

**PLANNING APPROVAL (HOLDOVER) &
SUBDIVISION STAFF REPORT****Date: October 6, 2011**

<u>NAME</u>	Bay Bank
<u>SUBDIVISION NAME</u>	East Beltline Subdivision
<u>LOCATION</u>	216 East I-65 Service Road North (East side of East I-65 Service Road North, 425'± North of Old Shell Road)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	B-3, Buffer Business District
<u>AREA OF PROPERTY</u>	1 Lot / 0.7± Acre
<u>CONTEMPLATED USE</u>	Planning Approval to allow heavy equipment sales, rental and leasing in a B-3, Community Business District, and Subdivision Approval to create a one-lot subdivision.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	None given.
<u>ENGINEERING COMMENTS</u>	Engineer needs to confirm that detention is provided for all impervious area added since 1984 and shall also certify that any existing detention pond is adequately sized, functional and stable prior to approval of any building permit. Must comply with all storm water and flood control ordinances. Any work performed in the ALDOT ROW will require an ALDOT ROW permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards.
<u>URBAN FORESTRY COMMENTS</u>	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).

Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

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.

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 Planning Approval to allow heavy equipment sales, rental and leasing in a B-3, Community Business District, and Subdivision Approval to create a one-lot subdivision. Planning Approval is required for heavy equipment sales, rental and leasing in B-3 districts.

The site, as described by the submitted legal description, consists of a parcel which is split-zoned B-3, Community Business District, and R-1, Single-Family Residential District. A portion of the existing B-3 on the site was rezoned from R-1 to B-3 in 1979 and consisted of three legal lots of record. The Northern portion of the site consists of a vacated street car railway right-of-way. The Western portion of the vacated right-of-way is zoned B-3; however, the Eastern portion is zoned R-1, and this creates split zoning within the property. Thus, the entire site should be rezoned from B-3 and R-1 to B-3 to eliminate the split zoning. Also, the over-all site should be made one legal lot of record via a one-lot subdivision. Since there may be conditions of approval, if approved, for the required rezoning and subdivision which could require revisions to the submitted site plan, this application is recommended for holdover to the meeting of October 6th to allow the applicant to submit the required rezoning and one-lot subdivision applications to be heard in conjunction with this application.

Access to the rear of the site is shown via two sets of gates, neither of which have the required three-vehicle, 51' queuing space out of the public right-of-way. The site plan should be revised to provide the required vehicle queuing space out of the public right-of-way along the I-65 Service Road.

It should be noted that the submitted site plan does not indicate a dumpster location, landscaping and tree planting plan, or buffering along adjacent residential properties. Also, the existing aggregate surface must either be paved with asphalt, concrete, or an approved alternative paving surface or should be removed and landscaped, or a Surface Variance application should be submitted to the Board of Zoning Adjustment.

RECOMMENDATION

Planning Approval: Based upon the preceding, this request is recommended for Holdover until the October 6th meeting so that applications for Subdivision and Rezoning approvals can be submitted by September 6th, and so that the following revisions can be made:

- 1) revision of the site plan to provide a three-vehicle, 51' queuing space for the two gates along the I-65 Service Road;
- 2) revision of the site plan to include a compliant dumpster location or inclusion of a note on the site plan stating that curbside collection will be utilized;
- 3) revision of the site plan to indicate landscaping and tree compliance;
- 4) revision of the site plan to indicate compliant buffering in areas where the site adjoins residential properties; and
- 5) revision of the site plan to indicate compliant paving on the current aggregate surface or removal and landscaping of the aggregate surface, or submission of a Surface Variance to the Board of Zoning Adjustment to allow the aggregate paving surface.

Revised for the October 6th meeting: This application was heldover at the September 1st meeting so that applications for Subdivision and Rezoning approvals could be submitted by September 6th, and so that the following revisions can be made:

- 1) *revision of the site plan to provide a three-vehicle, 51' queuing space for the two gates along the I-65 Service Road;*
- 2) *revision of the site plan to include a compliant dumpster location or inclusion of a note on the site plan stating that curbside collection will be utilized;*
- 3) *revision of the site plan to indicate landscaping and tree compliance;*
- 4) *revision of the site plan to indicate compliant buffering in areas where the site adjoins residential properties; and*
- 5) *revision of the site plan to indicate compliant paving on the current aggregate surface or removal and landscaping of the aggregate surface, or submission of a Surface Variance to the Board of Zoning Adjustment to allow the aggregate paving surface.*

The applicant has submitted a revised site plan and narrative addressing the above and has also submitted a one-lot subdivision to create a legal lot of record for the site.

As originally submitted, the site included two metes-and-bounds parcels, one on which the building is located, and the other a lay-down yard to the North associated with previous businesses at the site. Since the lay-down yard was a section of abandoned street car railway right-of-way with split-zoning and has always been a separate parcel, it has now been excluded from this application; therefore, the rezoning application is no longer required. The subject site for the revised application has also been a single metes-and-bounds parcel since at least the 1950's.

*The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazards, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. It is very important to note that the Planning Approval review is **site plan specific**; therefore, any future changes to the site plans, as approved, by current or future applicants must be submitted for Planning Approval review.*

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 plat illustrates the proposed one-lot, 0.7± acre subdivision located on the East side of East I-65 Service Road North, 610'± North of Old Shell Road, in Council District 1. The applicant states that the site is served by public water and sewer services. As previously mentioned, the site has been a metes-and-bounds parcel since the 1950's and is considered a legal lot of record. However, since Planning Approval is required to allow the equipment sales, rental, and leasing in a B-3 district, the subdivision application is required as well to formally create a legal lot of record.

The site fronts East I-65 Service Road North, a component of the Major Street Plan with a planned right-of-way of approximately 300'. Current right-of-way width in front of the site varies upward from approximately 330'; therefore, no dedication would be required. As a means of access management, a note should be required on the Final Plat stating that the site is limited to the two existing curb cuts, with the size, location and design to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards. The plat should be revised to illustrate the 25' minimum building setback line along the street frontage on the Final Plat. The plat should also be revised to label the lot with its size in square feet and acres, or a table should be furnished on the Final Plat providing the same information.

As the site is crossed by an Alabama Power Company high tension transmission line easement, a note should be required on the Final Plat stating that no buildings are to be placed within the easement.

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 this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

With regard to the Planning Approval request to allow the equipment sales, rental, and leasing in a B-3 district, the site has been used for a variety of office, retail, wholesale and construction trades, both with and without outside storage. The allowance of equipment sales, rental, and leasing would not be a substantial increase in use over some of the previous uses of the site. Aerial photographs of the site indicate past bleed-over into neighboring properties to the North and East for storage/lay-down areas, portions of which were in R-1, Single-Family Residential districts. The revised site plan and narrative submitted now indicate containment of the proposed use entirely within the existing metes-and-bound parcel containing the building. Compliant buffer fencing along adjacent residential sites to the East is indicated; however, the site plan should be revised to also indicate a minimum 10' vegetative buffer along the rear adjacent to residential properties. Compliant asphalt paving in place of the existing gravel in the rear equipment storage area is also indicated. Non-compliant vehicle queuing areas at the two existing front gates have been eliminated and noncompliant parking in the right-of-way in front has been eliminated via compliant parking planned on-site. The entrance drives at each end of the building are both too narrow to provide two-way access; therefore, the site plan should be revised to indicate a one-way entrance at the South end of the building, and one-way exit at the North end of the building, or revision of the North drive to allow a 24' minimum width

for two-way traffic. The cross-access onto the adjacent property to the North should be eliminated at the Northern drive, also.

The site plan indicates areas for proposed landscaping but no calculations are provided. As there may not be sufficient room in front of the existing building to provide compliant frontage landscaping, and since the Alabama Power Company easement is 92.6' wide, landscaping and tree planting compliance should be coordinated with Urban Forestry. No frontage sidewalk is indicated on the site plan; therefore, the site plan should be revised to indicate a City standard front sidewalk.

RECOMMENDATION

Planning Approval: *Based upon the preceding, this application is recommended for approval, subject to the following conditions:*

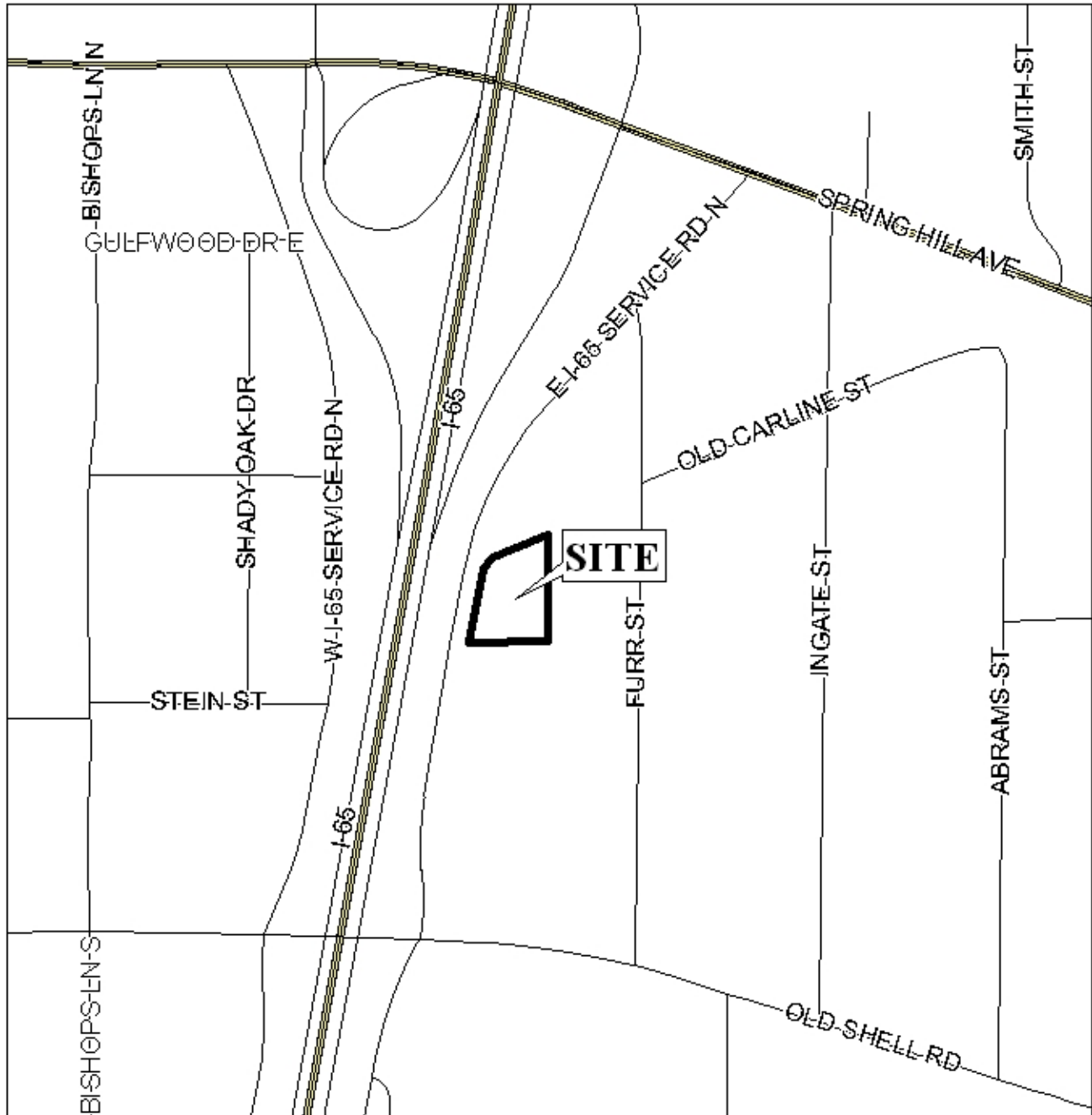
- 1) revision of the site plan to indicate a fence along the North property line, as mentioned in the narrative;*
- 2) revision of the site plan to indicate as much compliance as possible with the landscaping and tree planting requirements, to be coordinated with Urban Forestry;*
- 3) revision of the site plan to provide a 10' minimum vegetative buffer along the rear adjacent to residential properties;*
- 4) revision of the site plan to make the Southern drive a one-way entrance;*
- 5) revision of the site plan to make the Northern drive a one-way exit, or revision of that drive to 24' minimum width to allow for two-way traffic;*
- 6) revision of the site plan to eliminate any cross-access to the adjacent property to the North at the Northern drive;*
- 7) revision of the site plan to indicate a compliant City standard sidewalk along the street frontage;*
- 8) subject to the Engineering comments: (Engineer needs to confirm that detention is provided for all impervious area added since 1984 and shall also certify that any existing detention pond is adequately sized, functional and stable prior to approval of any building permit. Must comply with all storm water and flood control ordinances. Any work performed in the ALDOT ROW will require an ALDOT ROW permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer);*
- 9) furnishing of two copies of a revised site plan to Planning meeting the above conditions of approval prior to signing the Subdivision Final Plat; and*
- 10) completion of the subdivision process.*

Subdivision: *Based on the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:*

- 1) submission of two copies of a revised and approved site plan for the PUD meeting the conditions of approval prior to the signing of the Subdivision Final Plat;*

- 2) *placement of a note on the Final Plat stating that the site is limited to the two existing curb cuts to East I-65 Service Road North, with the size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards;*
- 3) *revision of the plat to illustrate the 25' minimum building setback line on the Final Plat;*
- 4) *revision of the plat to label the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;*
- 5) *placement of a note on the Final Plat stating that no buildings are to be placed within the Alabama Power Company easement;*
- 6) *placement of a note on the Final Plat stating that development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and*
- 7) *subject to the Engineering comments: (Engineer needs to confirm that detention is provided for all impervious area added since 1984 and shall also certify that any existing detention pond is adequately sized, functional and stable prior to approval of any building permit. Must comply with all storm water and flood control ordinances. Any work performed in the ALDOT ROW will require an ALDOT ROW permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer).*

LOCATOR MAP



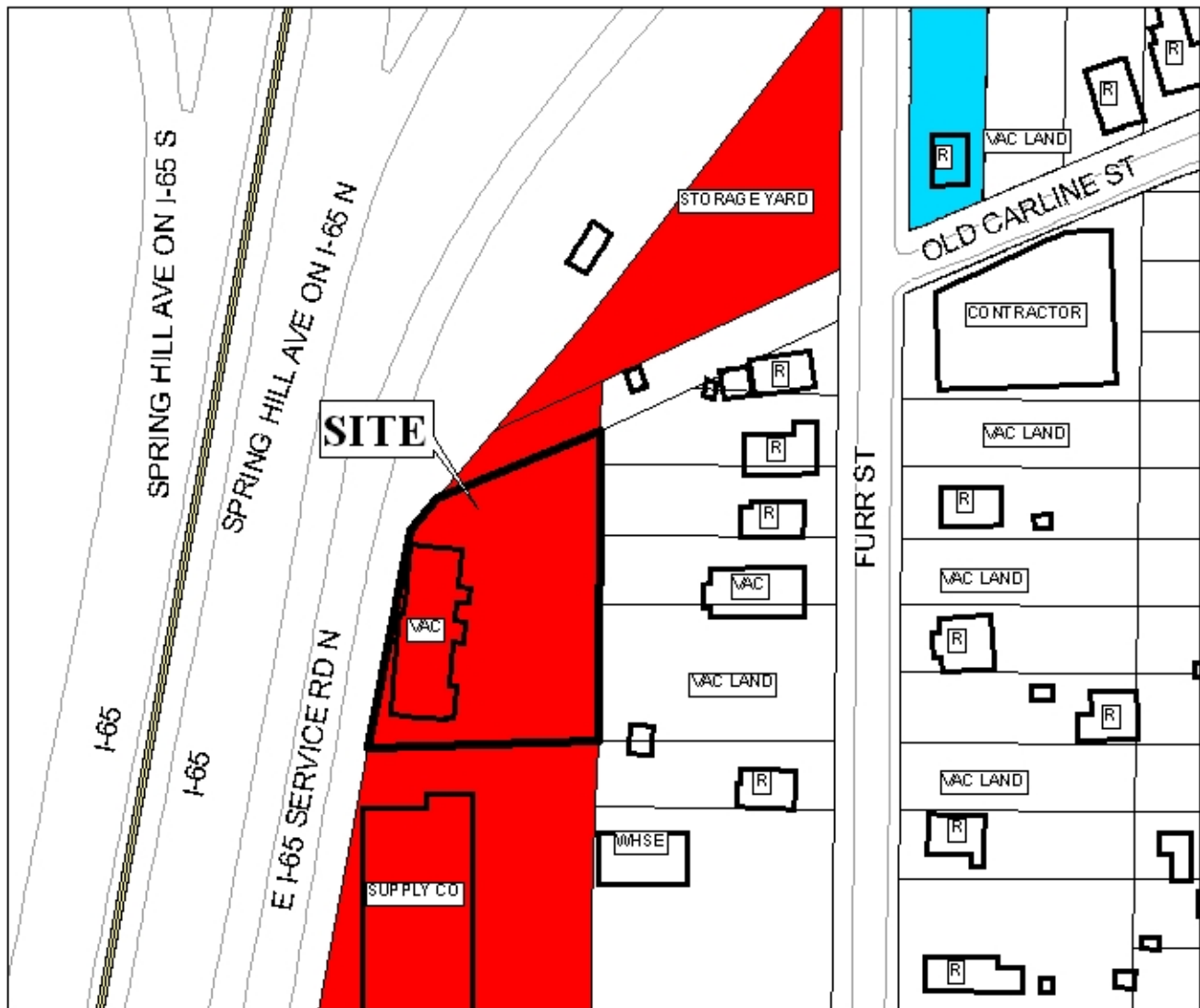
APPLICATION NUMBER 14 & 15 DATE October 6, 2011

APPLICANT Bay Bank

REQUEST Subdivision, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and business land use.

APPLICATION NUMBER 14 & 15 DATE October 6, 2011

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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	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and business land use.

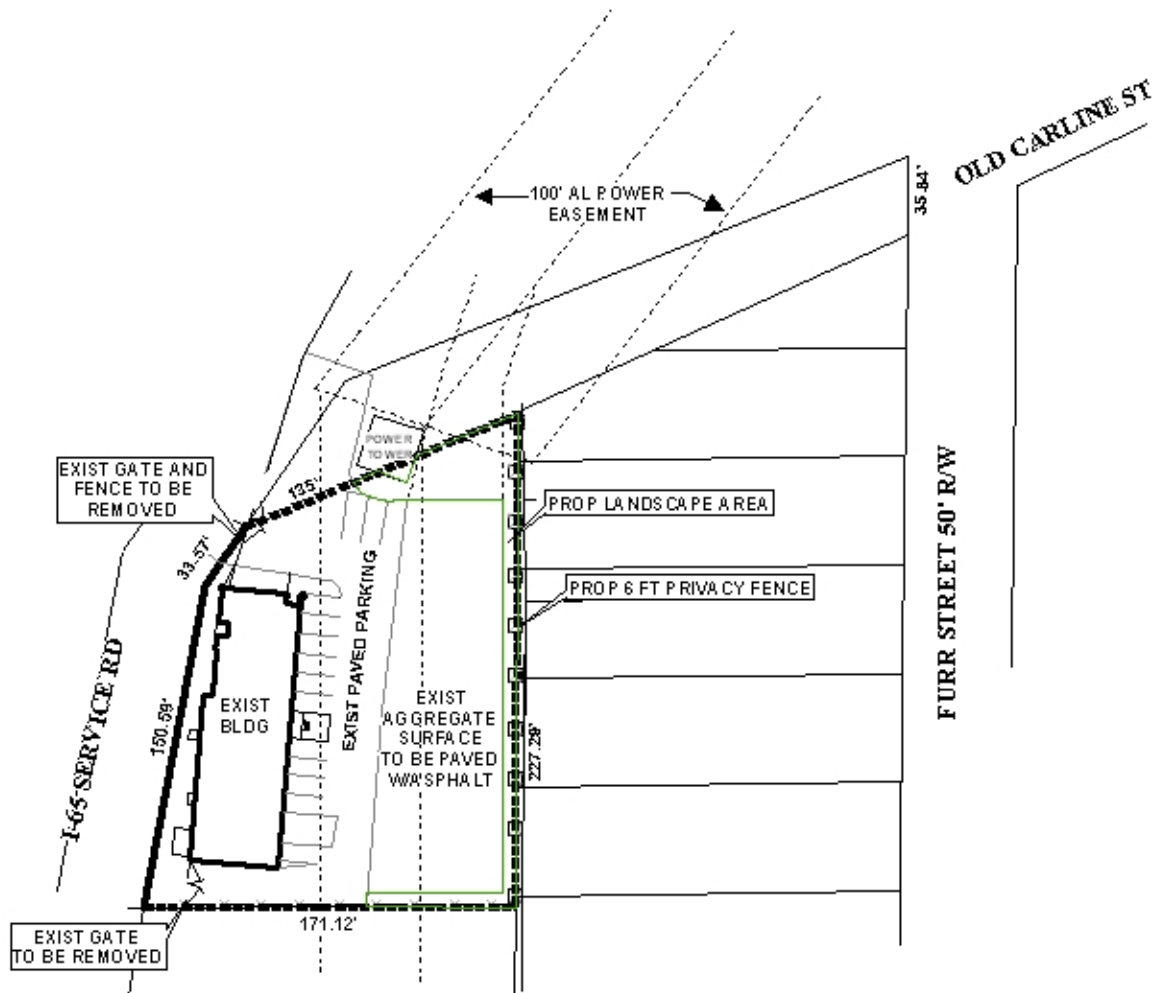
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SITE PLAN



The site plan illustrates the existing and proposed improvements.

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