

**SUBDIVISION &  
SIDEWALK WAIVER STAFF REPORT****Date: June 5, 2014****NAME**

Kennedy Investments, LLC

**SUBDIVISION NAME**

Belt Line Plaza West Subdivision

**LOCATION**1554 & 1558 West I-65 Service Road South  
(West side of I-65 Service Road South, 0.26± mile South of  
Cottage Hill Road)**CITY COUNCIL****DISTRICT**

District 4

**AREA OF PROPERTY**

1 Lot / 0.9± Acre

**PRESENT ZONING**

B-3, Community Business District

**ENGINEERING****COMMENTS**

**Subdivision:** The following comments should be addressed prior to acceptance and signature by the City Engineer:

- A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any future addition(s) and/or land disturbing activity.
- B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 81) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- C. 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.
- D. Add a signature block for the Owner and Notary Public.
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.

**Sidewalk Waiver:** Due to the location and size of the existing roadside drainage ditch on the I-65 Service Road it is recommended that this request be approved.

**TRAFFIC ENGINEERING****COMMENTS**

Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Confirmation of ALDOT approval of the driveways on the Service Road will need to be provided, prior to the issuance of any permits for land disturbance activities.

**URBAN FORESTRY****COMMENTS**

**Subdivision:** 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).

**Sidewalk Waiver:** Installation of a sidewalk will have a negative impact on the existing trees and tree roots along West I-65 Service Road South.

**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.

**FIRE DEPARTMENT****COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

**REMARKS**

The applicant is seeking Subdivision approval to create one legal lot of record from two existing legal lots of record, and Sidewalk Waiver approval to waive construction of a sidewalk along West I-65 Service road South. The site is located in Council District 4, and according to the applicant, is served by public water and sanitary sewer services.

It should be noted that the site was granted a Parking Ratio Variance by the Board of Zoning Adjustment on May 5, 2014, to allow 31 parking spaces for the two combined lots which would normally require 37 parking spaces. One condition of that approval is the combining of the two existing lots into one via a Subdivision; hence the Subdivision application. Another condition is the installation of a city-standard sidewalk or the granting of a Sidewalk Waiver; hence the Sidewalk Waiver application.

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 site fronts West I-65 Service Road South, a component of the Major Street Plan with a planned and compliant 300' right-of-way; therefore, no dedication would be required. As a means of access management, the site should be limited to a maximum of two curb cuts, with the size, design and location to be approved by Traffic Engineering and ALDOT and in conformance with AASHTO standards. As per the Traffic Engineering comments, the ALDOT approval of curb cuts should be confirmed prior to the issuance of any permits for land disturbance activities.

As on the preliminary plat, the Final Plat should retain the 60' minimum building setback line. The lot is labeled with its size on the preliminary plat in square feet and acres and should also be so-labeled on the Final Plat, or a table should be furnished on the Final Plat providing the same information.

The Subdivision process should be completed prior to the issuance of a Certificate of Occupancy for the parking lot expansion.

As submitted, the plat contains a note and signature block for County Engineering. County Engineering no longer signs Subdivision plats where the subject property is fully within the City limits of Mobile; therefore, this note and signature block should be removed from the Final Plat.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

Regarding the Sidewalk Waiver request, the applicant states "Construction of a sidewalk is not feasible at the subject project due to existing open ditch areas (approx. 20 lf each) located at north and south end of property. These ditches are part of a drainage system that serves a majority of the property located along the service road. Between the aforementioned ditch areas is an existing 36" RC pipe. In order to construct a sidewalk these ditches would require piping and inlets. However, existing conditions and topography will not accommodate this due to the top of pipe elevation being approx. 6" higher than the centerline of the adjacent service road. A new sidewalk would require a major re-design of the current storm drain system with construction affecting the adjacent property owners. And, because this is ALDOT right-of-way their involvement would be mandatory."

City Engineering has determined that due to the size and location of the existing ditch, the request should be approved. One of the conditions of approval of the Parking Ratio Variance is the retention of the existing frontage trees. As Urban Forestry has determined that the installation of a sidewalk will have a negative impact on the existing trees and tree roots along West I-65 Service Road South, and as City Engineering has recommended approval, the approval of the Sidewalk Waiver request would be justified.

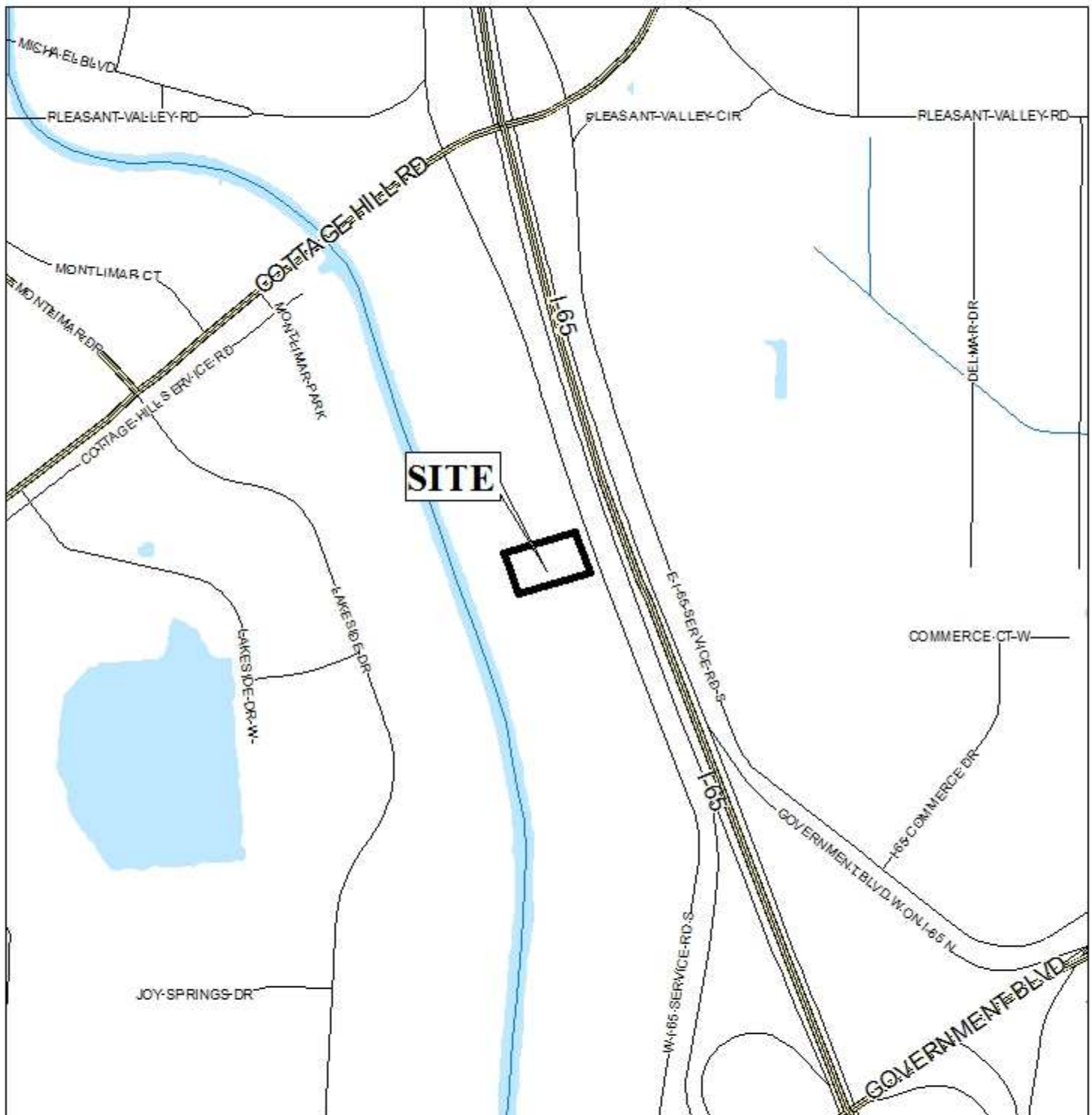
## **RECOMMENDATION**

**Subdivision:** Based upon the preceding, this application is recommended for tentative approval subject to the following conditions:

- 1) placement of a note on the Final Plat stating that the Subdivision is limited to a maximum of two curb cuts, with the size, design and location to be approved by Traffic Engineering and ALDOT and in conformance with AASHTO standards.
- 2) retention of the 60' minimum building setback line on the Final Plat;
- 3) retention of the labeling of the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information.
- 4) removal of the County Engineering note and signature block from the Final Plat;
- 5) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 6) compliance with Engineering comments: *(The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any future addition(s) and/or land disturbing activity. B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 81) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. C. 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. D. Add a signature block for the Owner and Notary Public. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.);*
- 7) compliance with the Traffic Engineering comments: *(Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Confirmation of ALDOT approval of the driveways on the Service Road will need to be provided, prior to the issuance of any permits for land disturbance activities.);*
- 8) compliance with the 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 the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile).*

**Sidewalk Waiver:** Based upon the preceding, this application is recommended for approval.

# LOCATOR MAP



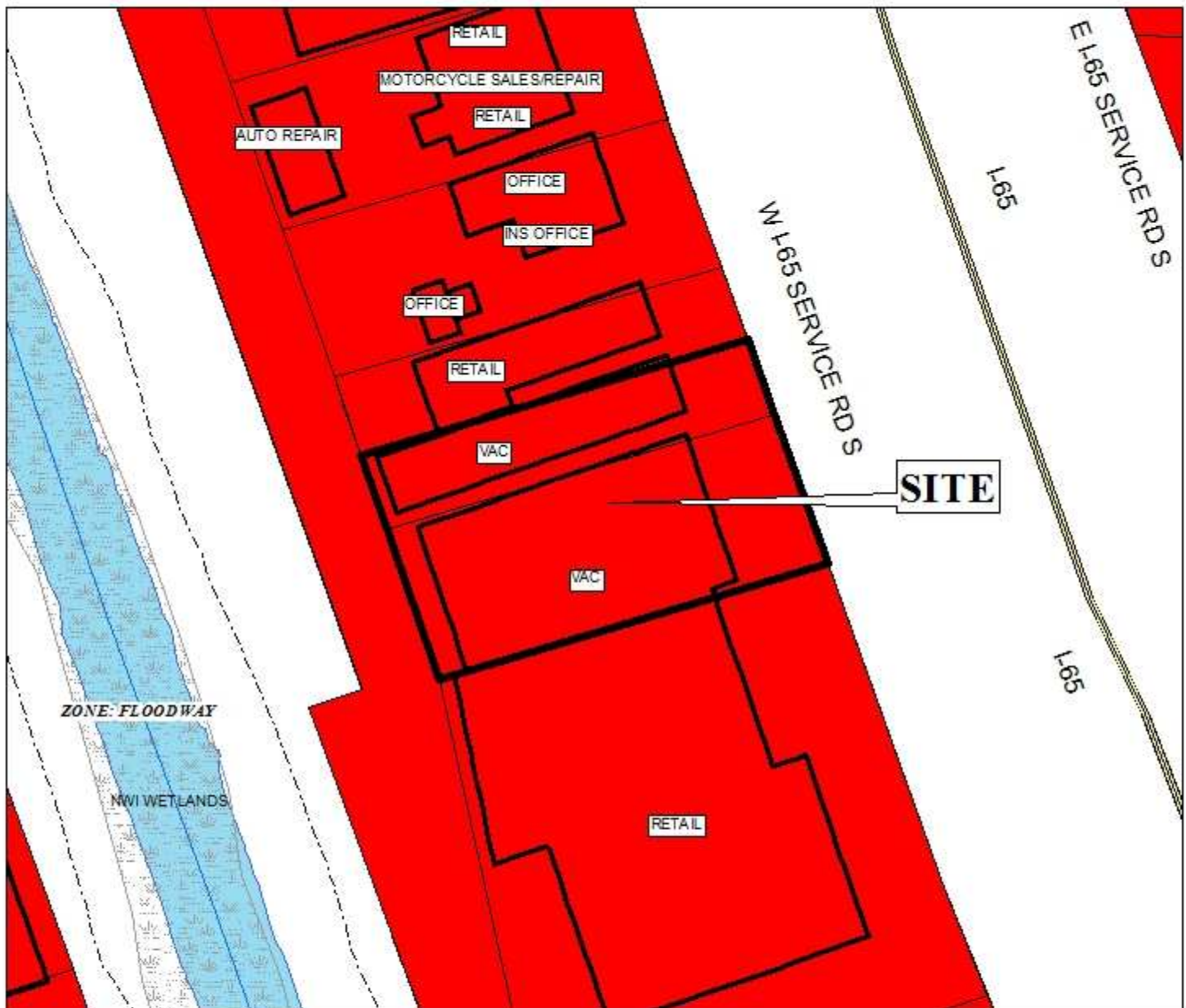
APPLICATION NUMBER 22 & 23 DATE June 5, 2014

APPLICANT Beltline Plaza West Subdivision

REQUEST Subdivision, Sidewalk Waiver



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 22 & 23 DATE June 5, 2014

APPLICANT Beltline Plaza West Subdivision

REQUEST Subdivision, Sidewalk Waiver

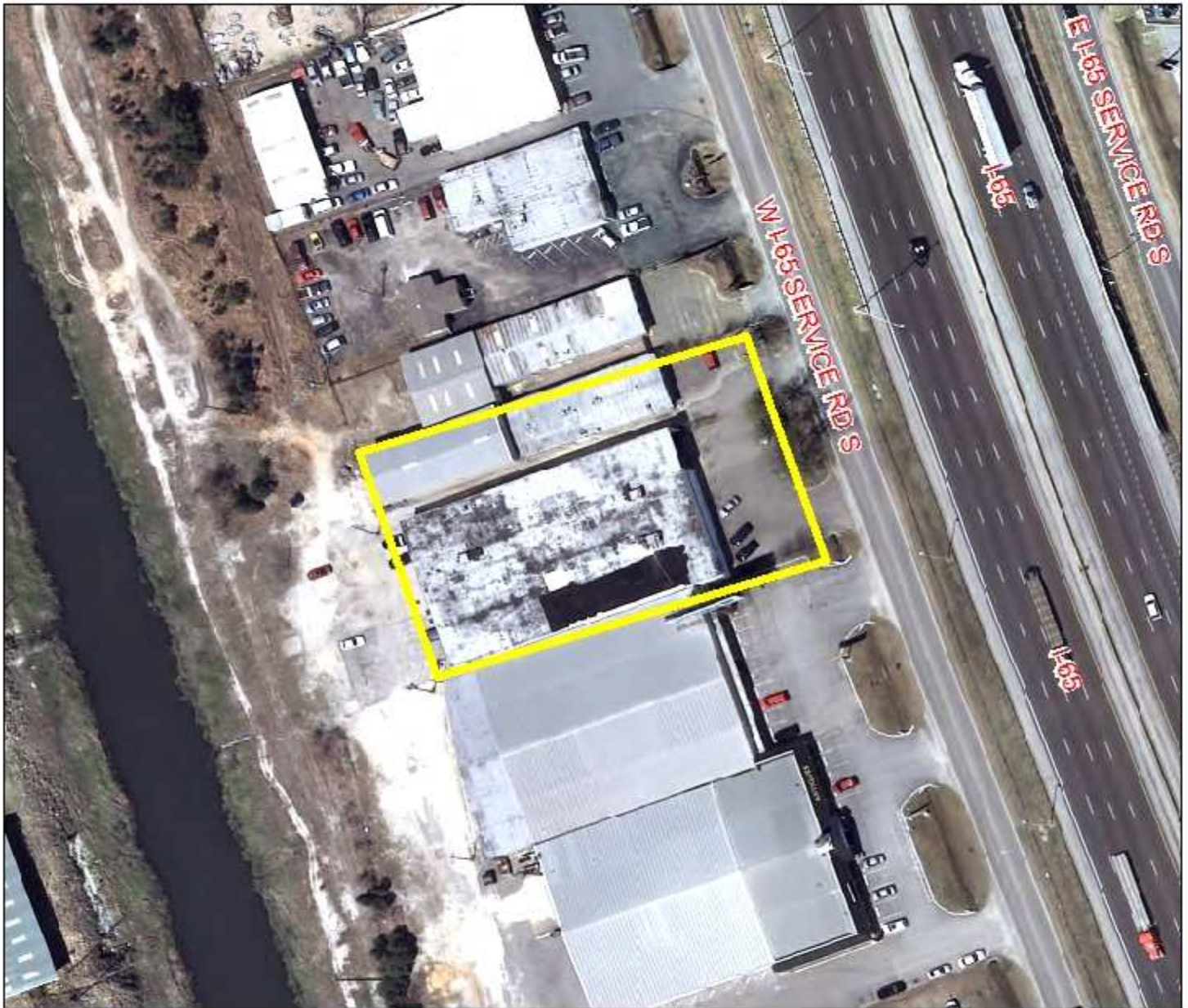
LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

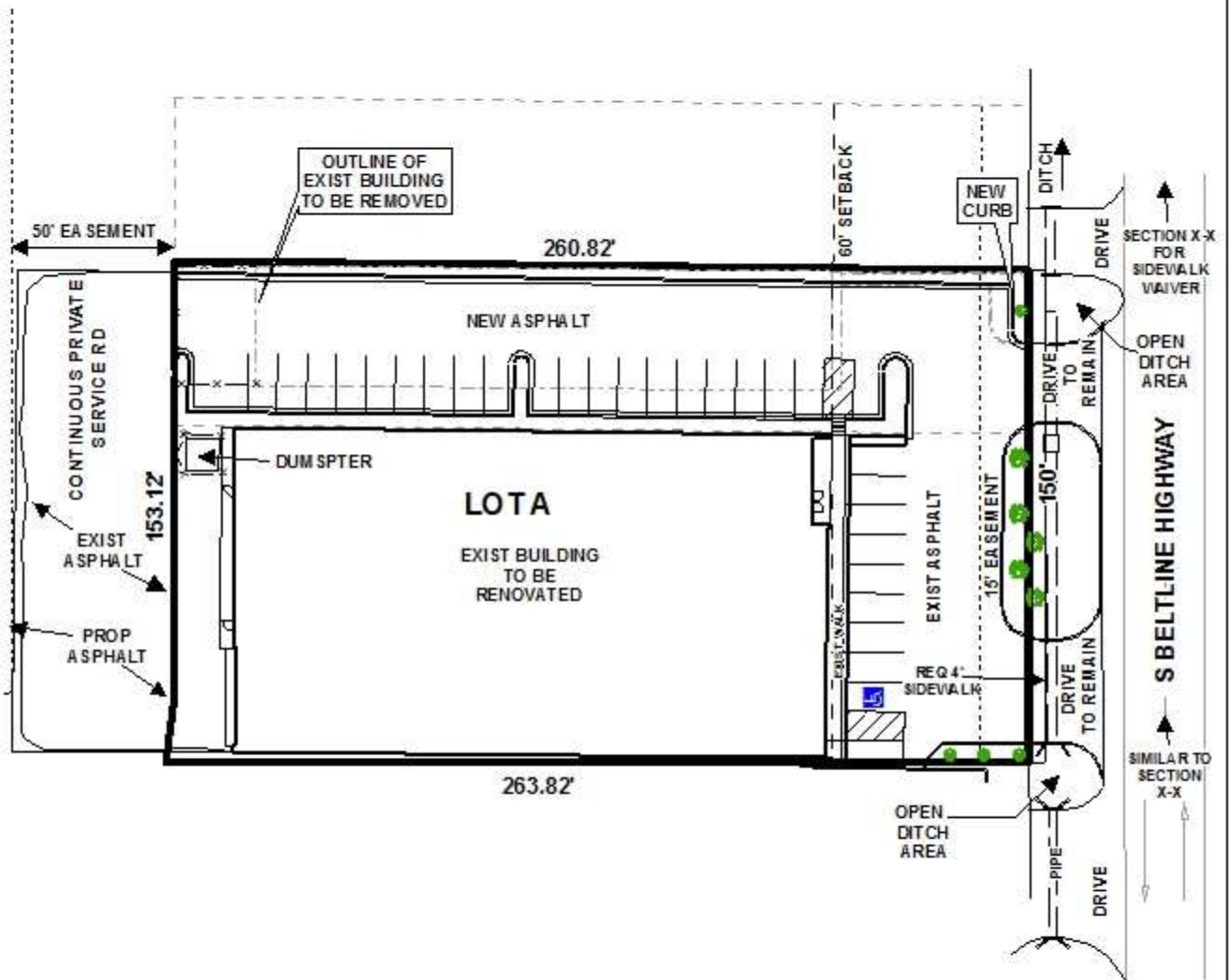
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# SITE PLAN



APPLICATION NUMBER 22 & 23 DATE June 5, 2014

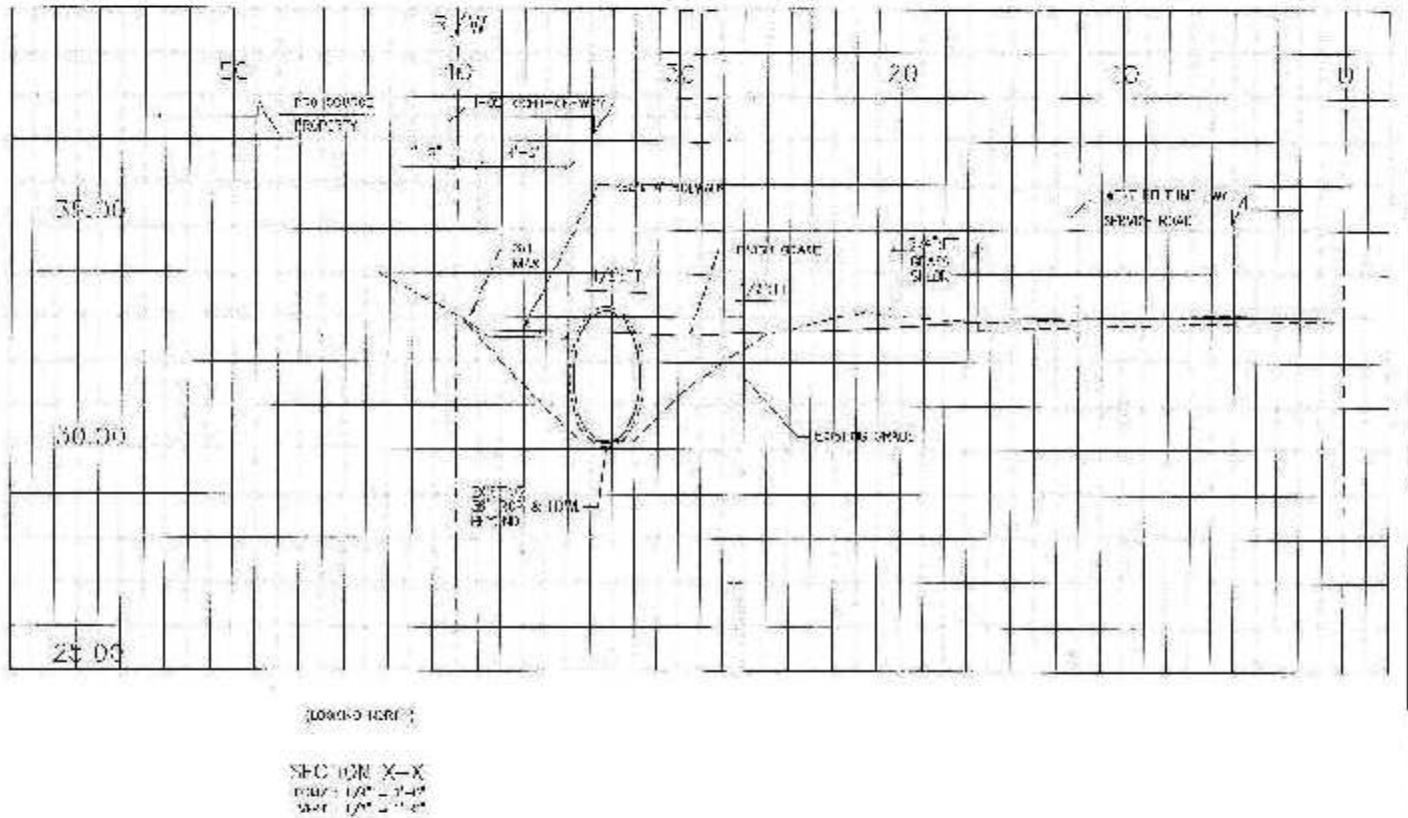
APPLICANT Beltline Plaza West Subdivision

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# DETAIL SITE PLAN



APPLICATION NUMBER 22 & 23 DATE June 5, 2014

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REQUEST Subdivision, Sidewalk Waiver

