

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT, &  
REZONING STAFF REPORT****Date: February 18, 2016**

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|---|--|
| <b><u>APPLICANT NAME</u></b>                    | ASM Recycling  |
| <b><u>SUBDIVISION NAME</u></b>                  | ASM Subdivision  |
| <b><u>DEVELOPMENT NAME</u></b>                  | ASM Subdivision  |
| <b><u>LOCATION</u></b>                          | 2751 & 2752 McKinney Street, 521 Bay Shore Avenue,<br>1519 & 2810 Mill Street<br>(West terminus of McKinney Street extending to Mill<br>Street)  |
| <b><u>CITY COUNCIL<br/>DISTRICT</u></b>         | Council District 1   |
| <b><u>PRESENT ZONING</u></b>                    | I-1, Light Industry District, and B-2, Neighborhood<br>Business District   |
| <b><u>PROPOSED ZONING</u></b>                   | I-1, Light Industry District   |
| <b><u>AREA OF PROPERTY</u></b>                  | 1 Lot/10.0± Acres  |
| <b><u>CONTEMPLATED USE</u></b>                  | <p>Subdivision Approval to create one legal lot of record from six existing metes-and-bounds parcels; Planned Unit Development to allow multiple buildings on a single building site; and Rezoning from I-1, Light Industry District, and B-2, Neighborhood Business District, to I-1, Light Industry District, to allow a recycling center and eliminate split zoning.</p> <p><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></p> |
| <b><u>TIME SCHEDULE<br/>FOR DEVELOPMENT</u></b> | None provided  |

**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. Show and label the proposed lot boundary. Show internal lines with a different line type and thickness.
- C. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. The labeled LOT 1 is located outside of the area contained in the written legal description.
- D. Show and label each and every Right-Of-Way (Loeffler St.) and ROW Vacation (Loeffler St ROW (1978).
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. 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.
- G. 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.
- H. 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.
- I. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures.
- J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

**Planned Unit Development:** 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**

Lot is limited to one curb cut each to McKinney Street, Ferrell Street, and Mill Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required 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 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 Subdivision Approval to create one legal lot of record from six existing metes-and-bounds parcels; Planned Unit Development to allow multiple buildings on a single building site; and Rezoning from I-1, Light Industry District, and B-2, Neighborhood Business District, to I-1, Light Industry District, to allow a recycling center and eliminate split zoning. The site is located in Council District 1, and according to the applicant is served by public water and sanitary sewer.

The Southern portion of the site was the subject of a one-lot, 5.4 acre± Subdivision (Joseph Teague Subdivision) approved by the Commission in October, 2013. That Subdivision was never recorded and the application expired. The applicant now desires to incorporate that area of the previous Subdivision with the adjacent property to the North to create a 10.0 acre± Subdivision. Since the site will have multiple buildings on the final single lot a Planned Unit Development (PUD) is required, and since the site is currently split-zoned B-2, Neighborhood Business, and I-1, Light Industry, Rezoning to I-1 is required to eliminate the split zoning and allow the proposed use as a recycling center. It should be noted that the Southern portion of the site also contained the adjacent property to the South which was parceled-off without going through the Subdivision process but was required to be made a legal lot of record in conjunction

with the Joseph Teague Subdivision. That Subdivision (Teague Brothers Carpet Subdivision) was approved at the same meeting as was Joseph Teague Subdivision, but it too was never recorded and also expired. That property is the subject of the Teague Carpet Complex Subdivision and PUD which are also scheduled to be heard at the February 18<sup>th</sup> meeting.

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 1-lot 10.02± acre subdivision, which is located at the West terminus of McKinney Street extending to Mill Street.

The purpose of this application is to create one legal lot of record from six existing metes-and-bounds parcels. Due to the inclusion of parcels adjacent to the major parcel, the proposed lot will require a waiver of Section V.D.1. of the Subdivision Regulations for its irregular shape. And the limited street frontage as opposed to the lot depth will require a waiver of Section V.D.3. of the Regulations for the maximum depth-to-width ratio of 3.5. The proposed lot meets the minimum size and frontage requirements as regulated by the Subdivision Regulations. The lot area size is depicted on the plat in square feet and acres and this should be retained on the Final Plat, or a table should be furnished on the Final Plat providing the same information.

The proposed lot has frontages on Mill Street, Ferrell Street and McKinney Street, all minor streets with compliant 50' rights-of-way along the site; therefore, no dedication would be required. As a means of access management, and since the lot would have over 200' of combined street frontage, a note should be required on the Final Plat stating that the lot is limited to one curb cut each to McKinney Street, Ferrell Street, and Mill Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The 25-foot building setback line is shown along most street frontages, but not where the Western portion of the site extends to Mill Street. Therefore, the plat should be revised to also indicate the 25' minimum building setback line at this location.

The site currently shares access with the property to the South via a cross-access drive near the East side and a shared access from Mill Street along the West side. As the PUD is not intended for these to be shared, both drives should be physically blocked prior to signing the Final Plat for the Subdivision.

As stated in Section 64-5 of the Zoning Ordinance, 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 any changes to the site plan must be approved by the Planning Commission.

With regard to the PUD, the site plan indicates a non-compliant site in that there are numerous access points with substandard access/maneuvering areas, no designated parking, no landscaping or tree planting, no dumpster, and no sidewalks. Parking calculations are provided but no parking is indicated. Landscaping and tree planting calculations are provided but no tree plantings are indicated. It should be noted that the remnants of a once-larger building are indicated on the Southern portion of the site and a demolition permit was issued for its removal during the course of this review. The major portion of this building was removed via a demolition permit in 2013.

No narrative was provided for the PUD to describe the intended use for the expanded site and no improvements are indicated on the site plan for future use. The applicant has used the Northern portion for a non-ferrous metal recycling center since 2006 and the Southern portion has had concurrent mixed uses with the last being a towing service until 2013 and a self-storage facility until 2014. It appears to be currently vacant. As insufficient information has been provided to conduct a thorough review of the application relative to its proposed use and possible improvements, staff feels that it should be heldover to the March 17<sup>th</sup> meeting to allow the applicant to provide a detailed narrative for the PUD as to the use of the over-all site. The site plan should also be revised to indicate possible improvements, compliant access/maneuvering area, compliant parking, compliant frontage tree planting, dumpster(s), and public sidewalk

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.

Most of the subject site, other than the small area proposed to be rezoned on the East side, is depicted as industrial 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.

It should be noted that the small area currently zoned B-2 was assigned that classification with the adoption of the Zoning Ordinance in 1967 although the General Land Use Component indicates the use as residential. The area of the site currently zoned B-2 encompasses approximately ¼ acre.

Regarding the need for rezoning, the applicant simply states:

*"This application is being submitted to cure a split zoning."*

The B-2 area is a nonconforming use as a truck scale associated with the existing recycling center on the Northern portion of the over-all site. Although not stated, the rezoning would also bring the zoning into compliance for the use of the area. However, as the associated PUD leaves questions as to the use of the over-all site, the applicant should provide a more detailed justification for the rezoning request as it relates to Section 64-9.A.1. of the Zoning Ordinance. Therefore, this application should be heldover to the March 17<sup>th</sup> meeting to allow such.

## **RECOMMENDATION**

**Subdivision:** The request is recommended for holdover to the March 17<sup>th</sup> meeting to be heard in conjunction with the associated Planned Unit Development and Rezoning applications.

**Planned Unit Development:** The request is recommended for holdover to the March 17<sup>th</sup> meeting to be heard in conjunction with the associated Subdivision and Rezoning applications and to allow the applicant to address the following items:

- 1) submission of a narrative describing the proposed use of the over-all site and any intended improvements;
- 2) revision of the site plan to indicate possible improvements;
- 3) revision of the site plan to indicate compliant access/maneuvering areas;
- 4) revision of the site plan to provide compliant parking (including any required accessible parking);
- 5) revision of the site plan to provide compliant frontage tree planting;
- 6) revision of the site plan to provide compliant dumpsters; and
- 7) revision of the site plan to provide a public sidewalk along all street frontages.

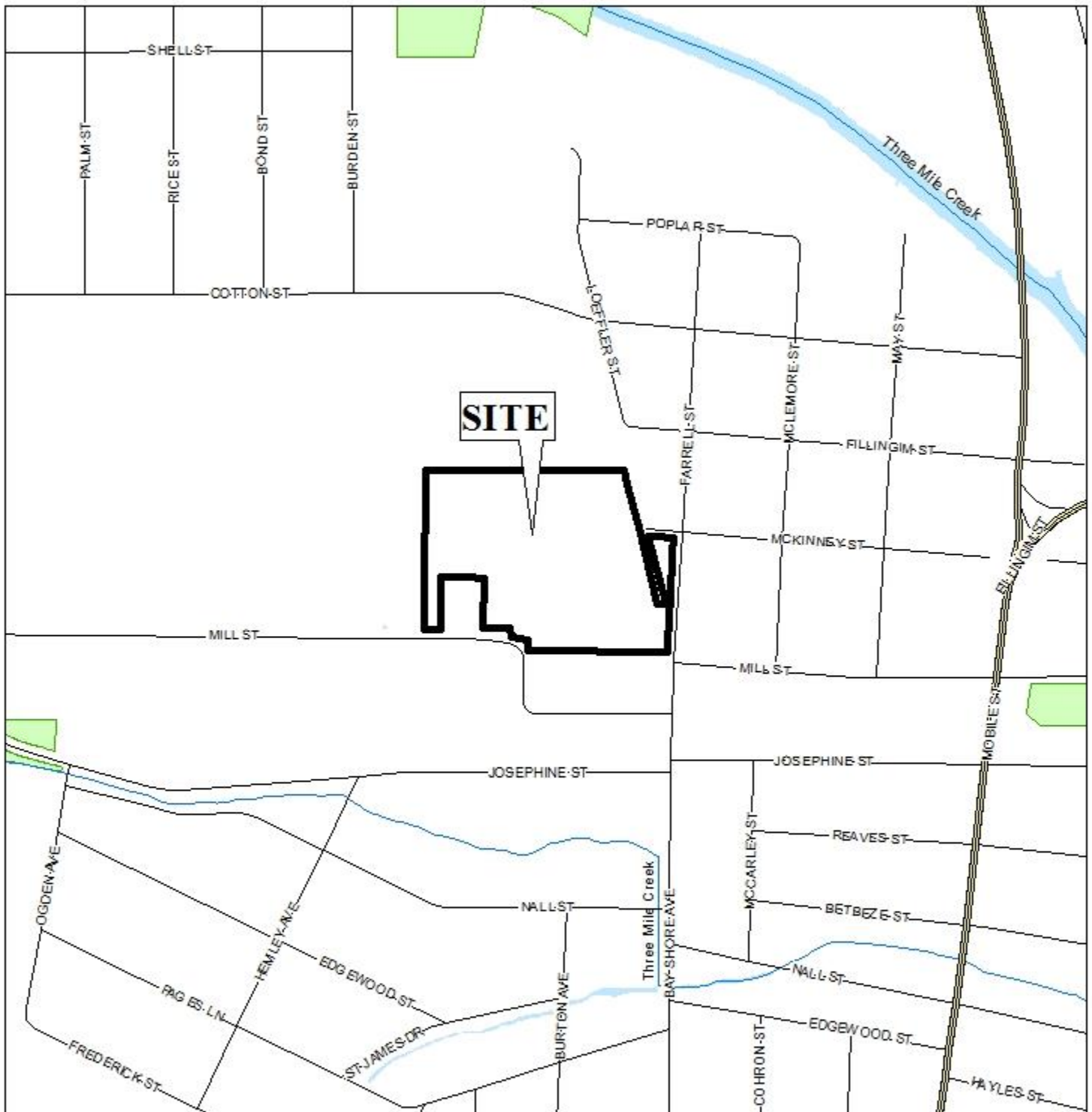
Revisions and additional information should be submitted no later than February 26<sup>th</sup>.

**Rezoning:** The request is recommended for holdover to the March 17<sup>th</sup> meeting to be heard in conjunction with the associated Subdivision and Planned Unit Development applications and to allow the applicant to address the following items:

- 1) provision of a more detailed justification for the rezoning request as it relates to Section 64-9.A.1. of the Zoning Ordinance; and
- 2) revision of the site plan to match revisions required of the PUD site plan.

Revisions and additional information should be submitted no later than February 26<sup>th</sup>.

# LOCATOR MAP



APPLICATION NUMBER 18 DATE February 18, 2016

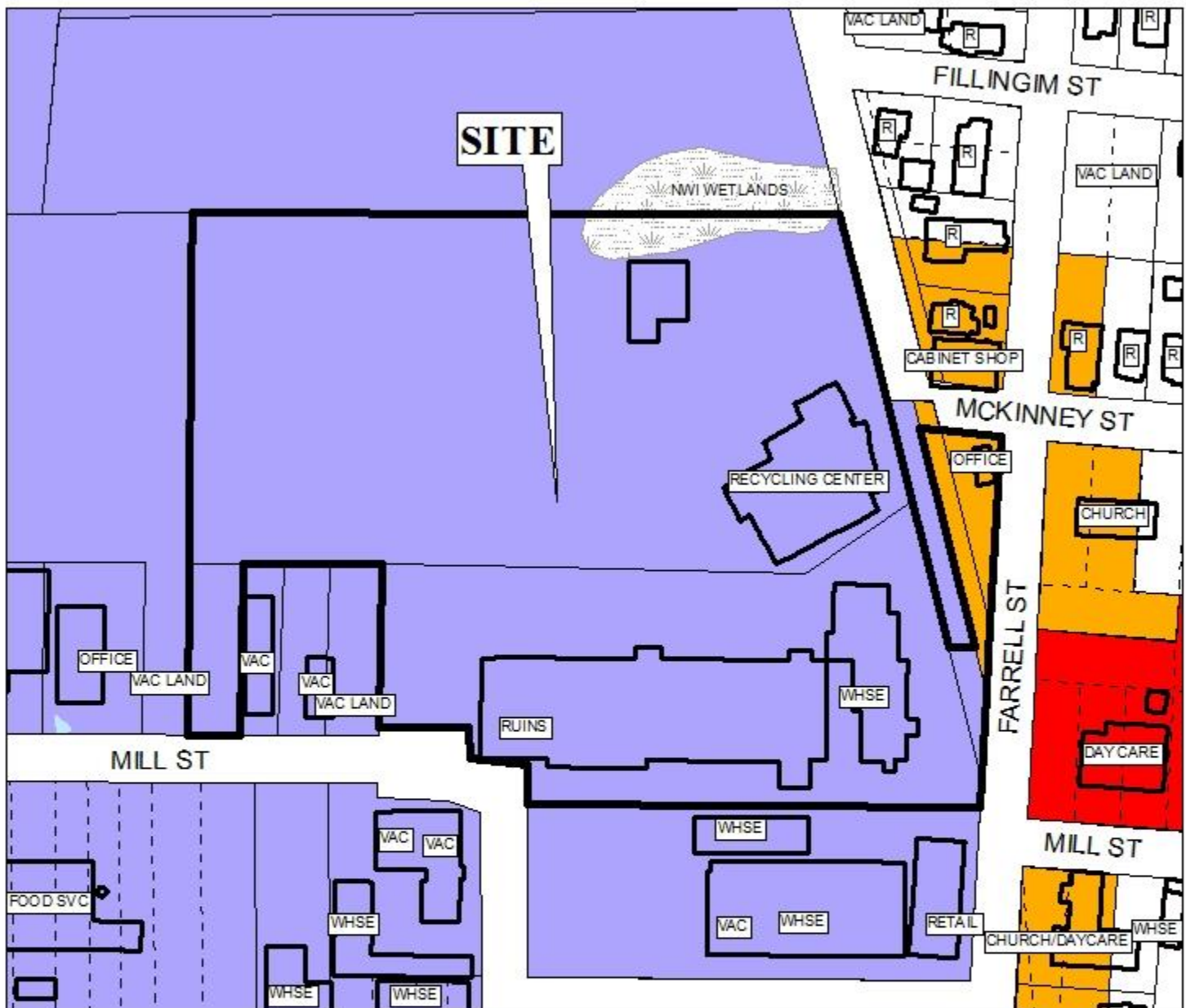
APPLICANT ASM Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units to the west and south, residential units to the northeast, and a church and day care are located southeast of the site.

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APPLICANT ASM Subdivision

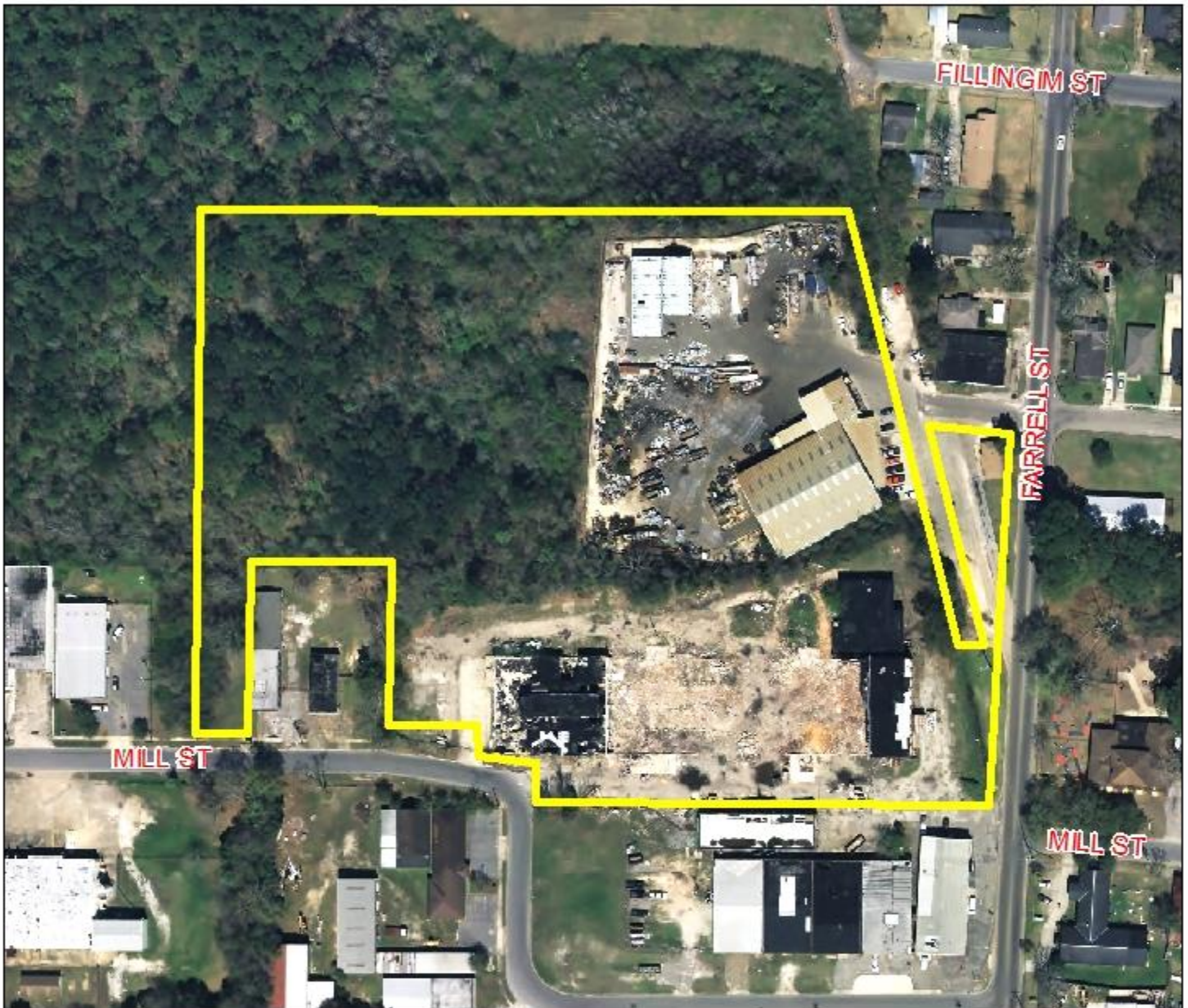
REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1

|     |     |      |     |     |      |       |      |
|-----|-----|------|-----|-----|------|-------|------|
| 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 to the west and south, residential units to the northeast, and a church and day care are located southeast of the site.

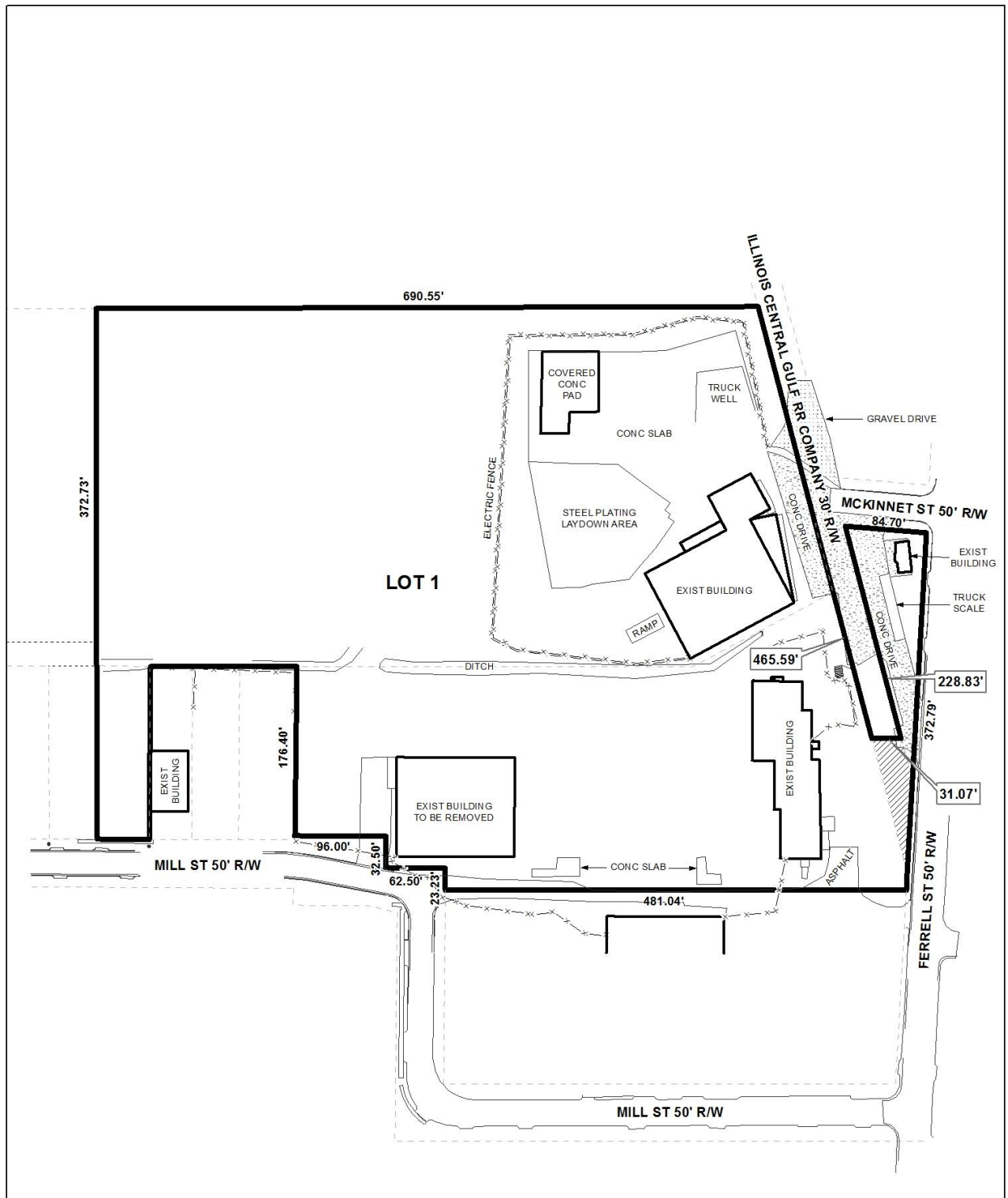
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APPLICANT ASM Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1



# SITE PLAN



The site plan illustrates the existing buildings, drives, and ditch.

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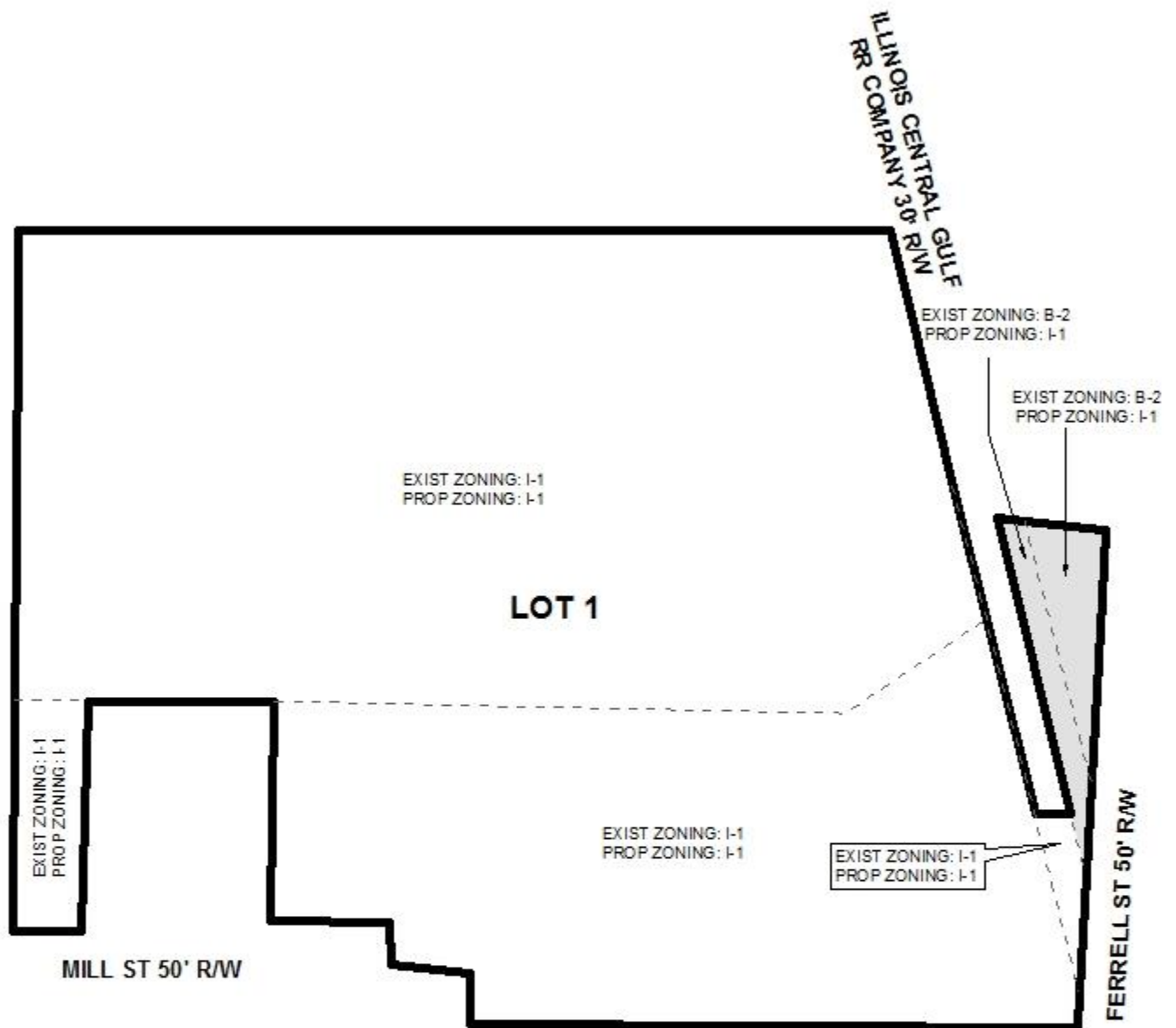
APPLICANT ASM Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1



NTS

# DETAIL SITE PLAN



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APPLICANT ASM Subdivision

REQUEST Subdivision, PUD, Rezoning from I-1 and B-2 to I-1

