



## Agenda Item # 5 SUB-002919-2024

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

[Applicant Materials for Consideration](#)

### DETAILS

**Location:**

1065 Choctaw Street

**Subdivision Name:**

Bixler’s Extension to Preston’s Subdivision

**Applicant / Agent:**

Melissa Burnett, BHL Federal

**Property Owner:**

Delores Wyatt

**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 a single metes-and-bounds parcel.

**Commission Considerations:**

- Subdivision proposal with eight (8) conditions.

**Report Contents:**

	<b>Page</b>
Context Map .....	2
Site History .....	3
Staff Comments .....	3
Subdivision Considerations .....	4
Exhibits .....	6

# BIXLER'S EXTENSION TO PRESTON'S SUBDIVISION



APPLICATION NUMBER 5 DATE June 20, 2024



## SITE HISTORY

---

The site was originally part of the Bixler's Extension to Preston's Subdivision, and the plat was recorded in 1919. Since that time, development of the area has resulted in the shifting of lot lines without approval from the Planning Commission, such that the designs of several 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.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

## STAFF COMMENTS

---

### 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 reference, on the map and the description, to a monumented corner.
- C. Add a graphic scale.
- D. Add a Vicinity Map and include legible street names.
- E. Provide a written legal description and matching bearing and distance labels for the proposed subdivision.
- F. 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.
- G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOT 1 will receive 2,000 sf historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control).
- I. 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.
- J. 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.
- K. 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.
- L. 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.
- M. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- N. 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-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:**

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

The site has frontage on Choctaw Street, a minor street with valley curb and gutter requiring a 50-foot right-of-way per Section 6.B.9. of the Subdivision Regulations. The preliminary plat depicts an existing 40-foot right-of-way at this location. As the majority of properties along the street are currently developed, and it seems unlikely that Choctaw Street will be widened in the future, it may be appropriate to waive Section 6.B.9. If approved, the existing right-of-way should be retained on the Final Plat.

The lot, as proposed, appears to exceed the minimum size requirements for lots served by public water and sanitary sewer in an R-1 Urban district, but it is not appropriately labeled in square feet and acres on the preliminary plat. This information should be provided on the Final Plat, if approved; or provision of a table on the Final Plat with the same information will suffice.

A 5-foot front yard setback is illustrated along Choctaw Street, in compliance with Section 64-2-5.E. of the Unified Development Code (UDC) for lots in the R-1 Urban District. This information should be retained on the Final Plat, if approved. The plat also depicts side and rear property setbacks, which should be removed from the Final Plat, if approved.

## **SUBDIVISION CONSIDERATIONS**

---

### **Standards of Review:**

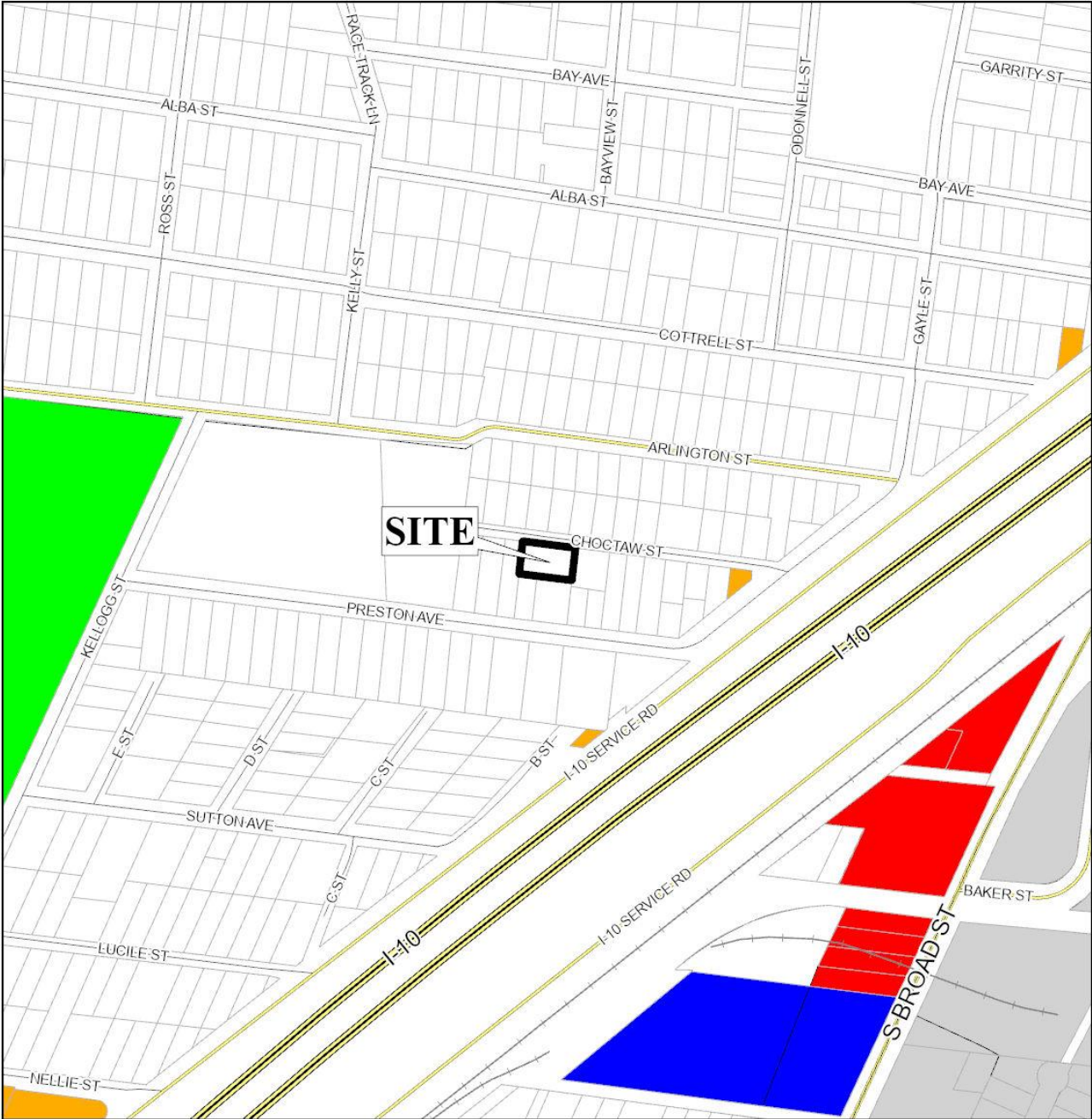
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

## **Considerations:**

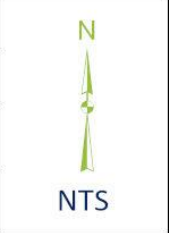
Based on the preceding, and with a waiver of Section 6.B.9. of the Subdivision Regulations, if the Subdivision request is considered for approval, the following conditions should apply:

1. Retention of the existing right-of-way along Choctaw Street;
2. Provision of the lot size in both square feet and acres, or provision of a table on the Final Plat with the same information;
3. Retention of the 5-foot minimum front yard setback along Choctaw Street on the Final Plat;
4. Removal of the side and rear setback lines on the Final Plat;
5. Compliance with all Engineering comments noted in this staff report;
6. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report; and
8. Compliance with all Fire Department comments noted in this staff report.

# LOCATOR ZONING MAP

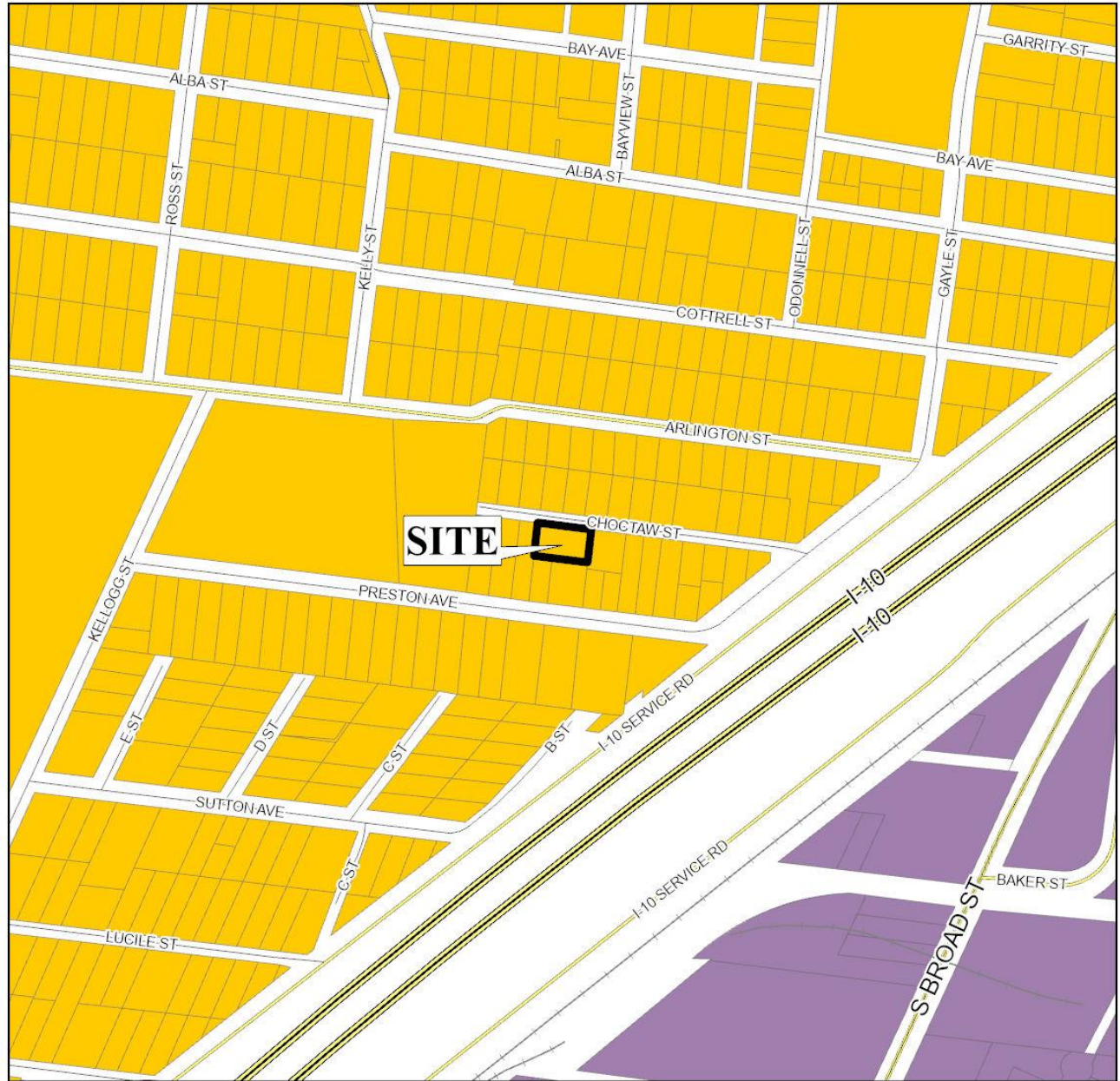


APPLICATION NUMBER <u>5</u> DATE <u>June 20, 2024</u>
APPLICANT <u>Bixler's Extension to Preston's Subdivision</u>
REQUEST <u>Subdivision</u>





# FLUM LOCATOR MAP



APPLICATION NUMBER 5 DATE June 20, 2024

APPLICANT Bixler's Extension to Preston's Subdivision

REQUEST Subdivision

- |   |   |  |  |
|---|---|--|--|
| <span style="color: yellow;">■</span> Low Density Residential   | <span style="color: maroon;">■</span> Neighborhood Center - Traditional | <span style="color: brown;">■</span> Downtown Waterfront | <span style="color: lightgreen;">■</span> Parks & Open Space |
| <span style="color: orange;">■</span> Mixed Density Residential | <span style="color: blue;">■</span> Neighborhood Center - Suburban      | <span style="color: lightgrey;">■</span> Light Industry  | <span style="color: darkblue;">■</span> Water Dependent      |
| <span style="color: magenta;">■</span> Downtown                 | <span style="color: pink;">■</span> Traditional Corridor                | <span style="color: purple;">■</span> Heavy Industry     |  |
| <span style="color: red;">■</span> District Center              | <span style="color: orange;">■</span> Mixed Commercial Corridor         | <span style="color: cyan;">■</span> Institutional        |  |



NTS

# BIXLER'S EXTENSION TO PRESTON'S SUBDIVISION



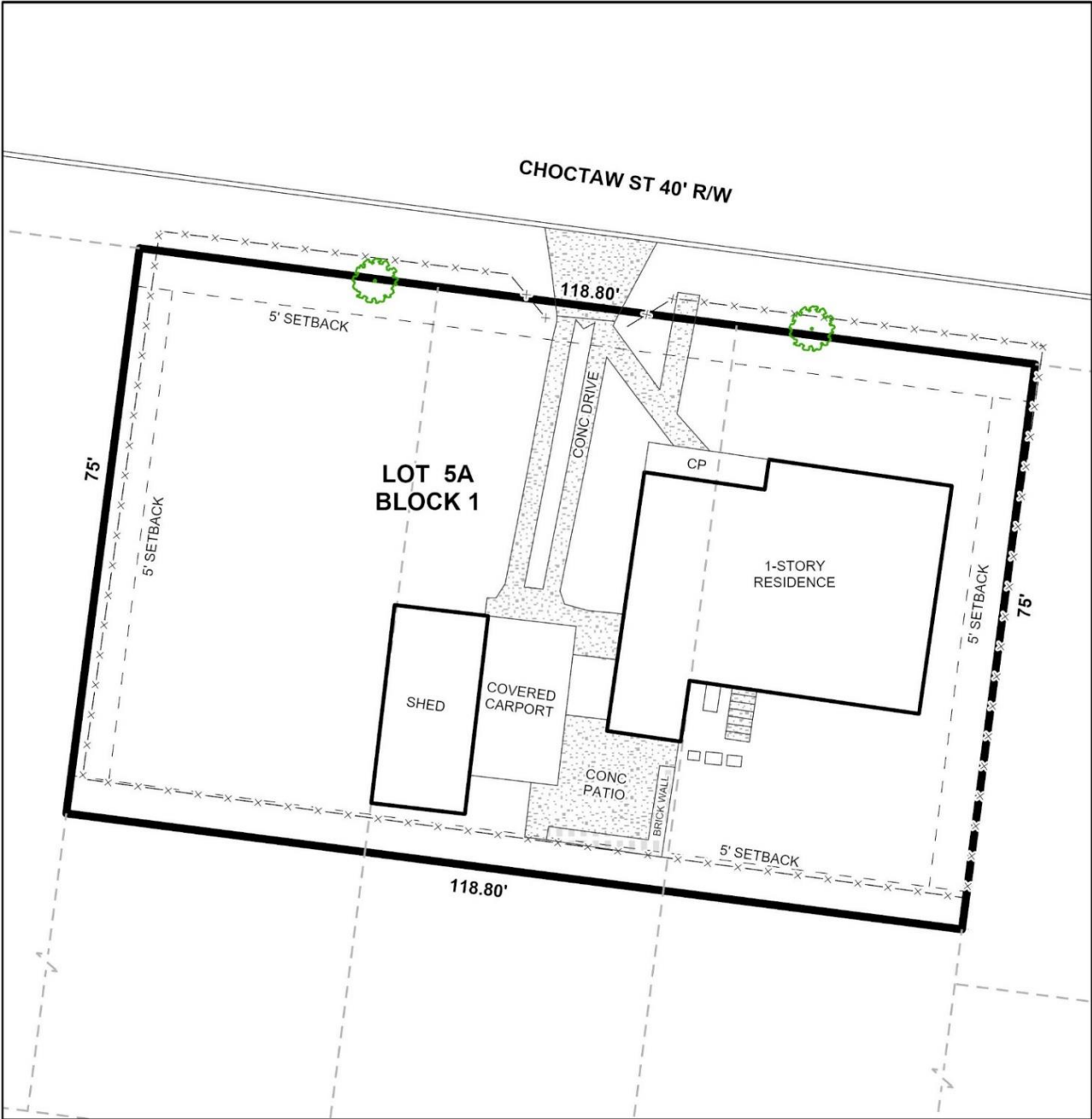
APPLICATION NUMBER 5 DATE June 20, 2024


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 <u>5</u> DATE <u>June 20, 2024</u>	
APPLICANT <u>Bixler's Extension to Preston's Subdivision</u>	
REQUEST <u>Subdivision</u>	

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 (WDWRU)
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.