

**ZONING AMENDMENT  
& SUBDIVISION STAFF REPORT****Date: May 19, 2016**

<b><u>NAME</u></b>	Board of Water and Sewer Commissioners of the City of Mobile-Douglas Cote
<b><u>SUBDIVISION NAME</u></b>	Royal Street Pass Subdivision
<b><u>LOCATION</u></b>	110 & 120 Virginia Street (North side of Virginia Street at the North terminus of Ezra Trice Boulevard.)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District, and I-2, Heavy Industry District
<b><u>PROPOSED ZONING</u></b>	I-2, Heavy Industry District
<b><u>AREA OF PROPERTY</u></b>	2 Lot/ 0.7 Acres
<b><u>CONTEMPLATED USE</u></b>	Subdivision to create 2 legal lots of record from 2 metes-and-bounds parcel and a vacated easement, and Zoning to rezone the site from R-1, Single-Family Residential District and I-2, Heavy Industry District to I-2 Heavy Industry District, to eliminate split zoning. <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>REASON FOR REZONING</u></b>	Applicant is requesting rezoning of the site to eliminate split zoning.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	None given.
<b><u>ENGINEERING COMMENTS</u></b>	<b>Subdivision:</b> 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 legible vicinity map with street names and site location.
  - C. Include "RBF" in the legend.
  - D. Show and label all flood zones.
  - E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
  - F. Provide reference information for "R/W 50' BYRD PLAT".
  - G. List or label the reference bearing for the proposed subdivision.
  - H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
  - I. Show the recording information for the vacated Water Street ROW.
  - J. Final Plat will need to include the recording information for the vacated portion of the Royal Street ROW.
  - K. 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.
  - L. 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.
  - M. 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.
  - N. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures.
  - O. After the Engineering Dept. Final Plat review is complete, provide a copy of the revised Final Plat along with the original when submitting for City Engineer signature.

**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.
- 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**

Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 2 legal lots of record from 2 existing metes-and-bounds parcels and a vacated easement, and Zoning approval to rezone the site from R-1, Single-Family Residential District and I-2, Heavy Industry District to I-2, Heavy Industry District to eliminate split zoning.

The site has an existing MAWSS facility on the proposed Lot 1, an empty concrete slab on both the 50' wide vacated easement and the proposed Lot 2. The applicant is proposing to rezone the portion of the property that has been vacated from R-1, Single Family Residential to I-2 Heavy Industry to eliminate split zoning. The 50' vacated easement will then be split in half and 25' will be included in configuration of the proposed Lot 1 and the remaining 25' will be included in the proposed Lot 2; thus the reason for the Rezoning and Subdivision applications.

The site is bounded on all sides by an I-2 Heavy Industry District.

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.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The entire site appears to be depicted as an “Industrial” Development Area, per the recently adopted Map for Mobile Plan. The intent of an Industrial Development Area is to allow for:

- minimize impacts to adjacent properties,
- to connect to major infrastructure for ease of major industry,
- to allow better streetscaping and aesthetic improvements, and
- connect to nearby areas through transit accommodation for ease of workers’ access.

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The applicant proposes to subdivide the vacated easement and the 2 metes-and-bounds parcels to create 2 separate legal lots of record. The rezoning will resolve a resulting split-zoning condition that would be created if only the subdivision were approved. The subdivision and rezoning will resolve the split zoning and create legal lots. No proposed development is shown on the site plan.

The site has frontage along Virginia Street, a minor street with a 50’ wide right-of-way and no dedication will be required.

The site appears to have two continuous mountable curb-cuts to Virginia Street. As no existing or proposed development is shown, the location, size, and total number and of curb-cuts should be determined by Traffic Engineering. Based on Traffic Engineering comments each lot would be limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. This information should be depicted on the Final Plat.

The lot sizes are labeled in square feet and acres. If approved, the lot sizes in square feet and acres should be retained on the Final Plat, or the furnishing of a table providing the same information will be required.

The 25-foot minimum building setback line is depicted on the preliminary plat and site plan.

Any new development on any of the proposed lots will require a sidewalk to be built along the public-right-of way, or a request for a sidewalk waiver may be submitted.

### **RECOMMENDATION**

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

- 1) retention of the 25-foot minimum building setback line;
- 2) retention of the lot sizes in square feet and acres;
- 3) placement of a note on the Final Plat stating each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) prior to any development of the site, the applicant should submit a sidewalk waiver or provide a sidewalk at time of development as required by the Subdivision Regulations;
- 5) 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 legible vicinity map with street names and site location. C. Include "RBF" in the legend. D. Show and label all flood zones. E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Provide reference information for "R/W 50' BYRD PLAT". G. List or label the reference bearing for the proposed subdivision. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. Show the recording information for the vacated Water Street ROW. J. Final Plat will need to include the recording information for the vacated portion of the Royal Street ROW. K. 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. L. 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. M. 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. N. Provide a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review prior to obtaining any signatures. O. After the Engineering Dept. Final Plat review is complete, provide a copy of the revised Final Plat along with the original when submitting for City Engineer signature."*;
- 6) compliance with Traffic Engineering comments: *"Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. On-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance."*;
- 7) 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 2015-116 and City Code Chapters 57 and 64)."*; and
- 8) 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)."*

**Rezoning:** Based upon the preceding, this application is recommended for approval based on the following conditions:

- 1) compliance with Engineering comments: *“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.”;*
- 2) completion of the Subdivision process; and
- 3) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 9 DATE May 19, 2016

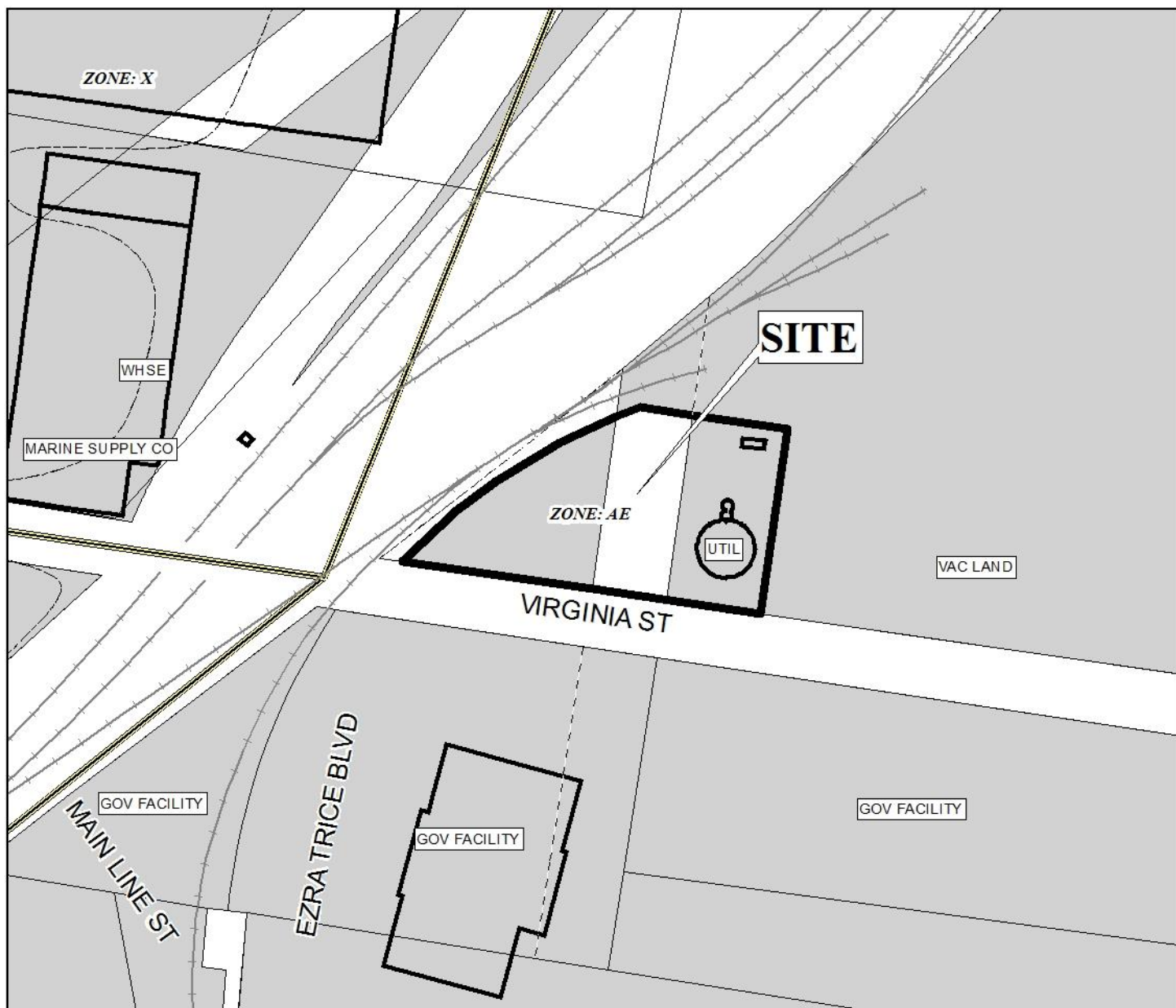
APPLICANT Royal Street Pass Subdivision

REQUEST Subdivision, Rezoning from R-1 and I-2 to I-2





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units.

APPLICATION NUMBER 9 DATE May 19, 2016

APPLICANT Royal Street Pass Subdivision

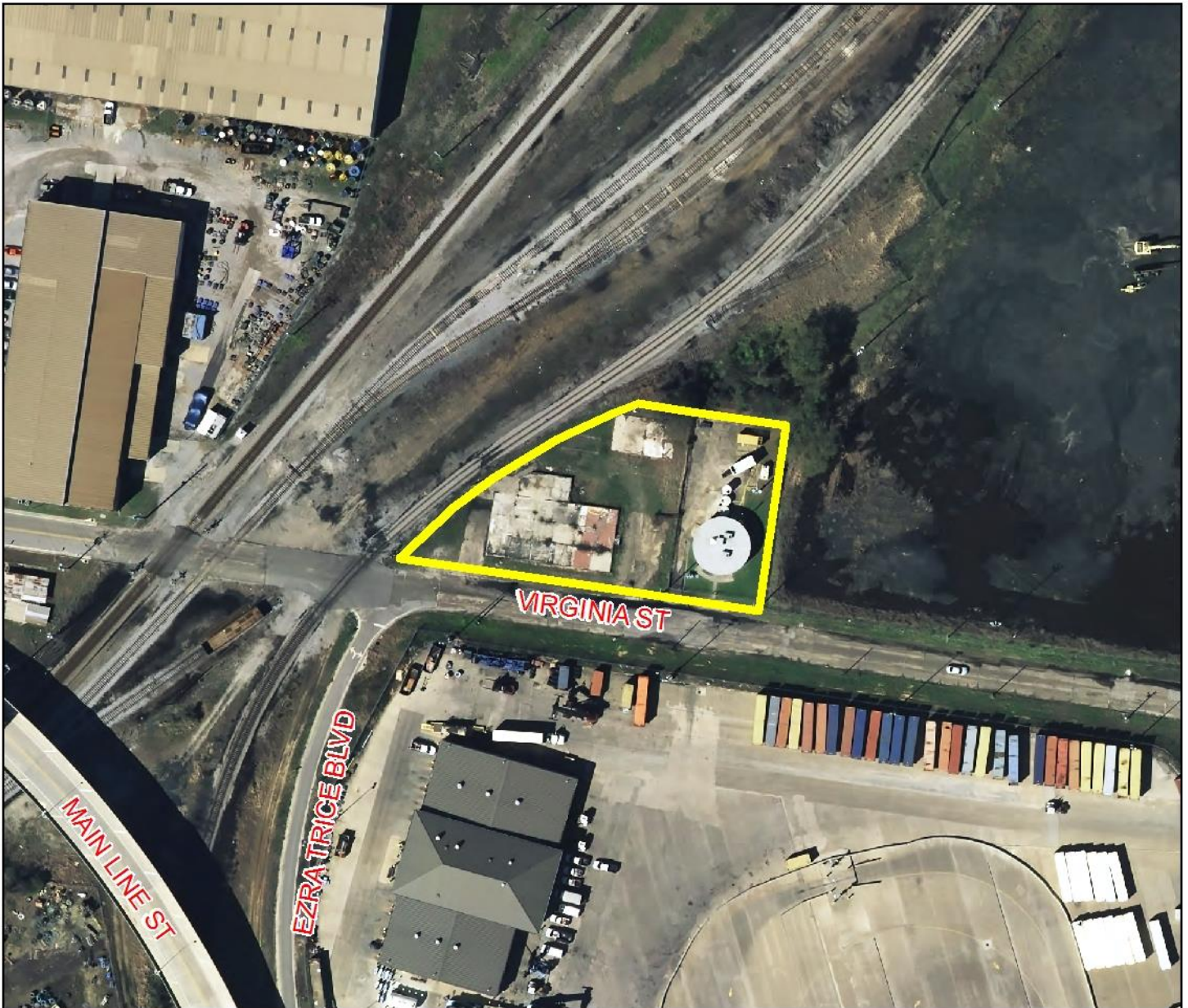
REQUEST Subdivision, Rezoning from R-1 and I-2 to I-2

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



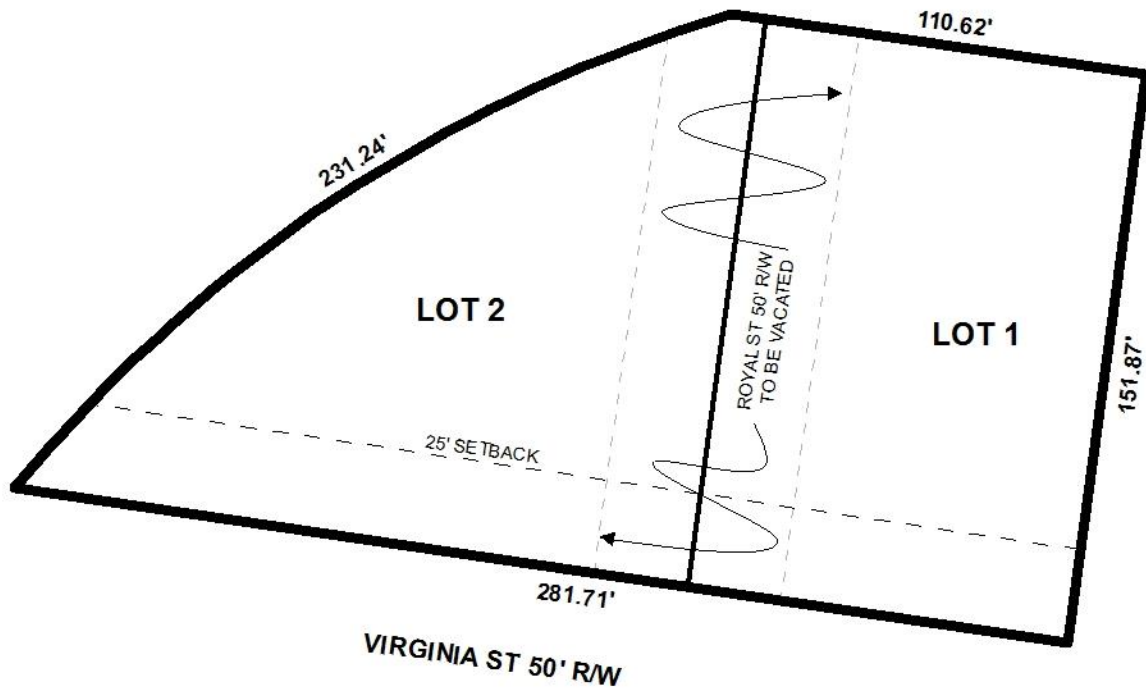
The site is surrounded by industrial units.

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 APPLICANT Royal Street Pass Subdivision  
 REQUEST Subdivision, Rezoning from R-1 and I-2 to I-2



# SITE PLAN

CONCEPTION ST



The site plan illustrates the proposed lots, right of way to be vacated, and setback.

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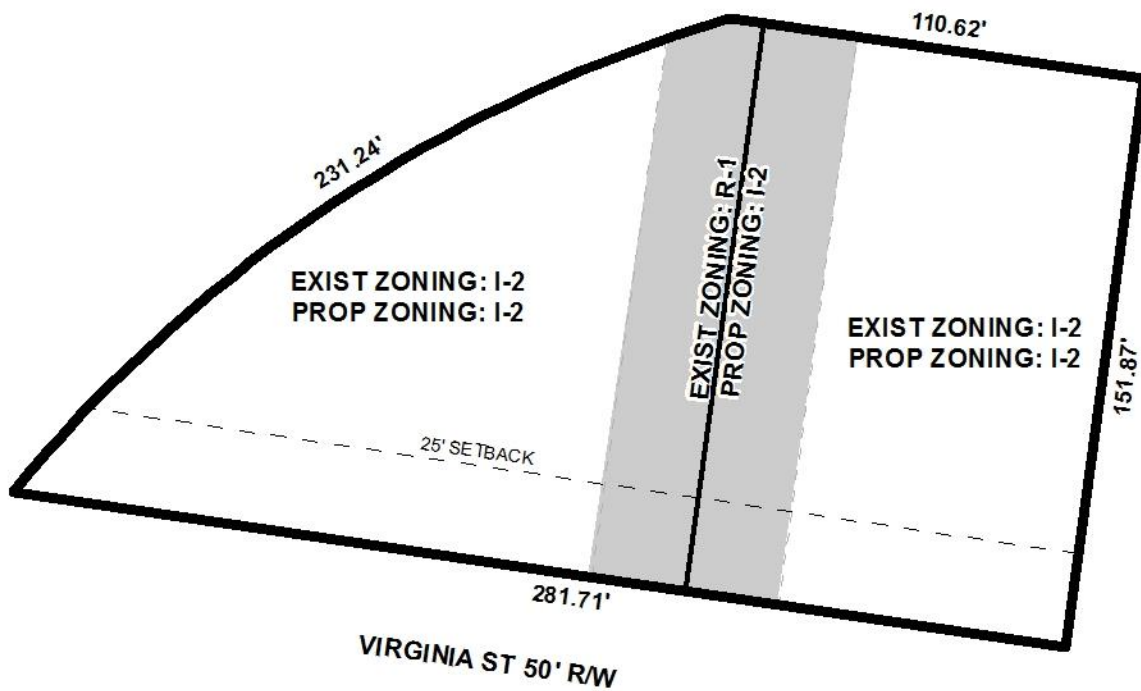
REQUEST Subdivision, Rezoning from R-1 and I-2 to I-2



NTS

# DETAIL SITE PLAN

CONCEPTION ST



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REQUEST Subdivision, Rezoning from R-1 and I-2 to I-2

