

**PLANNING APPROVAL &
SUBDIVISION STAFF REPORT****Date: January 15, 2015**

<u>NAME</u>	Hilltop Subdivision, First Addition, Resubdivision of Lot 24
<u>SUBDIVISION NAME</u>	Hilltop Subdivision, First Addition, Resubdivision of Lot 24
<u>LOCATION</u>	5418 Old Shell Road (Northeast corner of Old Shell Road and Cosgrove Drive)
<u>CITY COUNCIL DISTRICT</u>	District 7
<u>PRESENT ZONING</u>	B-1, Buffer Business District
<u>AREA OF PROPERTY</u>	1 Lot / 0.2± Acre
<u>CONTEMPLATED USE</u>	Planning Approval to allow a veterinarian's office with outdoor runs in a B-1, Buffer Business District, and Subdivision approval to create one legal lot of record from an existing metes and bounds parcel.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	None Given
<u>ENGINEERING COMMENTS</u>	

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for 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 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.
- B. 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.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. 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.

- E. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Planning Approval: No comments.

TRAFFIC ENGINEERING

COMMENTS

Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm to AASHTO standards. Any gravel in the right-of-way and adjacent to the right-of-way that would not be used for parking or maneuvering should be removed and grassed or landscaped. If gravel is to remain in the rear of the property, any required parking spaces should be delineated with bumper stops. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Sidewalk is illustrated to be constructed only on Old Shell Road, but should also be constructed along the frontage of Cosgrove Drive, unless a sidewalk waiver is obtained. The construction of sidewalk should also include a handicap ramp at the corner of Old Shell Road and Cosgrove Drive.

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).

Provide additional evergreen vegetative buffer plantings along the North property line for additional buffer of the residentially developed property from the proposed outside dog run.

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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

MAWSS

COMMENTS

No comments.

REMARKS The applicant is requesting Planning Approval to allow a veterinarian's office with outdoor runs in a B-1, Buffer Business District, and Subdivision approval to create one legal lot of record from an existing metes-and-bounds parcel.

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 hazards, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. It is very important to note that the Planning Approval review is **site plan specific**; therefore, any future changes to the site plans, as approved, by current or future applicants must be submitted for Planning Approval review.

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 applicant is seeking Planning Approval to allow a veterinarian's office with outdoor runs in a B-1, Buffer Business District. Veterinarian offices are allowed by right in B-1 Districts, but require Planning Approval to have outdoor runs in any district. The site is located within a mixed-use area consisting of offices, retail, and multi-family residential along Old Shell Road, and single-family residential adjacent to the North side and across Cosgrove Drive.

The subject site is currently used as a real estate office. In addition to the change in use, the applicant proposes a minor 300 square-foot addition to the existing building, parking and traffic flow alterations, and the mentioned outdoor dog run. As required for veterinarian's offices by the Zoning Ordinance, the applicant also proposes to sound-proof the building.

The site was originally zoned R-1, Single-Family Residential. In 1987, it was rezoned to its current B-1 classification. Conditions on that rezoning specified the dedication to provide 50' from the centerline of Old Shell Road (a component of the Major Street Plan), the provision of a buffer along the North property line, and the restriction of access to Cosgrove Drive only away from the street intersection. In 1993, the 1987 rezoning was amended to remove the access restriction condition.

With regard to the request to allow the outdoor dog run, the site plan indicates the proposed area for such would be adjacent to the North side of the East-West portion of the existing building within an area currently used for parking and would encompass approximately 450 square feet. This location would basically shield any dog barking noises from the properties to the South and West, but not to the East and North. No indication of physical containment or noise control is indicated on the site plan; therefore, the site plan should be revised to indicate that the dog run will be enclosed by a 6' high wooden privacy fence along the edge of the driveway.

The site plan indicates revisions to the parking layout providing the required eight parking spaces. Modifications to provide compliant drive and access areas are also indicated. Due to site constraints, ingress would be one-way from Old Shell Road with one-way egress onto Cosgrove Drive. However, the site plan should be revised to indicate the removal of the existing asphalt driveway along the front of the building and the revision of the ingress drive from Old Shell Road to restrict vehicular traffic into that area due to the fact that such area is within the dedicated public right-of-way. The area of the removed front driveway should be utilized as landscaping. The site plan should also be revised to indicate the 25' building setback line along Old Shell Road as being measured from the new right-of-way line.

A new public sidewalk is indicated along Old Shell Road; near the old right-of-way line. To allow for future widening of Old Shell Road, the sidewalk should be relocated further North and just adjacent to the new right-of-way line. No sidewalk is indicated along Cosgrove Drive. The

site plan should be revised to also indicate a sidewalk along Cosgrove Drive, or a Sidewalk Waiver request should be submitted.

Landscaping calculations are provided; however, these calculations are based on the total site area before the required right-of-way dedication of the rezoning reduced the site along Old Shell Road. Therefore, the calculations should be revised based upon the actual site size after the required frontage dedication. However, due to the fact that there is less than a 50% building expansion, tree and landscaping compliance is not required at this time.

No HVAC units are indicated on the site plan. Therefore, the site plan should be revised to indicate any proposed HVAC and generator units, if over 36" above grade, meeting all required setbacks. The note on the site plan regarding no dumpster utilization should be retained. The note regarding the submission of a photometric plan should be removed, as the number of parking spaces on the site will not trigger the requirement for a photometric plan; however, any new site or parking area lighting must comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance.

The rezoning of the property specified a protection buffer along the North side. The site plan indicates an existing 6' high fence along this line as being a protection buffer. However, this fence is merely a chain link fence which does not qualify as a protection buffer. There is a hedge row on the site parallel with this fence. As a 14'-wide drive aisle is indicated along the North side of the building, this would allow for the shifting of the parking spaces along the North line 2' to the South to provide adequate area to install a 6' high wooden privacy fence and possibly re-plant the hedge row if it should need to be removed for the fence installation. Due to the proposed dog run, the privacy fence buffer should be a requirement for the Planning Approval.

The plat illustrates the proposed 1-lot, 0.24± acre subdivision, which is located at the Northeast corner of Old Shell Road and Cosgrove Drive, in Council District 7. The application states that the subdivision is served by city water and sanitary sewer services.

The purpose of this application is to create one legal lot of record from an existing metes-and-bounds parcel. The site was originally a larger lot, Lot 24, Block A, First Addition to Hilltop Subdivision. The dedication to provide 50' from the centerline of Old Shell Road as per the 1987 rezoning resulted in the legal description of the site being revised to include "*except the South 20 feet*". The purpose of this application is to revise the legal description to describe one intact lot.

The proposed lot would still meet the minimum size requirements of the Subdivision Regulations. As on the preliminary plat, the Final Plat should label the lot with its size in square feet and acreage, after any additional right-of-way dedication, or a table should be furnished on the Final Plat providing the same information.

As previously mentioned, frontage dedication was provided with the rezoning of the site. However, no corner radius dedication was required at the intersection of Old Shell Road and Cosgrove Drive. To allow for future widening of Old Shell Road and improved traffic flow, a 25' radius curve may be required by City Engineering. Therefore, dedication to provide such at

the intersection should be coordinated with City Engineering prior to signing of the Final Plat. As a means of access management, a note should be placed on the Final Plat stating that the lot is limited to one curb cut to Old Shell Road and one curb cut to Cosgrove Drive, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

The 25' minimum building setback line along Cosgrove Drive should be retained as illustrated; however, the 25' minimum building setback line along Old Shell Road should be revised to be measured from the current right-of-way line and not from the old right-of-way line.

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.

RECOMMENDATION

Subdivision: The plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions:

- 1) retention of the labeling of the lot with its size in square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 2) revision of the plat to provide a 25' corner radius dedication at the intersection of Old Shell Road and Cosgrove Drive, if such should be required by City Engineering;
- 3) placement of a note on the Final Plat stating that the lot is limited to one curb cut to Old Shell Road and one curb cut to Cosgrove Drive, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) retention of the 25' minimum building setback line along Cosgrove Drive as illustrated on the preliminary plat;
- 5) revision of the plat to illustrate the 25' minimum building setback line along Old Shell Road as measured from the new right-of-way line and not the old right-of-way line;
- 6) 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;
- 7) subject to the Engineering Comments: *[The following comments should be addressed prior to submitting the FINAL PLAT for 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 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. B. 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. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. 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. E. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];*
- 8) *subject to the Traffic Engineering comments: (Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm to AASHTO standards. Any gravel in the right-of-way and adjacent to the right-of-way that would not be used for parking or maneuvering should be removed and grassed or landscaped. If gravel is to remain in the rear of the property, any required parking spaces should be delineated with bumper stops. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Sidewalk is illustrated to be constructed only on Old Shell Road, but should also be constructed along the frontage of Cosgrove Drive, unless a sidewalk waiver is obtained. The construction of sidewalk should also include a handicap ramp at the corner of Old Shell Road and Cosgrove Drive.);*
 - 9) *subject to 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). Provide additional evergreen vegetative buffer plantings along the North property line for additional buffer of the residentially developed property from the proposed outside dog run.);*
 - 10) *subject to 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
 - 11) *submission and approval of two (2) copies of a revised Planning Approval site plan to Planning, indicating all conditions of its approval, prior to the signing of the Final Plat; and*
 - 12) *full compliance with all municipal codes and ordinances.*

Planning Approval: Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) revision of the site plan to provide a 6' high wooden privacy fence around the outdoor dog run area along the edge of the driveway;
- 2) revision of the site plan to remove the existing asphalt driveway along the front of the building within the dedicated right-of-way;
- 3) revision of the ingress drive from Old Shell Road to restrict vehicular traffic into the frontage area where the asphalt drive is removed within the dedicated right-of-way;
- 4) revision of the site plan to indicate landscaping within the area of the removed frontage asphalt drive;
- 5) revision of the site plan to indicate the 25' minimum building setback line along Old Shell Road as being measured from the new right-of-way line and not the old right-of-way line;

- 6) revision of the site plan to illustrate the proposed sidewalk along Old Shell Road being located further North and just adjacent to the new right-of-way line;
- 7) revision of the site plan to provide a sidewalk along Cosgrove Drive, or the submittal of a Sidewalk Waiver request for such;
- 8) revision of the site plan to indicate a 25' corner radius dedication at the intersection of Old Shell Road and Cosgrove Drive, if such dedication should be required by City Engineering;
- 9) revision of the landscaping calculation information to be based on the lot size after the frontage dedication required by the 1987 rezoning and any required by the current associated Subdivision;
- 10) revision of the site plan to indicate any proposed HVAC and generator units, if over 36" above grade, meeting all required setbacks;
- 11) retention of the note on the site plan stating that no dumpster will be utilized;
- 12) replacement of the photometric plan note with a note on the site plan stating that any new site or parking area lighting must comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance;
- 13) provision of a 6' wooden privacy fence along the North property line, dropping to no higher than 3' within the building setback line;
- 14) placement of a note on the site plan 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;
- 15) subject to the Traffic Engineering comments: *(Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm to AASHTO standards. Any gravel in the right-of-way and adjacent to the right-of-way that would not be used for parking or maneuvering should be removed and grassed or landscaped. If gravel is to remain in the rear of the property, any required parking spaces should be delineated with bumper stops. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Sidewalk is illustrated to be constructed only on Old Shell Road, but should also be constructed along the frontage of Cosgrove Drive, unless a sidewalk waiver is obtained. The construction of sidewalk should also include a handicap ramp at the corner of Old Shell Road and Cosgrove Drive.);*
- 16) subject to 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). Provide additional evergreen vegetative buffer plantings along the North property line for additional buffer of the residentially developed property from the proposed outside dog run.);*
- 17) subject to 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*

- 18) submission and approval of two (2) copies of a revised site plan to Planning, indicating all conditions of approval, prior to the submission of plans for construction or the signing of the Final Plat; and
- 19) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 19 DATE January 15, 2015
 APPLICANT Hilltop Subdivision, First Addition, Resubdivision of Lot 24
 REQUEST Subdivision, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A medical office lies east of the site.

APPLICATION NUMBER 19 DATE January 15, 2015

APPLICANT Hilltop Subdivision, First Addition, Resubdivision of Lot 24

REQUEST Subdivision, Planning Approval

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

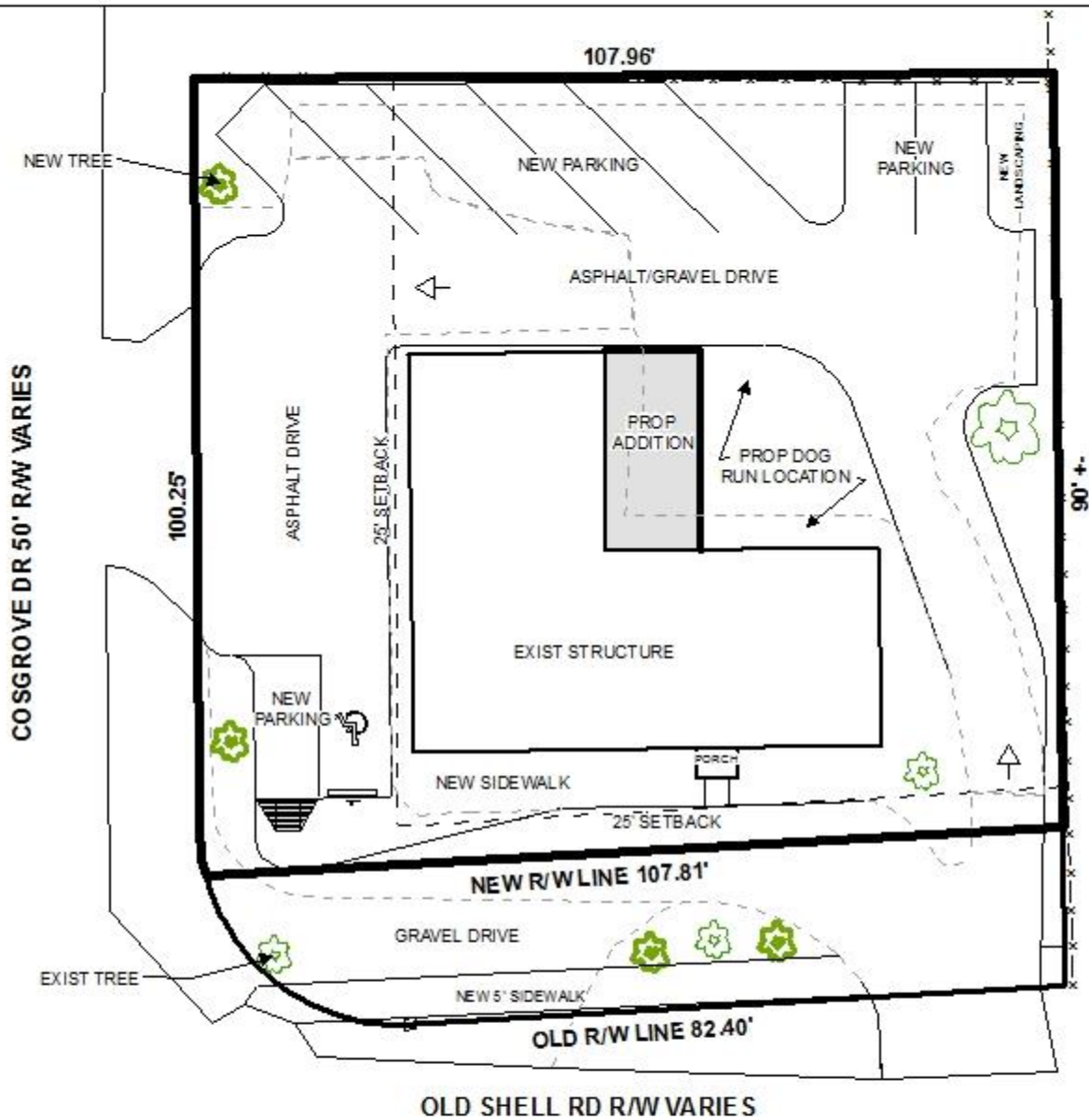


The site is surrounded by residential units. A medical office lies east of the site.

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SITE PLAN



The site plan illustrates the exiting building, proposed addition, new parking, new and existing trees, and setback.

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