive and Congress Street as being 50', however the Planned Unit Development site plan depicts rights-of-way of 47.5' and 48.7'. Either dedication to provide 25' from the centerline of both streets should be provided on the Final Plat, is approved, or the Planned Unit Development site plan should be revised to depict the correct right-of-way widths.

Due to the intersection of Adams Street with Delchamps Drive, and Delchamps Drive with Congress Street, a corner radius of the lot may be required, per Section V.D.6. of the Subdivision Regulations. These dedications are illustrated on the preliminary plat, and should be retained on the Final Plat, is approved.

The site plan provided with the application shows two proposed curb-cuts to Adams Street and one proposed curb-cut to Water Street. No curb-cuts are depicted along either Delchamps Drive or Congress Street. Given that Planned Unit Development review is site plan specific, the site should be limited to the number of proposed curb-cuts, with the exact size, design and location to be approved by Traffic Engineering and conform with AASHTO standards. The previously approved site plan depicted two curb cuts each to Adams Street and Water Street.

The site plan depicts two surface parking lots containing a combined total of 292 spaces on-site to serve the 267 dwelling units proposed. A total of 27 on-street parking spaces are also depicted along both sides of Delchamps Drive, 27 on-street parking spaces along both sides of Adams Street, and 7 on-street parking spaces along the North side of Congress Street which would

require approvals from the Traffic Engineering, Engineering, and Right-of-Way Departments. It should be noted that the site is located in a portion of town that is exempt from minimum parking requirements. The previously approved site plan proposed 264 dwelling units with 302 on-site parking spaces, and no on-street parking spaces.

There are seven parking spaces that do not meet the standard minimum dimensions of 9' wide x 18' long, as they appear to only be 9' wide x 16' long, and one parking space that is 8' wide and 16' long. As the site is exempt from parking requirements, the dimensions of these spaces should either be revised to meet the standard minimum dimension, or coordinated with Traffic Engineering. It should be noted however, that the applicant is requesting the reduced size parking spaces as part of the PUD request, thus the Planning Commission may consider the issue.

The height of the proposed development was not included in the information supplied with the application, however the B-4 General Business District zoning the site is located in has no height limit restrictions.

The apartments themselves will be located above the structured parking. The site is approximately 800 feet from the Mobile River, and is located in an AE flood zone. Because of the structured parking, all of the dwelling units will be above the minimum flood elevation for this site.

The property has an overall size of 3.7 acres. Due to the complete redevelopment of the site, full compliance with the tree and landscape requirements of the Zoning Ordinance is required. The site plan and the narrative do not include any quantitative information regarding compliance. It should be noted, however, that the B-4 district allows 100 percent site coverage. Coordination with Planning and Urban Forestry staff may be necessary to determine site compliance requirements.

The site appears to have two live oak trees along the Water Street frontage. If these trees are on private property and larger than 24 inches in diameter, and removal is desired as part of the redevelopment of the site, a tree removal permit will be required. If the trees are within the right-of-way of Water Street, an application to the Mobile Tree Commission will be required if removal is desired, regardless of their size.

Sidewalks are depicted on the site plan along all street frontages, and should be retained on the site plan, if approved.

There are numerous existing curb-cuts for the site. Any curb-cut not associated with the redevelopment should be removed, and the right-of-way restored.

The 25-foot minimum building setback line required by the Subdivision Regulations is not depicted on the preliminary plat, however, the B-4 zoning district does not require any setback. Therefore, Section V.D.9. of the Subdivision Regulations should be waived to allow the prevailing B-4 zero-foot setback to apply.

Dumpsters are not depicted on the site plan, nor is a note regarding how trash pickup will be handled. If approved, the site plan should be revised to either illustrate a dumpster connected to sanitary sewer with a compliant enclosure should be provided, or a note stating that curb side pickup will be utilized.

No fencing is depicted on the site plan. If perimeter fencing is anticipated, the site plan should be revised to depict the fencing. If the fence will include gates for access to the parking areas, the gate design and location must be coordinated with city staff prior to implementation.

Finally, since the site will have more than 25 surface parking spaces, full compliance with Section 64-6.A.8. of the Zoning Ordinance will be required.

RECOMMENDATION

Subdivision: With a waiver of Section V.D.9., the Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) Placement of a note on the Final Plat stating that Lots 1 and 2 are limited to a combined total of one curb-cut to Water Street and two curb-cuts to Adams Street, with the exact size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;
- 2) Confirmation of the existing right-of-way widths for all abutting minor streets (not Water Street) and, if less than 50 feet, dedication of right-of-way sufficient to provide 25-feet from centerline;
- 3) Provision of corner radii for Lot 2, in compliance with Section V.D.6. of the Subdivision Regulations;
- 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. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. C. Revise NOTE #4 – Delete "...THE FOLLOWING..." 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 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 (*Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Lot 1 is denied access to its adjacent streets and limited to access through Lot 2. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The site is located within the boundaries where parking is not required; therefore any "compact" parking should be designated with signage and*

markings as needed. Approval of the PUD site plan should not include the approval of the site specific layout of the on-street parking as indicated. Owner/Engineer will have to illustrate adequate line of sight for nearby intersections before final layout of parking will be accepted and permitted. Concurrence with the adjacent property owner (where parking is shown across from the project) will also be required prior to permitting.);

- 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);*)
- 8) Provision of two copies of the revised PUD site plan prior to the signing of the Final Plat; and
- 9) Completion of the Subdivision process prior to any requests for permits associated with new building construction (permits for land disturbance are allowed).

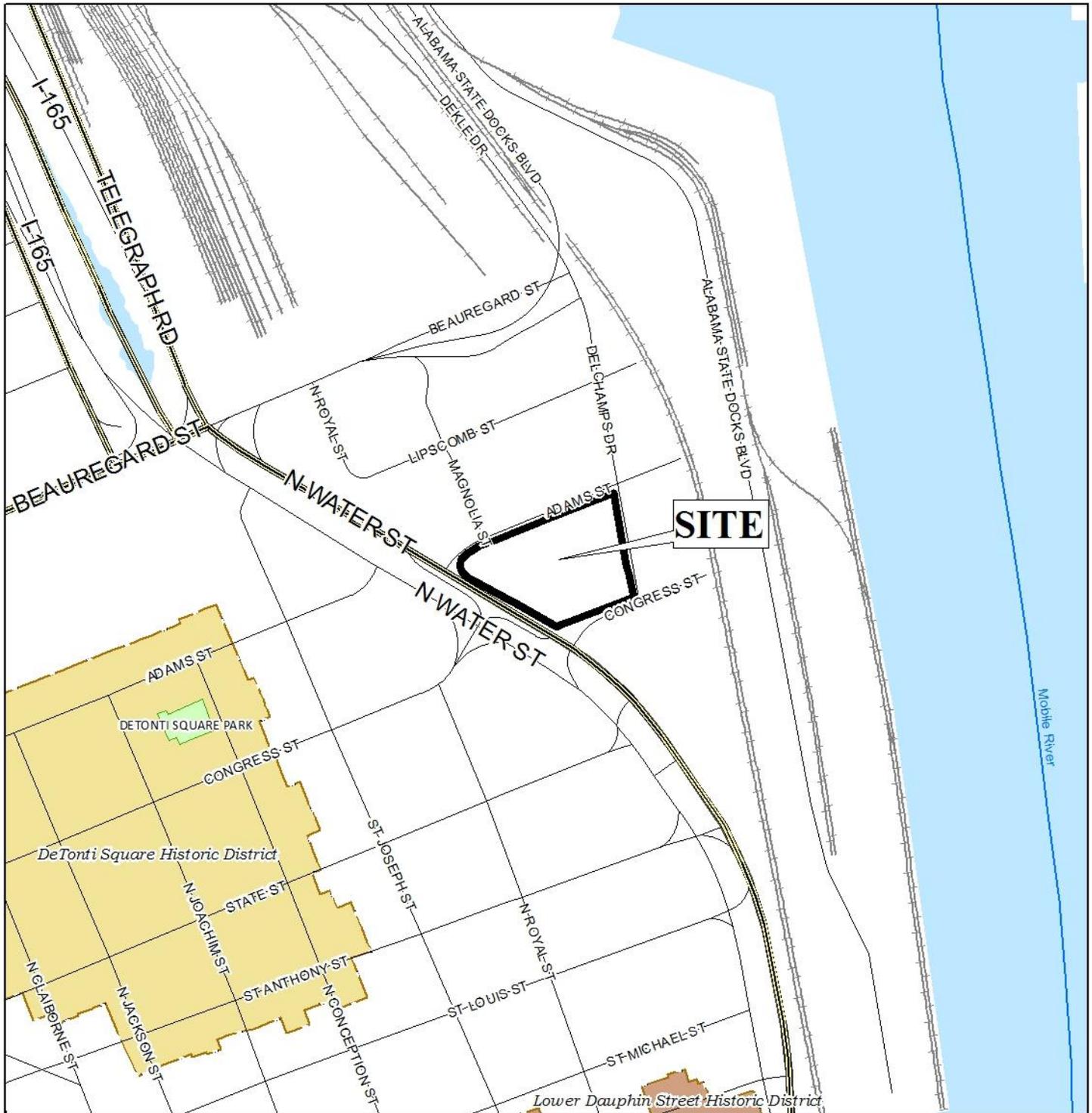
Planned Unit Development: The PUD request is recommended for Approval, subject to the following conditions:

- 1) If removal of the two existing live oaks on or adjacent to the site are proposed, the submission of an application to Urban Forestry or the Mobile Tree Commission, as appropriate;
- 2) Retention of sidewalks along all abutting streets;
- 3) Full compliance with Section 64-6.A.8. of the Zoning Ordinance regarding lighting;
- 4) Compliance with the tree and landscaping requirements of the Zoning Ordinance, to be coordinated with staff;
- 5) Revision of the site plan to depict any proposed perimeter fencing and, if gates for parking areas are proposed, coordination with City staff regarding the location and design of the gates;
- 6) Removal of all unused curb-cuts and restoration of the right-of-way at these locations;
- 7) Revision of the site plan to either illustrate a dumpster connected to sanitary sewer with a compliant enclosure should be provided, or a note stating that curb side pickup will be utilized;
- 8) Compliance with Traffic Engineering comments regarding on-site standard and sub-standard parking spaces;
- 9) Placement of a note on the site plan stating that all off-site parking must be approved by the Traffic Engineering, Engineering, and Right-of-Way Departments;
- 10) Compliance with Traffic Engineering comments (*Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Lot 1 is denied access to its adjacent streets and limited to access through Lot 2. Any new on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The site is located within the boundaries where parking is not required; therefore any "compact" parking should be designated with signage and markings as needed. Approval of the PUD site plan should not include the approval of the site specific layout of the on-street parking as indicated. Owner/Engineer will have to illustrate adequate line of sight for nearby intersections before final layout of parking*

- will be accepted and permitted. Concurrence with the adjacent property owner (where parking is shown across from the project) will also be required prior to permitting.);*
- 11) 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).);*
 - 12) 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));*
 - 13) Provision of two copies of the revised PUD site plan prior to the signing of the Final Plat; and*
 - 14) Completion of the Subdivision process prior to any requests for permits associated with new building construction (permits for land disturbance are allowed).*

Rezoning: The rezoning request is moot.

LOCATOR MAP



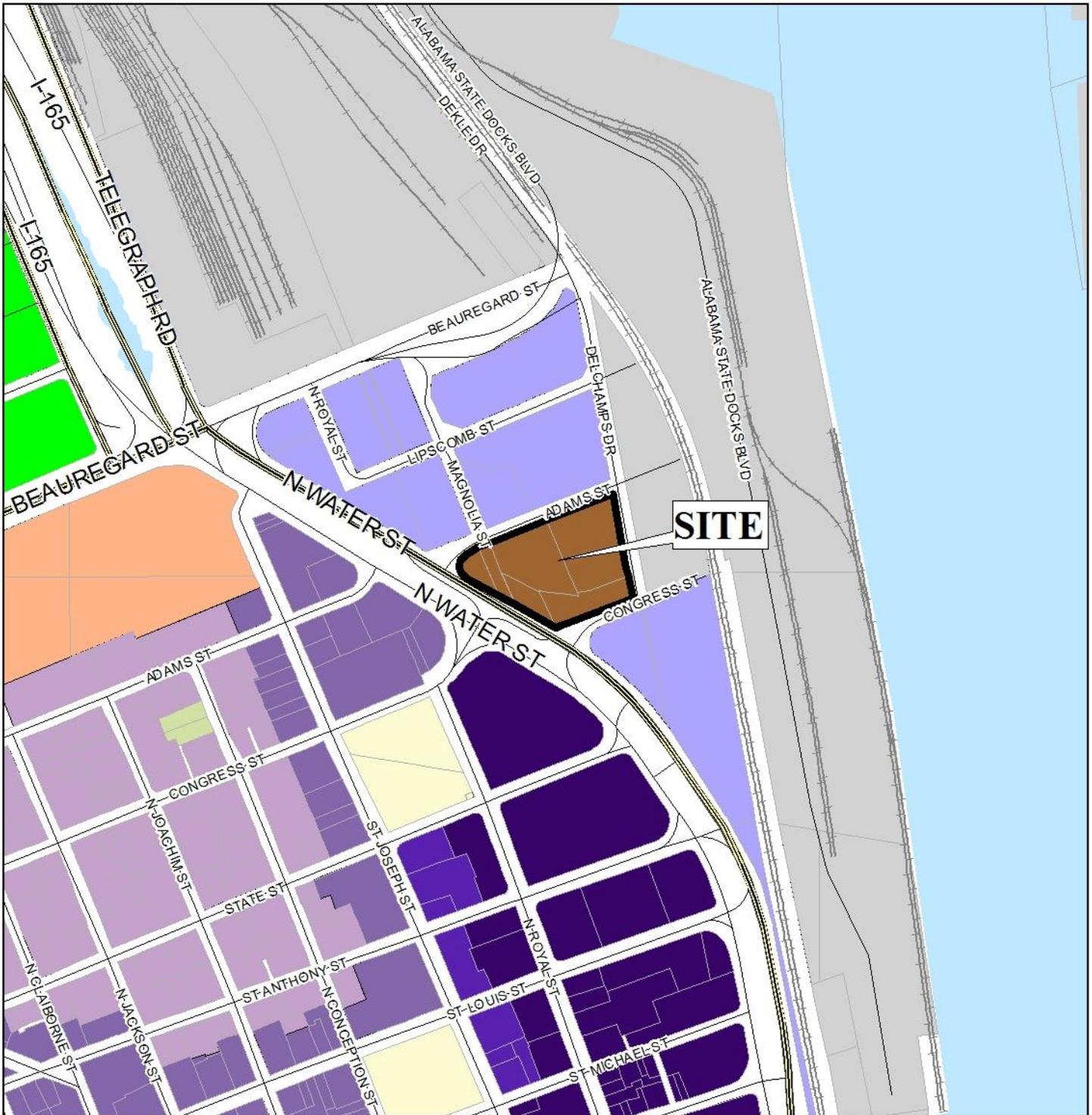
APPLICATION NUMBER 13 DATE November 2, 2017

APPLICANT Meridian at the Port Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 to B-4



LOCATOR ZONING MAP



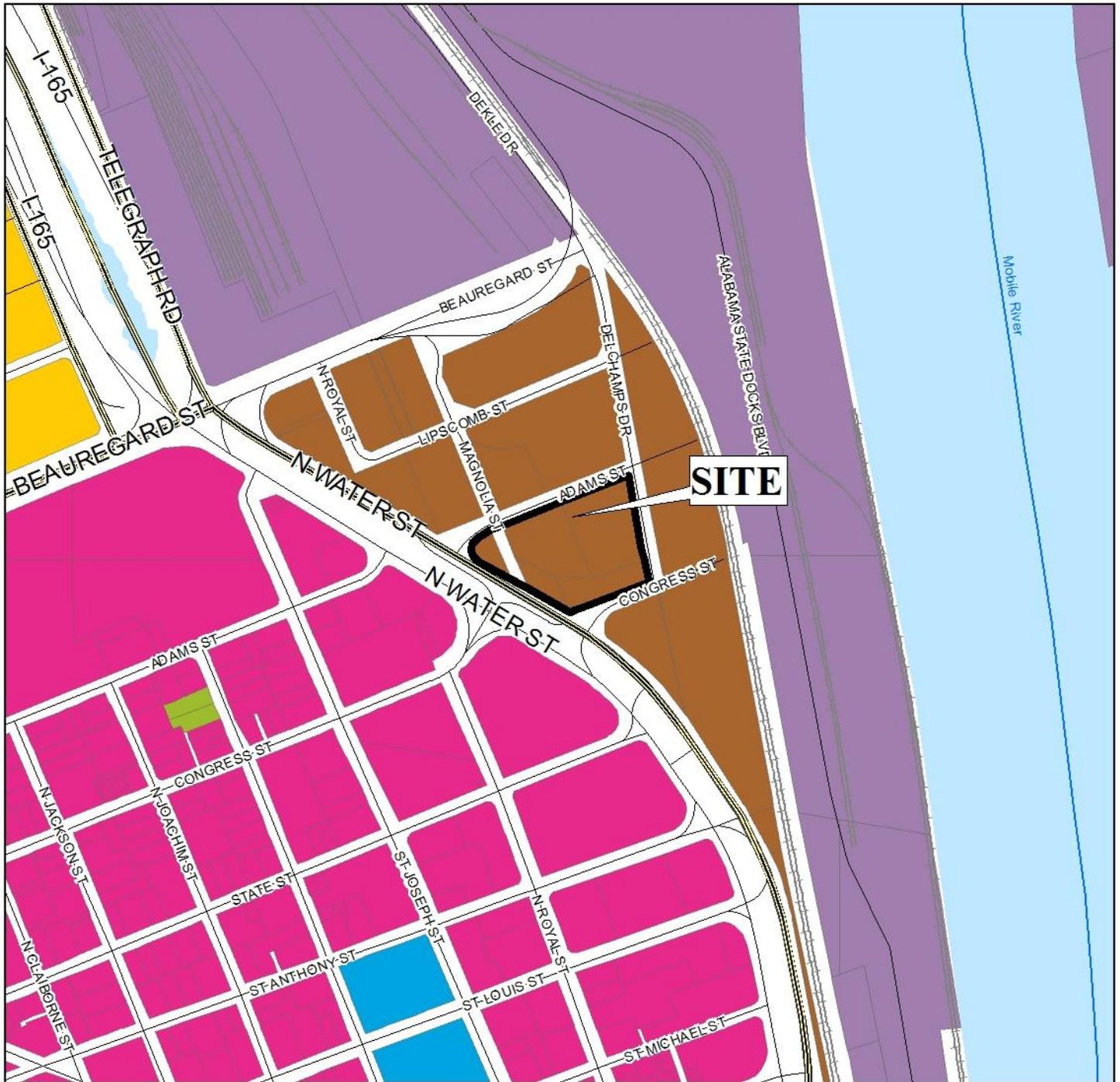
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FLUM LOCATOR MAP



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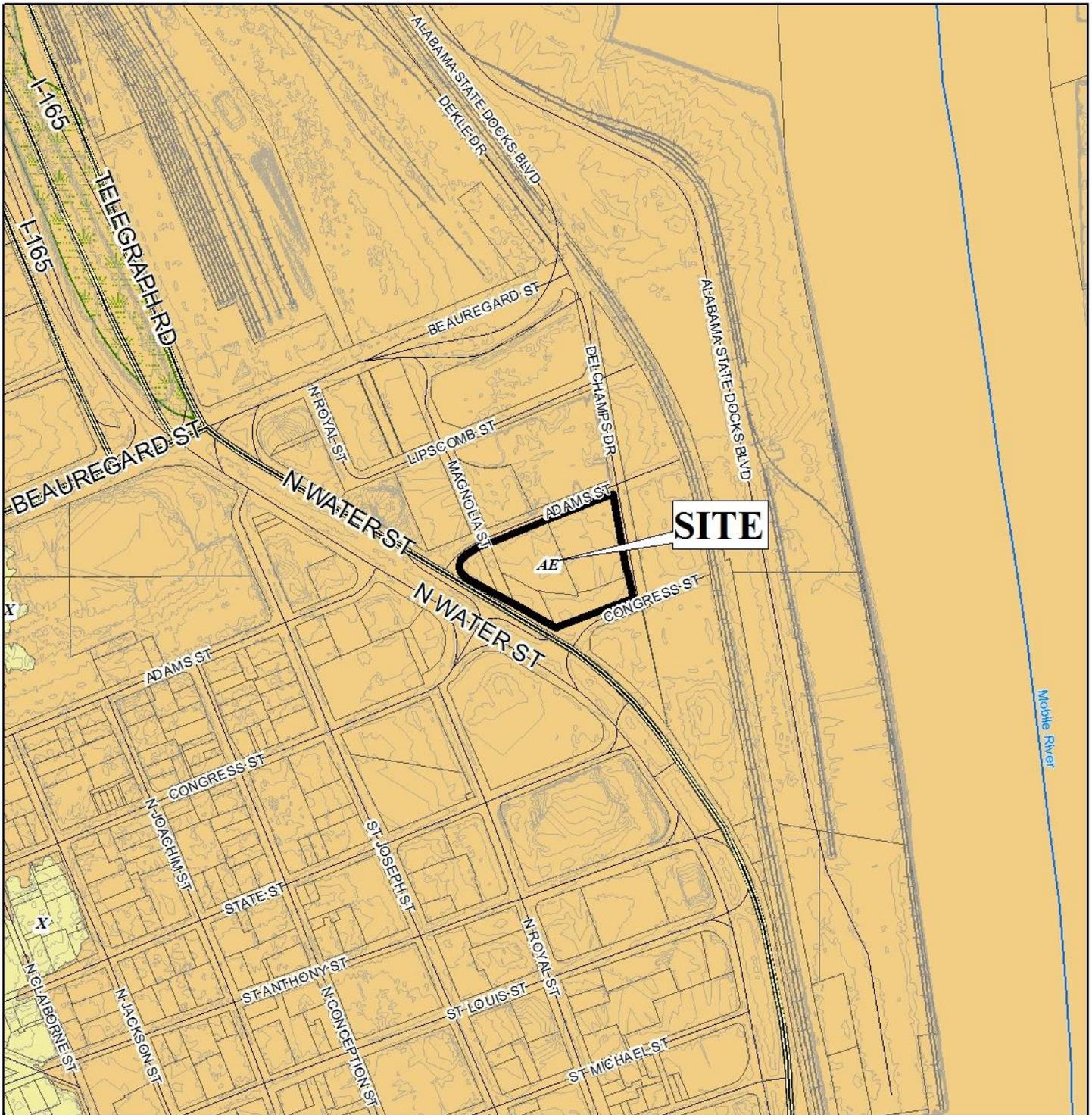
APPLICANT Meridian at the Port Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 to B-4

- | | | | |
|---------------------------|----------------------------------|---------------------|--------------------|
| 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 | |



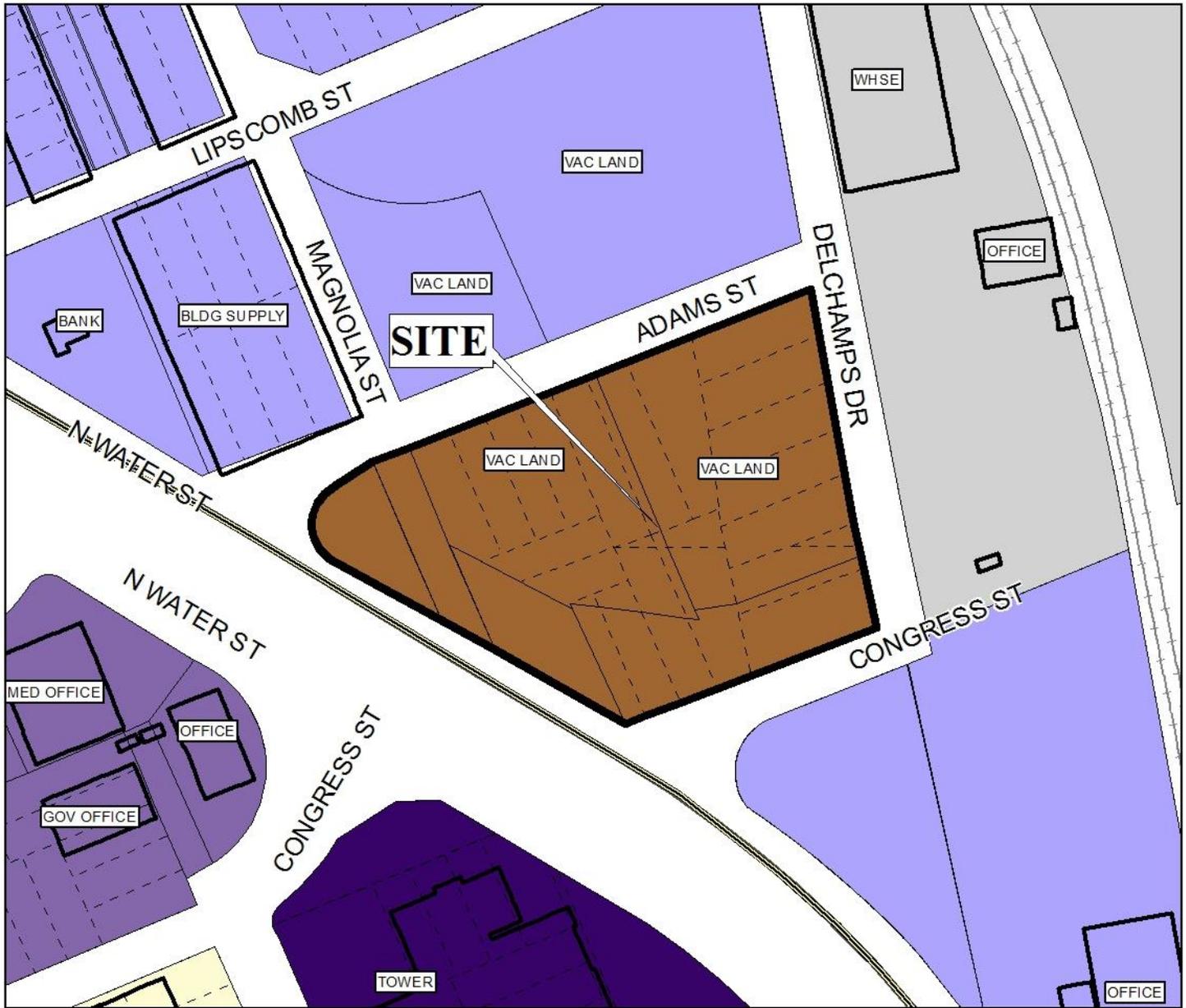
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial and commercial units.

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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 AERIAL



The site is surrounded by industrial and commercial units.

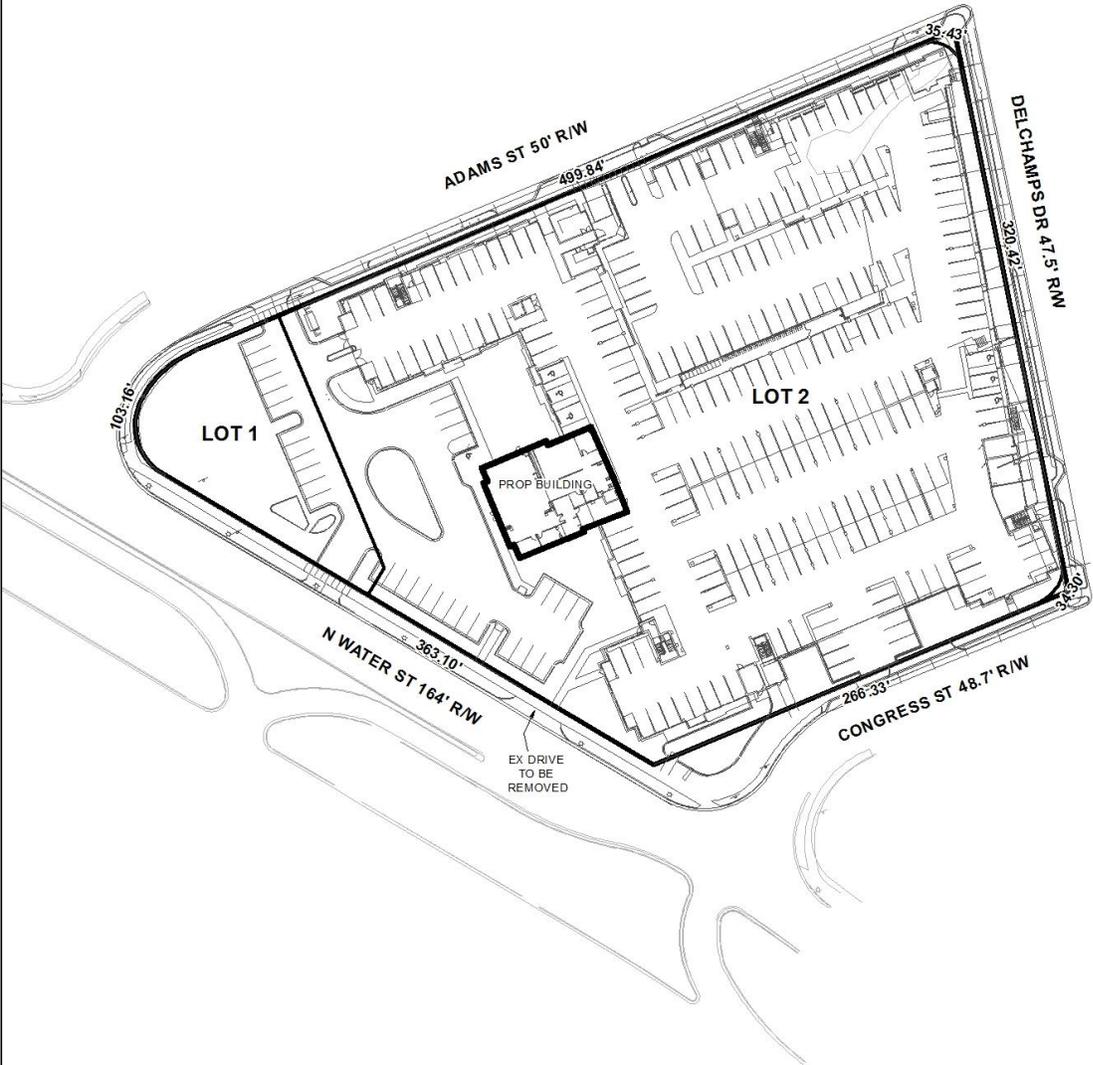
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SITE PLAN



The site plan illustrates the proposed lots, parking, building, and drives.

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