



Agenda Item # 19

SUB-002881-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

7701, 7705, 7709, 7621, and 7631 Old Government Street Road

Subdivision Name:

Village at Tate Farms Subdivision

Applicant / Agent:

James Tate

Property Owner(s):

James Tate

Current Zoning:

R-3, Multi-Family Residential Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create 222 legal lots of record.

Commission Considerations:

1. Subdivision proposal with fifteen (15) conditions

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VILLAGE AT TATE FARMS SUBDIVISION



APPLICATION NUMBER 19 DATE June 20, 2024



SITE HISTORY

The site was part of a 27-lot subdivision approved by the Planning Commission at its June 1, 2023 meeting. No plat was presented to staff for signatures, and no extension request was submitted, thus the approval was allowed to expire.

Rezoning of the site from R-1, Single-Family Residential Suburban District, to R-3, Multi-Family Residential Suburban District, was adopted by City Council at its May 14, 2024 meeting.

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

STAFF COMMENTS

Engineering Comments:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- 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. The 2-page, revised Plat that was submitted contained two (2) sheets that were similar and were labeled SHEET NO. 1 OF 3.
- C. Correct the name of Old Government St. to Old Government Street Rd.
- D. Check the written legal description and the Plan bearings and distances along the Old Government Street Rd. ROW.
- E. Delete the FLOOD DAMAGE PREVENTION ORDINANCE NOTE. The note references a Mobile County document and this project is located within the limits of the City of Mobile.
- F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 17 - #78) the subdivision 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: 17 acre Parcel - 17,000 sf.
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- L. The proposed PRIVATE roads contain substandard corner and centerline radii that will prevent it from being accepted for public maintenance in the future.
- M. 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:

A traffic impact study will be required. 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-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 application is to create a 222-lot private street, zero lot line-townhome subdivision from eight (8) metes-and-bounds parcels. The site is served by public water and sanitary sewer.

Sections 6.B.4. & 9.C.2. of the Subdivision Regulations allow private street subdivisions for townhomes, subject to compliance with the requirements of Section 9.D.1.

Multi-family residential use and zero lot line homes are allowed by right in an R-3, Multi-Family Residential Suburban District, subject to compliance with the development standards of the Unified Development Code (UDC).

Access to the proposed subdivision is from Old Government Street Road, a minor street without curb and gutter requiring a 60-foot wide right-of-way. Adequate right-of-way is depicted on the preliminary plat making additional dedication unnecessary.

As mentioned, the site is to be developed with townhomes fronting private streets, the provisions for which are located in Section 9.C.2.(a) of the Subdivision Regulations. Four (4) private streets are proposed, and each is depicted with a 50-foot right-of-way, which is compatible with Section 6.B.9. of the Subdivision Regulations for streets equipped with curb and gutter.

The names of the proposed streets are provided on the preliminary plat and should be coordinated with the Engineering Department to avoid any duplicate street names within Mobile City limits. If approved, this information should be retained on the Final Plat, revised with any modifications required by the Engineering Department.

There are multiple corner lots, each requiring a 25-foot corner radius where the private streets will intersect, per Section 6.C.6. of the Subdivision Regulations. This information is not provided on the preliminary plat; therefore, if approved, the plat should be revised to illustrate a 25-foot corner radius where each lot abuts a private street intersection.

If approved, the revised plat should depict utility easements acceptable to the appropriate provider of utility services within the proposed subdivision, per Section 9.1(b)(4).

As the streets will be private, a note should be required on the revised plat, if approved, stating that the streets are privately maintained and that there shall be no public right-of-way, per Sections 9.D.1(b)(5) and 9.D.1(b)(7). Another note should be required on the revised plat, if approved, stating that if the private streets are ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the streets up to the prevailing standards shall be assessed to the property owner(s) at the time the private streets are dedicated, and that said assessment shall run with the land to any subsequent property owners, per Section 9.D.1(b)(9).

Per Section 9.D.1(b)(6), prior to signing of the plat the applicant should be required to present a legal document to the Planning and Zoning Department to run as a covenant with the land providing for continuing maintenance of the private streets by an owners' association, or other entity, granting rights of ingress and egress for emergency and utility maintenance vehicles, and holding harmless the city from damages to any owner within the subdivision arising, or which may arise, out of the existence of the private streets. This document shall be approved by the City Attorney or their designee as to form and legality and shall be property executed and recorded simultaneously with the plat in the records of Mobile County Probate Court. Furthermore, each and every owner of property abutting upon and with legal access to the private streets shall be a party to such document and agreement.

In compliance with Section 9.D.1(b)(8), a sign shall be posted and maintained at the entrances to the private streets with the street names and identifying them as private streets, per Manual on Uniform Traffic Control Devices (MUTCD) standards with blue backgrounds and white legends. The signs shall be made to city standards, and, as mentioned, the names of the private streets must be approved by the City Engineer.

It should be noted that the city does not guarantee garbage and/or trash services to properties located along private streets. As such, garbage and/or trash service(s) may be the responsibility of the property owners. Any dumpster(s) placed on the property will need to meet the enclosure and placement standards of Article 3, Section 64-3-13.A of the UDC, and be illustrated on the applicable site plans submitted for review of the associated development permits.

If security gates are provided at the entrances to the subdivision they must be constructed in compliance with the currently adopted IFC standards, and approved by the Fire Department. If the gates are not electronically operated, then they must be placed to meet the vehicle stacking requirements of Article 4, Section 64-4-6.B of the UDC.

A table on the preliminary plat indicates the average lot size for lots within the proposed subdivision is 1,977± square feet, which is incompatible with the minimum size requirement for lots served by public water and sanitary sewer in the R-3 suburban district. Per Article 2, Section 64-2-7.E. of the UDC, the minimum lot size for lots in the R-3 Suburban district is 10,000 square feet. As such, a waiver of Section 6.C.2.(a) of the Subdivision Regulations is required for approval of the request.

If approved, each lot should be labeled with its size in both square feet and acres on the Final Plat, as required by Section 5.A.2(f) of the Subdivision Regulations; 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.

Four (4) common areas are proposed. No information regarding each of their sizes is depicted, as required by Section 5.A.2(f). A table on the preliminary plat indicates "Common Area Size" is 9.57 acres, but does not detail the size of each proposed common area. As such, if approved, each common area should be labeled with its size in both square feet and acres on the Final Plat; or provision of a table on the Final Plat with the same information will suffice.

A 15-foot front yard setback is illustrated on each proposed lot and common area, which is incompatible with the minimum 25-foot front yard setback requirement of Article 2, Section 64-2-6.E. of the UDC for lots in the R-3 Suburban district. As such, if approved, the Final Plat should be revised to illustrate a 25-foot front yard setback along each street frontage, unless a Variance allowing reduced setbacks is approved by the Board of Zoning Adjustment.

It should be noted that, if approved, the development of each lot is subject to full compliance with the minimum standards of the UDC. This includes compliance with side and rear yard setbacks, site coverage, etc. The construction of townhomes with common walls and reduced setbacks will not comply with these requirements without the approval of Variances from the Board of Zoning Adjustment.

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.

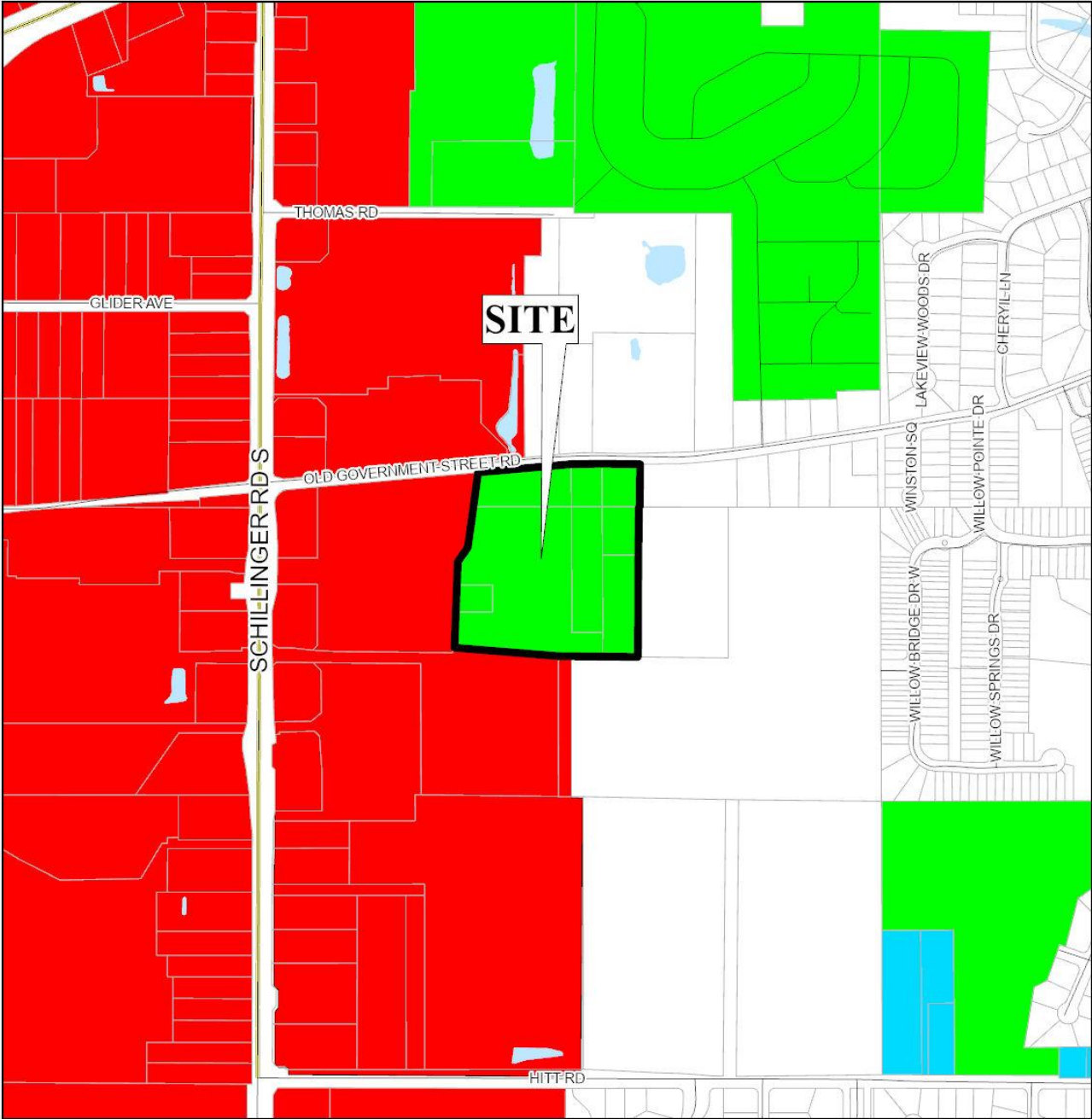
Considerations:

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

1. Approval of the proposed street names by the City Engineer, with any modifications labeled on a revised plat;
2. Revision of the plat to illustrate a 25-foot corner radius where each lot abuts a private street intersection, in compliance with Section 6.C.6. of the Subdivision Regulations;
3. Revision of the plat to illustrate the applicable utility easements;
4. Placement of a note on the revised plat stating that the streets are privately maintained and that there shall be no public right-of-way, in compliance with Sections 9.D.1(b)(5) and 9.D.1(b)(7) of the Subdivision Regulations;

5. Placement of a note on the revised plat stating that if the private streets are ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the streets up to the prevailing standards shall be assessed to the property owner(s) at the time the private streets are dedicated, and that said assessment shall run with the land to any subsequent property owners, in compliance with Section 9.D.1(b)(9) of the Subdivision Regulations;
6. Provision and approval of the required private street legal document in compliance with Section 9.D.1(b)(8) of the Subdivision Regulations, prior to signing of the Final Plat;
7. Revision of the plat to label each lot with its size in square feet and acres, or provision of a table on the Final Plat with the same information;
8. Revision of the plat to label each common area with its size in square feet and acres, or provision of a table on the Final Plat with the same information;
9. Placement of a note on the revised plat stating that the maintenance of all common areas is the responsibility of the property owner(s) and not the City of Mobile, in compliance with Section 2.A. of the Subdivision Regulations;
10. Revision of the plat to illustrate a 25-foot front yard setback along each proposed street, in compliance with Section 6.C.8. of the Subdivision Regulations, and with Article 2, Section 64-2-6.E. of the Unified Development Code, or acquisition of the necessary variances;
11. Compliance with all Engineering comments noted in this staff report;
12. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
13. Compliance with all Urban Forestry comments noted in this staff report;
14. Compliance with all Fire Department comments noted in this staff report; and
15. Full compliance with all other codes and ordinances.

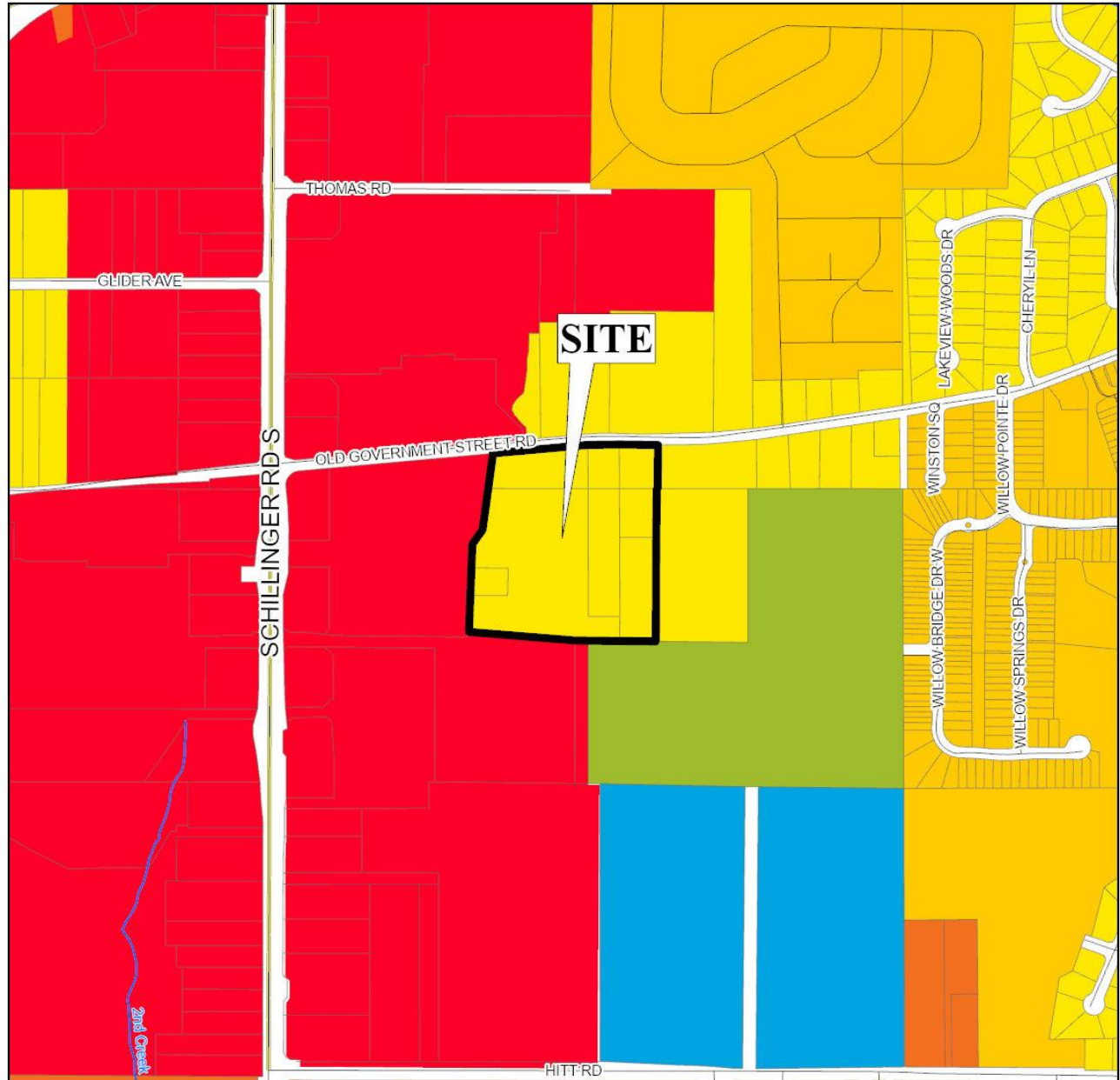
LOCATOR ZONING MAP



APPLICATION NUMBER <u>19</u>	DATE <u>June 20, 2024</u>
APPLICANT <u>Village at Tate Farms Subdivision</u>	
REQUEST <u>Subdivision</u>	

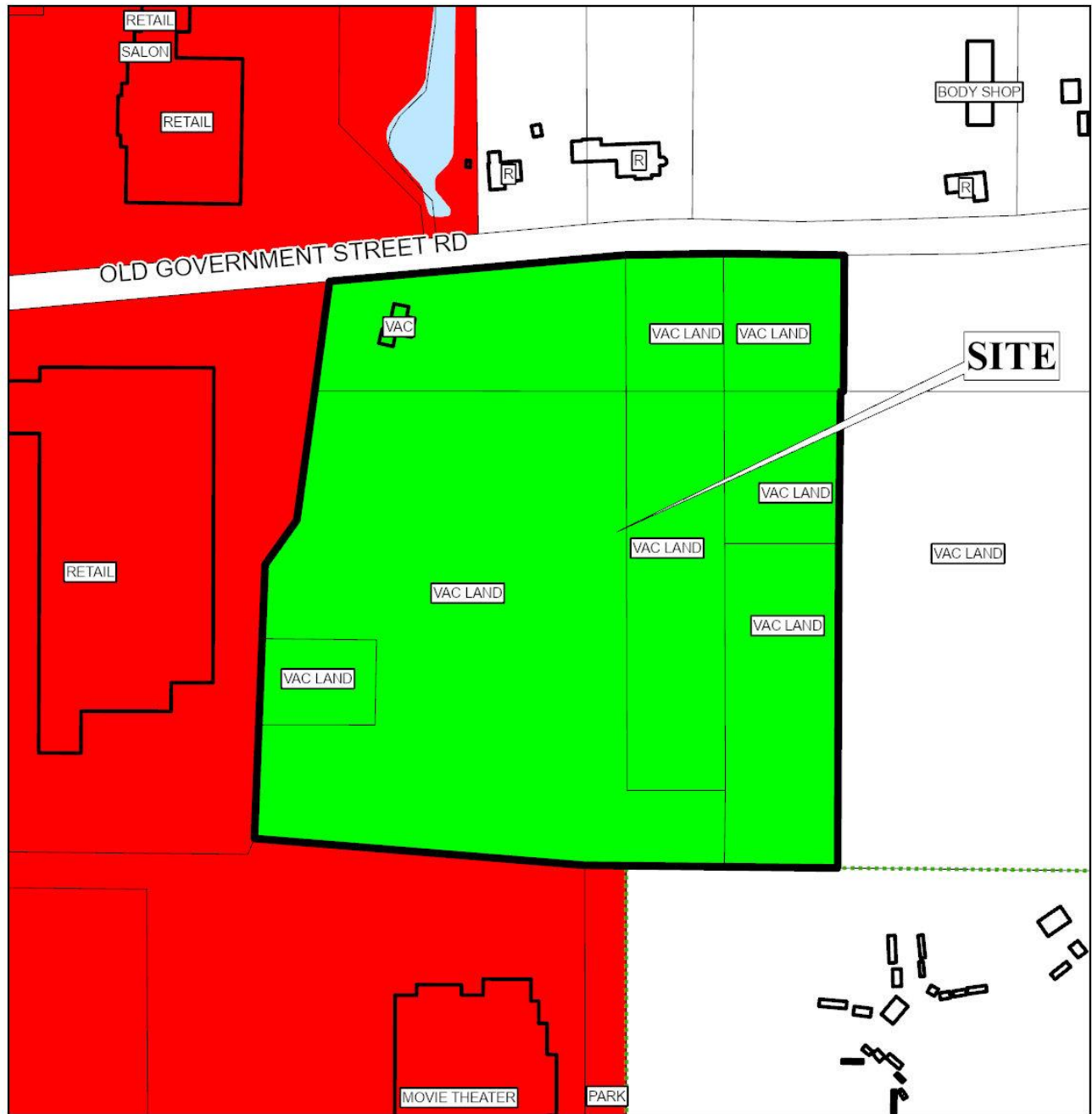


FLUM LOCATOR MAP



APPLICATION NUMBER <u>19</u> DATE <u>June 20, 2024</u>		 NTS	
APPLICANT <u>Village at Tate Farms Subdivision</u>			
REQUEST <u>Subdivision</u>			
<ul style="list-style-type: none"> Low Density Residential Mixed Density Residential Downtown District Center 	<ul style="list-style-type: none"> Neighborhood Center - Traditional Neighborhood Center - Suburban Traditional Corridor Mixed Commercial Corridor 	<ul style="list-style-type: none"> Downtown Waterfront Light Industry Heavy Industry Institutional 	<ul style="list-style-type: none"> Parks & Open Space Water Dependent

VILLAGE AT TATE FARMS SUBDIVISION

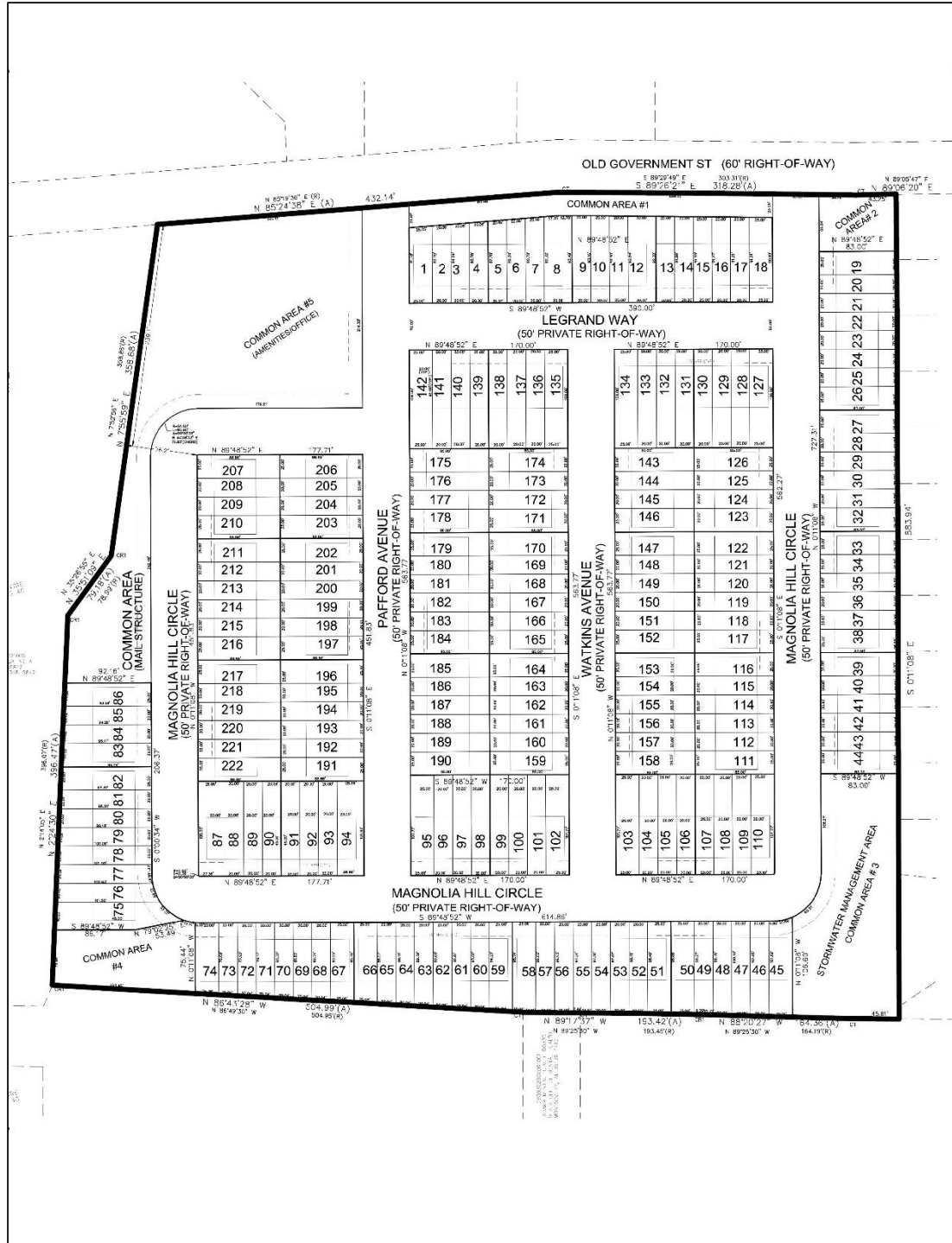


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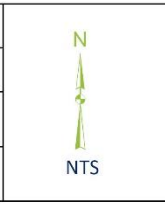
R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



DETAIL SITE PLAN



APPLICATION NUMBER	19	DATE	June 20, 2024
APPLICANT	Village at Tate Farms Subdivision		
REQUEST	Subdivision		



Residential Land Use



LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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												<input type="checkbox"/>		
ONE-FAMILY RESIDENCE	R-1	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
TWO-FAMILY RESIDENCE	R-2	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
MULTIPLE-FAMILY	R-3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	
RESIDENTIAL-BUSINESS	R-B		<input type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
TRANSITIONAL-BUSINESS	T-B		<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input type="checkbox"/>		
HISTORIC BUSINESS	H-B			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
VILLAGE CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. GENERAL	TCD					<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-6			<input checked="" type="checkbox"/>									<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.1			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.2			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-4			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-3			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	SD-WH									<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
DOWNTOWN DEV. DD	SD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
BUFFER BUSINESS	B-1		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
NEIGH. BUSINESS	B-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
LIMITED BUSINESS	LB-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
COMMUNITY BUSINESS	B-3				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
GEN. BUSINESS	B-4			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OFFICE-DISTRIBUTION	B-5								<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
LIGHT INDUSTRY	I-1									<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEAVY INDUSTRY	I-2										<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

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)