



Agenda Item # 18

SUB-002950-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

1565 Phillips Lane

Subdivision Name:

Milton Tee Subdivision, Resubdivision of Lot 11

Applicant / Agent:

Terry Harbin, Affordable Homes Gulf Coast II, LLC

Property Owner:

Terry Harbin

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Mixed Commercial Corridor

Applicable Codes, Policies, and Plans:

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

Schedule for Development:

- Not Applicable

Proposal:

- Subdivision approval to create four (4) legal lots of record from one (1) legal lot of record.

Commission Considerations:

1. Subdivision proposal with eight (8) conditions.

Report Contents:

| | Page |
|----------------------------------|-------------|
| Context Map | 2 |
| Site History | 3 |
| Staff Comments | 3 |
| Subdivision Considerations | 5 |
| Exhibits | 6 |

MILTON TEE SUBDIVISION, RESUBDIVISION OF LOT 11



APPLICATION NUMBER 18 DATE June 20, 2024



NTS

SITE HISTORY

The site was originally part of the 11-lot Milton Tee Subdivision, and the plat was recorded in 1978.

No other Planning Commission or Board of Zoning Adjustment cases are 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. Add a note to the FINAL PLAT stating that as shown on the 1984 aerial photo LOTS 1, 2, 3, and 4 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 – NONE, LOT 2 – NONE, LOT 3 – NONE, and LOT 4 – NONE. Each of the four (4) lots will be able to add only 1,000 sf of impervious area each before being required to provide on-site stormwater detention.
- C. 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.
- 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.

Traffic Engineering Comments:

Moffett Road is an ALDOT maintained roadway. Driveway number, size, location, and design to be approved by ALDOT (where applicable) and 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-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 four (4) legal lots of record from one (1) legal lot of record. The site is served by public water and sanitary sewer services.

Proposed Lot 1 has frontage along Moffett Road, an ALDOT-maintained, Principal Arterial road requiring a 100-foot wide right-of-way at this location; and Phillips Lane, a minor street with curb and gutter requiring a 50-foot wide right-of-way. Sufficient right-of-way is illustrated along Phillips Lane, but a note on the plat states the right-of-way along Moffett Road varies. While that may be true, GIS maps indicate there is sufficient right-of-way at this location. As such, the plat should be revised to label the 100-foot wide right-of-way along Moffett Road.

Proposed Lots 2-4 have frontage along Phillips Lane which, as mentioned, is depicted with sufficient right-of-way on the preliminary plat. As such, no additional dedication is required.

Lot 1 is a corner lot requiring a 25-foot radius where Phillips Lane and Moffett Road intersect, per Section 6.C.6. of the Subdivision Regulations. Previous subdivision of the site dedicated more than 25 feet at this intersection, therefore no additional corner radius dedication is required.

The lots, as proposed, exceed the minimum size requirements for lots served by public water and sanitary sewer in an R-1, Single-Family Residential Suburban District, and are labeled in both square feet and acres on the preliminary plat, as required by Section 5.A.2(e)(4) of the Subdivision Regulations. This information should be retained on the Final Plat; or provision of a table on the Final Plat with the same information will suffice.

None of the lots meet the minimum 60-foot width requirement of Section 6.C.2(b)(2) for residential lots located within the suburban sub-district. As such, a waiver of Section 6.C.2(b)(2) of the Subdivision Regulations will be required for approval of the request.

A 25-foot front yard setback is illustrated along Phillips Lane and Moffett Road, in compliance with Article 2 Section 64-2-5.E. of the Unified Development Code for lots zoned R-1 in the Suburban sub-district. If approved, this information should be retained on the Final Plat.

Five (5)-foot side yard setbacks and an eight (8)-foot rear yard setback are illustrated along side and rear property lines, which is not required by the Subdivision Regulations. As such, removal of the side and rear setbacks from the Final Plat should be required.

SUBDIVISION CONSIDERATIONS

Standards of Review:

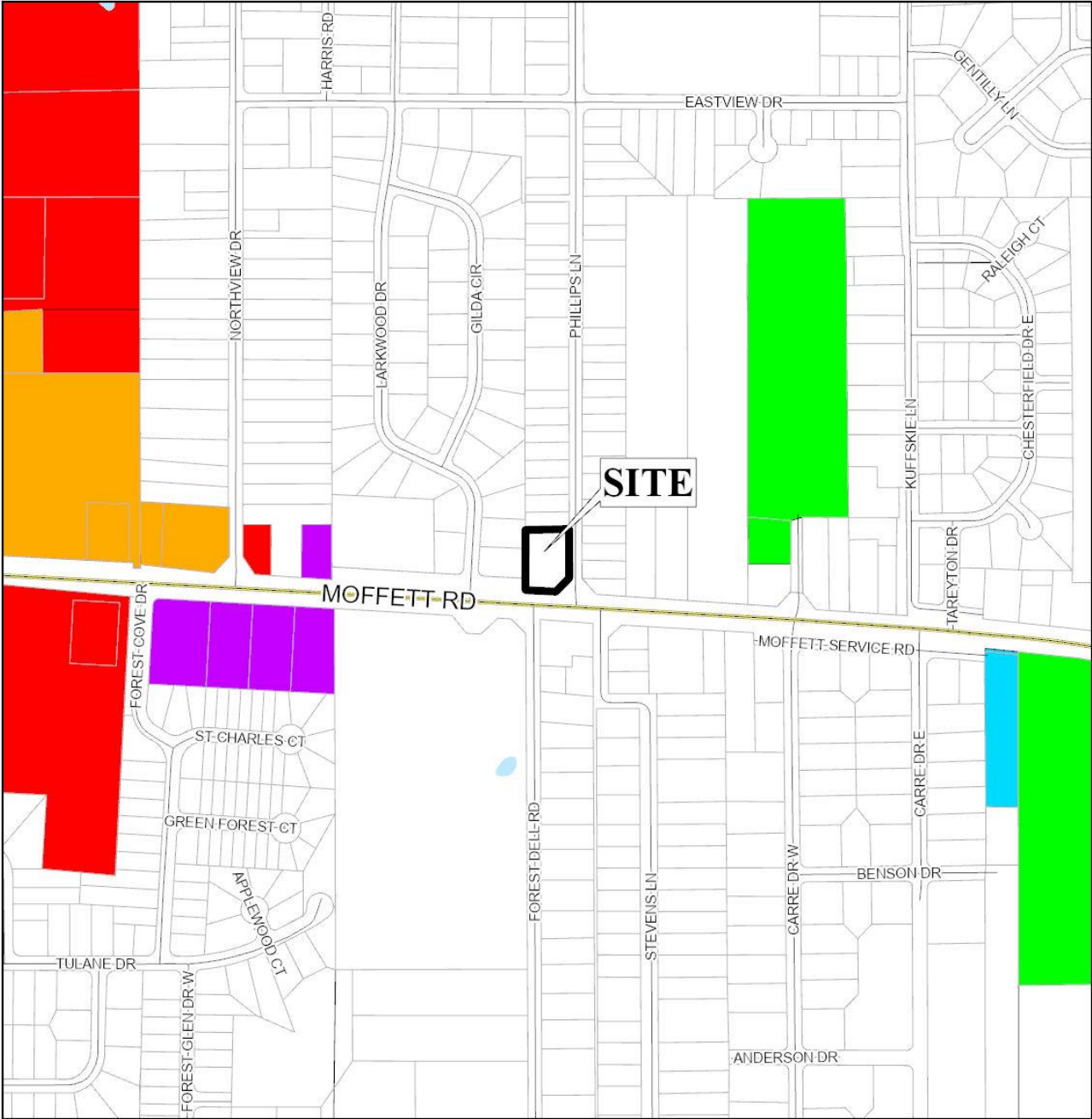
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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


Considerations:

If the Planning Commission considers approving the Subdivision request, a waiver of Section 6.C.2(b)(2) will be required and the following conditions could apply:

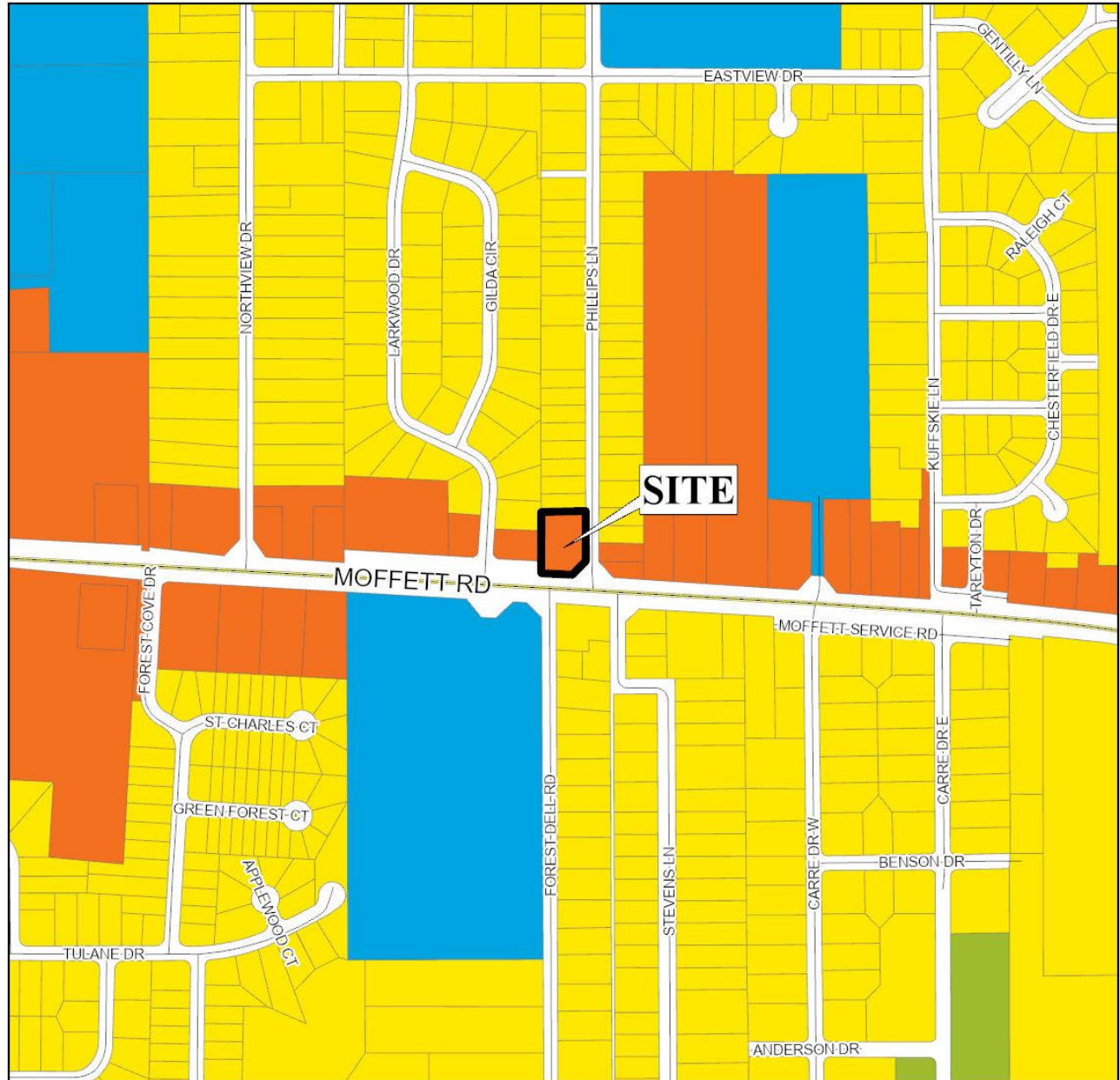
1. Revision of the plat to label the 100-foot right-of-way along Moffett Road at this location;
2. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat providing the same information;
3. Retention of the 25-foot front yard setback along Phillips Lane and Moffett Road;
4. Removal of the side and rear yard setback lines from the Final Plat;
5. Compliance with all Engineering comments noted in this staff report;
6. Placement of a note on the Final Plat stating all 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>18</u> DATE <u>June 20, 2024</u> |  |
| APPLICANT <u>Milton Tee Subdivision, Resubdivision of Lot 11</u> | |
| REQUEST <u>Subdivision</u> | |

FLUM LOCATOR MAP



APPLICATION NUMBER 18 DATE June 20, 2024

APPLICANT Milton Tee Subdivision, Resubdivision of Lot 11

REQUEST Subdivision

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



MILTON TEE SUBDIVISION, RESUBDIVISION OF LOT 11

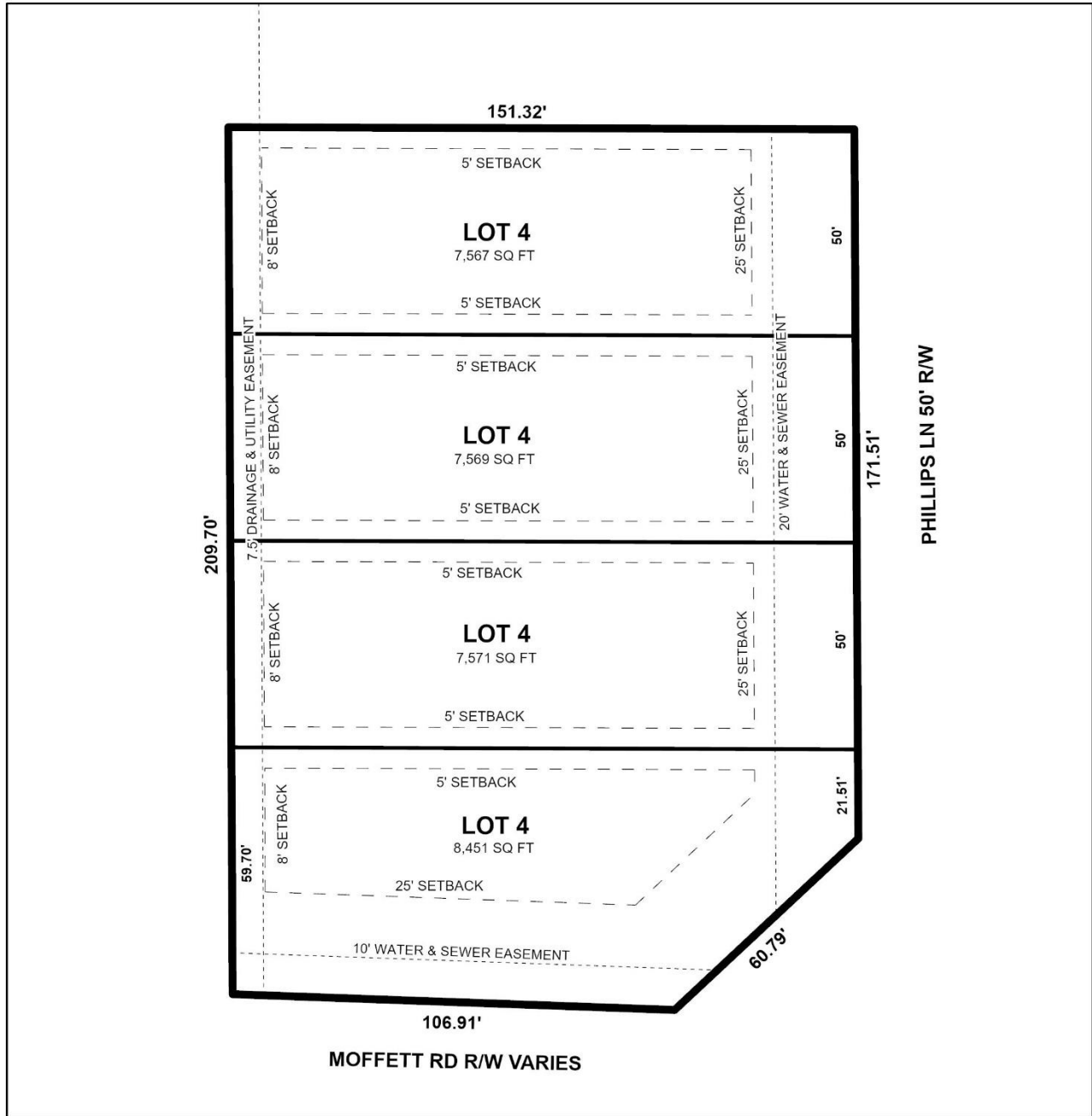



CASE NUMBER SUB-002950-2024 DATE 06/20/2024

| | | | | | | | | | |
|-----|-----|------|-----|-----|-----|-----|-------|-------|-------|
| 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>18</u> DATE <u>June 20, 2024</u> |  |
| APPLICANT <u>Milton Tee Subdivision, Resubdivision of Lot 11</u> | |
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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)

MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.