

**ZONING AMENDMENT  
& SUBDIVISION STAFF REPORT****Date: June 4, 2015****APPLICANT NAME**

Richardson, Inc.

**SUBDIVISION NAME**

Alexander-Richardson Subdivision

**LOCATION**1016 and 1066 Hillcrest Road  
(Northwest corner of Hillcrest Road and Johnston Lane)**CITY COUNCIL  
DISTRICT**

District 6

**PRESENT ZONING**B-2, Neighborhood Business District and B-3, Community  
Business District**PROPOSED ZONING**

B-3, Community Business District

**AREA OF PROPERTY**

2 Lots / 3.2± Acres

**CONTEMPLATED USE**

Subdivision approval to create 2 legal lots of record, and Zoning approval to rezone the site from B-2, Neighborhood Business District and B-3, Community Business District, to B-3, Community Business District, to eliminate split zoning.

**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  
FOR DEVELOPMENT**

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 a legend for some the other symbols and abbreviations.
- B. Review and update, as necessary, the date of the latest FIRM panel -0537K.
- C. Show and label the monument recovered or set at each point on the boundary. Some of the symbols may be obstructed by the proposed Lot lines.
- D. Clarify the date of the field survey.

- E. 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.
- F. 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.
- G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- 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 the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

**Rezoning:** No comments.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any new 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).

## **REMARKS**

The applicant is requesting Subdivision approval to create two legal lots of record from two existing legal lots of record, and rezoning the site from B-2, Neighborhood Business District and B-3, Community Business District to B-3, Community Business District, to eliminate split zoning.

The site consists of two properties. One is a carwash at the Northwest corner of Hillcrest Road and Johnston Lane which is a legal lot of record (Lot 2, Revised Rich's Subdivision) and which has a long "finger" extending Northward behind five properties fronting Hillcrest Road. The second site property (Lot 1, Resubdivision of Lots 2 & 3, H. S. Norden Place) is located approximately 420' North of the corner property and also fronts Hillcrest Road with the "finger"

of the corner property adjoining it in the rear Southwest corner. It is currently used as a funeral home. The carwash lot is zoned B-2, and the funeral home lot is zoned B-3. The purpose of the Subdivision is to detach the North 132'± of the carwash property "finger" and combine it with the funeral home property. Since this would then create a split-zoned situation within the expanded funeral home property, the Rezoning is proposed to eliminate the split zoning.

It should be noted that no site plan is provided for either property. However, as no expansion of either site is proposed at this time and only a land-swap is proposed, no site plan would be required. The portion of the site where the swap is proposed is vacant and full compliance with the Zoning Ordinance would be required at such time that it is developed.

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 site appears to be depicted as commercial 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. The accuracy of recommended land uses on the General Land Use Component map is limited due to the large scale of the map. 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.

The site is bordered to the North and South along Hillcrest Road by B-2 zoning and to the West facing Johnston Lane by vacant R-1, Single-Family Residential zoning.

The applicant states: *"Richardson Inc. located at 1066 Hillcrest Road has an option to sell a portion of their property: THE NORTH 132 FEET OF Lot 2 Revised Richardson Subdivision, to Ascension Funeral Home. The parcel to be conveyed is B-2 and the Ascension Funeral Home is B-3."*

*"The request is to have the new combined subdivision lot be zoned B-3."*

In this instance, the subdivision of land into building sites makes reclassification of the land necessary and desirable, specifically to eliminate split zoning.

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 Hillcrest Road, a Major Street with a compliant 100' right-of-way, and Johnston Lane, an opened right-of-way beyond the site. Through the recording of Revised Rich's Subdivision, dedication was made to provide 25' from the centerline along most of the site with a 35' minimum building setback past the dedicated portion. Therefore, no dedication would be required along Johnston Lane.

H.S. Norden Place Subdivision, Resubdivision of Lots 2 & 3 was originally approved with a condition that it be limited to two curb cuts to Hillcrest Road, with the size, design and location of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards. That should also apply to the proposed Lot 1. As a means of access management, a note should be required on the Final Plat stating that Lot 2 is limited to the existing curb cuts to Hillcrest Road and Johnston Lane.

As on the preliminary plat the Final Plat should retain the lot size labels in both square feet and acres, or a table should be furnished on the Final Plat providing the same information. And as on the preliminary plat, the Final Plat should retain the 25' minimum building setback lines along all street frontages, except the 35' setback line near the West end of Lot 2.

It should be noted that Planning has never received the required seven copies of the recorded plat of H.S. Norden Place Subdivision, Resubdivision of Lots 2 & 3. Therefore, the required seven copies of the recorded plat should be provided to Planning prior to signing the Final Plat for the current proposed Subdivision.

Since a portion of the site would contain split zoning, the Rezoning process should be completed prior to signing the Final Plat.

## **RECOMMENDATION**

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

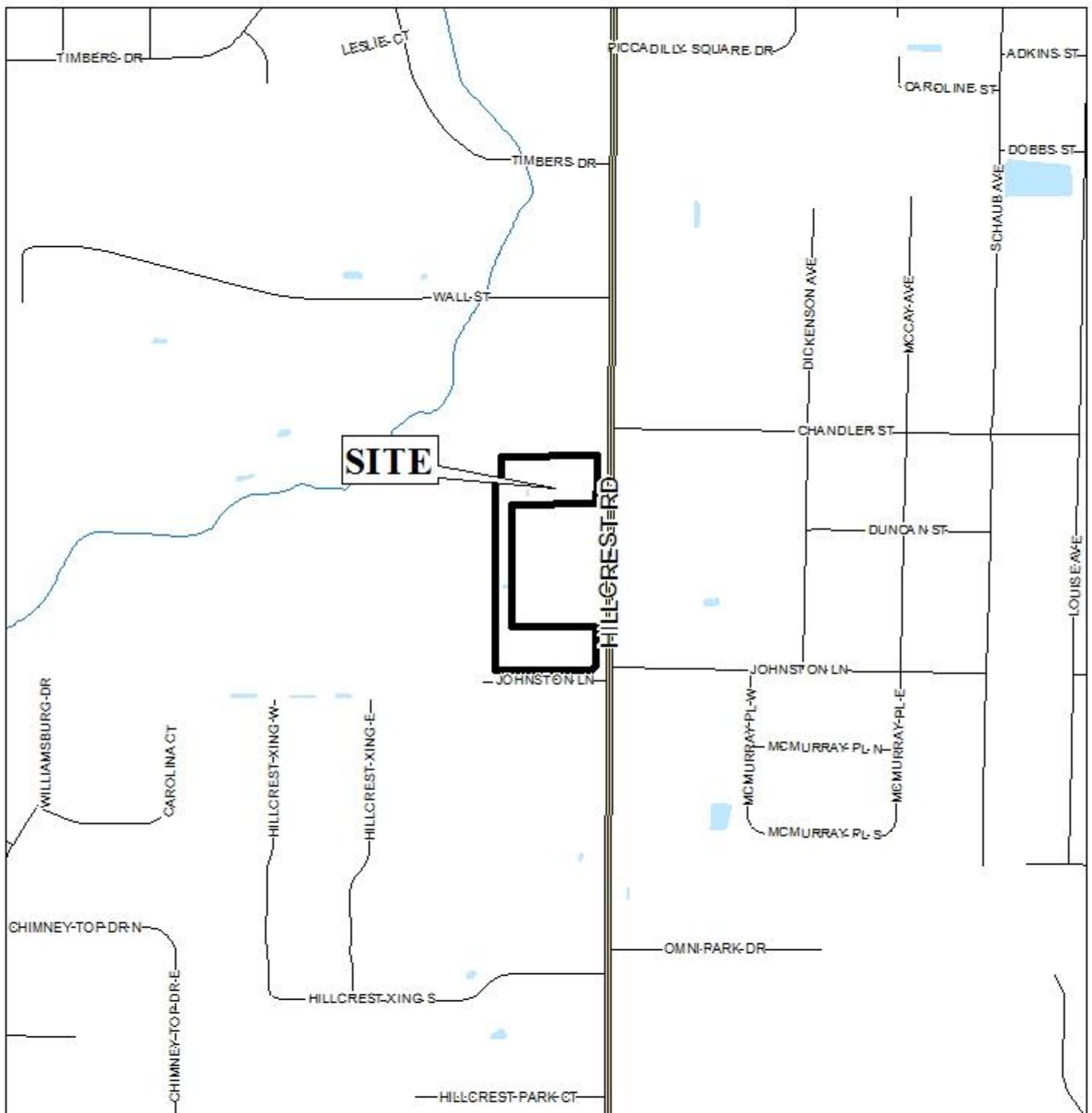
- 1) placement of a note on the Final Plat stating that Lot 1 is limited to two curb cuts to Hillcrest Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) placement of a note on the Final Plat stating that Lot 2 is limited to the existing curb cuts to Hillcrest Road and Johnston Lane;
- 3) retention of the lot sizes in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 4) retention of the 25' minimum building setback lines along all street frontages, except the 35' setback line near the West end of Lot 2;

- 5) provision of the required seven copies of the recorded plat of H.S. Norden Place Subdivision, Resubdivision of Lots 2 & 3, to Planning prior to signing the Final Plat;
- 6) completion of the Rezoning process prior to signing the Final Plat;
- 7) full compliance with the Engineering comments: *[The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide a legend for some the other symbols and abbreviations. B. Review and update, as necessary, the date of the latest FIRM panel -0537K. C. Show and label the monument recovered or set at each point on the boundary. Some of the symbols may be obstructed by the proposed Lot lines. D. Clarify the date of the field survey. E. 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. F. 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. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. 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 the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];*
- 8) full compliance with the Traffic Engineering comments: *(Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any new 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.);*
- 9) full 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*
- 10) compliance with the 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)].*

**Rezoning:** Based upon the preceding, the Rezoning request is recommended for Approval subject to the following conditions:

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



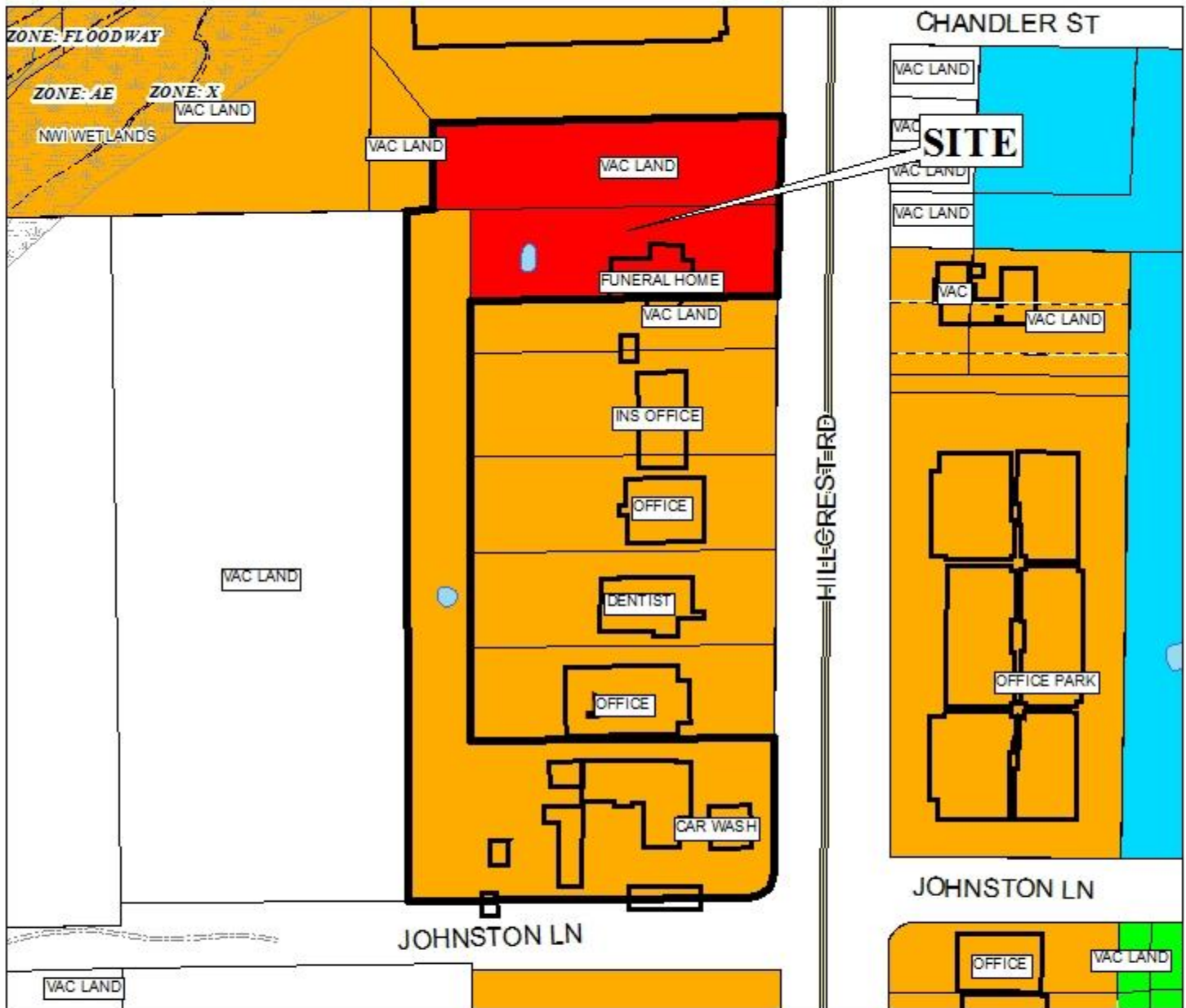
APPLICATION NUMBER 23 DATE June 4, 2015

APPLICANT Alexander-Richardson Subdivision

REQUEST Subdivision, Rezoning from B-2 to B-3



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 23 DATE June 4, 2015

APPLICANT Alexander-Richardson Subdivision

REQUEST Subdivision, Rezoning from B-2 to B-3

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 commercial units.

APPLICATION NUMBER 23 DATE June 4, 2015

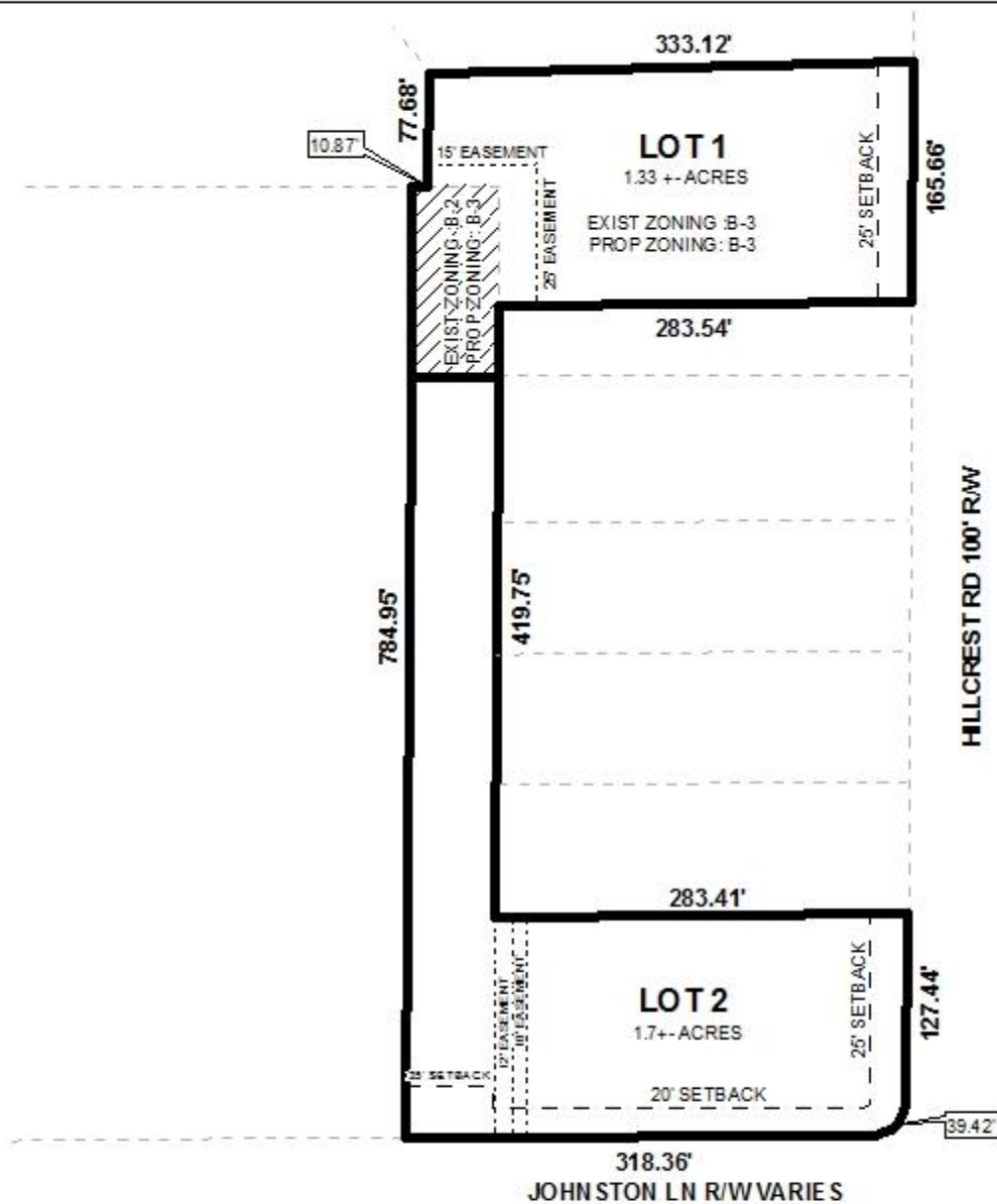
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# SITE PLAN



The site plan illustrates the setbacks, easements, and zoning.

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REQUEST Subdivision, Rezoning from B-2 to B-3

