

**SUBDIVISION,  
PLANNING APPROVAL,  
& SIDEWALK WAIVER STAFF REPORT****Date: July 19, 2018**

<b><u>DEVELOPMENT NAME</u></b>	Boltz Lane Subdivision, Resubdivision of Lots 1 & 2
<b><u>SUBDIVISION NAME</u></b>	Boltz Lane Subdivision, Resubdivision of Lots 1 & 2
<b><u>LOCATION</u></b>	1751 Boltz Lane (Southeast corner of Boltz Lane and Pleasant Avenue)
<b><u>CITY COUNCIL DISTRICT</u></b>	Council District 1
<b><u>AREA OF PROPERTY</u></b>	1 Lot / 20.4 ± Acres
<b><u>CONTEMPLATED USE</u></b>	Planning Approval to amend a previously approved Planning Approval to allow a sanitary sewer tank and lift station in an R-1, Single Family District, Subdivision approval to create one legal lot of record, and a Sidewalk Waiver request to waive construction along Pleasant Avenue.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate.

**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 northeast corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage.
- C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.
- D. Show and label the MFFE (Minimum Finished Floor Elevation) LOT 1.
- E. Show and label each and every Right-Of-Way and easement.
- F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.

- H. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- 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 new development or construction, unless a sidewalk waiver is approved.
- L. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- M. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- N. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

**Planning Approval:**

- 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 and paving 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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- 5. 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.

6. 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.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Site is limited to its existing curb cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards

## **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 Planning Approval to amend a previously approved Planning Approval to allow a sanitary sewer tank and lift station in an R-1, Single Family District, Subdivision approval to create one legal lot of record from two existing legal lots, and a Sidewalk Waiver request to waive construction along Pleasant Avenue. The site is located in Council District 1, and according to the applicant is served by public water and sanitary sewer.

The site has been given a Park and Open Space (POS) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. 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.

This designation applies to parkland maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. Parks may include squares, playgrounds, playfields, gardens, greens, greenways and blueways, and other recreational areas and facilities that are accessible to the public. Open space may include any open piece of land, publicly or privately held, that is undeveloped (has no buildings or other built structures). This designation is not intended to identify public land acquisition or to prohibit the development potential of individual properties.

The designation applies to all existing and future parks and open space within the City, including both active and passive uses. Open space, including public access to water bodies, is generally consistent with all other land use categories, i.e., a park can be located within any other land use category, either incidental to a development or as part of a publicly-owned or publicly-sponsored local, community or regional park. Therefore, a Parks and Open Space designation is deemed consistent with all land use categories in the Future Land Use Map.

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.

A portion of the site is currently developed with a Severe Weather Attenuation Tank (SWAT). The applicant(s) would like to expand their operations to include two additional SWAT's on the remainder of the newly proposed lot. The site, as proposed, will be combining two legal lots of record into one legal lot of record, thus a one-lot Subdivision is required as well.

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 proposed lot, as depicted, meets the minimum size and frontage requirements as regulated by the Subdivision Regulations. The lot area size is depicted on the plat in acres, but not in square feet. The plat should be revised to depict the total lot area size in both square feet and acres or provide a chart furnishing the same information.

The site fronts Boltz Lane, Pleasant Avenue, and Rondo Road. Pleasant Avenue is a minor street with curb and gutter thus requiring a 50' right-of-way. The plat depicts a 37' right-of-way thus dedication to provide 25' from centerline of Pleasant Avenue will be required. Boltz Lane is a minor street without curb and gutter, thus requiring a 60' right-of-way. Dedication to provide 30' from centerline of Boltz Lane is required. Rondo Road appears to be an unimproved road, thus no dedication will be required and there shall be no access to Rondo Road until it is paved and brought to city standards.

The 25-foot minimum building setback line is depicted; however, it should be revised to reflect dedication.

As a means of access management, the site should be limited to the existing curb-cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

It should be noted there are easements on the property. A note should be placed on the plat and the site plan stating no structures shall be placed within any easements unless approved the easement owner(s) or associated with the function and purpose of the easement.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

In the narrative provided by the applicant, it states that based on the fact that the site currently has one existing SWAT facility, they believe adding two more would be consistent with the current approval for the site and necessary to prevent future sewage overflows. The newly proposed site plan depicts three Severe Weather Attenuation Tank (SWAT), a new asphalt access drive aisle, generators, an electrical building, a new lift station/ valve vault, and a new diversion box.

While tree plantings and landscaping calculations were not addressed with the submission of this application, staff recommends that frontage trees and a vegetative buffer be planted along Pleasant Avenue to serve as a protective buffer to shield the view of the tanks.

With regards to the sidewalk waiver request along Pleasant Avenue, the applicant states "*a sidewalk along the South side of Pleasant Avenue would be redundant, and would not increase pedestrian mobility, as there are no existing proposed sidewalks on adjacent properties on Pleasant Avenue*". However, there is in fact a sidewalk across the street from the subject site. There is also an apartment complex within the area, a park, the Three Mile Creek trail, and frequent pedestrian traffic, thus staff would not recommend that the sidewalk waiver request be approved. The Engineering Department as also reviewed the request and determined that there is sufficient room within the right-of-way, or within the property for the construction of a sidewalk.

## **RECOMMENDATION**

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

- 1) revision of the plat to depict the total lot size area in both square feet and acres;
- 2) revision of the plat to depict 25' from centerline of Pleasant Avenue;
- 3) revision of the plat to depict 30' from centerline of Botlz Lane;
- 4) revision of the 25' minimum building setback lines to reflect dedication;
- 5) placement of a note on the plat stating the lot is limited to the existing curb-cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) placement of a note on the plat stating there shall be no structures placed within any easements;
- 7) compliance with Engineering comments: "*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 northeast corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage. C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. D. Show and label the MFFE (Minimum Finished Floor Elevation) LOT 1. E. Show and label each and every Right-Of-Way and easement. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. 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 new development or construction, unless a sidewalk waiver is approved. L. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. M. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. N. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.”;

- 8) compliance with Traffic Engineering comments: “Site is limited to its existing curb cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards”;  
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).”; and
- 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).”

**Planning Approval:** Staff recommends the following Findings of Facts for Approval of the Planning Approval:

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located.

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

- 1) revision of the site plan to depict the total lot size area in both square feet and acres;
- 2) revision of the site plan to depict dedication to provide 25' from centerline of Pleasant Avenue;
- 3) revision of the site plan to depict dedication to provide 30' from centerline of Botlz Lane;
- 4) revision of the 25' minimum building setback line to reflect dedication;
- 5) placement of a note on the site plan stating the lot is limited to the existing curb-cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) placement of a note on the site plan stating there shall be no structures placed within any easements unless approved the easement owner(s) or associated with the function and purpose of the easement;
- 7) revision of the site plan to depict frontage trees and a vegetative buffer to be planted along Pleasant Ave to serve as a protective buffer;
- 8) 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 and paving 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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. 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. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters";*

- 9) compliance with Traffic Engineering comments: *“Site is limited to its existing curb cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards”*;
- 10) 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).”*; and
- 11) 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).”*

**Sidewalk Waiver:** Based upon the proceeding, this application is recommend for Denial.



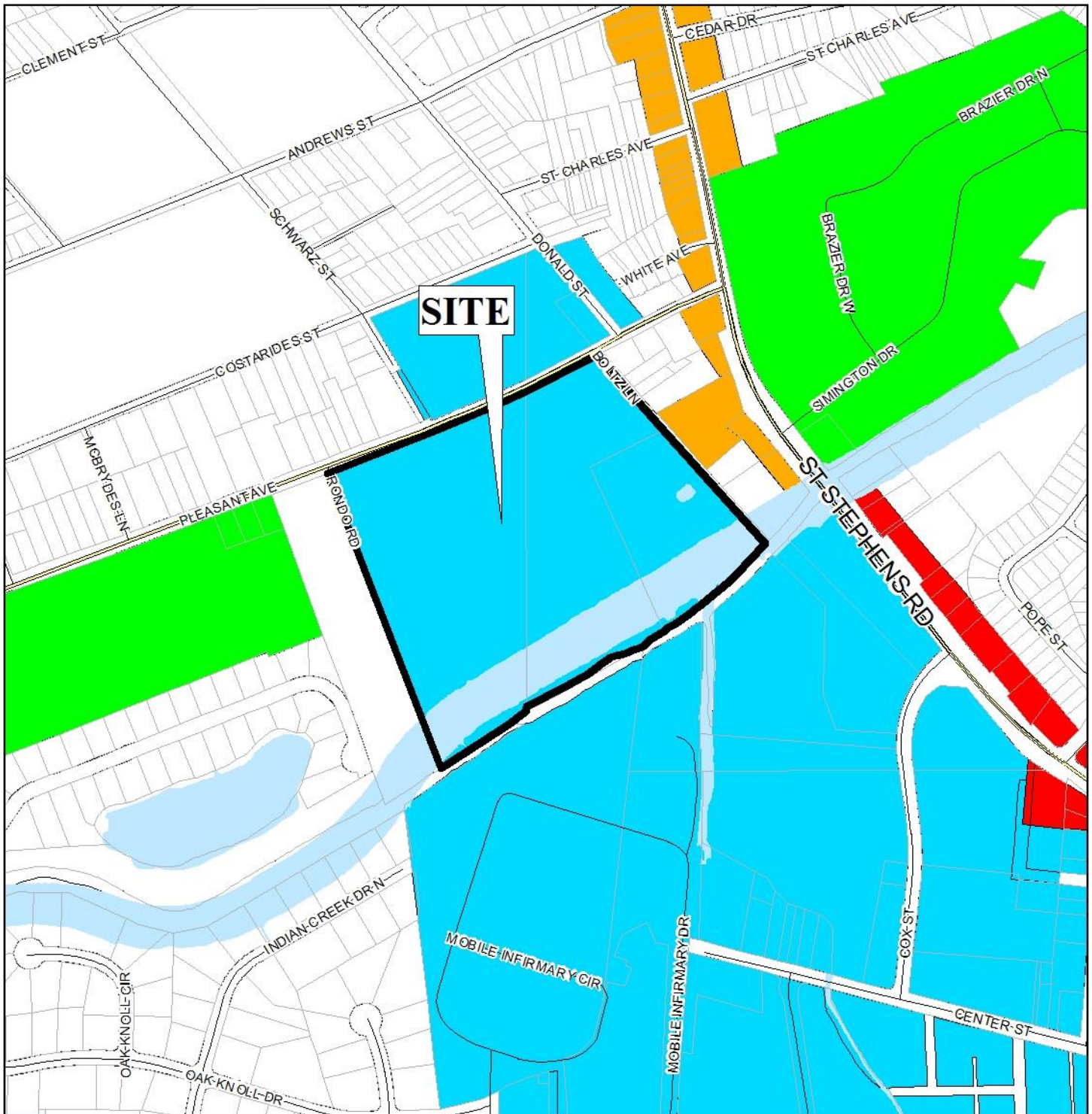
# LOCATOR MAP



APPLICATION NUMBER 19 DATE July 19, 2018  
APPLICANT Boltz Lane Subdivision, Resubdivision of Lots 1 & 2  
REQUEST Subdivision, Planning Approval, Sidewalk Waiver



# LOCATOR ZONING MAP

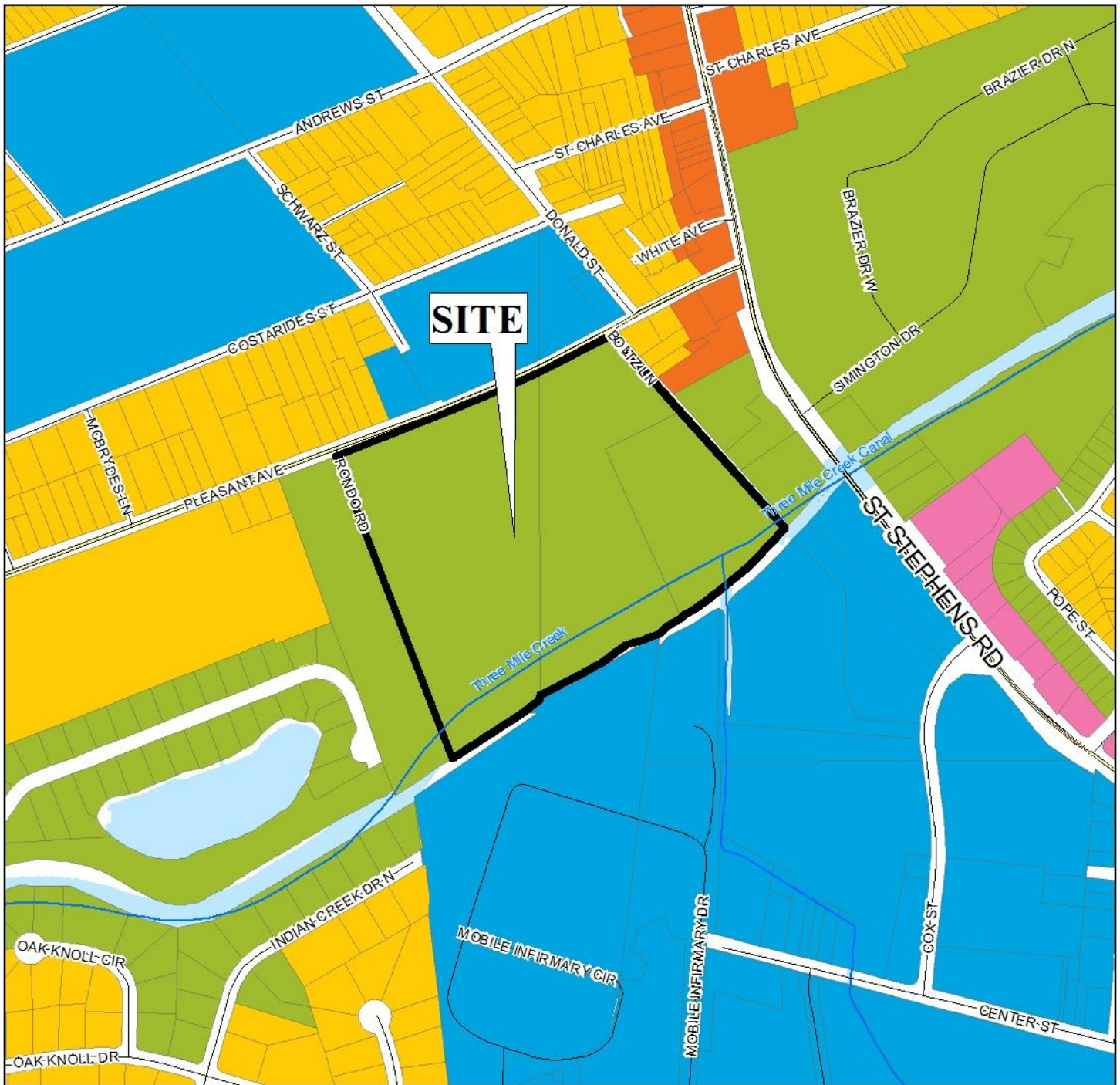


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REQUEST Subdivision, Planning Approval, Sidewalk Waiver





# FLUM LOCATOR MAP



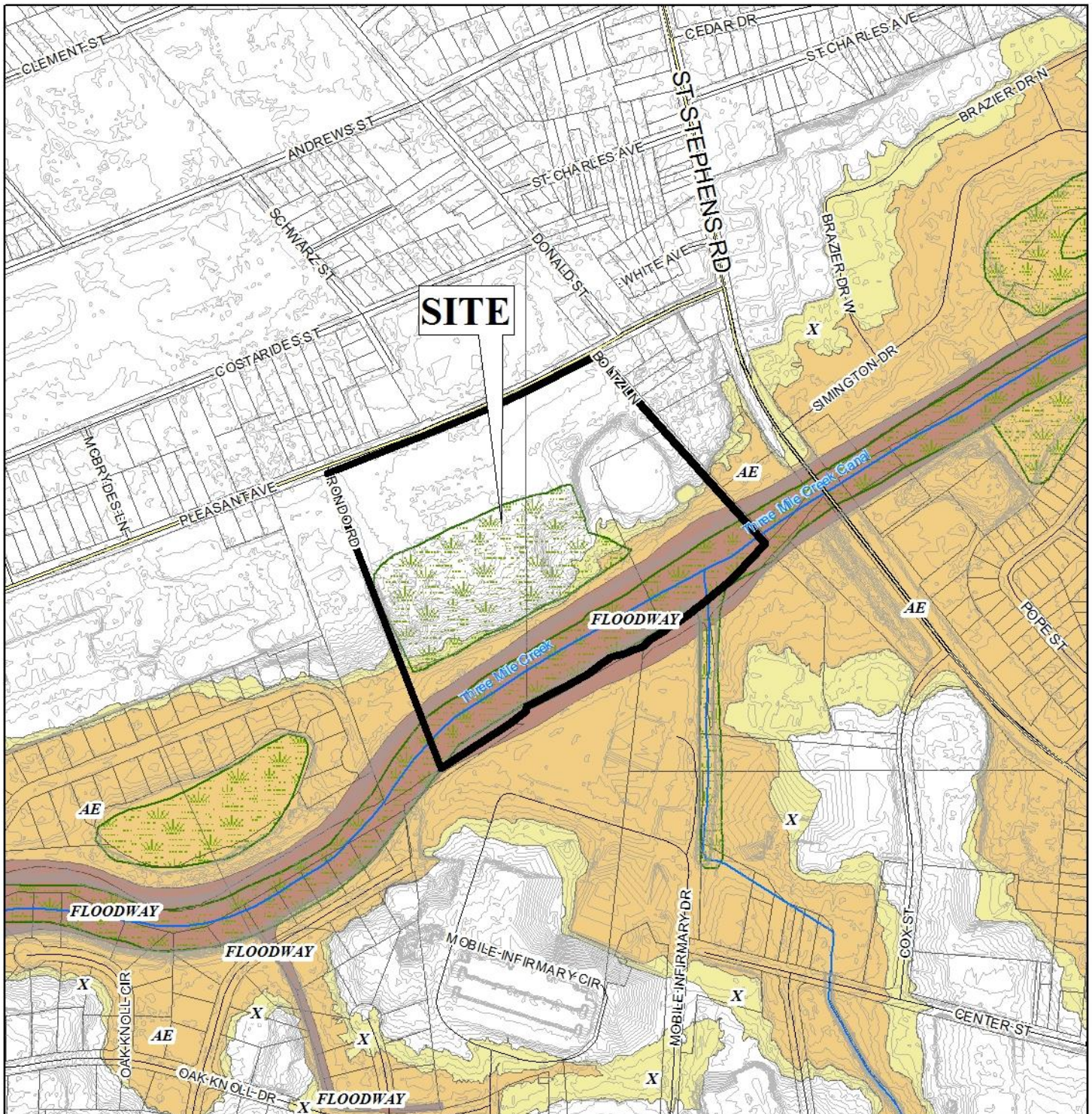
APPLICATION NUMBER 19 DATE July 19, 2018  
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 REQUEST Subdivision, Planning Approval, Sidewalk Waiver

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





# ENVIRONMENTAL LOCATOR MAP

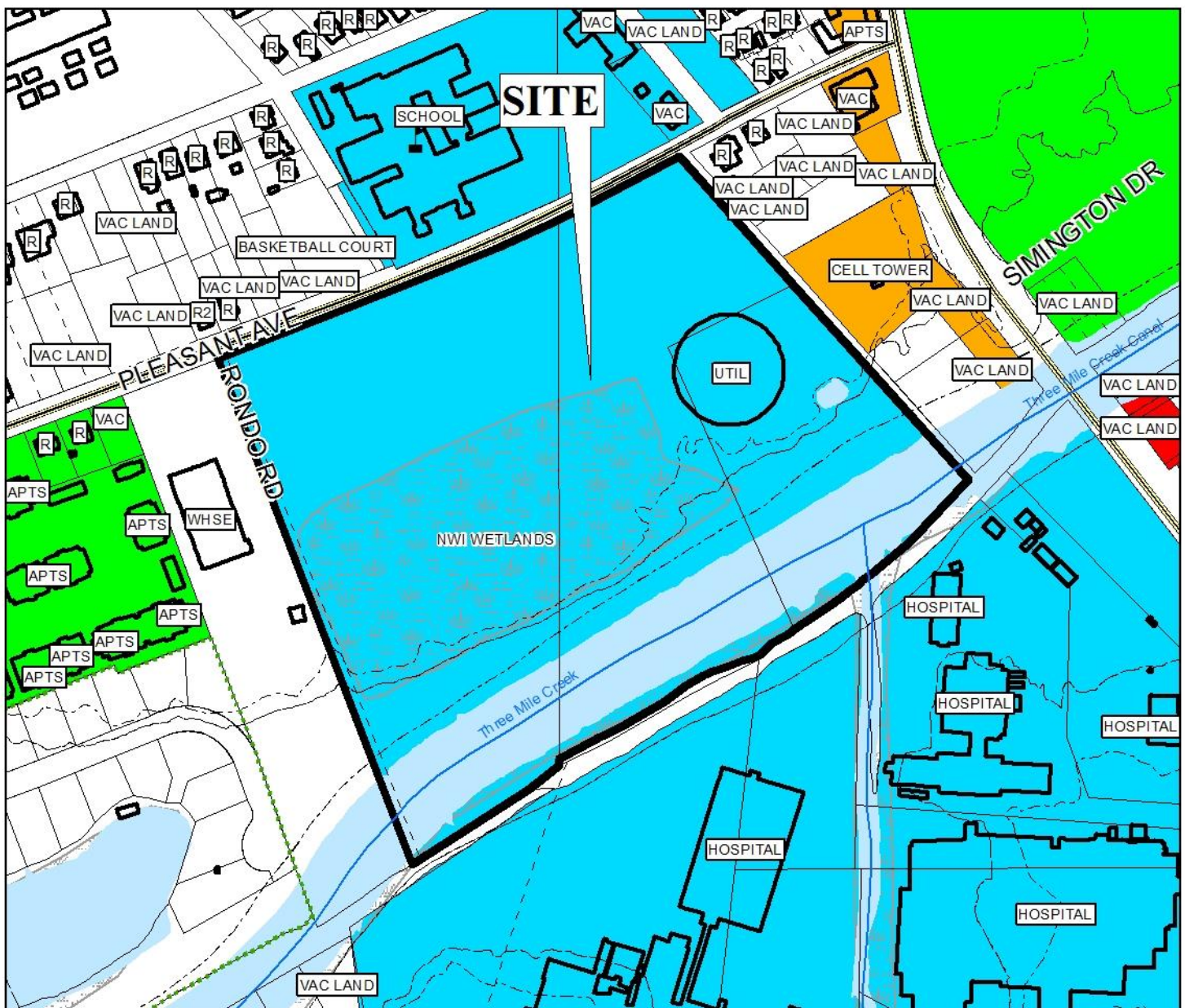


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REQUEST Subdivision, Planning Approval, Sidewalk Waiver





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by a hospital to the south, commercial units to the east, a school to the north, and residential units to the west and northeast.

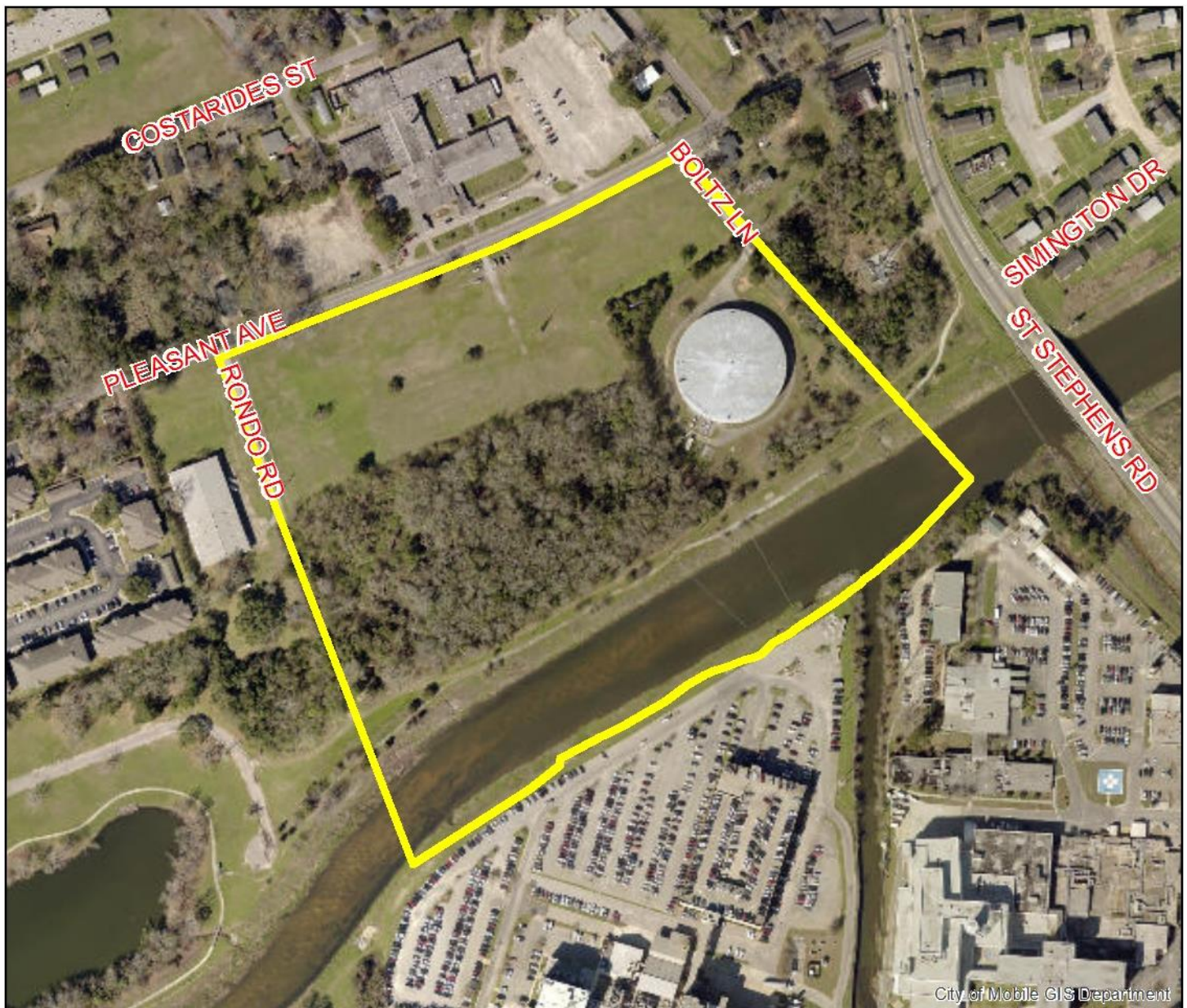
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by a hospital to the south, commercial units to the east, a school to the north, and residential units to the west and northeast.

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SITE PLAN



The site plan illustrates the existing tank, existing asphalt drive, existing buildings, easement, setbacks, proposed tanks, and proposed buildings.

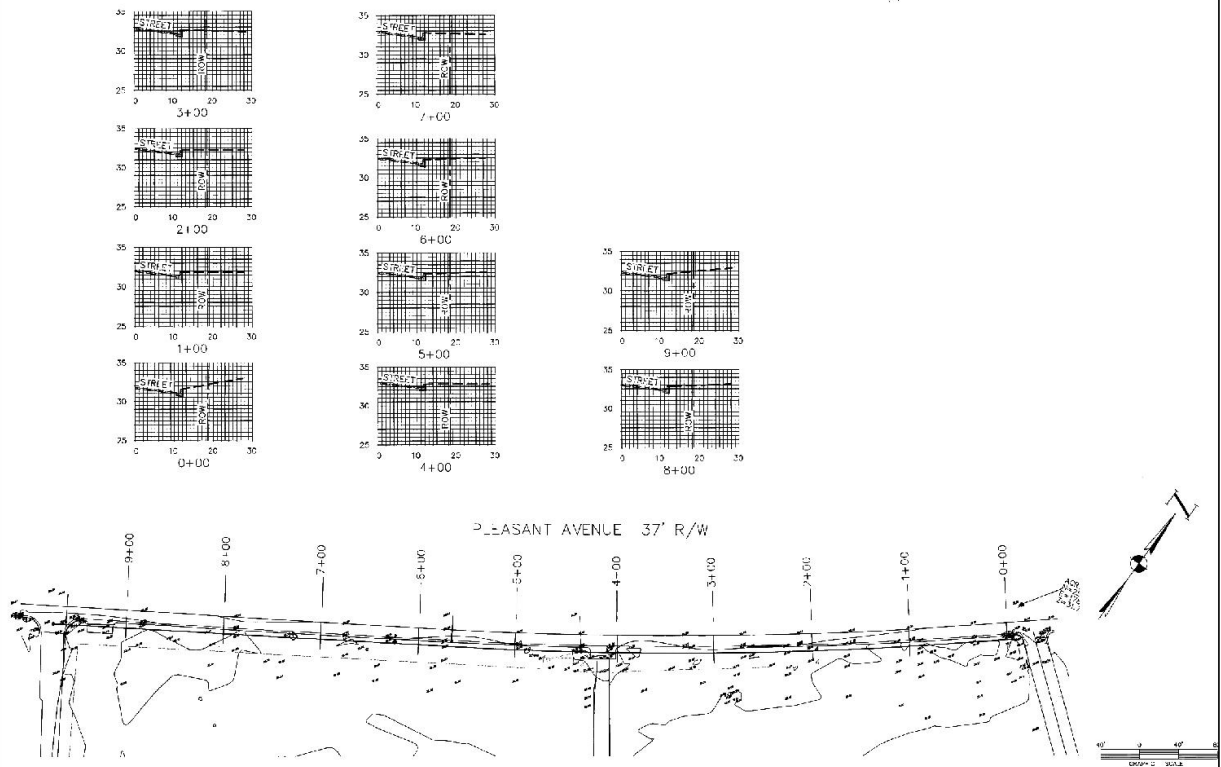
APPLICATION NUMBER 19 DATE July 19, 2018  
APPLICANT Boltz Lane Subdivision, Resubdivision of Lots 1 & 2  
REQUEST Subdivision, Planning Approval, Sidewalk Waiver



NTS



# DETAIL SITE PLAN



APPLICATION NUMBER 19 DATE July 19, 2018

APPLICANT Boltz Lane Subdivision, Resubdivision of Lots 1 & 2

REQUEST Subdivision, Planning Approval, Sidewalk Waiver



NTS