



## Agenda Item # 2

### SUB-002908-2024

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

[Applicant Materials for Consideration](#)

## DETAILS

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**Location:**

1451 Butler Street

**Subdivision Name:**

Janice Lynum Subdivision

**Applicant / Agent:**

Natalie Durden, DSW Homes, LLC

**Property Owner:**

Janice Lynum

**Current Zoning:**

R-1, Single-Family Residential Urban District

**Future Land Use:**

Mixed Density Residential

**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.

**Commission Considerations:**

1. Subdivision proposal with nine (9) conditions.

**Report Contents:**

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# JANICE LYNUM SUBDIVISION



APPLICATION NUMBER 2 DATE May 16, 2024



NTS



## SITE HISTORY

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The site was originally part of Friend's Subdivision, the plat for which was recorded in 1907. Since that time, development of the area has resulted in the shifting of lot lines, including a Rail right-of-way, without approval from the Planning Commission, such that the designs of many of the lots are no longer compatible with the recorded subdivision plat. This includes the subject site, which now has a metes-and-bounds legal description. The applicant plans to redevelop the property with a new single-family dwelling, thus requiring full compliance with current regulations, including the Subdivision Regulations.

No other Planning Commission or Board of Zoning Adjustment cases are associated with the site.

## STAFF COMMENTS

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### Engineering Comments:

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. Provide a Subdivision Name on the FINAL PLAT.
- C. Show and label the Katy St. ROW.
- D. Show and label the RR ROW.
- E. Add a graphic scale.
- F. Provide a Vicinity Map, including legible street names.
- G. Provide a written description for the subdivision boundary.
- H. Provide a LOT Designation (i.e. 1, A) for each of the proposed LOTS.
- I. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- J. Show and label each and every Right-Of-Way and easement.
- K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- L. Add a note 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.
- M. 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.
- N. 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.
- O. 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.
- P. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- Q. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.

## **Traffic Engineering Comments:**

Driveway number, 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 [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-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

## **Planning Comments:**

The purpose of this request 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.

No plat was submitted as part of the request, but staff utilized the survey provided by the applicant to determine the site's compatibility with the Subdivision Regulations. A subdivision plat will be required for final approval of the request, per Section 5.A.

The proposed lot is a double frontage lot with frontage along both Butler Street and Katye Street. Butler Street is a minor street without curb and gutter requiring a 60-foot right-of-way width, while Katye Street is a minor street with curb and gutter requiring a 50-foot right-of-way width. The survey does not depict Katye Street and illustrates a 40-foot right-of-way (ROW) for Butler Street. If approved, the Final Plat should be revised to illustrate Katye Street with compliant ROW and dedication sufficient to provide 30 feet from the centerline of Butler Street. Should existing ROW for Katye Street be insufficient to comply with the 50-foot required of a minor street with curb and gutter, dedication sufficient to provide 25 feet from the centerline of Katye Street should also be illustrated on the Final Plat.

The lot, as proposed, exceeds the minimum size requirements for lots served by public water and sanitary sewer in an R-1, Single-Family Residential Urban District. Its size, however, is not labeled in either square feet or acres, as required by Section 5.A.2(e)(4) of the Subdivision Regulations. If approved, the size of the lot in both square feet and acres, adjusted for any required dedication, should be labeled on the Final Plat; or provision of a table on the Final Plat with the same information will suffice.

The survey does not depict a minimum building setback line on either frontage. A minimum 5-foot front yard setback is required along all frontages, in compliance with Article 2 Section 64-2-5.E. of the Unified Development

Code for lots zoned R-1 in the Urban sub-district. If approved, the Final Plat should be revised to illustrate a compliant setback along all frontages; again, adjusted for any required dedication.

The site exceeds the maximum width-to-depth ratio of 3.5 times allowed under the Subdivision Regulations. As such, if approved, a waiver of Section 6.C.3 would be necessary. Additionally, the survey depicts the proposed lot as an irregularly shaped lot. Per Section 6.C.1 of the Subdivision Regulations, the size, shape, and orientation of lots should be compatible and appropriate with the location of the subdivision and the type of development and use contemplated. It appears the parcel has been used in its current configuration for some time; as such, if approved, a waiver of Section 6.C.1 may be appropriate.

The survey does not provide the specifications for Final Plat approval regarding the general form, information to be shown, or attendant items required by Section 5.A. of the Subdivision Regulations. Such requirements include the items, notes, and certifications that should be placed on a subdivision plat. As such, the Final Plat should provide all the information required by Section 5.A. of the Subdivision Regulations, along with any additional information required by the Engineering Department.

## **SUBDIVISION CONSIDERATIONS**

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### **Standards of Review:**

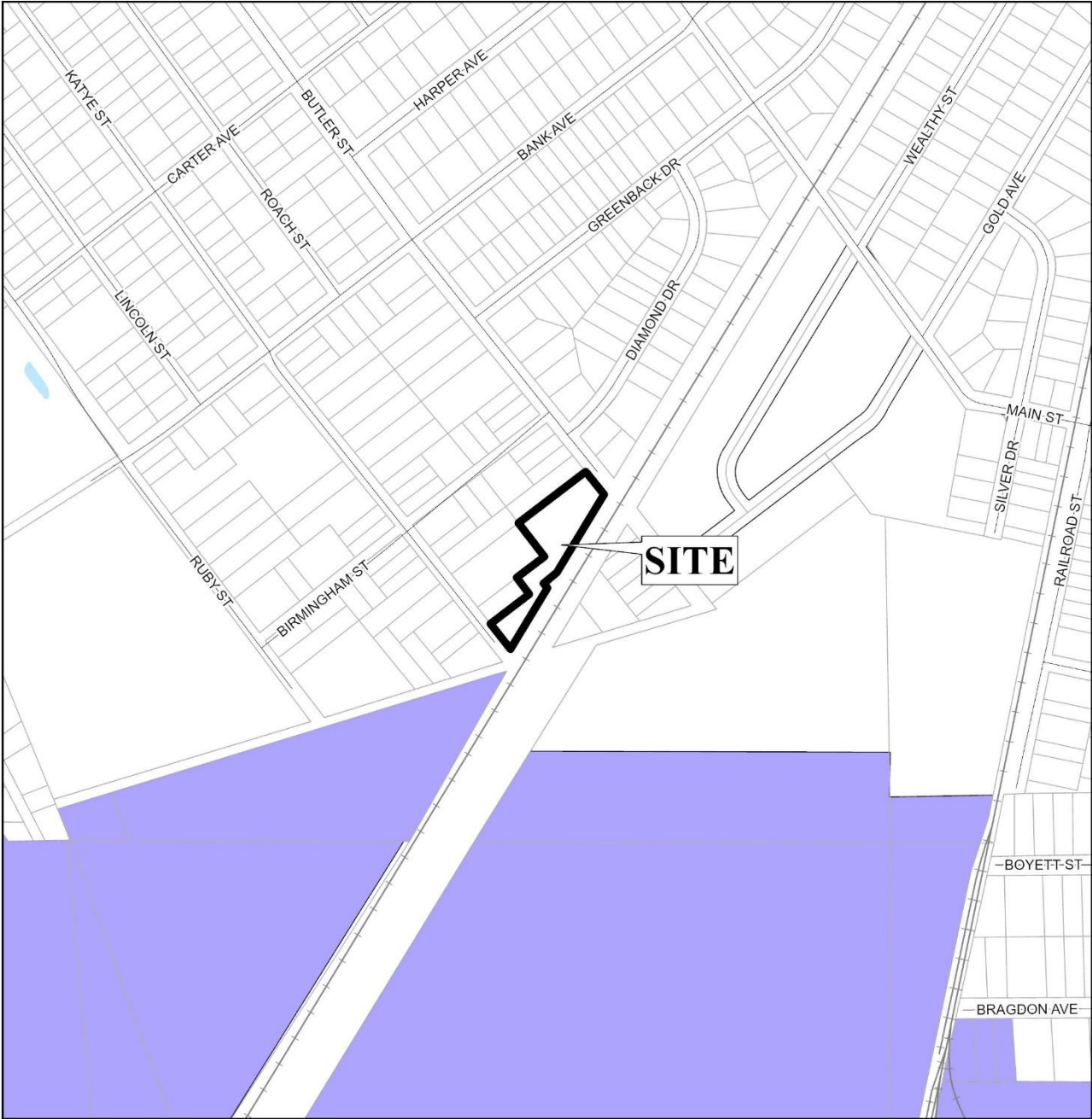
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.


### **Considerations:**

Based on the preceding, if the Subdivision request is considered for approval, a waiver from Section 6.C.3 and Section 6.C.1 will be required, and the following conditions should apply:

1. Provision of a subdivision plat in compliance with Section 5.A. of the Subdivision Regulations;
2. Revision of the Final Plat to illustrate Katye Street with compliant right-of-way and/or dedication sufficient to provide 25 feet from the centerline of Katye Street;
3. Provision of dedication sufficient to provide 30 feet from the centerline of Butler Street;
4. Provision of a label with the lot's size in both square feet and acres, or provision of a table on the Final Plat providing the same information, adjusted for dedication;
5. Revision of the Final Plat to illustrate a minimum 5-foot front yard setback along all frontages, in compliance with Article 2 Section 64-2-5.E. of the Unified Development Code for lots zoned R-1 in the Urban sub-district, adjusted for any required dedication;
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.

# LOCATOR ZONING MAP




APPLICATION NUMBER <u>      2      </u> DATE <u>      May 16, 2024      </u>	 <b>NTS</b>
APPLICANT <u>      Janice Lynum Subdivision      </u>	
REQUEST <u>      Subdivision      </u>	

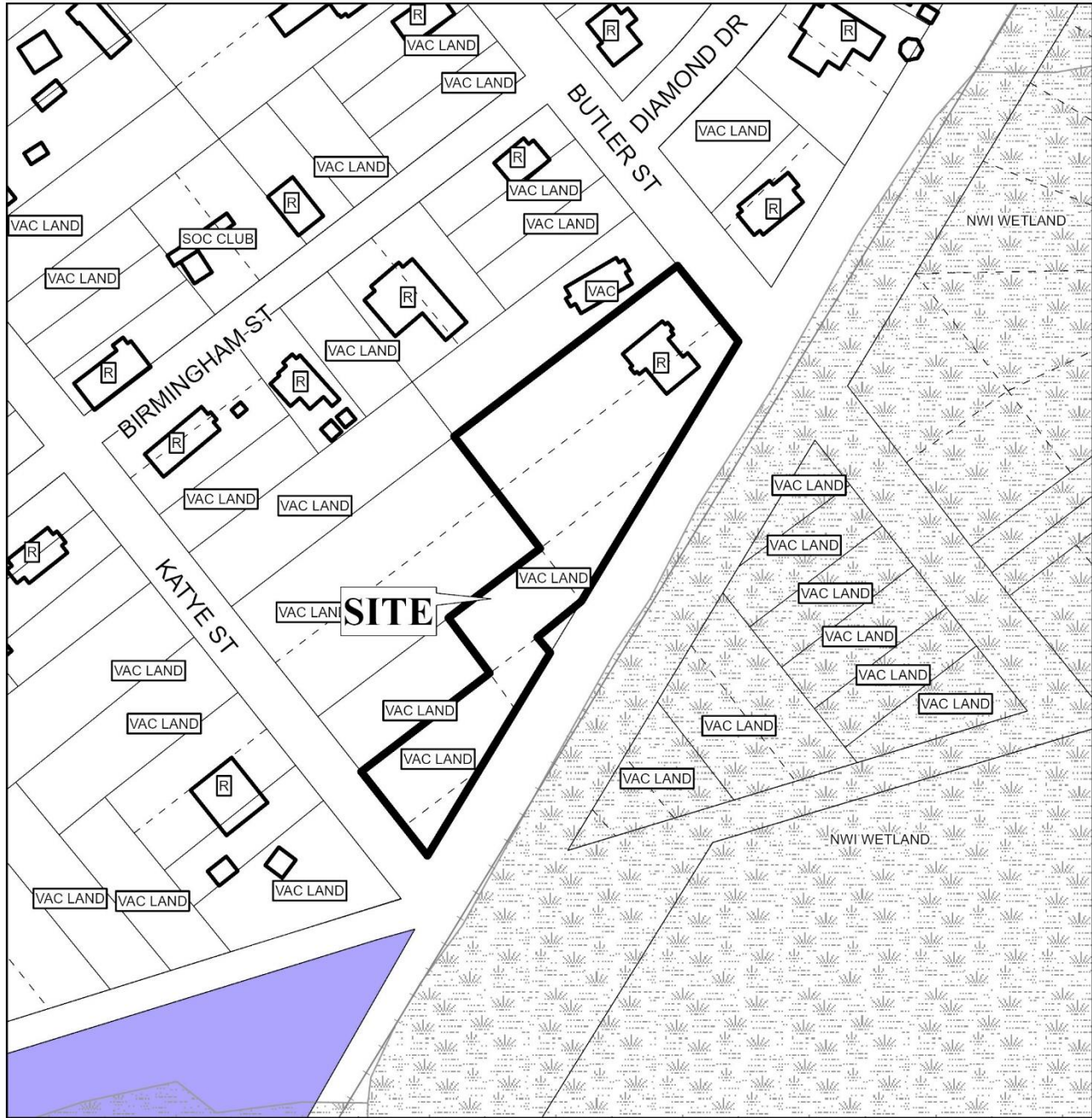


# FLUM LOCATOR MAP



APPLICATION NUMBER <u>2</u> DATE <u>May 16, 2024</u>			
APPLICANT <u>Janice Lynum Subdivision</u>			
REQUEST <u>Subdivision</u>			
<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Low Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffff00; border: 1px solid black; margin-right: 5px;"></span> Mixed Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> District Center</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #800000; border: 1px solid black; margin-right: 5px;"></span> Neighborhood Center - Traditional</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> Neighborhood Center - Suburban</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> Traditional Corridor</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Mixed Commercial Corridor</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: brown; border: 1px solid black; margin-right: 5px;"></span> Downtown Waterfront</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> Light Industry</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: purple; border: 1px solid black; margin-right: 5px;"></span> Heavy Industry</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: cyan; border: 1px solid black; margin-right: 5px;"></span> Institutional</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #90ee90; border: 1px solid black; margin-right: 5px;"></span> Parks &amp; Open Space</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #008080; border: 1px solid black; margin-right: 5px;"></span> Water Dependent</li> </ul>

# JANICE LYNUM SUBDIVISION



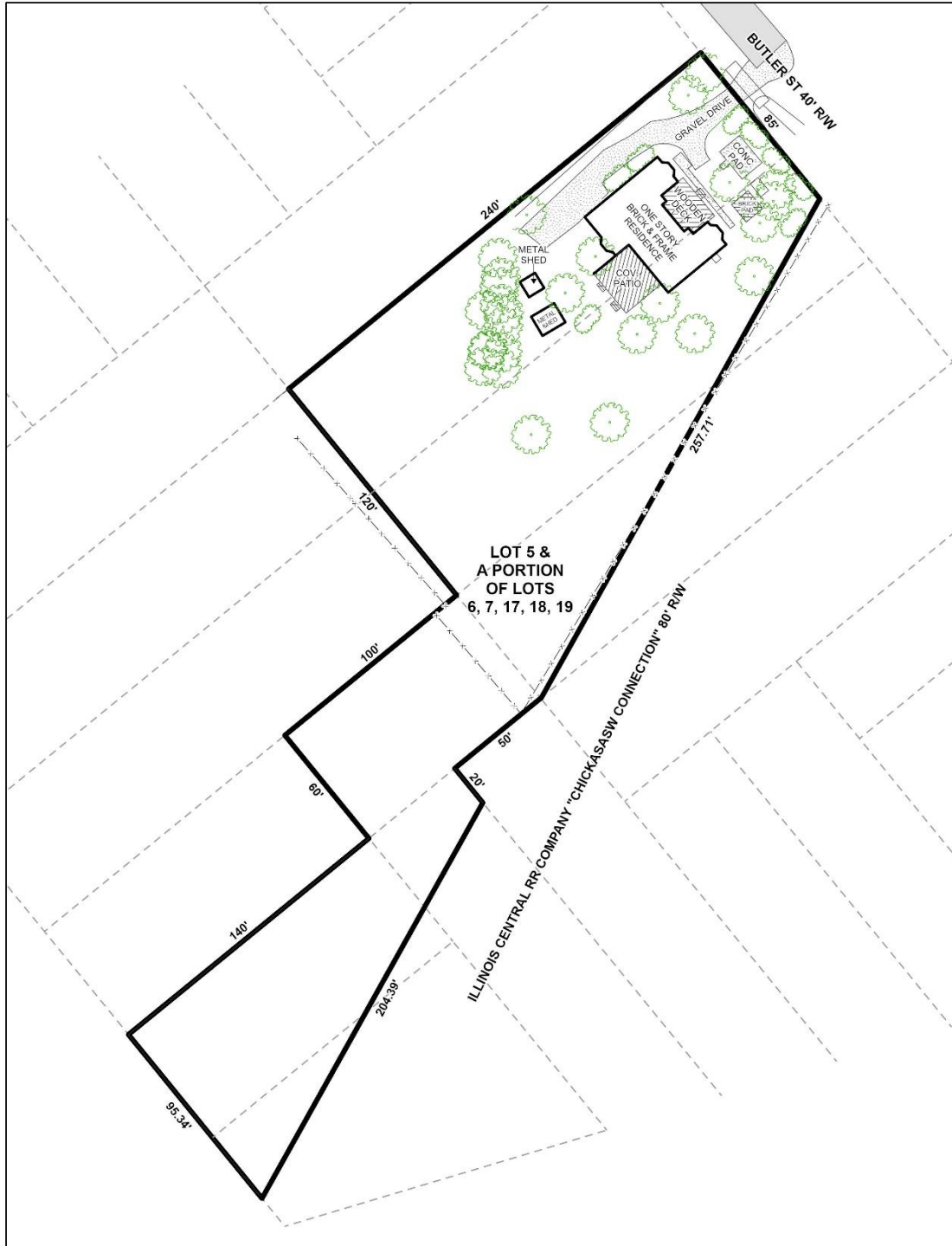
APPLICATION NUMBER 2 DATE May 16, 2024

- |     |     |      |     |     |     |     |       |       |       |
|-----|-----|------|-----|-----|-----|-----|-------|-------|-------|
| 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 |       |

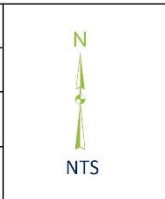




## DETAIL SITE PLAN



APPLICATION NUMBER	2	DATE	May 16, 2024
APPLICANT	Janice Lynum Subdivision		
REQUEST	Subdivision		



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)

## MIXED DENSITY RESIDENTIAL (MxDR)

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4- residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like LDR areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.