

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT,  
ZONING AMENDMENT, &  
SIDEWALK WAIVER STAFF REPORT****Date: January 7, 2016****APPLICANT NAME**

Gary D. E. Cowles

**SUBDIVISION NAME**

Coastal Ready Mix Development Subdivision

**DEVELOPMENT NAME**

Coastal Ready Mix Development Subdivision

**LOCATION**

8561 U.S. Highway 90 West  
(North side of Hamilton Boulevard, 2/10± mile East of U.S.  
Highway 90 West, extending to the West terminus of East  
Rite Road)

**CITY COUNCIL  
DISTRICT**

Council District 4

**PRESENT ZONING**

R-A, Residential-Agricultural District

**PROPOSED ZONING**

I-2, Heavy Industry District

**AREA OF PROPERTY**

1 Lot/45.9± Acres

**CONTEMPLATED USE**

Subdivision Approval to create one legal lot of record from three metes-and-bounds parcels; Planned Unit Development to allow multiple buildings on a single building site; Rezoning from R-A, Residential-Agricultural District, to I-2, Heavy Industry District, to allow the construction of a concrete plant; and a Sidewalk Waiver approval to waive construction of sidewalks along Hamilton Boulevard.

**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.**

**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. Provide a Location Map.
- C. Correct the name of the public ROW along the western boundary. There is no "EAST FORE RD" located within City limits.
- D. Show the proposed boundary of the subdivision.
- E. Label all contour lines.
- F. All line work appears to be the same line type and line weight. Provide something different for the proposed subdivision boundary.
- G. Show the location, width, and purpose of existing and proposed easements.
- H. Provide and label the monument set or found at each subdivision corner.
- I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- J. 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.
- K. 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.
- L. 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.
- M. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures.
- N. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

**Planned Unit Development:**

- 1. Due to the proposed subdivision, the site may need to be assigned a different 911 address. Please contact the Engineering Department (208-6216) to discuss the options.
- 2. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for the lot.
- 3. The proposed storage yard will need to be surfaced as required by Mobile City Code, Chapter 64 Section 64-4. Any request for an Alternative Parking Surface shall be approved by the City Engineer and the Director - Urban Development Dept. or receive a Variance from the City Board of Zoning Adjustments.

**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.

**Rezoning:**

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. The application and proposed work shall 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.
3. 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.
4. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**Sidewalk Waiver:**

1. Public ROW labeled East Fore Rd. (East Rite Rd?): It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be permitted through the ROW Permit process.
2. Hamilton Blvd.: It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be permitted through the ROW Permit process.

**TRAFFIC ENGINEERING****COMMENTS**

Site is limited to one curb cut to Hamilton Boulevard, and one curb cut to E Rite Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new 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 Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)

**MAWSS****COMMENTS**

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

**TIME SCHEDULE****FOR DEVELOPMENT**

None provided

**REMARKS**

The applicant is requesting Subdivision Approval to create one legal lot of record from three metes-and-bounds parcels; Planned Unit Development to allow multiple buildings on a single building site; Rezoning from R-A, Residential-Agricultural District, to I-2, Heavy Industry District, to allow the construction of a concrete plant; and a Sidewalk Waiver approval to waive construction of sidewalks along Hamilton Boulevard.

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 applicant proposes to create a single legal lot of record from three metes-and-bounds parcels. The lot size is provided in square feet and acres, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations.

The site has frontages along Hamilton Boulevard and East Rite Road (which is incorrectly labeled as East Fore Road on the preliminary plat). Hamilton Boulevard, a proposed major street on the Major Street Plan, should have a right-of-way of 100'. The preliminary plat illustrates

that the existing right-of-way varies, possibly making dedication to provide 50' from the centerline necessary. East Rite Road, a minor road with ribbon curb and gutter is illustrated as having a compliant right-of-way of 50', making no dedications necessary.

The preliminary plat does not illustrate the 25' minimum building setback along either frontage. If approved, the Final Plat should be revised to illustrate the building setback.

As a means of access management, the site should be limited to one curb cut to Hamilton Boulevard, and one curb cut to East Rite Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

It should be noted that there is a 50' wide Alabama Power easement that runs through the site. If approved, a note should be placed on the Final Plat stating that no structures will be erected in the easement.

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.

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.

While the applicant does not specifically state which of the four conditions exist to justify the rezoning request, however, it would appear that there is a need to increase the number of sites available to business or industry.

The entire site appears to be depicted as partly commercial and partly residential 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. 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 site is bounded to the North by undeveloped property zoned I-1, Light Industry District and R-A, Residential-Agricultural District; to the West by various businesses zoned I-1, Light Industry District; to the South by an undeveloped property zoned I-1, Light Industry District; and to the East, across a railroad right-of-way, by residences and undeveloped property zoned I-1, Light Industry District.

The site plan illustrates the proposed concrete batch plant; an employee parking lot with 30 parking spaces; a 10,000 gallon fuel tank; a “truck parking lot”; and “aggregate storage bins”. The site plan does not provide the square footage of office space nor the amount of warehouse employees to be at the site, therefore it is difficult for staff to determine if the 30 proposed parking spaces will be sufficient.

The site plan does not illustrate proposed tree plantings or provide landscaping data. It should be noted that full compliance with tree and landscaping requirements of the Zoning Ordinance will be required.

The proposed site plan does not indicate a dumpster on the site. If approved, the site plan should be revised to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized.

Because the site does have R-A, Residential Agricultural District to the North of the site, a residential buffer compliant with Section 64- 4.D.1. of the Zoning Ordinance should be provided. The site plan should be revised to reflect this requirement.

Finally, the applicant is requesting the waiver of the sidewalk requirements for Hamilton Boulevard. Their request is justified, in their opinion, due to the area being developed in a primarily industrial manner, there is no pedestrian traffic, and that sidewalks would interfere with existing storm water drainage. While the majority of the adjacent sites are zoned for industrial use, it should be noted that there are residences in the area, making the potential for pedestrians higher than if the site was entirely surrounded by industrial developments.

It should be pointed out that the Mobile City Council adopted a “complete streets” policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians, transit riders and cyclists.

There appears to be sufficient room along both East Rite Road and Hamilton Boulevard within the right-of-way, or within the property, for the construction of a sidewalk. However, the Planning Commission approved a similar sidewalk waiver request in 2013 for site adjacent to the West along East Rite Road, and approved a sidewalk waiver for a site 170'± West of the subject site until such time as building footprints are cumulatively increased or decreased by 50%, then a sidewalk will be required along Hamilton Boulevard.

**RECOMMENDATION**

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

- 1) illustration of dedication, if necessary, to provide 50' from the centerline of Hamilton Boulevard;
- 2) correctly label "East Rite Road";
- 3) retention of the lot sizes in square feet and acres;
- 4) illustration of the 25' minimum building setback line along both frontages;
- 5) placement of a note stating that no structures will be erected in any easement;
- 6) placement of a note on the site plan stating that the lot is limited to one curb cut to Hamilton Boulevard, and one curb cut to East Rite Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 7) full compliance with the Traffic Engineering comments (*Site is limited to one curb cut to Hamilton Boulevard, and one curb cut to E Rite Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);
- 8) full compliance with 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. Provide a Location Map. C. Correct the name of the public ROW along the western boundary. There is no "EAST FORE RD" located within City limits. D. Show the proposed boundary of the subdivision. E. Label all contour lines. E. All line work appears to be the same line type and line weight. Provide something different for the proposed subdivision boundary. F. Show the location, width, and purpose of existing and proposed easements. G. Provide and label the monument set or found at each subdivision corner. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. 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. J. 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. K. 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. L. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.*);

- 9) 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); and*
- 10) provision of two copies of the revised site plan to the Planned Unit Development to the Planning and Zoning Department prior to the signing of the Final Plat.

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

- 1) correctly label "East Rite Road";
- 2) revision of the site plan to indicate the square footage of office space to be provided on site as well as the number of warehouse employees and provision of parking calculations on the site plan per info provided;
- 3) revision of the site plan to indicate that the site will provide full compliance with landscaping and tree planting requirements of the Zoning Ordinance;
- 4) revision of the site plan to illustrate a residential buffer compliant with Section 64- 4.D.1. of the Zoning Ordinance to the North of the site;
- 5) revision of the site plan to indicate either a dumpster connected to sanitary sewer and an enclosure in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note stating that curb-side pickup will be utilized;
- 6) compliance with Engineering Department comments (*1. Due to the proposed subdivision, the site may need to be assigned a different 911 address. Please contact the Engineering Department (208-6216) to discuss the options. 2. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for the lot. 3. The proposed storage yard will need to be surfaced as required by Mobile City Code, Chapter 64 Section 64-4. Any request for an Alternative Parking Surface shall be approved by the City Engineer and the Director - Urban Development Dept. or receive a Variance from the City Board of Zoning Adjustments. 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.);*

- 7) full compliance with the Traffic Engineering comments (*Site is limited to one curb cut to Hamilton Boulevard, and one curb cut to E Rite Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 8) 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); and*
- 9) provision of two copies of the revised site plan to the Planned Unit Development to the Planning and Zoning Department prior to the signing of the Final Plat.

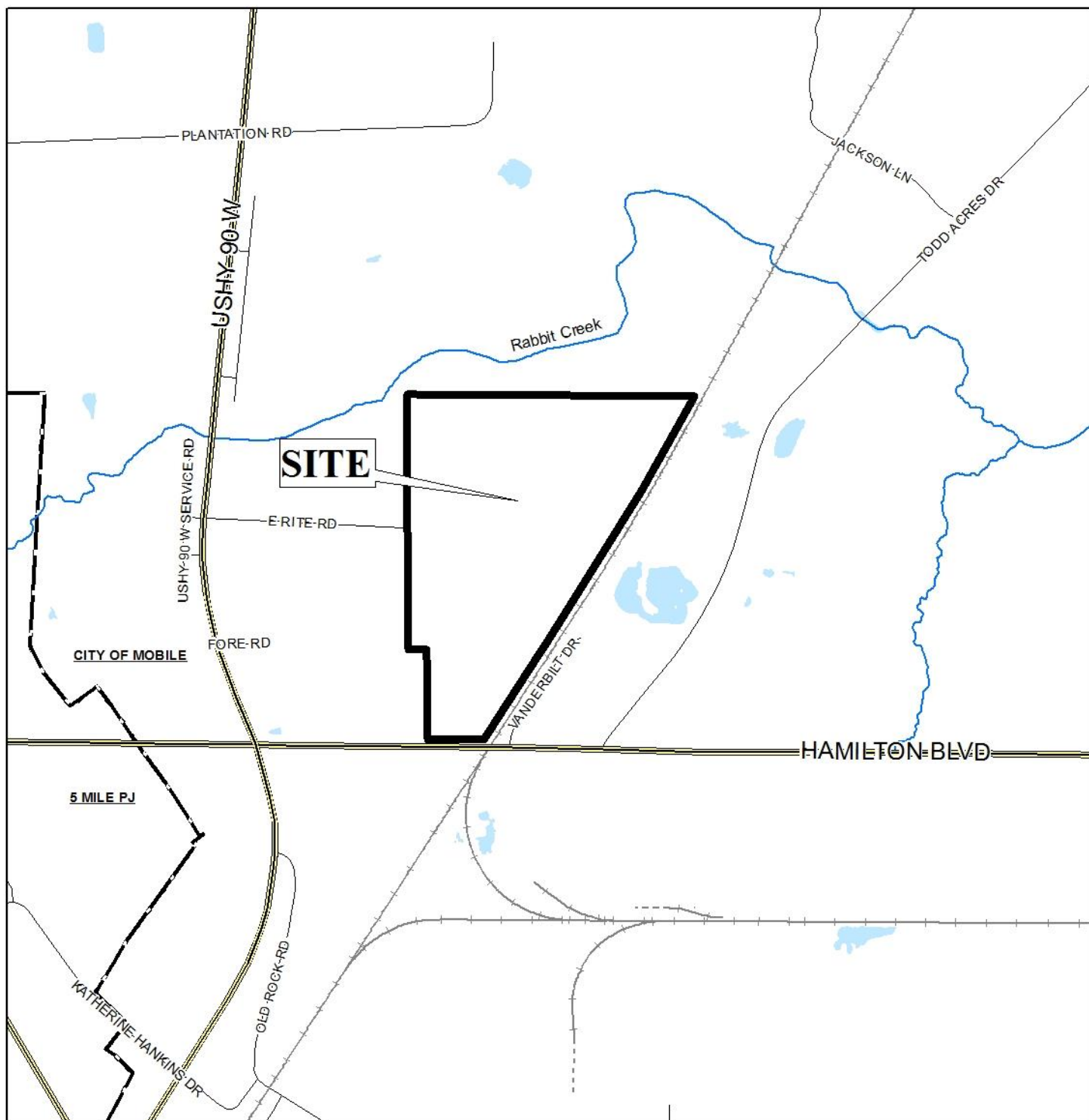
**Rezoning:** Based upon the preceding, the application is recommended for Approval, subject to the following:

- 1) limited to an approved Planned Unit Development;
- 2) completion of the Subdivision process; and
- 3) full compliance with all municipal codes and ordinances.

**Sidewalk Waiver:** Based upon the preceding, the application is recommended for Denial due to the following:

- 1) there is sufficient room along both East Rite Road and Hamilton Boulevard within the right-of-way, or within the property, for the construction of a sidewalk

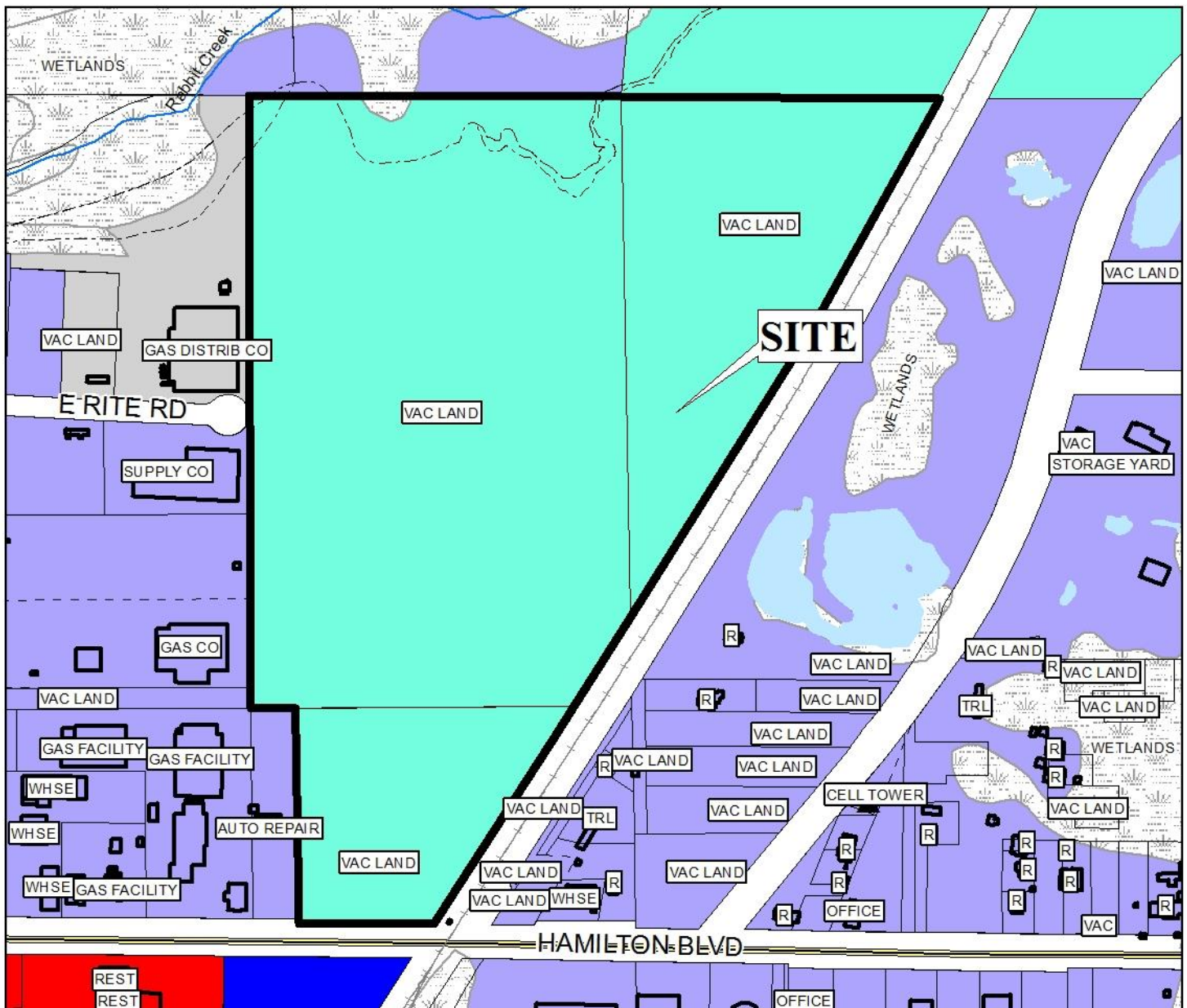
# LOCATOR MAP



APPLICATION NUMBER 15 DATE January 7, 2016  
APPLICANT Coastal Ready Mix Development  
REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units.

APPLICATION NUMBER 15 DATE January 7, 2016

APPLICANT Coastal Ready Mix Development

REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver

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



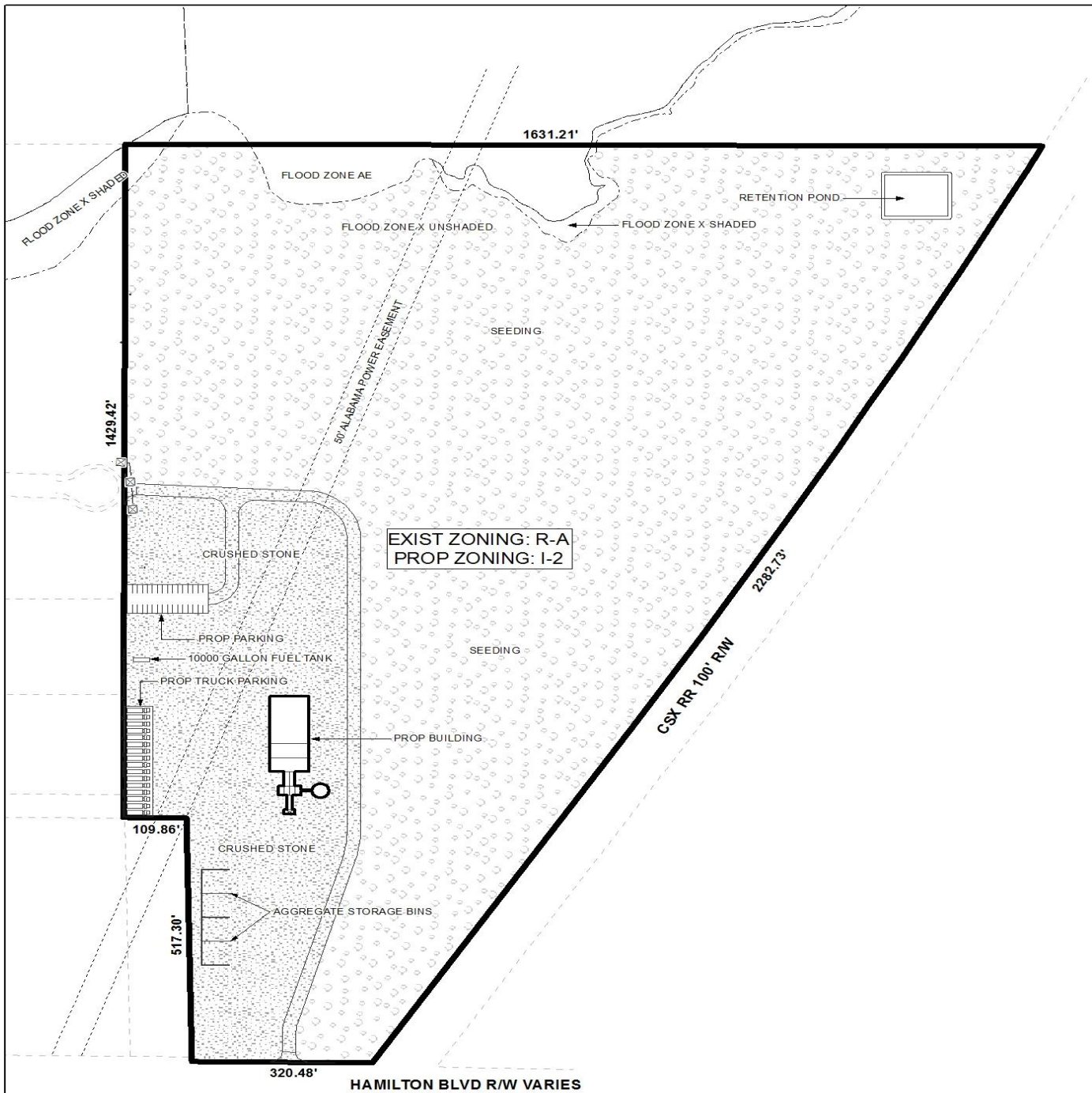
The site is surrounded by industrial units.

APPLICATION NUMBER 15 DATE January 7, 2016  
 APPLICANT Coastal Ready Mix Development  
 REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver





# SITE PLAN



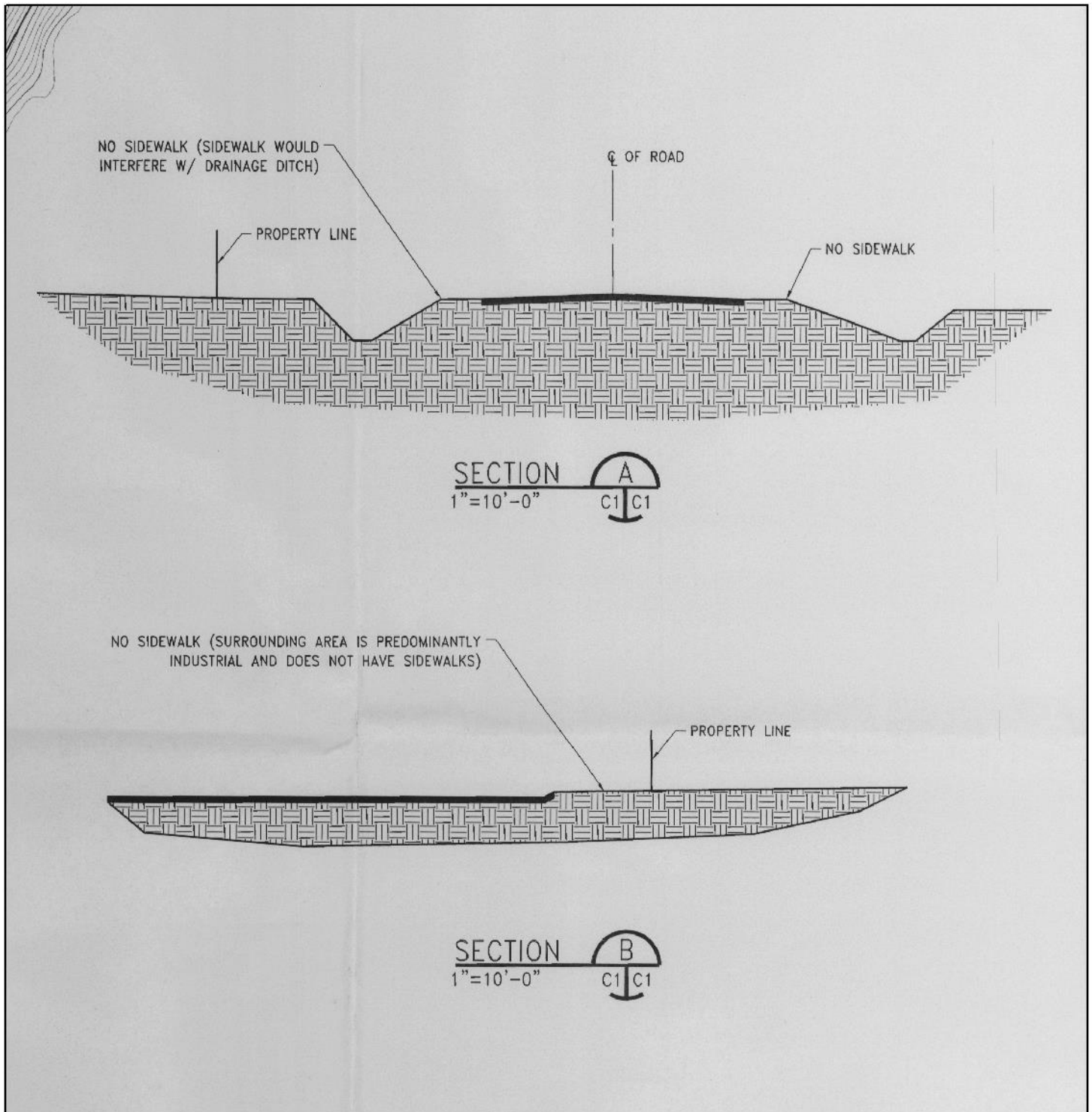
The site plan illustrates the proposed building, proposed parking facilities, easements, and retention pond.

APPLICATION NUMBER 15 DATE January 7, 2016  
 APPLICANT Coastal Ready Mix Development  
 REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver



NTS

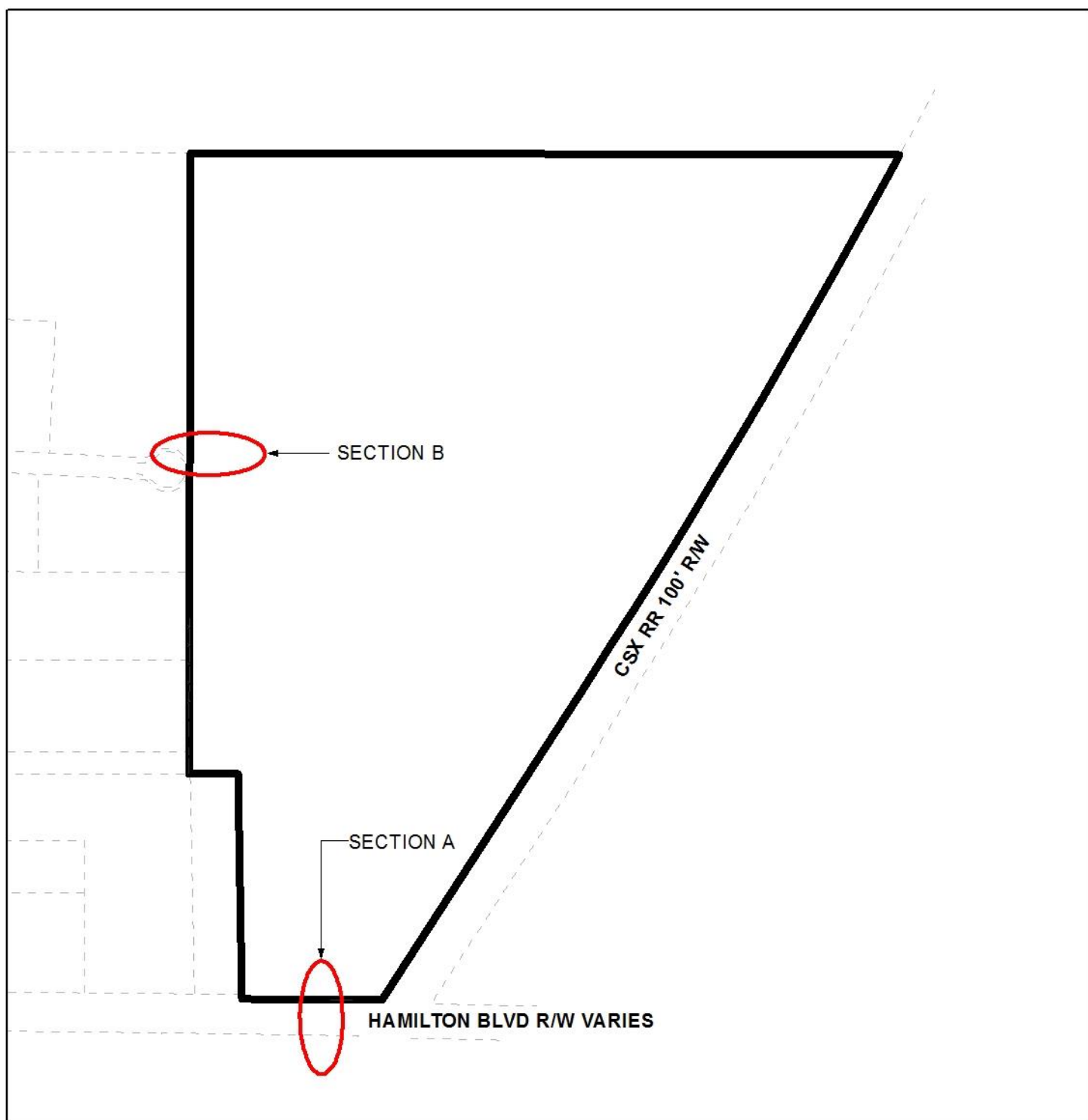
# DETAIL SITE PLAN



APPLICATION NUMBER 15 DATE January 7, 2016  
APPLICANT Coastal Ready Mix Development  
REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver



# DETAIL SITE PLAN



APPLICATION NUMBER 15 DATE January 7, 2016  
APPLICANT Coastal Ready Mix Development  
REQUEST Subdivision, PUD, Planning Approval, Rezoning from R-A to I-2, Sidewalk Waiver

