

**SUBDIVISION
PLANNED UNIT DEVELOPMENT,
ZONING AMENDMENT,
& SIDEWALK WAIVER STAFF REPORT****Date: October 19, 2017****NAME**

Dennis D. McLeod

SUBDIVISION NAME

Coast Safe & Lock Subdivision

LOCATION

451 & 457 Dauphin Island Parkway, 1965 & 1967 Antoine Street and 1968 Duncan Street
(Southeast corner of Dauphin Island Parkway and Antoine Street, extending to the North side of Duncan Street, 150'± East of Dauphin Island Parkway)

**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

R-1, Single-Family Residential District, B-1, Buffer-Business District, and B-3, Community Business District

PROPOSED ZONING

B-3, Community Business District

**REASON FOR
REZONING**

To reflect the current use of the property.

AREA OF PROPERTY

1 Lot / 0.8 ± Acres (Subdivision and Zoning)
3 Lots / 1.1 ± Acres (Planned Unit Development)

CONTEMPLATED USE

Subdivision approval to create 1 lot, Planned Unit Development Approval to allow multiple existing buildings on a single building site along with shared access and parking between multiple building sites, Rezoning R-1, Single-Family Residential District, B-1, Buffer-Business District, and B-3, Community Business District, to B-3, Community Business District, to accommodate an existing locksmith business and eliminate split zoning, and request to waive construction of a sidewalk along Antoine Street.
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.

TIME SCHEDULE

Improvements to be undertaken within 6 months of approval.

**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. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northwest corner of LOT A to the City of Mobile, and list the amount of dedicated acreage.
- C. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- D. Provide the Surveyor's Certificate and Signature.
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #75) LOT A will have historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount that LOT A will receive prior to the submittal of the Final Plat from review and signatures.
- G. 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.
- H. 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.
- I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- J. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- K. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- L. 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.

Planning Unit Development and Zoning

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.

Sidewalk Waiver

It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process. The PUD site plan also indicates some existing sidewalk within the ROW. The Owner's engineer should coordinate with the ENG Department prior to submitting a Land Disturbance or ROW permit. The City Engineer may waive the requirement if an adequate path cannot be located.

TRAFFIC ENGINEERING**COMMENTS**

Dauphin Island Parkway (AL Highway 163) is an ALDOT maintained roadway. Site is limited to no more than its existing curb cut, with any changes in size, location and design to be approved by ALDOT (where applicable) and 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 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)

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 multiple existing buildings on a single building site along with shared access and parking between multiple building sites, Rezoning R-1, Single-Family Residential District, B-1, Buffer-Business District, and B-3, Community Business District, to B-3, Community Business District, to accommodate an existing locksmith business and eliminate split zoning, and request to waive construction of a sidewalk along Antoine Street.

The purpose of this application is to allow an existing business to continue to utilize properties it has acquired and placed into commercial use, as well as to bring the main portion of the site into a single conforming zoning district on a legal lot of record.

The site is bounded to the north by commercial and institutional uses in a B-3 district, to the east by residences in an R-1 district, and to the south and west by residential and commercial uses in B-1, B-3, and R-1 districts.

The site has frontage onto three streets: Dauphin Island Parkway, Antoine Street and Duncan Street. Both Dauphin Island Parkway and Duncan Streets have adequate width rights-of-way, however, Antoine Street only has a 40-foot wide right-of-way, according to the submitted preliminary plat. Also it should be noted that Dauphin Island Parkway is an ALDOT regulated facility.

The site appears to be split between a “Traditional Corridor” development area along Dauphin Island Parkway, and a “Mixed Density Residential” development area along Antoine and Duncan Streets, 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.

The Traditional Corridor land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City’s traditional neighborhoods (equivalent to Map for Mobile’s Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), Traditional Corridor designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.

The Mixed Density Residential designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map 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, where applicable, the 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.

Please note that a Planned Unit Development approval by the Planning Commission expires after one year if no permits are 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 applicant initially began with the property located at 457 Dauphin Island Parkway. In April 2005, the applicant acquired 1968 Duncan Street (a residence in an R-1 district), and subsequently extended aggregate surfacing and commercial parking onto the rear of the property by 2006. In December 2012, the applicant acquired 1967 Antoine Street (a non-conforming commercial property in an R-1 district) and 1965 Antoine Street (a residence in an R-1 district), and was using and crossing through the non-conforming commercial property by 2014. Finally, the applicant acquired 451 Dauphin Island Parkway in December 2013, and subsequently demolished one of the two buildings on the property (with permits in 2015), and substantially renovated the remaining building (with permits in 2015). The area of the demolished building was subsequently placed into use for unpaved parking for the business.

The applicant now wishes to combine 451 and 457 Dauphin Island Parkway, and 1967 Antoine Street, into a single lot, and rezone the property into a B-3 district. With the Planned Unit Development, the applicant additionally wishes to accommodate the three structures that will exist on the proposed lot, as well as add in the residential properties located at 1965 Antoine Street and 1968 Duncan Street to allow for continued use of the rear of each residential property for parking and storage yard associated commercial uses.

The use of the residential properties, as well as the request to allow existing aggregate surfacing to remain on much of the overall site are the subject of variances that have been submitted to the Board of Zoning Adjustment, and are scheduled to be considered at the November 6, 2017 meeting. The applicant does not wish to rezone the properties that contain the residences, but does wish to continue to utilize the rear yards of each residential property.

The site of the former building is proposed to be paved and converted into five (5) parking spaces, and provided with four (4) understory trees. Overall, the site is proposed to have 46 parking spaces (up to 30 appear to be required), of which at least eleven (11) are partially within the Dauphin Island Parkway right-of-way (and will require backing into the right-of-way), and the remainder of the spaces within the PUD site will be on aggregate surfacing. It appears that nine (9) of the overall spaces are located on the residential properties.

It should be noted that nearly all of the work appears complete, with the exception of the five (5) proposed parking spaces and associated trees. None of the other improvements to the overall site were permitted, it appears, including the work that occurred in the rights-of-way along Antoine Street and Dauphin Island Parkway (new concrete, creation of a large curb-cut).

Typically with Planned Unit Developments, the Planning Commission has required compliance with the frontage tree requirements of the Zoning Ordinance. Furthermore, the building demolition and renovation that occurred at 451 Dauphin Island Parkway would have normally triggered full tree and landscape compliance on that property. Finally, the rezoning of the

property at 1967 Antoine Street would typically require the non-conforming property to be brought into full compliance with the tree and landscaping requirements. As previously mentioned, the applicant only proposes to add four (4) understory trees for the proposed parking lot where the previous building stood.

Regarding the Subdivision aspect of the request, it appears that the proposed lot has a continuous existing curb-cut to Dauphin Island Parkway, which the applicant proposes to reduce to two large curb-cuts. Along Antoine Street, it appears that there are two existing curb-cuts, one of which was expanded without permits after the previously mentioned building was demolished. Typically a lot of this size would be limited to one curb-cut to each street.

Finally, the applicant is requesting the waiver of the sidewalk requirement for approximately the east 123 feet of the proposed lot along Antoine Street. The applicant states that the 40-foot wide right-of-way of Antoine Street does not provide adequate room for a sidewalk. If dedication were required to provide 25-feet from the centerline and a corner radius, adequate room would be available for a sidewalk. It should be noted, however, that there are no sidewalks along the remainder of Antoine Street.

As the overall proposal relates to the Future Land Use Map, the expansion of the parking and storage area onto the abutting residential properties is not necessarily in keeping with the intent of either the Traditional Corridor or Mixed Density Residential development areas. Allowing the business to expand within the existing commercial and non-conforming commercial footprint is a reasonable accommodation, as is perhaps allowing the existing non-conforming back out parking into Dauphin Island Parkway to remain (subject to ALDOT approval); allowing the continued use of the rear of two residential properties for commercial storage and parking does not seem to support the Future Land Use Map.

RECOMMENDATION

Subdivision: The request is recommended for Holdover until the November 16th meeting so that the following can take place (revisions due by October 27th):

- 1) Revision of the preliminary plat to reflect dedication to provide 25-foot from the centerline along Antoine Street; and
- 2) Revision of the preliminary plat to provide a property line corner radius, in compliance with Section V.D.6. of the Subdivision Regulations.

Planned Unit Development: The request is recommended for Holdover until the November 16th meeting so that the following can take place (revisions due by October 27th):

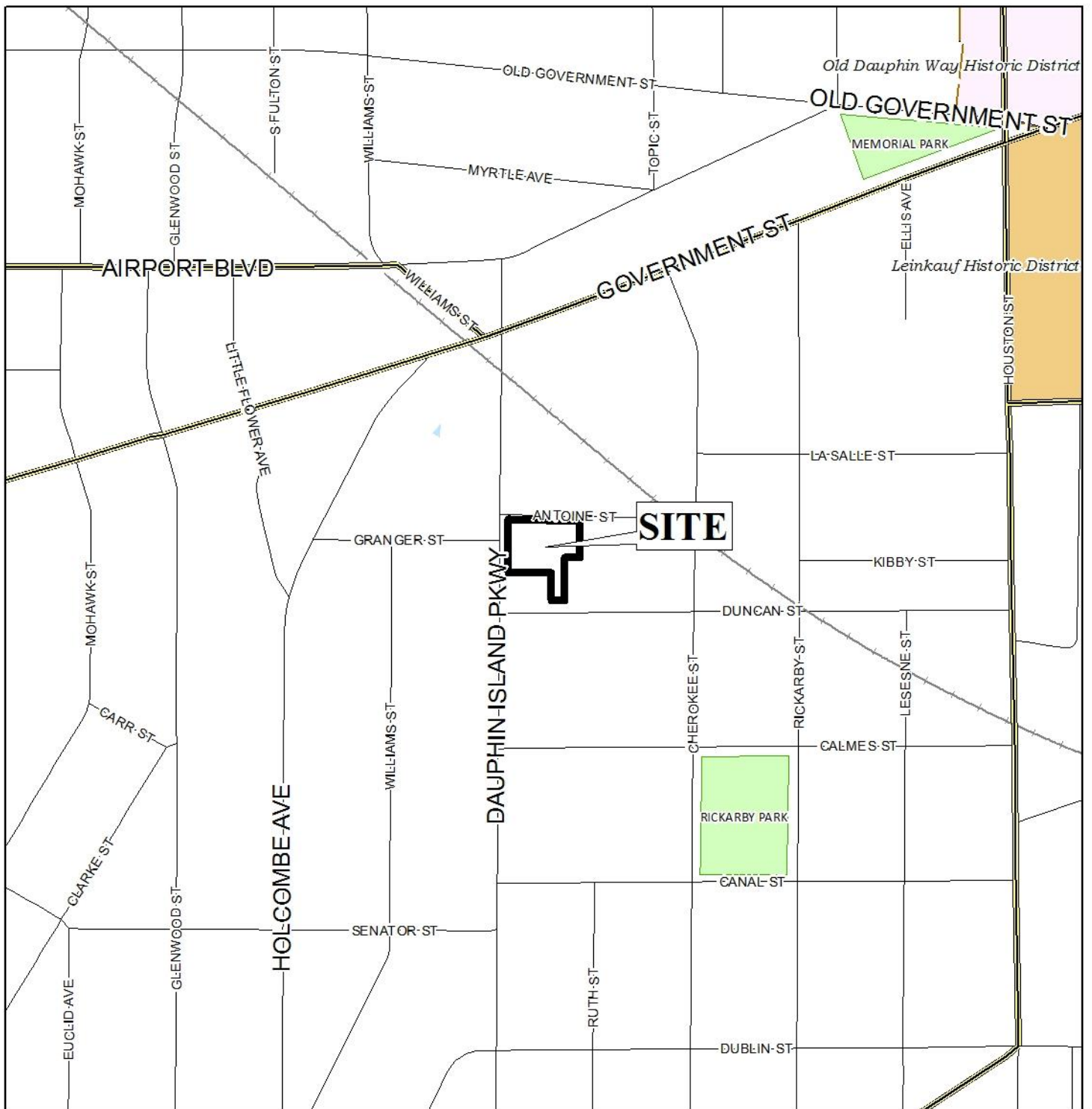
- 1) Revision of the site plan to depict right-of-way dedication as required in the Subdivision conditions;
- 2) Revision of the site plan to eliminate access and commercial use of the rear of the two residential properties (1965 Antoine Street and 1968 Duncan Street);
- 3) Revision of the site plan to depict full tree and landscaping compliance for the overall site;
- 4) Revision of the site plan to reflect one curb-cut to each street; and
- 5) Revision of the site plan to depict a sidewalk along Antoine Street.

Rezoning: The request is recommended for Holdover until the November 16th meeting so that the following can take place (revisions due by October 27th):

- 1) Provision of a revised site plan reflecting the Planned Unit Development comments.

Sidewalk Waiver: The request is recommended for Holdover until the November 16th meeting so that revisions to the Subdivision, Planned Unit Development and Zoning applications can be received.

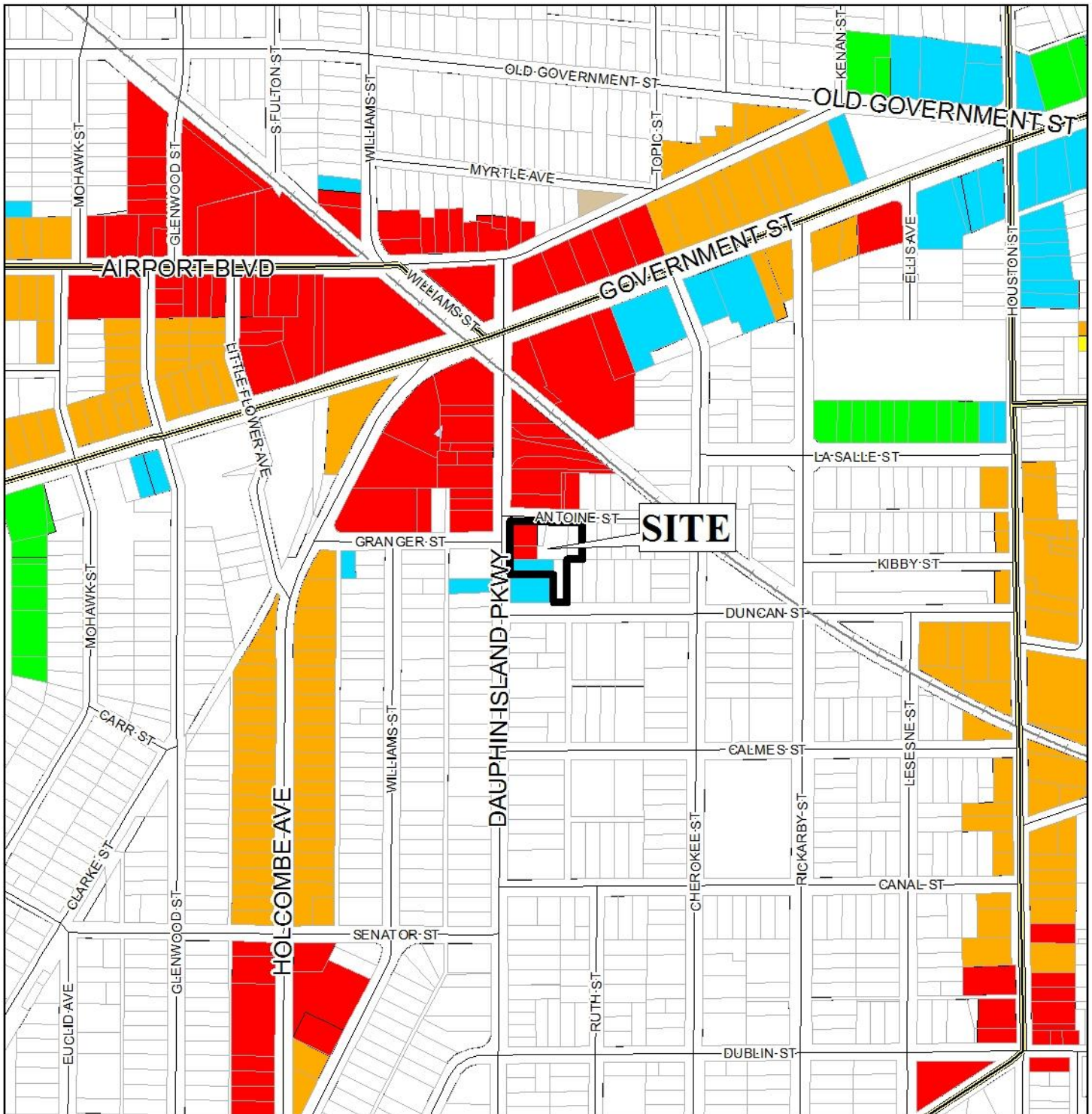
LOCATOR MAP



APPLICATION NUMBER 16 DATE October 19, 2017
 APPLICANT Coast Safe & Lock Subdivision
 REQUEST Subdivision, PUD, Sidewalk Waiver, Rezoning from R-1, B-1 and B-3 to B-3



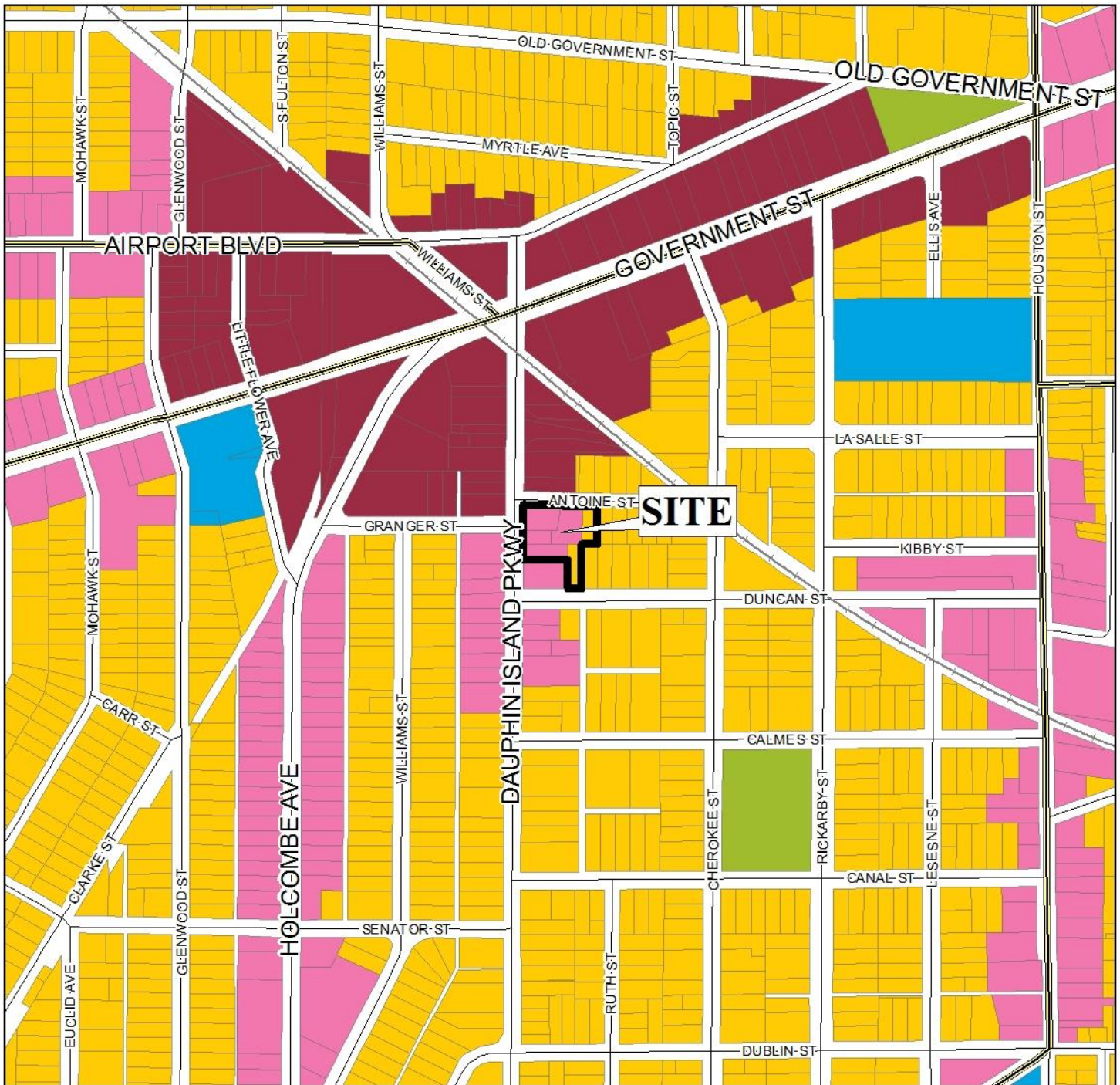
LOCATOR ZONING MAP



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FLUM LOCATOR MAP

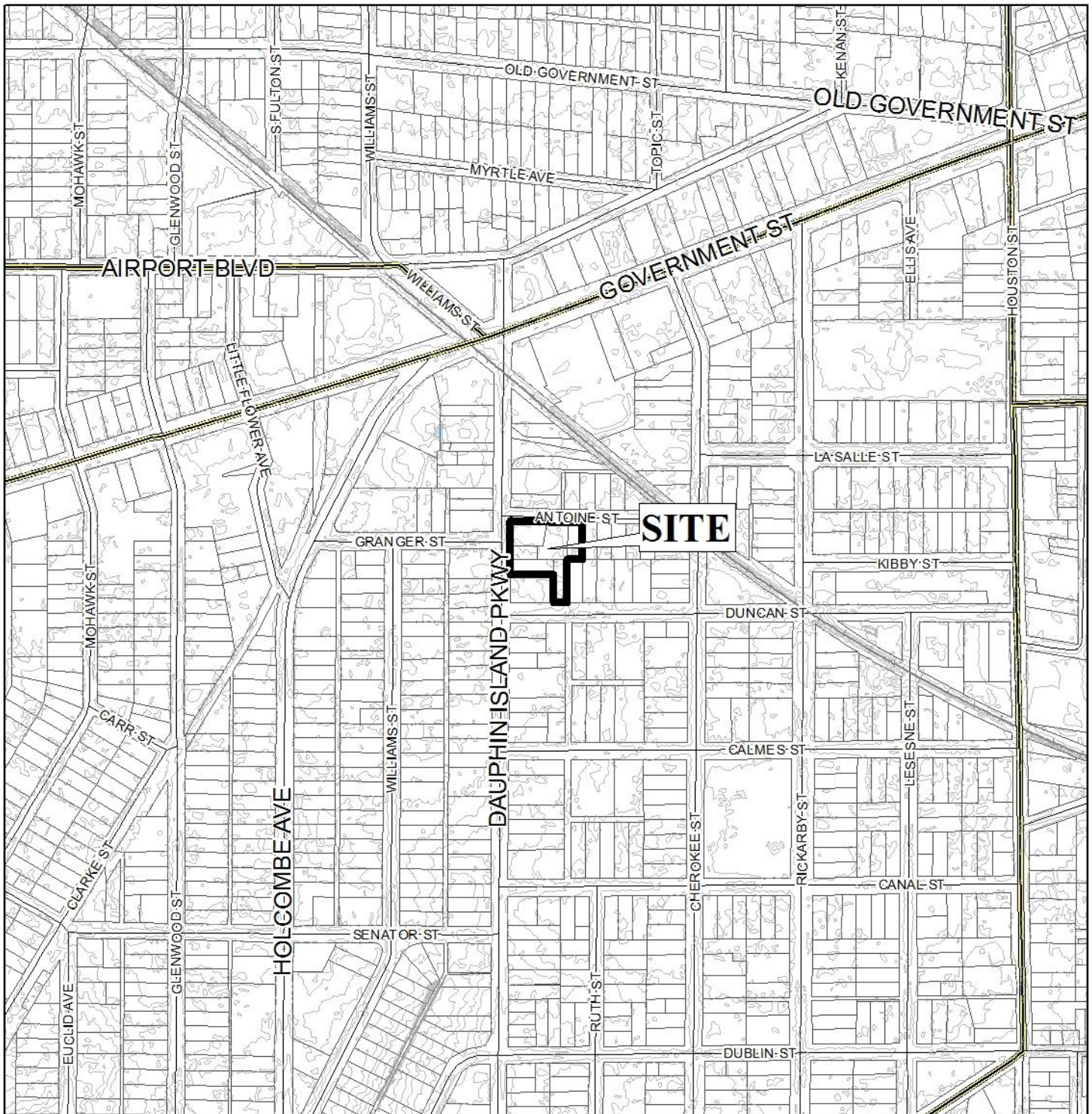


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Low Density Residential	Neighborhood Center- Traditional	Downtown Waterfront	Water Dependent
Mixed Density Residential	Traditional Corridor	Light Industry	Parks & Open Space
Downtown	Neighborhood Center- Suburban	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



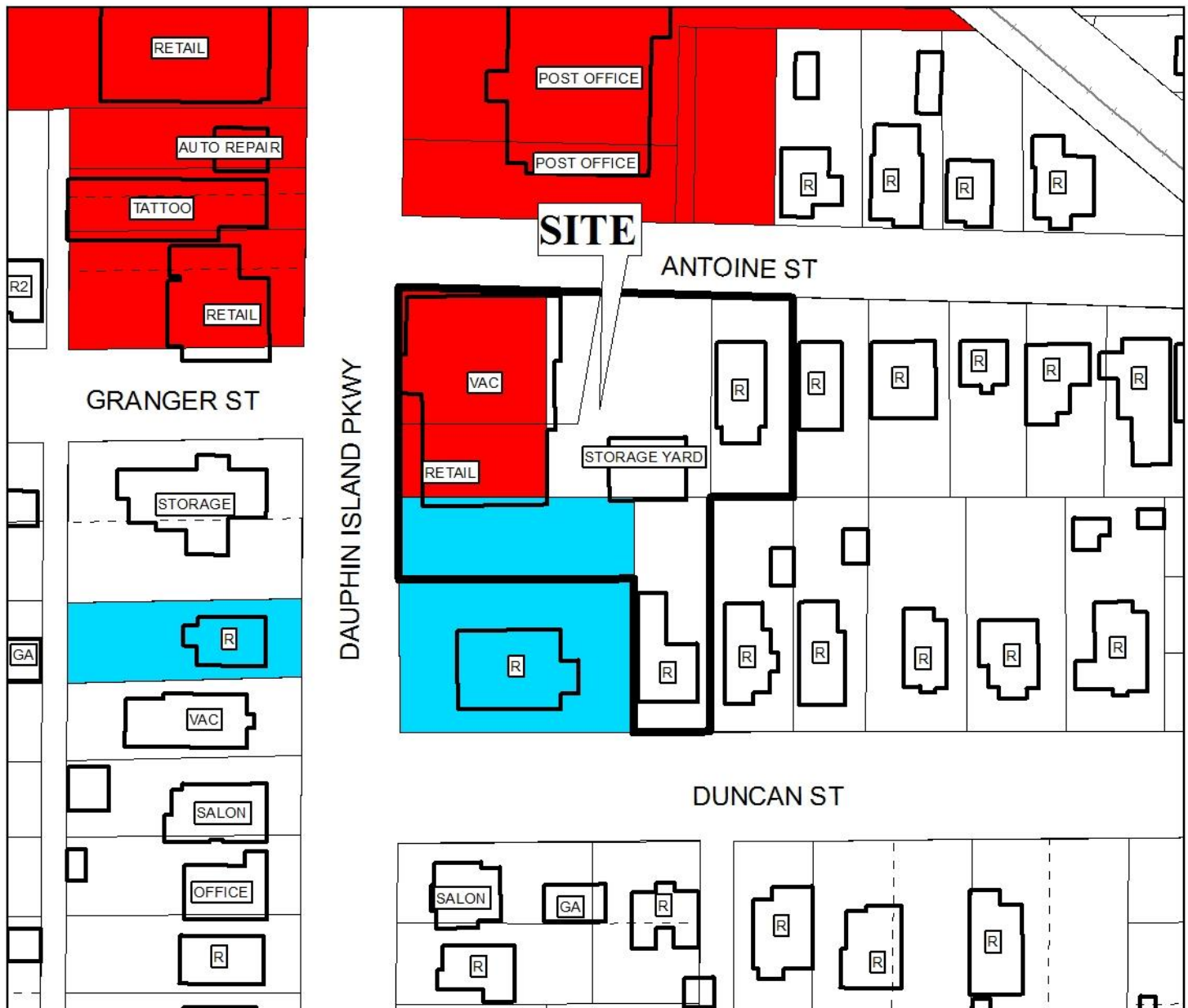
ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 16 DATE October 19, 2017
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REQUEST Subdivision, PUD, Sidewalk Waiver, Rezoning from R-1, B-1 and B-3 to B-3



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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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

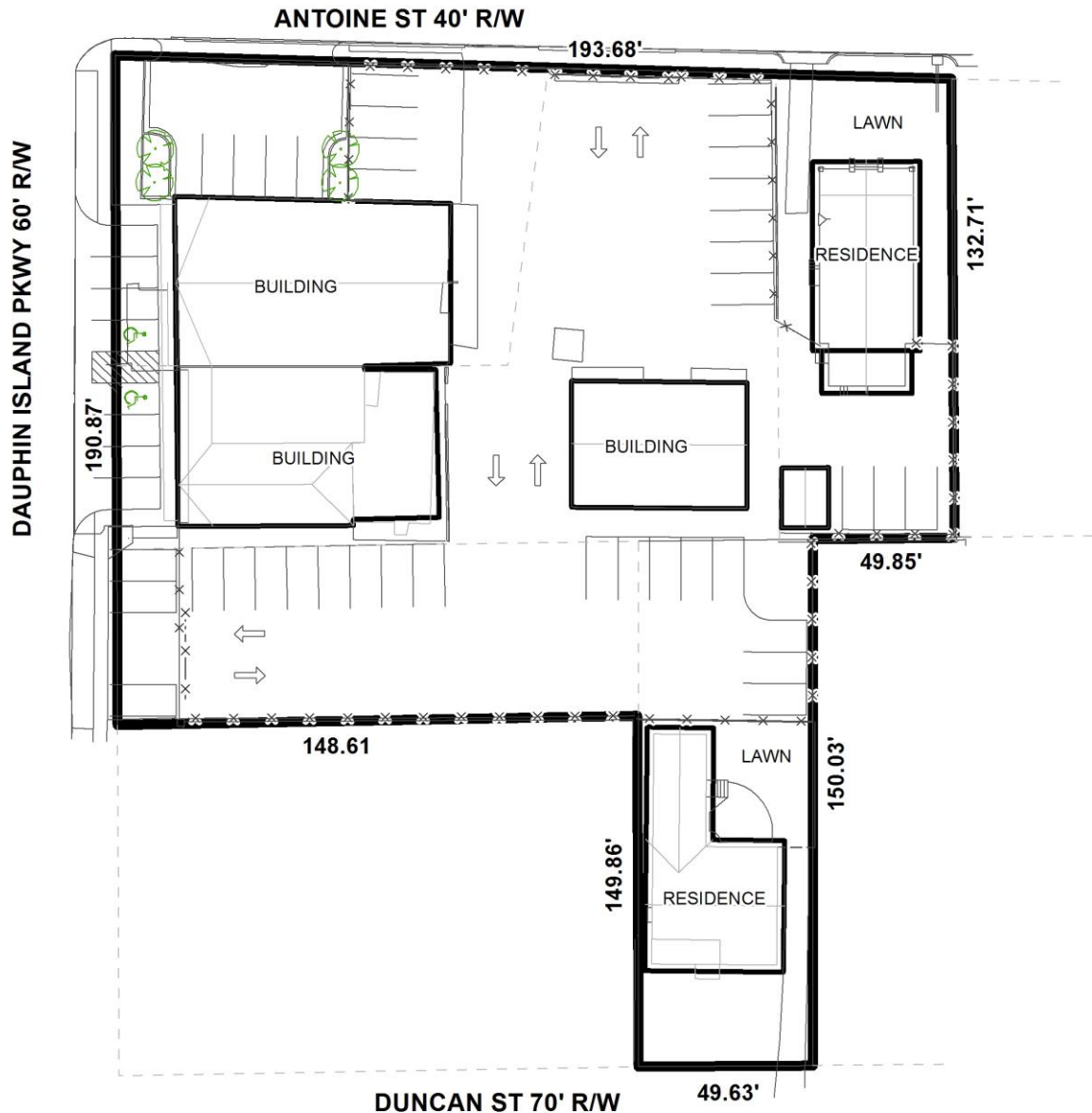


The site is surrounded by residential units to the south, and commercial units to the north.

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SITE PLAN

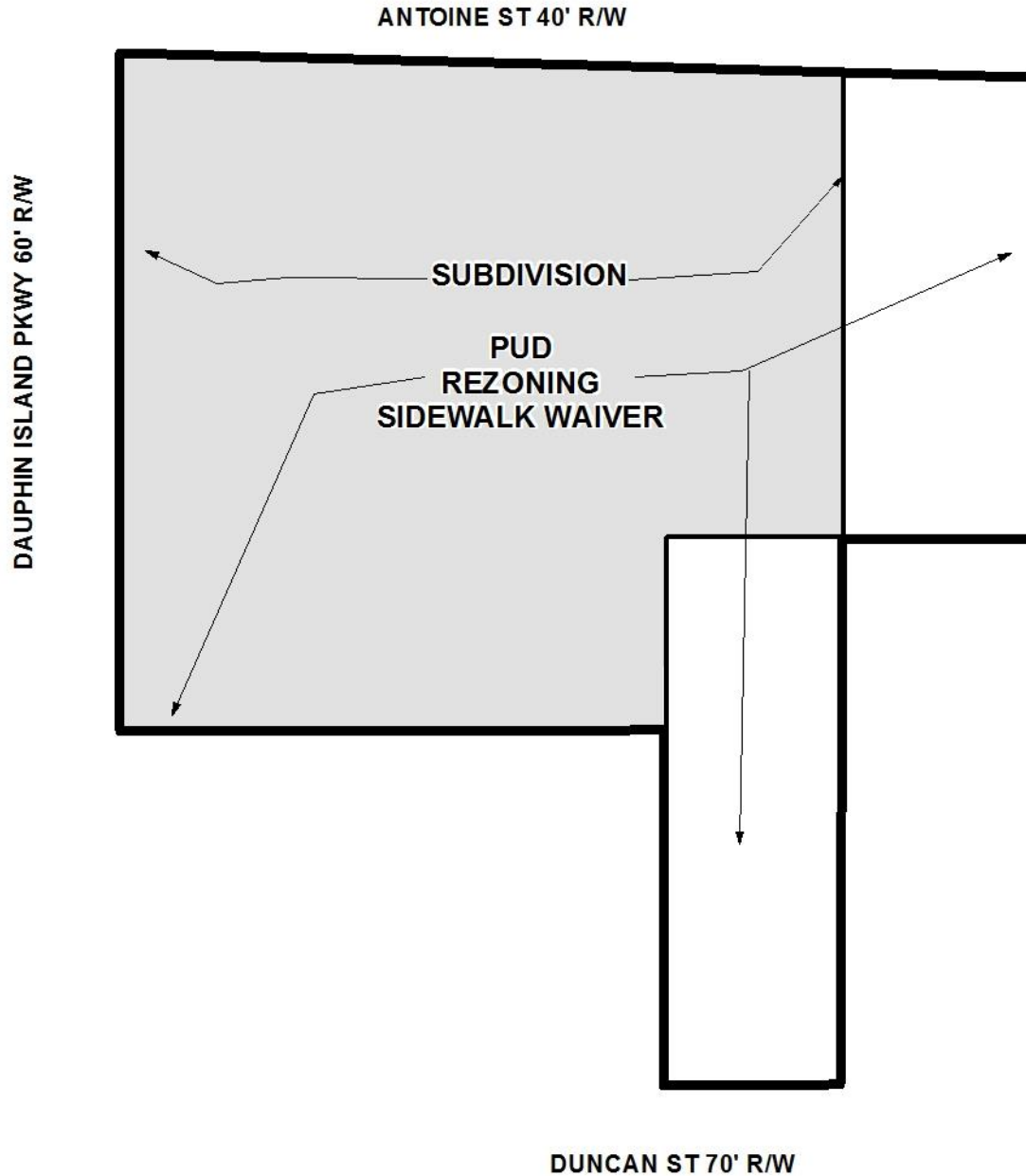


The site plan illustrates the existing buildings, residences, and parking.

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



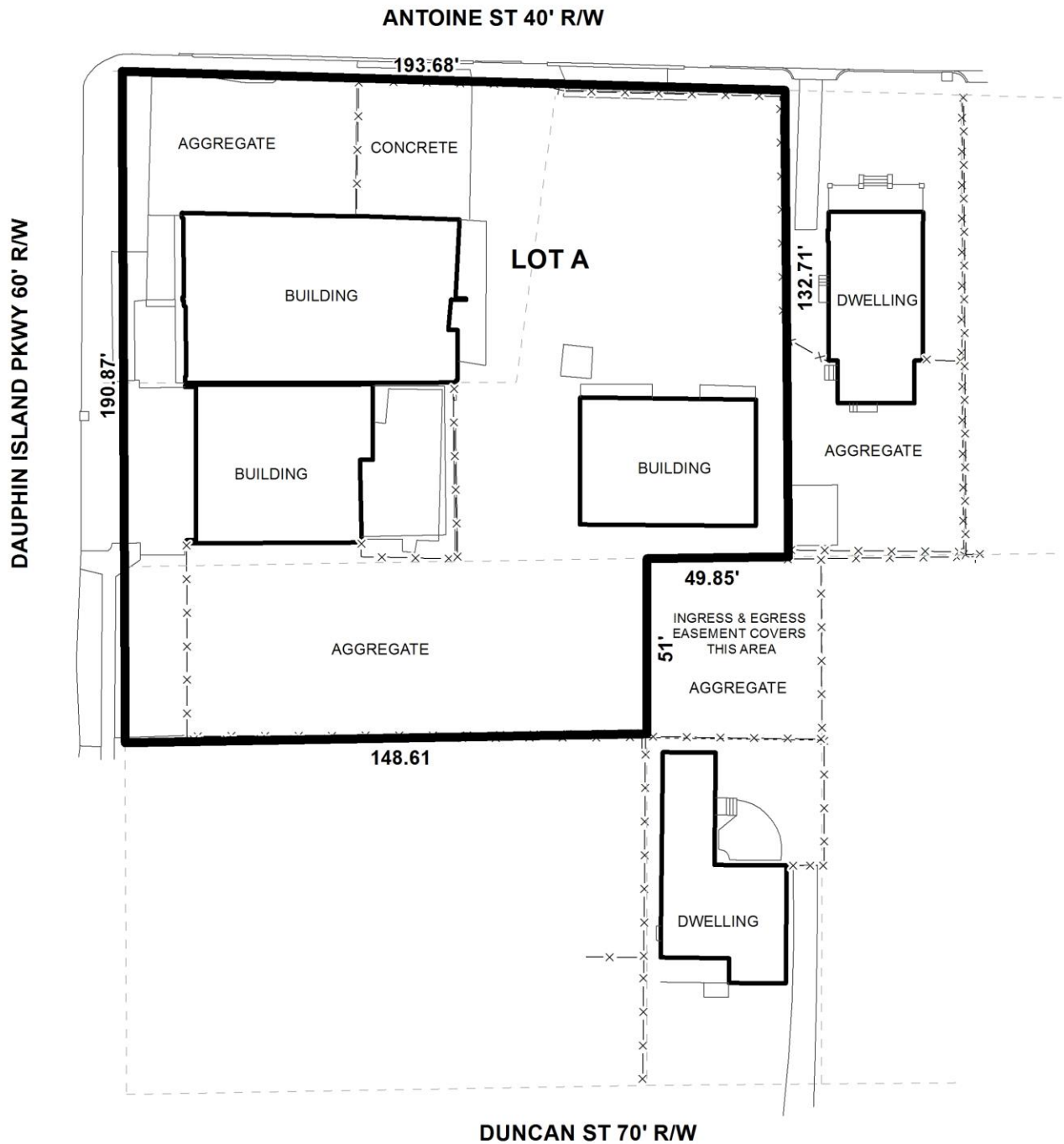
DETAIL SITE PLAN



APPLICATION NUMBER 16 DATE October 19, 2017
APPLICANT Coast Safe & Lock Subdivision
REQUEST Subdivision, PUD, Sidewalk Waiver, Rezoning from R-1, B-1 and B-3 to B-3



DETAIL SITE PLAN



APPLICATION NUMBER 16 DATE October 19, 2017
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REQUEST Subdivision, PUD, Sidewalk Waiver, Rezoning from R-1, B-1 and B-3 to B-3



