



Agenda Item # 10

SUB-002968-2024 & SUB-SW-002969-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration - Subdivision](#)

[Applicant Materials for Consideration – Sidewalk Waiver](#)

DETAILS

Location:

104 Elmira Street

Subdivision Name:

Gritter Family Subdivision

Applicant / Agent:

Hunter Lyons, Gulf City Body & Trailer (Patrick Garstecki, Cowles, Murphy, Glover & Associates, Agent)

Property Owner:

Gritter Family Limited Partnership c/o Melissa Fontenot

Current Zoning:

I-2, Heavy Industry District

Future Land Use:

Downtown Waterfront

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Subdivision approval to create one (1) legal lot of record from one (1) metes-and-bounds parcel;
- Waive construction of sidewalks along Elmira Street, South Royal Street, and Saint Emanuel Street.

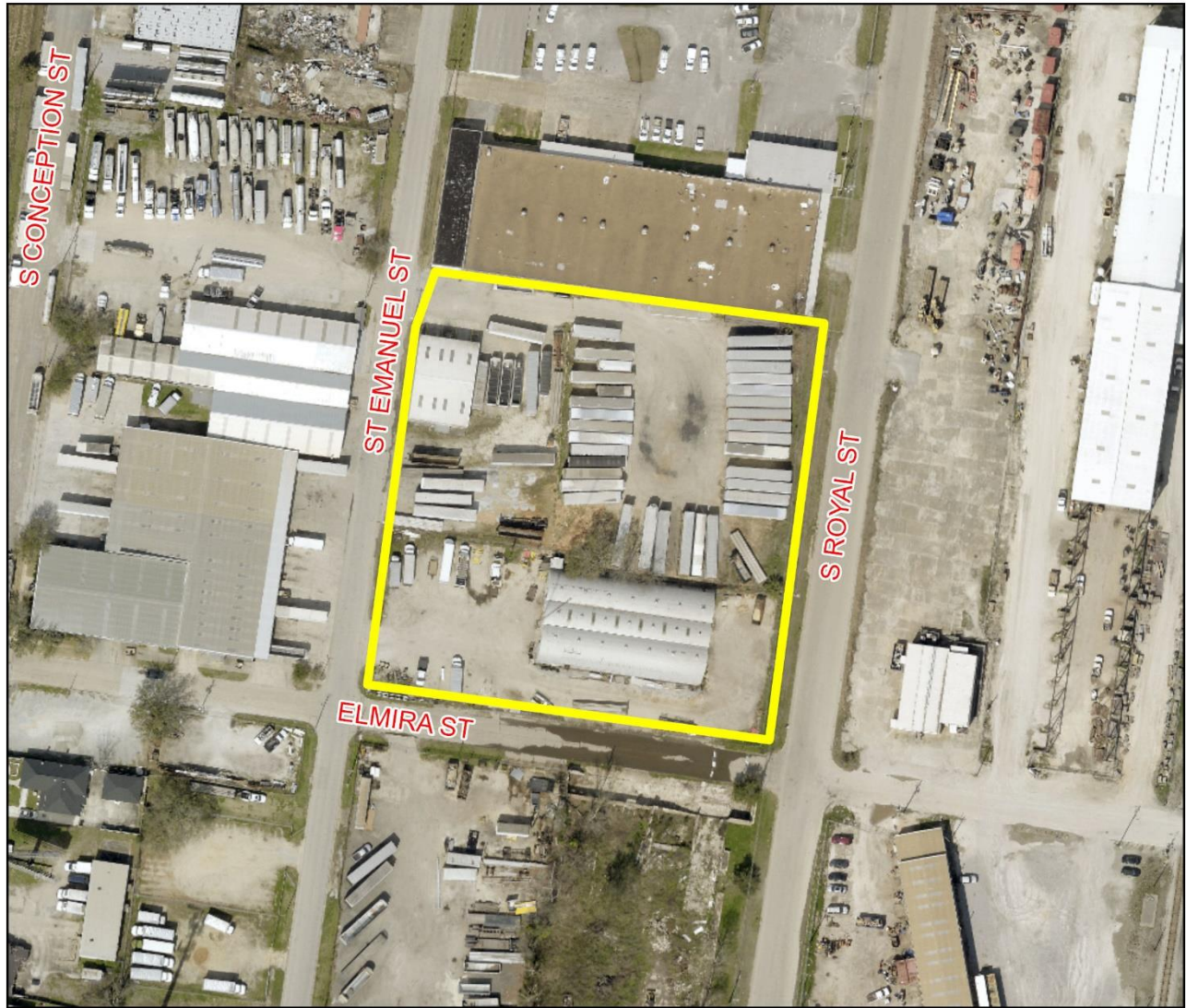
Commission Considerations:

1. Subdivision proposal with nine (9) conditions; and
2. Sidewalk Waiver request.


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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by industrial units.

APPLICATION NUMBER <u> 10 </u> DATE <u> July 18, 2024 </u>	 NTS
APPLICANT <u> Gritter Family Subdivision </u>	
REQUEST <u> Subdivision, Sidewalk Waiver </u>	

SITE HISTORY

There are no Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

Subdivision:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- 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. Revise SUBDIVISION NOTE #1 to read - 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.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #73) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 38,000 sf.
- D. Add a note 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.
- E. 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.
- F. Add a note that all existing and 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.
- G. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- H. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.

Sidewalk Waiver:

1. ST. EMANUEL ST. : Due to the heavy equipment and truck operations and a fence that is approximately seven feet of the existing curb it is recommended that the request for this street be approved.
2. ELMIRA ST. : Due to the location of an existing fence there is no room to construct a sidewalk. It is recommended that the request for this street be approved.
3. S. ROYAL ST. : Due to the location and size of the existing roadside drainage ditch , limited room between the back of the ditch and the existing fence it is recommended that this request be approved.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

Subdivision

The purpose of this application is to create one (1) legal lot of record from one (1) metes-and-bounds parcel. The site is served by public water and sanitary sewer services.

The site has frontage along three (3) sides: Saint Emanuel Street, Elmira Street, and South Royal Street. Saint Emanuel Street and Elmira Street are both minor streets with curb and gutter illustrating compliant 50-foot right-of-way widths; which, if approved, should be retained on the Final Plat. The site fronts South Royal Street, a component of the Major Street Plan with a planned 80' right of way. As the current right-of-way width along the site is 60', dedication to provide 40' from the centerline normally would be required. However, staff has determined that, due to pending revisions to the Major Street Plan, additional right-of-way will no longer be requested along South Royal Street. If the Planning Commission does not require dedication, a waiver of Section 6.B.9 of the Subdivision Regulations will be required for approval.

The proposed Lot is considered to be a double frontage lot, and as such, access should be limited to one (1) street frontage for the entire site. If approved, a waiver of Section 6.C.7 of the Subdivision Regulations will be required, and a note should be provided on the Final Plat stating that access is limited to a single street frontage.

Additionally, the site is a corner lot with two (2) corners requiring at least a 25-foot corner radius where Saint Emanuel Street and Elmira Street intersect, and where Elmira Street and South Royal Street intersect, per Section 6.C.6. of the Subdivision Regulations. The preliminary plat does not illustrate the required corner radii, as such, if approved, the Final Plat should be revised to illustrate dedication sufficient to provide a minimum 25-foot corner radius for each corner. If no dedication is required, a waiver of Section 6.C.6 is necessary for approval.

A compliant 25-foot front yard setback is illustrated along the site's Elmira Street frontage, however, Section 64-2-22.E of the Unified Development Code (UDC) and Section 6.C.8 of the Subdivision Regulations require a 25-foot front yard setback along all street frontages. If approved, the Final Plat should be revised to illustrate a compliant front setback along all three frontages, adjusted for any required dedication, in compliance with Section 64-2-22.E of the UDC and Section 6.C.8 of the Subdivision Regulations.

The preliminary plat provides the lot size in both square feet and acres, in compliance with Section 5.A.2(e)(4) of the Subdivision Regulations. This information should be retained on the Final Plat, adjusted for any required dedication; or provision of a table on the Final Plat with the same information will suffice.

Sidewalk Waiver

The site is currently developed; however, the applicant has not disclosed any future development plans. The redevelopment of the site or any development greater than or equal to 50% of existing developed square footage would necessitate full compliance with the UDC standards which includes the provision of sidewalks along all street frontages. There are intermittent sidewalks along South Royal Street, Saint Emanuel Street, and Elmira Street.

As justification for the waiver the applicant states the following:

“This property is located in a primarily heavy industrial area with traffic consisting of large tractor trailers and heavy equipment making conditions unsafe for pedestrians. There are no adjoining sidewalks to the north or the south of the property. In addition, the property line along St Emmanuel Street is less than 7’ from the back of the existing curb; considering that there are three (3) existing utility poles also in the ROW, there is no room for a sidewalk to be within the City right-of-way along St Emmanuel Street. Therefore, there does not appear to be a realistic need for a sidewalk along the west side of this property at St Emmanuel Street. Other properties in the immediate area have received sidewalk waiver approvals due to similar circumstances such as at 50 Charleston Street.”

SUBDIVISION CONSIDERATIONS

Standards of 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.

Considerations:

If the Planning Commission considers approving the Subdivision request, and with waivers of Sections 6.B.3, Section 6.B.9, Section 6.C.3, and Section 6.C.7 of the Subdivision Regulations, the following conditions could apply:

1. Retention of the right-of-way width of Saint Emanuel Street and Elmira Street on the Final Plat;
2. Provision of a note on the Final Plat stating that access to the site is limited to a single street frontage;
3. Revision of the Final Plat to illustrate dedication sufficient to provide a minimum 25-foot corner radius where Saint Emanuel Street and Elmira Street intersect, and where Elmira Street and South Royal Street intersect, unless a waiver of Section 6.C.6 is granted by the Planning Commission;
4. Revision of the Final Plat to illustrate a compliant 25-foot front setback along Saint Emanuel Street, Elmira Street, and South Royal Street, adjusted for any required dedication;
5. Provision of the lot sizes in both square feet and acres, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
6. Compliance with all Engineering comments noted in this staff report;
7. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
8. Compliance with all Urban Forestry comments noted in this staff report; and,

9. Compliance with all Fire Department comments noted in this staff report.

SIDEWALK WAIVER CONSIDERATIONS

Standards of Review:

The Mobile City Council adopted a “Complete Streets” policy on May 31, 2011. The purpose of the Complete Streets Policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

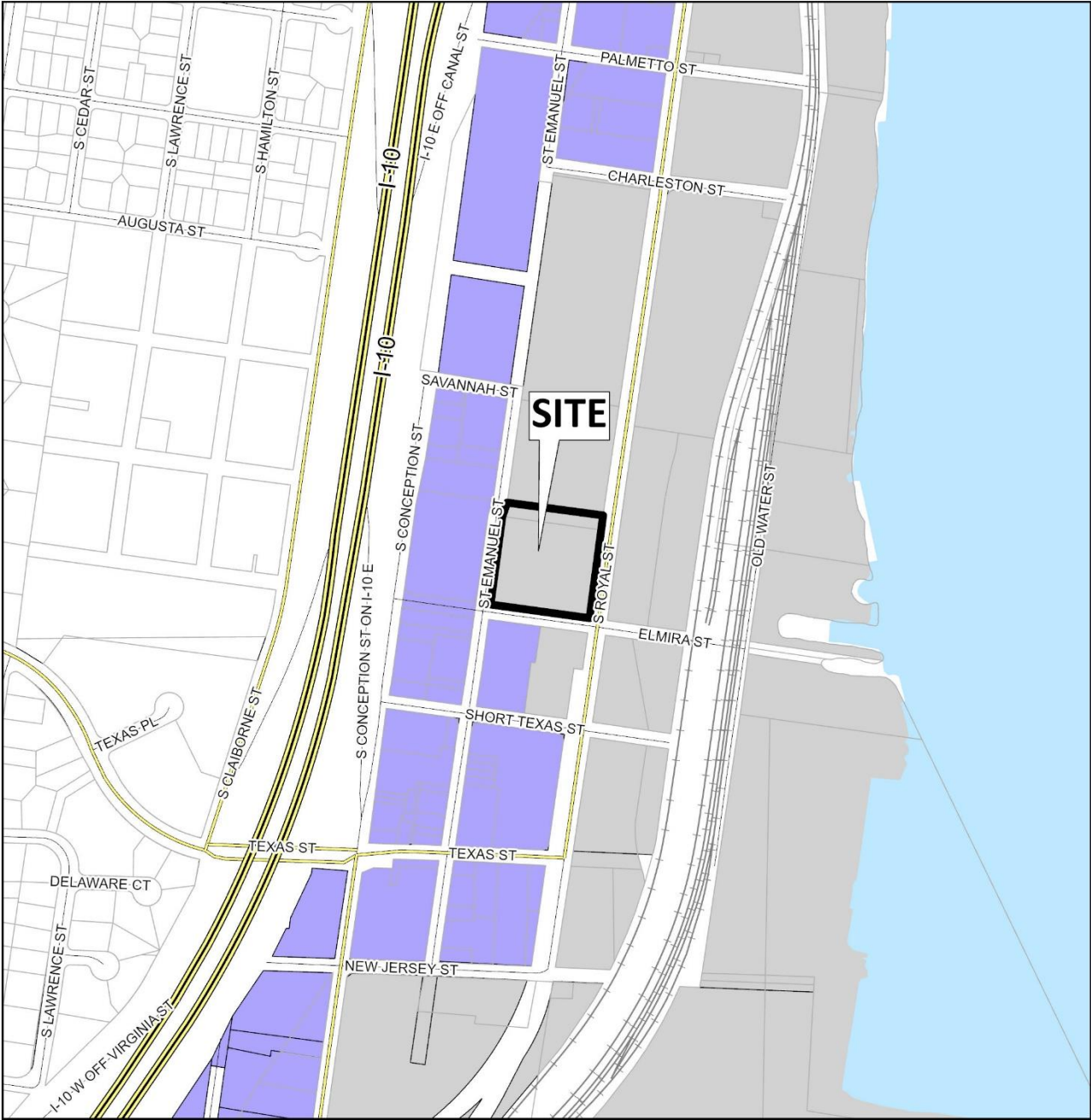
Sidewalks are typically encouraged, even in industrial developments, although the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized.

Considerations:

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians;
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, as well as connectivity to existing sidewalks and future sidewalks; and
3. Engineering comments, which indicate that there is sufficient room within the ROW, or within the property, for the construction of sidewalks along Elmira Street, South Royal Street, and Saint Emanuel Street that could be permitted through the Land Disturbance/ROW Permit process.

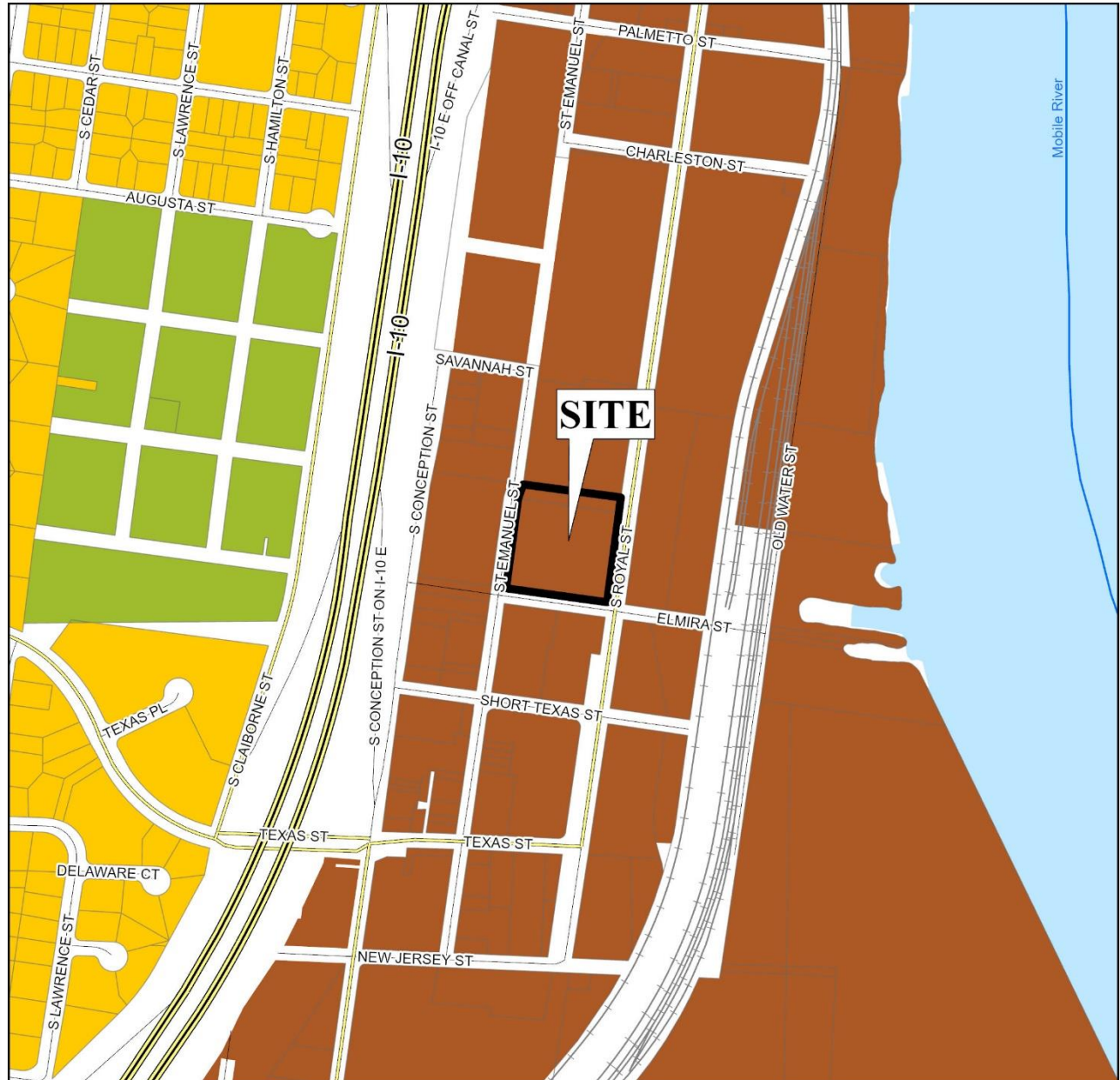
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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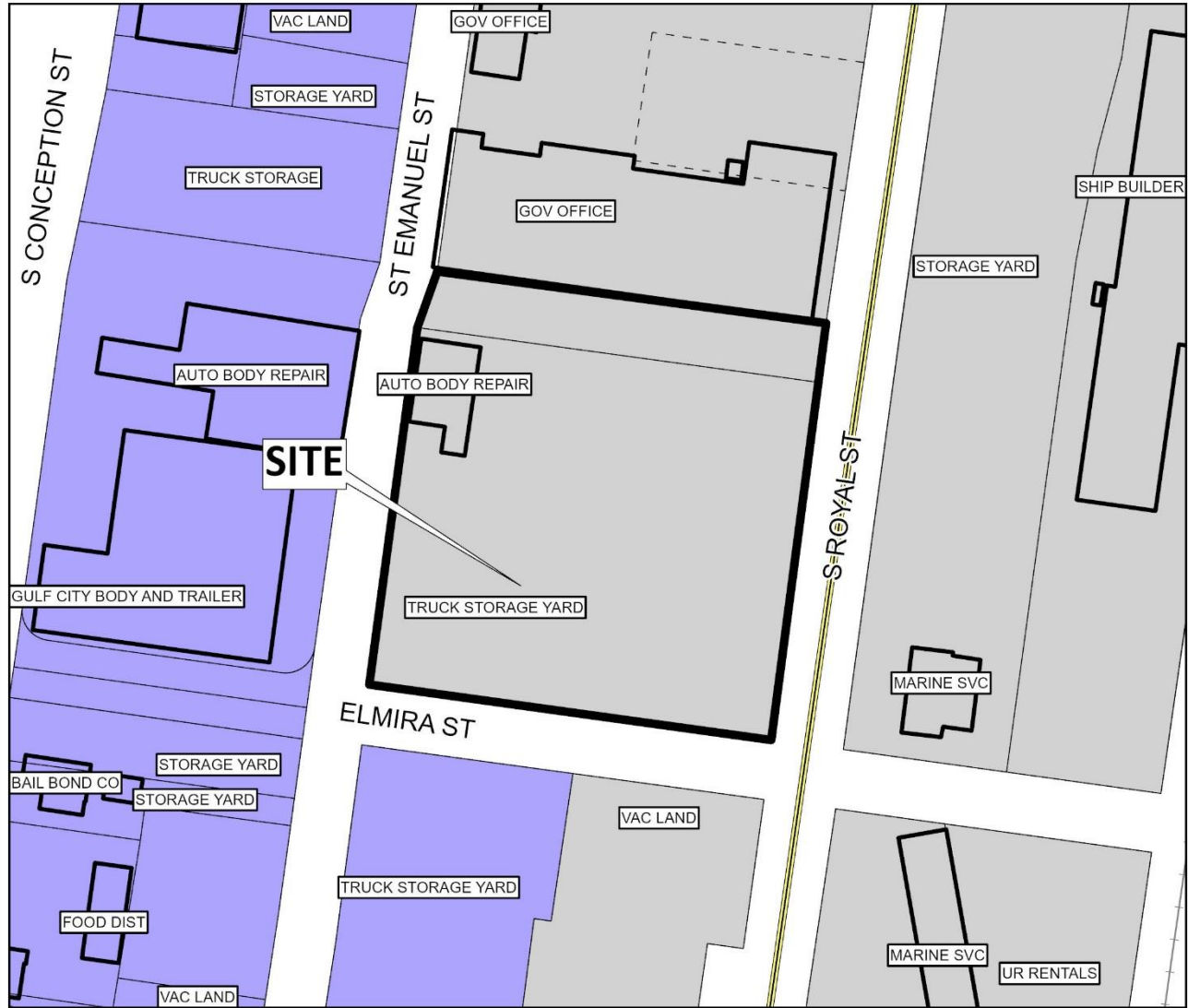
APPLICANT Gritter Family Subdivision

REQUEST Subdivision, 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 | |



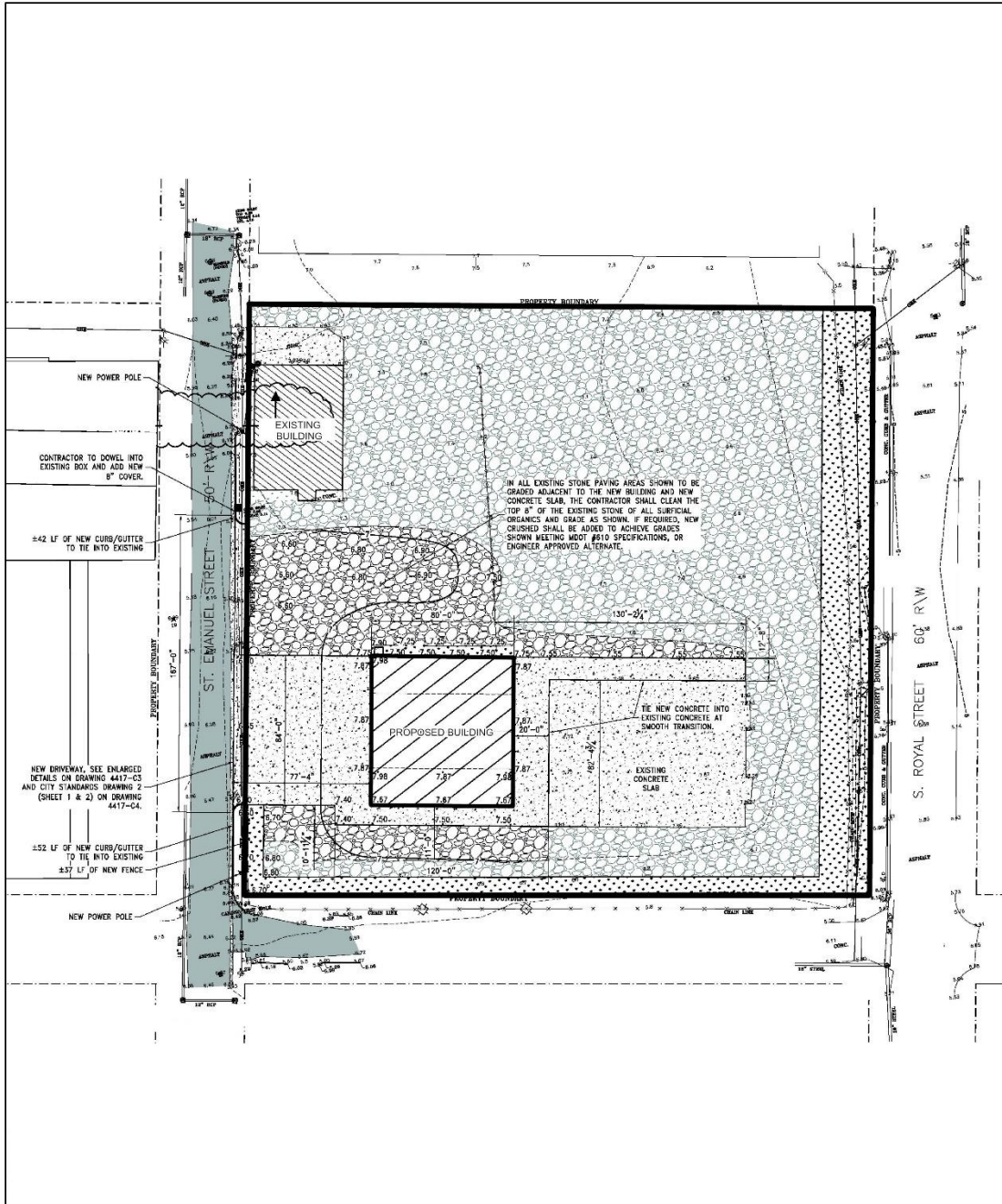
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>			 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2	 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6	 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	
 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2																							
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6																							
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1																								

SITE PLAN

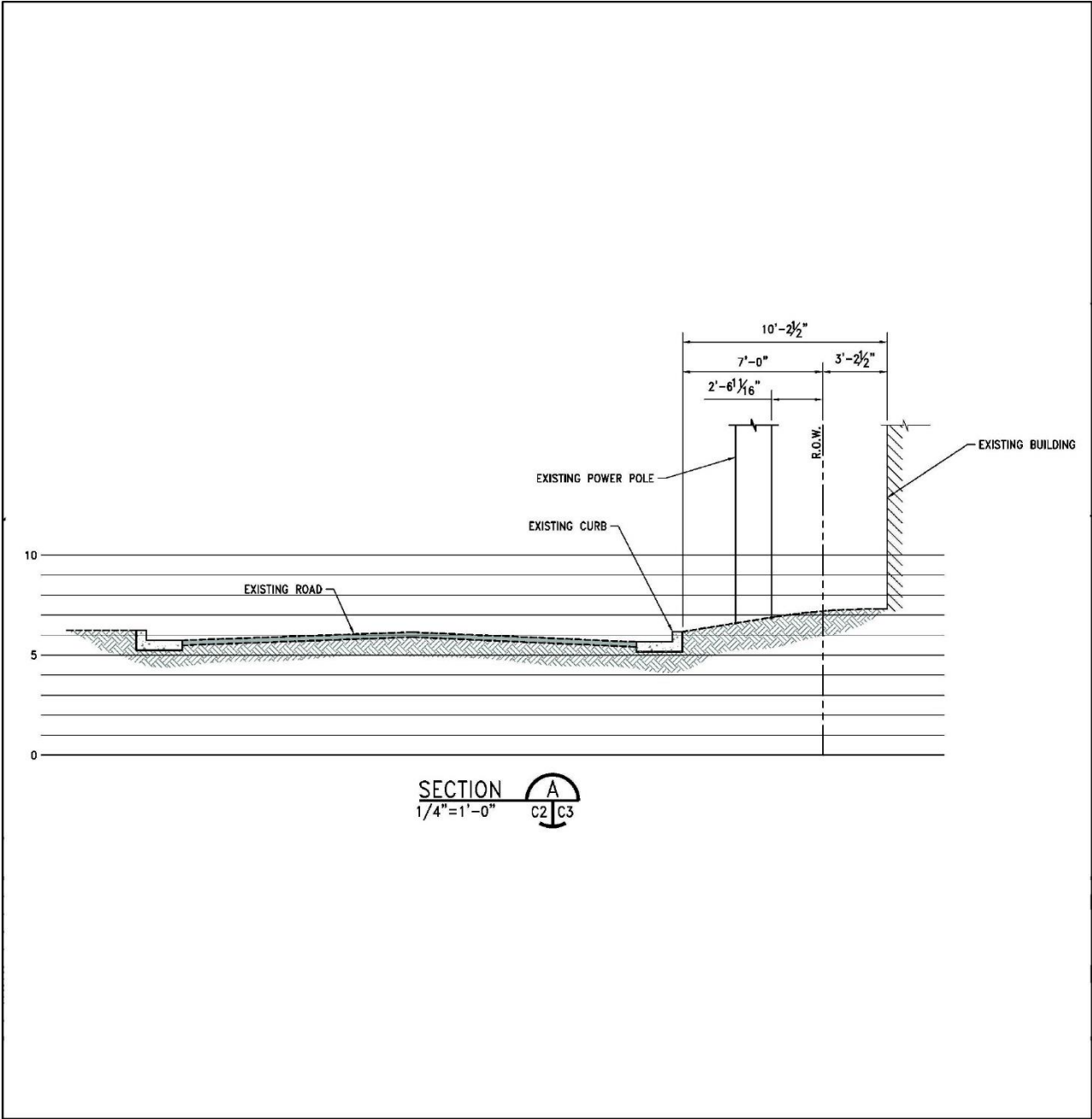


The site plan illustrates the existing building, new building, and drives.

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DETAIL SITE PLAN

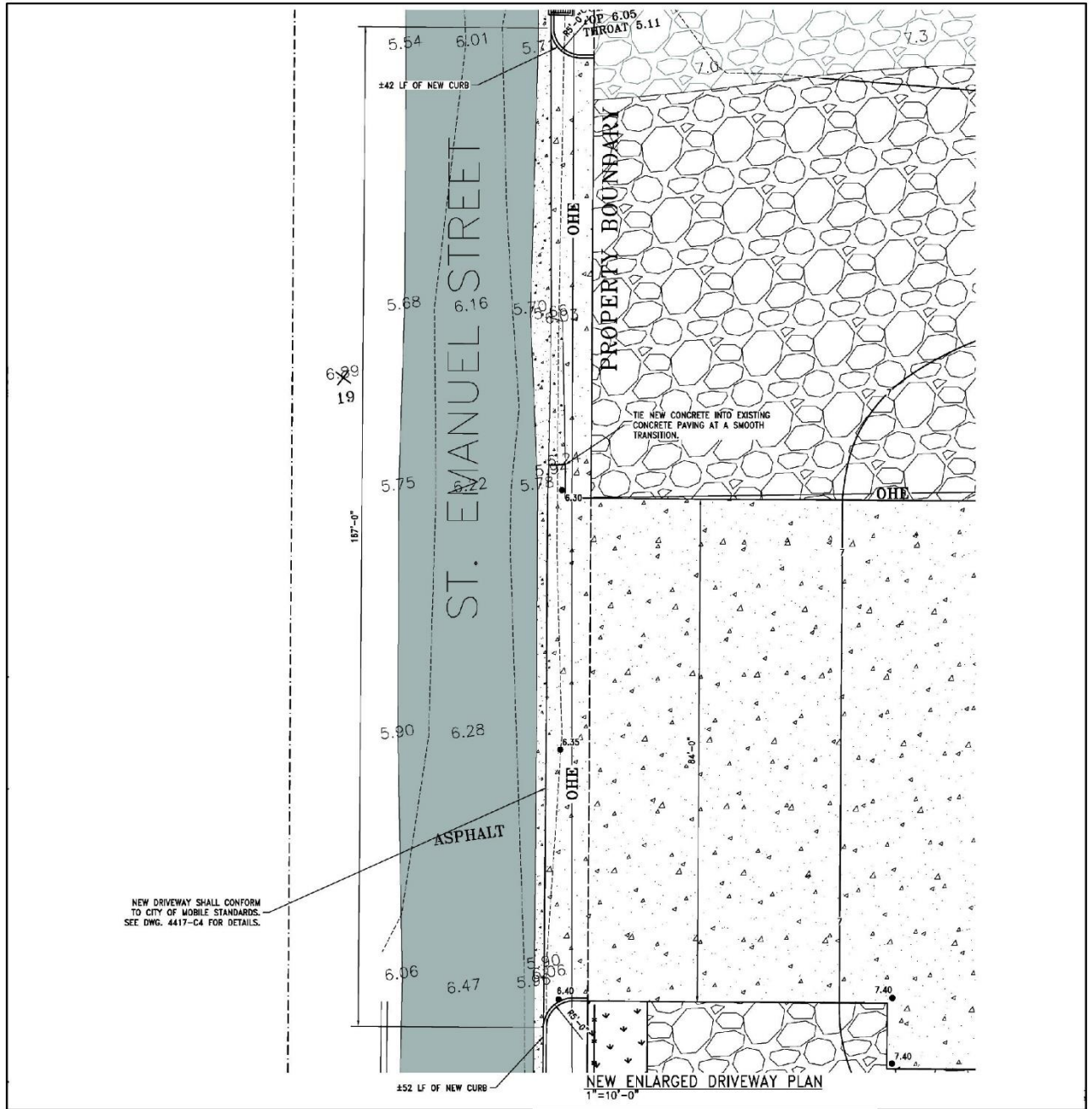



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NTS

DETAIL SITE PLAN



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ZONING DISTRICT CORRESPONDENCE MATRIX		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWURU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

DOWNTOWN WATERFRONT (DW)

This land use designation applies to an area generally bound by Virginia Street to the south, I-10 to the west, Beauregard Street to the north, and the Mobile River to the east. The primary intent of this designation is to promote opportunities for expanding public waterfront access and the possibility of additional public-oriented activities to make the waterfront more inviting and safe. The area may include incremental public access improvements and amenities that emphasize internal pedestrian and bicycle connections, as well as new linkages to Downtown and the surrounding neighborhoods.

Land uses in areas designated DW include existing industrial and heavy commercial facilities, but may also include complementary businesses and public facilities, as well as open spaces and access points to enhance the enjoyment and appreciation of the natural shoreline environment.