

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

**Date: November 5, 2015**

|                                     |   |
|-------------------------------------|---|
| <b><u>NAME</u></b>                  | Storage Partners Subdivision  |
| <b><u>SUBDIVISION NAME</u></b>      | Storage Partners Subdivision  |
| <b><u>LOCATION</u></b>              | 5004 & 5010 Moffett Road and 1601 Gash Lane<br>(North side of Moffett Service Road, 170'± West of Gash Lane)  |
| <b><u>CITY COUNCIL DISTRICT</u></b> | District 1  |
| <b><u>PRESENT ZONING</u></b>        | R-1, Single-Family Residential and<br>B-3, Community-Business District  |
| <b><u>PROPOSED ZONING</u></b>       | B-3, Community-Business District  |
| <b><u>REASON FOR REZONING</u></b>   | There is an increased need for the proposed type of business, and in order for it to be compliant with the Zoning Ordinance.  |
| <b><u>AREA OF PROPERTY</u></b>      | 1 Lot / 5.0 ± Acres Subdivision and Zoning<br>2 Lots / 13.4 ± Acres PUD   |
| <b><u>CONTEMPLATED USE</u></b>      | Subdivision approval to create 1 lot, Planned Unit Development Approval to allow shared access between two building sites, and Rezoning from R-1, Single-Family Residential to B-3, Community-Business District, to allow a self-storage facility.<br><b>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.</b> |
| <b><u>TIME SCHEDULE</u></b>         | The anticipated construction deadline is March 2016 to March 2017.  |

## **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. Add Gash Lane to the vicinity map.
- C. Review and revise the written legal description to include a written bearing and distance near Lot 6.
- D. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- E. Show and label each and every Right-Of-Way and easement. Including the centerline of Gash Lane.
- F. Provide the 2' contours and existing drainage conditions as required.
- G. Provide and label the monument set or found at each subdivision corner.
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- I. Provide the Surveyor's Certificate and Signature.
- J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- K. The area along the south property line appears to be receiving drainage from an existing, offsite detention pond. A drainage easement should be placed on the proposed LOT.
- L. 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.
- M. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo the Lot will not receive any historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control).
- N. 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.
- O. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures.
- P. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

### **Planned Unit Development**

1. Due to the location and number of proposed buildings on the proposed LOT the applicant will need to contact the Engineering Technician at 208-7135 to discuss the options for addressing prior to submitting any building or site development plans.

**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 cut, 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)

**REMARKS**

The applicant is requesting Subdivision approval to create 1 lot, Planned Unit Development Approval to allow shared access between two building sites, and Rezoning from R-1, Single-Family Residential to B-3, Community-Business District, to allow a self-storage facility. Self-storage facilities are allowed by right in B-3 Districts.

The applicant owns the existing storage site to the South and would like to expand onto adjacent property. The property in question is residentially-zoned, and is not a legal lot. Also, due to the fact that the proposed expansion would require cross access through the existing storage development and due to the fact that both sites will contain multiple buildings on multiple lots, a Planned Unit Development application is required. The existing Planned Unit Development was approved by the Planning Commission at its November 18, 2004 meeting.

The site is bounded to the East, North and West by single-family residences and vacant land in an R-1 district, and to the South by an existing storage facility in a B-3 district.

The entire site appears to be depicted as 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.

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.

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.

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 Subdivision and Rezoning site has frontage onto Gash Lane, a primarily unimproved public right-of-way with a substandard width. The preliminary plat shows a "15 foot strip reserved for roadway," but dedication sufficient to provide 25-feet from centerline should be required, as was required for the abutting Subdivision to the South in 2002. The proposed lot should be denied

access to Gash Lane. Once Gash Lane is improved to city standards, a new Subdivision application (and PUD application if necessary) can be submitted to request access to Gash Lane, if desired.

The 25-foot minimum building setback line is not shown on the preliminary plat nor the PUD site plan. Both the plat and the site plan should be revised to depict the minimum building setback line, adjusted for any required dedication along Gash Lane.

The size of the proposed lot is not indicated in square feet or acres on the preliminary plat or the site plan. Both the plat and the site plan should be revised to indicate the lot size(s) in square feet and acres, adjusted for any required dedication.

While Gash Lane is either unopened or unimproved adjacent to the new development site, the storage site directly to the South of the proposed lot was required to go through the sidewalk waiver process. A sidewalk will be required along Gash Lane if it is ever improved to be accessible along the proposed lot, or a sidewalk waiver request must be submitted for consideration by the Planning Commission.

Regarding the rezoning request, the applicant states that the rezoning is necessary due to an increased need for the proposed type of business. There has been an increase in the number of requests submitted to the Planning Commission for new self-storage facilities throughout other parts of the city in recent years, thus it would appear that the need for such facilities does exist.

The site plan provided with the application depicts the access easement through the existing storage facility, and three new storage buildings on the site to be developed. Two 7,500 square foot buildings and one 10,000 square foot building are proposed, as is a 40,000  $\pm$  square foot boat and RV storage area. A note on the site plan indicates that approximately 2 acres of the new site will remain undeveloped and wooded.

Paved access to the new storage buildings is shown on the plan. It is unclear, however, if the proposed boat and RV storage area will be paved or will be surfaced with aggregate material. If an aggregate material is proposed, a surface variance request may be required: any access for a fire apparatus may require a paved surface.

The site to be developed will have a sufficient amount of total landscape area, but the amount of frontage landscape area is "to be determined." Frontage landscape area and frontage trees would be required along the 439 feet of new Gash Lane frontage. The existing wooded area that will be left intact may be sufficient to address all other tree and landscape requirements, however, sufficient existing trees must be identified to document compliance. Any plans submitted for land disturbance relating to new construction must depict compliance with the tree and landscaping requirements of the Zoning Ordinance.

No dumpsters are depicted on the site plan. Any new dumpsters must be provided in compliance with Section 64-4.D.9. of the Zoning Ordinance.

Any new lighting on the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and possibly 64-6.A.8. of the Zoning Ordinance. The use of "full cutoff" fixtures is encouraged in order to minimize the spillage of light onto adjacent residential properties.

The previously approved PUD required the “*provision of a 25’ buffer strip along Gash Lane, as well as a 10’ buffer, to be left in a natural vegetative state (with in-fill plantings as necessary) and an 8’ privacy fence, adjacent to the residential lot on the West side of Gash Lane.*” This condition should also be applied to the expanded PUD.

Finally, a 10-foot wide residential protection buffer and fence or vegetative strip must be provided where the newly developed portions of the site abuts residential properties.

## **RECOMMENDATION**

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

- 1) Dedication sufficient to provide 25-feet from the centerline of Gash Lane;
- 2) Depiction and labeling of the 25-foot minimum building setback line, reflecting any required dedication;
- 3) Labeling of the lot size in square feet and acres, adjusted for any required dedication;
- 4) Placement of a note on the final plat stating that the lot is denied access to Gash Lane;
- 5) If Gash Lane is improved to city standards, access to Gash Lane may be requested via a new Subdivision application (and PUD application, if necessary);
- 6) 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. Add Gash Lane to the vicinity map. C. Review and revise the written legal description to include a written bearing and distance near Lot 6. D. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. E. Show and label each and every Right-Of-Way and easement. Including the centerline of Gash Lane. F. Provide the 2’ contours and existing drainage conditions as required. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor’s Certificate and Signature. J. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. K. The area along the south property line appears to be receiving drainage from an existing, offsite detention pond. A drainage easement should be placed on the proposed LOT. L. 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. M. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo the Lot will not receive any historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). N. 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. O. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining

- any signatures. P. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);
- 7) Compliance with Traffic Engineering comments (Site is limited to its existing curb cut, 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 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).);
  - 9) 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC));
  - 10) Provision of a sidewalk along Gash Lane, if it is ever improved to be accessible along the proposed lot, or submission of a sidewalk waiver request for consideration by the Planning Commission; and
  - 11) Provision of a revised PUD site plan prior to the signing of the final plat and prior to any request for land disturbance permits relating to new construction.

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

- 1) Dedication sufficient to provide 25-feet from the centerline of Gash Lane for the new lot;
- 2) Depiction and labeling of the 25-foot minimum building setback line, reflecting any required dedication for the entire PUD site;
- 3) Labeling of the lot sizes in square feet and acres, adjusted for any required dedication;
- 4) Placement of a note on the site plan stating that the PUD site is denied access to Gash Lane;
- 5) If Gash Lane is improved to city standards, access to Gash Lane may be requested via a new Subdivision application and PUD application;
- 6) Depiction and provision of a 25' buffer strip along Gash Lane, as well as a 10' buffer, to be left in a natural vegetative state (with in-fill plantings as necessary) and an 8' privacy fence, adjacent to the residential lot on the West side of Gash Lane;
- 7) Compliance with Engineering comments (1. Due to the location and number of proposed buildings on the proposed LOT the applicant will need to contact the Engineering Technician at 208-7135 to discuss the options for addressing prior to submitting any building or site development plans. 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.);

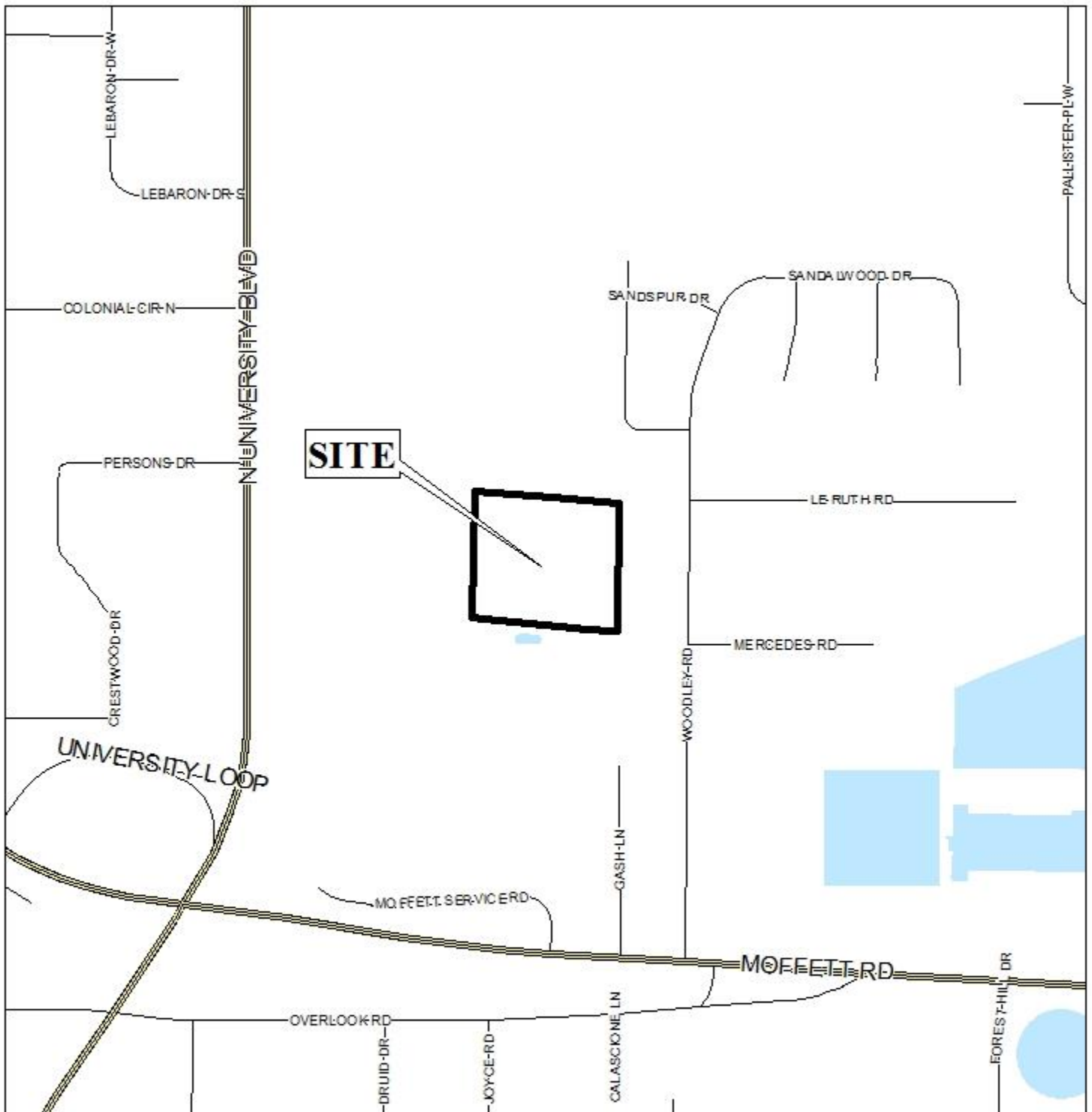
- 8) Compliance with Traffic Engineering comments (Site is limited to its existing curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 9) 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 61-929 and City Code Chapters 57 and 64).);
- 10) 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC));
- 11) Any new dumpsters placed on the site must comply with Section 64-4.D.9. of the Zoning Ordinance;
- 12) Any new lighting on the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and possibly 64-6.A.8. of the Zoning Ordinance, and the use of "full cutoff" fixtures is encouraged;
- 13) Depiction and provision of a 10-foot wide residential protection buffer and fence or vegetative strip where the developed portions of the site abuts residential properties
- 14) That portion of the PUD site undergoing new construction to fully comply with the tree and landscaping requirements of the Zoning Ordinance;
- 15) The boat and RV storage area to be paved in asphalt or concrete, or surfacing variance to be obtained if aggregate surfacing is desired; and
- 16) Provision of a revised PUD site plan prior to the signing of the final plat and prior to any request for land disturbance permits relating to new construction.

**Rezoning:** The rezoning request are recommended is recommended for Approval, subject to the following conditions:

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



# LOCATOR MAP



APPLICATION NUMBER 15 DATE November 5, 2015

APPLICANT Storage Partners Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the south and residential units to the east.

APPLICATION NUMBER 15 DATE November 5, 2015

APPLICANT Storage Partners Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3

|     |     |      |     |     |      |       |      |
|-----|-----|------|-----|-----|------|-------|------|
| 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 commercial units to the south and residential units to the east.

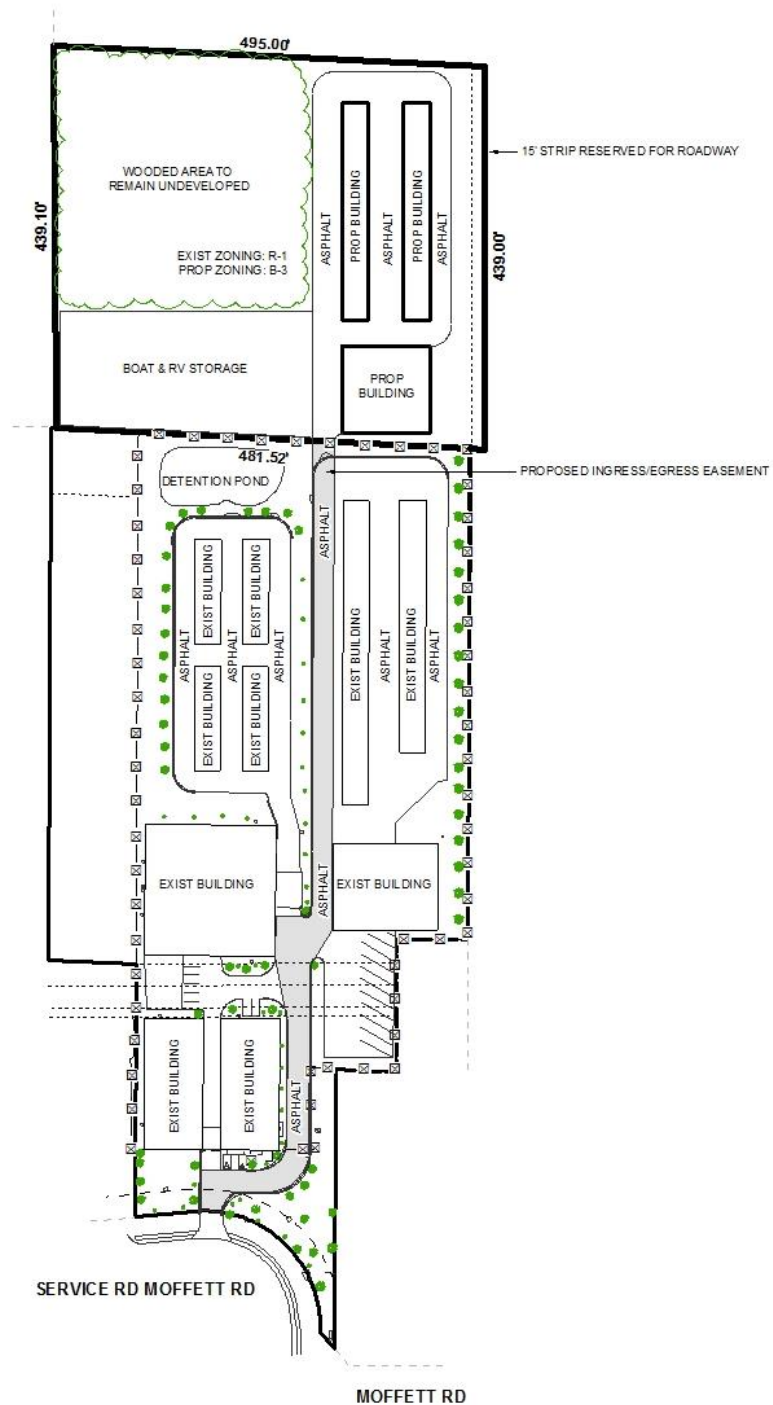
APPLICATION NUMBER 15 DATE November 5, 2015

APPLICANT Storage Partners Subdivision

REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



# SITE PLAN



The site plan illustrates

APPLICATION NUMBER 15 DATE November 5, 2015  
 APPLICANT Storage Partners Subdivision  
 REQUEST Subdivision, PUD, Rezoning from R-1 to B-3



NTS