

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: December 1, 2011****APPLICANT NAME**

Infirmary Health System, Inc.

SUBDIVISION NAME

Midtown Mobile Subdivision, First Addition

LOCATION1729 & 1733 Springhill Avenue
(Southeast corner of Springhill Avenue and Mobile
Infirmary Boulevard)**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

B-1, Buffer Business District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

1 Lot /1.7± Acres

CONTEMPLATED USESubdivision approval to create 1 lot, and Zoning approval
to rezone the site from B-1, Buffer Business District to B-2,
Neighborhood Business District, to allow a pharmacy.**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**Applicant is requesting rezoning of the site because the
subdivision of land into building sites makes
reclassification of the land necessary and desirable, in order
to allow a pharmacy if the proposed subdivision is
approved.**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**ENGINEERING
COMMENTS**Must comply with all storm water and flood control
ordinances, including providing stormwater detention plans and calculations for the proposed
improvements. Any work performed in the existing ROW (rights-of-way) will require a Right of
Way (ROW) permit from the Engineering Department and must comply with all City of Mobile
ROW code and ordinance requirements.

TRAFFIC ENGINEERING**COMMENTS**

The proposed development (14,550 square foot drug store with drive-through pharmacy) meets the threshold to warrant a traffic study. Considering the land use and trip generation of the existing site, the net increase in trips would not warrant a study; therefore, no traffic study will be required. Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT (Springhill Avenue) and conform to AASHTO standards. Both driveways appear to have a conflict with an existing power pole. Driveway on Springhill Avenue should be narrowed to 24 feet since it is right-in, right-out only due to the raised median. The sidewalk along Springhill Avenue is illustrated as existing at the back of the curb, but existing sidewalk is located near the back of the right-of-way. Handicap ramps will be necessary on both sides of the two driveways. Parking stall width is not illustrated on the plan; as measured, 9 feet is acceptable.

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).

Preservation status is to be given to the 48" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

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 1 lot from seven metes and bounds parcels, and Zoning approval to rezone the site from B-1, Buffer Business District, to B-2, Neighborhood Business District, to allow a pharmacy in a proposed commercial subdivision.

The 1.7± acre site is currently developed with a medical office building; however, redevelopment of the site with an approximately 14,550 square feet pharmacy with associated parking is proposed.

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 primarily 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 that subdivision of land into a building site makes reclassification of the land necessary and desirable, and to allow a pharmacy if the proposed subdivision is approved.

As the site abuts B-1 commercial properties to the East, North and South, and B-2 to the West across from Mobile Infirmary Boulevard. The proposed rezoning to B-2 may be justified due to the location at the intersection of a major street and a collector street. Additionally, it could be considered a natural setting to locate a pharmacy within the immediate vicinity of several medical offices and Mobile's largest hospital.

The site plan indicates approximately 61 parking spaces provided, which the minimum requirements of the Zoning Ordinance require 49 parking spaces; however, no information is provided regarding the landscaping percentages or the location or number of the required trees. Detailed information must be provided so that staff can determine if the site meets tree and landscape requirements. Also, the location of all dumpsters with screening should be illustrated on the site plan as well. The site plan illustrates no parking within the 25-foot minimum building setback along Spring Hill Avenue and Mobile Infirmary Boulevard; thereby, providing more than the required landscaping for the entire site. Full compliance with the tree requirements of the Zoning Ordinance would be required as well and given the green space provided, there should be adequate space for the tree plantings. Also, preservation status is to be given to the 48" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

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 proposed lot, as depicted meets the minimum size and street frontage requirements as regulated by Section V.D.2. of the Subdivision Regulations. The area of the lot is depicted in square feet/acres, and the 25-foot minimum building setback lines are also depicted along both frontages and these should be retained on the Final Plat, if approved.

The site is located on the Southeast corner of Mobile Infirmary Boulevard and Springhill Avenue. Mobile Infirmary Boulevard is a minor street, provided with curb and gutter, and is depicted with variable right-of-way. As such, dedication to provide 25-feet from the centerline of Mobile Infirmary Boulevard would be required.. However, Spring Hill Avenue is a major street and as depicted on the preliminary plat has 100-feet right-of-way, which meets the requirements of the Major Street Plan.

Dedication to provide sufficient radius to meet Section V.B.16 of the Subdivision Regulations regarding curb radius at Springhill Avenue/Mobile Infirmary Boulevard.

Mobile Infirmary functions as collector streets and funnels traffic to Mobile Infirmary from Dauphin Street and points south. As such, access management is a concern. The site plan illustrates a Springhill Avenue curb cut along the east property line to allow right-in, right-out only, with the size, design and location, should be approved by Traffic Engineering and ALDOT, conform to AASHTO standards. The Mobile Infirmary Boulevard curb cut is illustrated at the southern most point of access, with the design, size and location to be approved by Traffic Engineering and conform to AASHTO standards.

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:

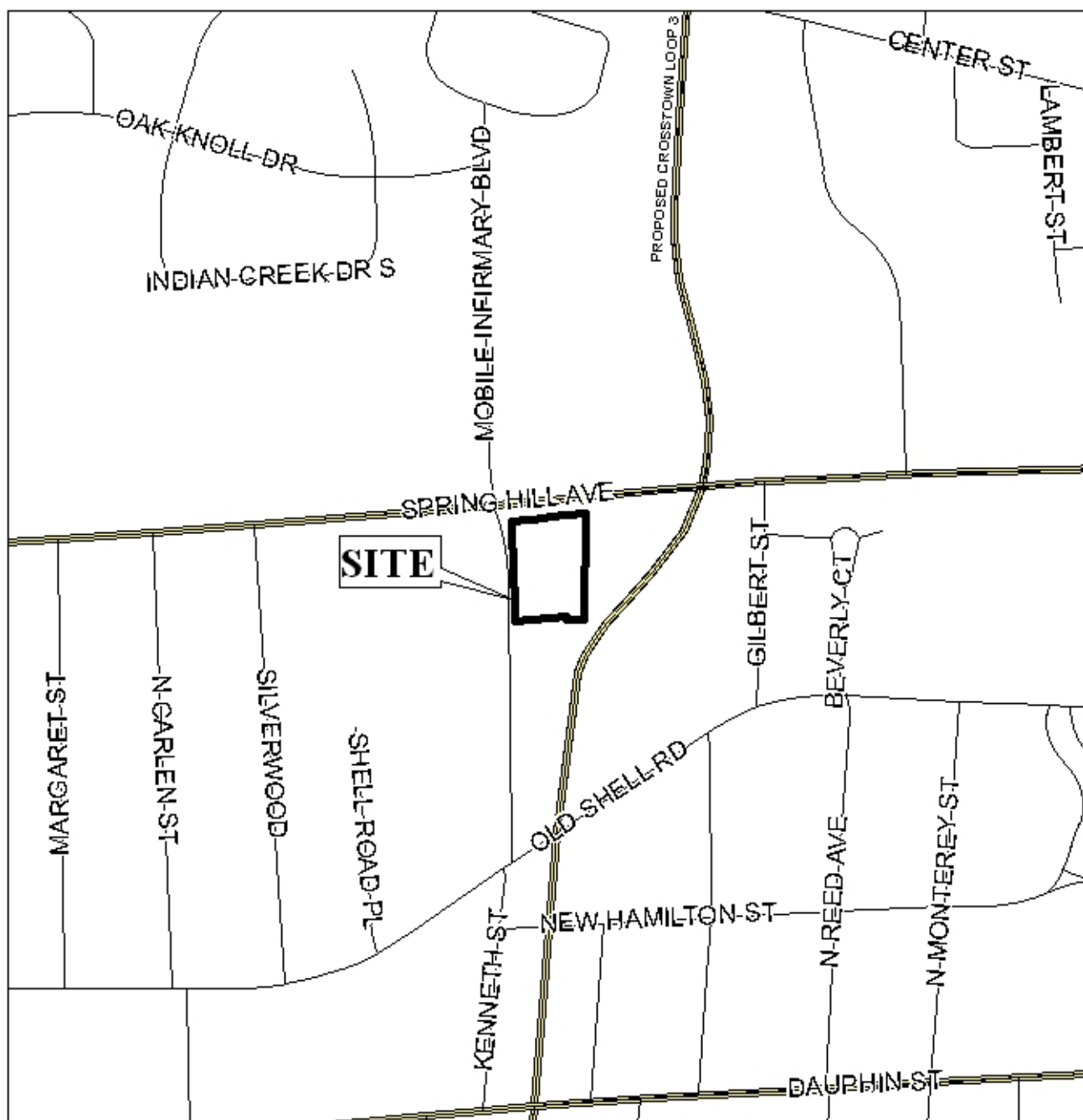
- 1) completion of the subdivision process;
- 2) compliance with the landscaping and tree requirements of the Zoning Ordinance to include (*Preservation status is to be given to the 48" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*); and,
- 3) full compliance with all municipal codes and ordinances.

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

- 1) placement of a note on the plat limiting two curb-cuts to the development, with the size, location, and design to be approved by Traffic Engineering and ALDOT, in conformance to AASHTO standards;
- 2) labeling of the lot with its size in square feet;
- 3) provision of the 25-foot minimum building setback line along Springhill Avenue and Mobile Infirmary Boulevard;
- 4) dedication to provide sufficient radius at the corner of Springhill Avenue/Mobile Infirmary Boulevard to be approved by Traffic Engineering and ALDOT;

- 5) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 6) compliance with Urban Forestry comment (*Preservation status is to be given to the 48" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger*);
- 7) compliance with Engineering comments (*Must comply with all storm water and flood control ordinances, including providing stormwater detention plans and calculations for the proposed improvements. Any work performed in the existing ROW (rights-of-way) will require a Right of Way (ROW) permit from the Engineering Department and must comply with all City of Mobile ROW code and ordinance requirements.*); and,
- 8) completion of the Subdivision process prior to any application for land disturbance or building permits.

LOCATOR MAP



APPLICATION NUMBER 15 & 16 DATE December 1, 2011

APPLICANT Infirmary Health System, Inc.

REQUEST Subdivision, Rezoning from B-1 to B-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A credit union is located to the west of the site. Medical facilities are located to the north and east of the site. A school is located to the south of the site.

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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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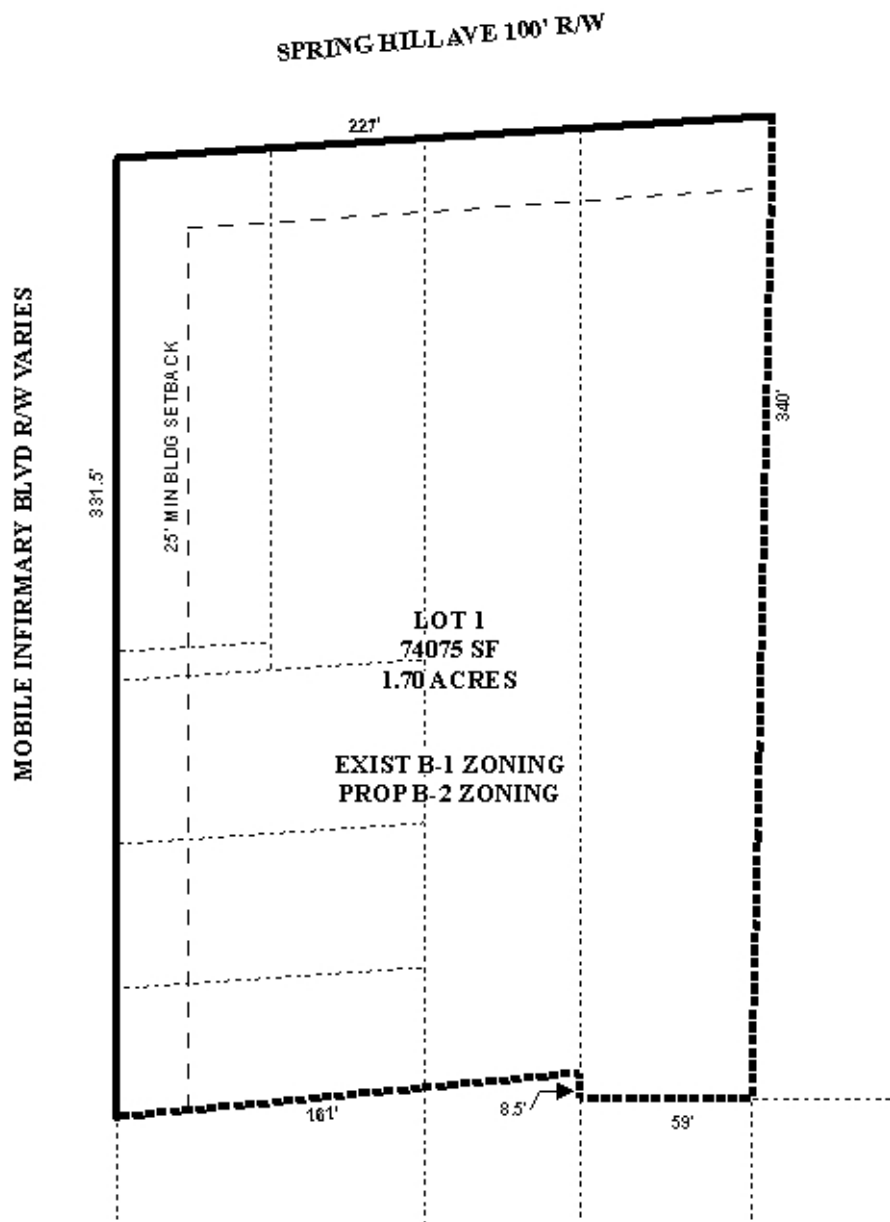
APPLICANT Infirmary Health System, Inc.

REQUEST Subdivision, Rezoning from B-1 to B-2



NTS

SUBDIVISION AND ZONING DETAIL



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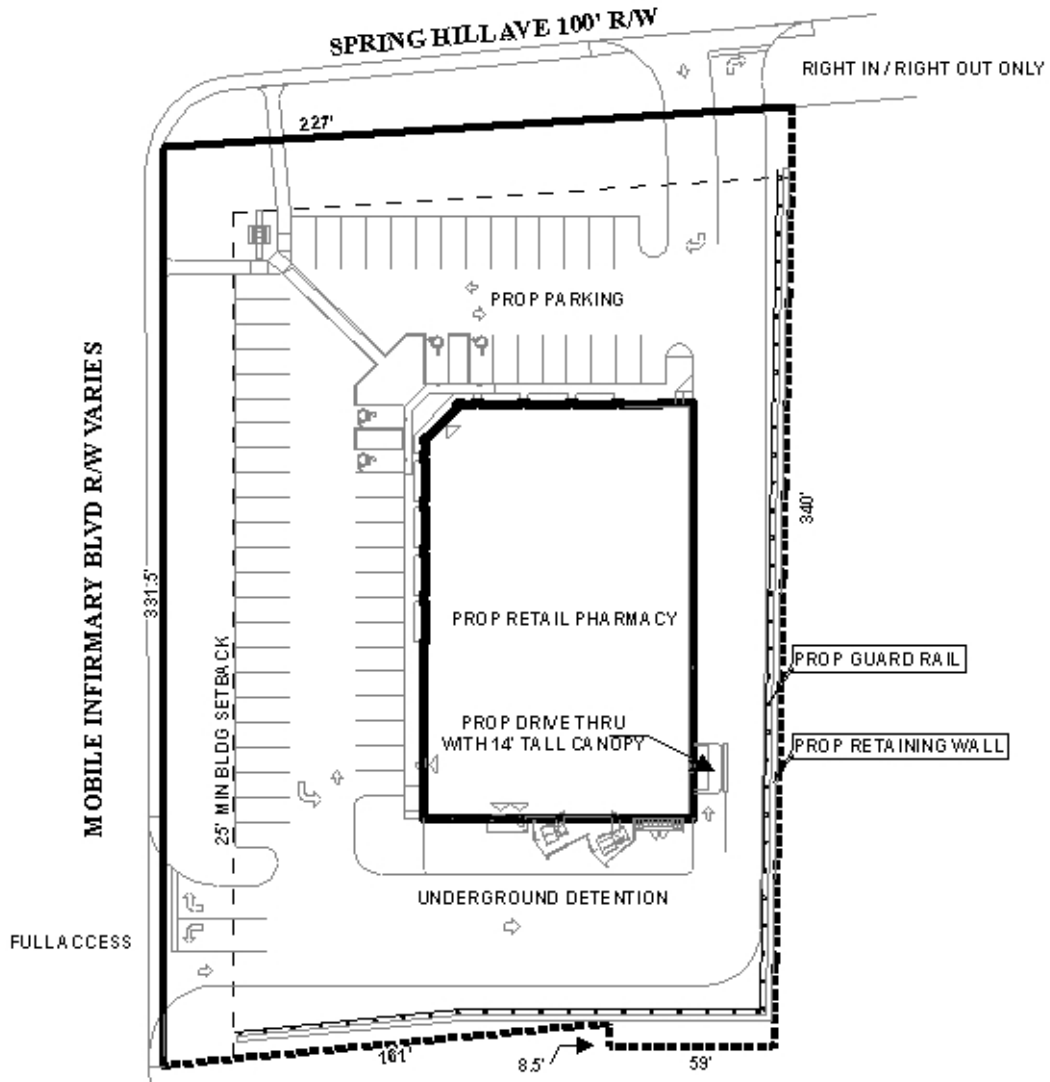
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REQUEST Subdivision, Rezoning from B-1 to B-2



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SITE PLAN



The site plan illustrates the proposed retail pharmacy.

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REQUEST Subdivision, Rezoning from B-1 to B-2

