



Agenda Item #: 1

SUB-002790-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

210 South Washington Avenue & 708 Canal Street

Subdivision Name:

Hargrove Estates Subdivision, Resubdivision of Lot 1

Applicant / Agent:

Joe Collins

Property Owner:

Middle Bay Land, LLC

Current Zoning:

T-4 Sub-District of the Downtown Development District

Future Land Use:

Downtown

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 and one (1) legal lot of record.

Considerations:

1. Subdivision proposal with ten (10) conditions.

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HARGROVE ESTATES SUBDIVISION, RESUBDIVISION OF LOT 1



APPLICATION NUMBER 1 DATE January 18, 2024



SITE HISTORY

A portion of the subject site had side and rear yard setback variances approved by the Board of Zoning Adjustment at its March 19, 1956 meeting. The same portion of the site obtained side yard setback and use variances to allow reduced setbacks and for the site to be used by an industrial and welding supply business.

At the Board of Adjustment's January 8, 2001 meeting, most of the site was granted a use variance to allow the operation of a construction dumpster business in an R-1 district. This approval was later rescinded after the approval was appealed to Circuit Court.

On December 16, 2004, the Planning Commission approved an application to rezone the property from R-1 to B-1 to allow an engineering office. The rezoning was finalized by the City Council in January 2005.

Most of the site was the subject of a one-lot Subdivision which was approved by the Planning Commission at its January 6, 2005, which was recorded in Probate Court as Hargrove Estates Subdivision.

The subject site was rezoned from B-1 to T-4 in 2014 with the adoption of the Downtown Development District (DDD).

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. Revise the "(REVISED)" in the Title Block to match the size, type, font of the rest of the Subdivision Name.
- C. Provide a written description for the proposed subdivision boundary.
- D. Dedicate the southeast corner of LOT A to City of Mobile public ROW. Extend line L2 and connect it to the eastern property line with a 15' or 20' radius. List the area of dedication in SF and AC.
- E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 12.
- F. Revise NOTE 13 to read – "As shown on the 1984 aerial photo (FLIGHT 30 - #72) LOT A 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 A – 32,000 SF."
- G. 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.
- H. Revise NOTE 12 to read – "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."
- I. 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:

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 Appendix A, Section 9.C 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:

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

The site has frontage on South Washington Avenue, a minor street with curb and gutter requiring a 50-foot right-of-way, and Canal Street, a minor arterial street requiring a 120-foot right-of-way. The preliminary plat depicts a 50-foot right-of-way along South Washington Avenue, making no dedication necessary. The preliminary plat states that the right-of-way along Canal Street varies, however it should be noted that the Hargrove Estates Subdivision did not require any dedication along Canal Street in 2005, therefore the plat should be revised to depict there is a minimum of 60-feet to the centerline of Canal Street, if approved.

The subject site is zoned T-4, which requires newly platted lots to have street frontage between 18-feet and 120-feet. The proposed lot has over 150-feet of frontage along Canal Street and over 300-feet of frontage along South Washington Avenue. As such, if the Planning Commission is inclined to approve the application, a waiver of Section 6.C.2.(b)(1) of the Subdivision Regulations will be required.

Properties located within a T-4 sub-district are allowed a 12-foot maximum setback along both street frontages. If approved, the maximum setback line should be depicted on the Final Plat, if approved.

The preliminary plat provides the proposed lot size in square feet and acres. If approved, this information should be retained on the Final Plat or a table should be furnished on the Final Plat providing the same information.

It should be noted that the 708 Canal Street site was the subject of a 311 complaint received by Planning & Zoning in September 2023 that stated the otherwise vacant property was being used as a parking lot after the structure on the site was demolished without permits in 2015. The DDD prohibits the creation of freestanding parking lots,

therefore a Notice of Violation was issued to the property owner. The property owner has submitted the application under consideration as part of an attempt to correct the zoning violation. It should be noted that if approved, the site will need to go before the Consolidated Review Committee (CRC) for review. The applicant should be advised that Section 9.C.2.(b) of the DDD prohibits parking lots with more than 20 spaces in T-4 sub-districts. While the existing parking lot with 37± spaces may be considered non-conforming, expanding the amount of additional property may not be in compliance with the DDD regulations, and thus may require additional Planning Commission or Board of Adjustment applications.

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.C.2.(b)(1) of the Subdivision Regulations, if the Planning Commission considers approving the Subdivision request, the following conditions should apply:

1. Retention of the existing right-of-way along South Washington Avenue;
2. Depict that there is currently 60-feet from the subject site to the centerline of Canal Street;
3. Depiction of the 12-foot maximum setback;
4. Retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
5. Submittal of an application to the Consolidated Review Committee (CRC) to insure the parking area complies with DDD regulations and security of any additional approvals as may be necessary (such as variances) prior to the recording of the Final Plat;
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;
9. Compliance with all Fire Department comments noted in this staff report; and
10. Completion of the Subdivision process prior to the application for permits.

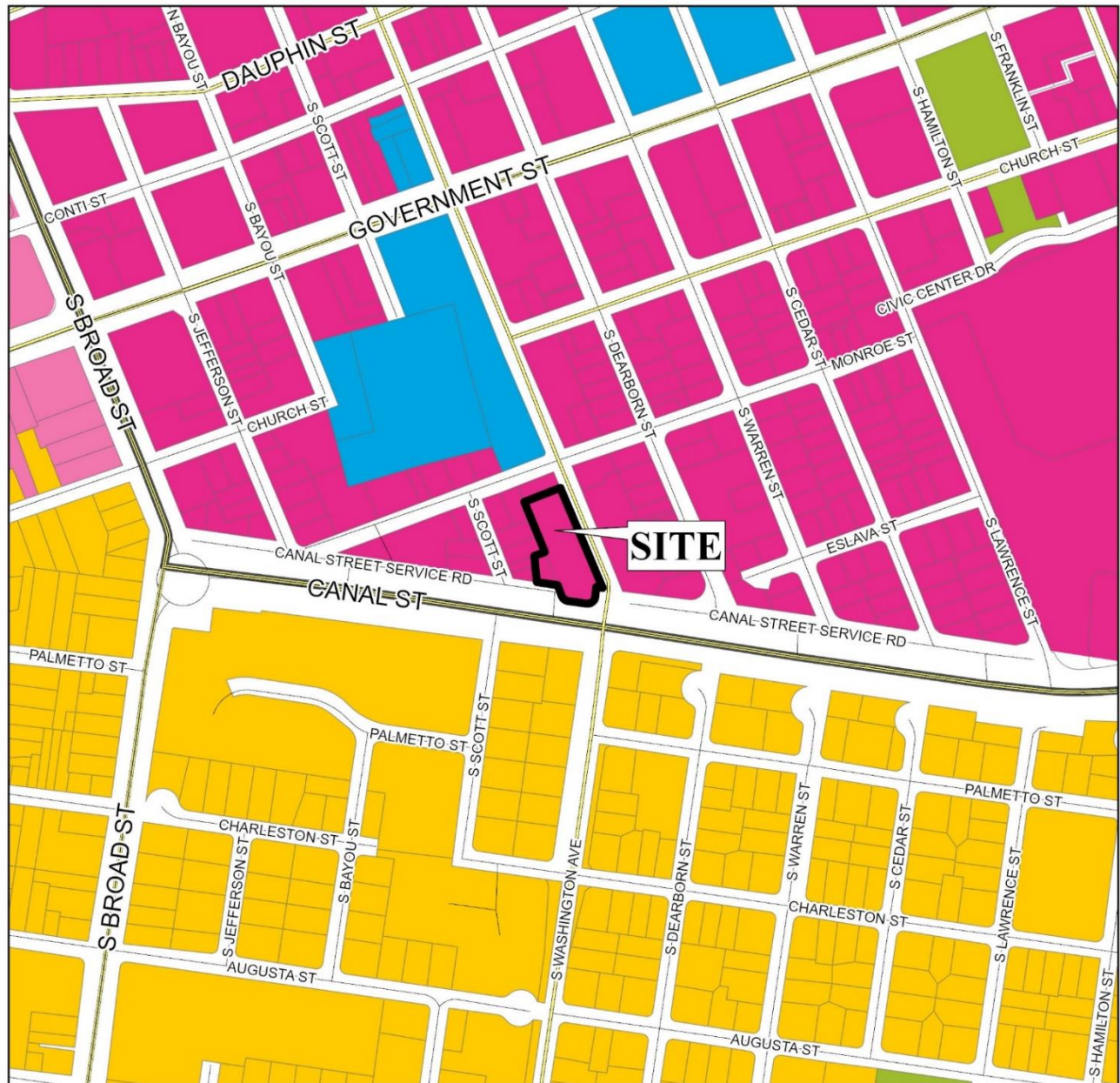
LOCATOR ZONING MAP



APPLICATION NUMBER <u>1</u>	DATE <u>January 18, 2024</u>
APPLICANT <u>Hargrove Estates Subdivision, Resubdivision of Lot 1</u>	
REQUEST <u>Subdivision</u>	



FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE January 18, 2024

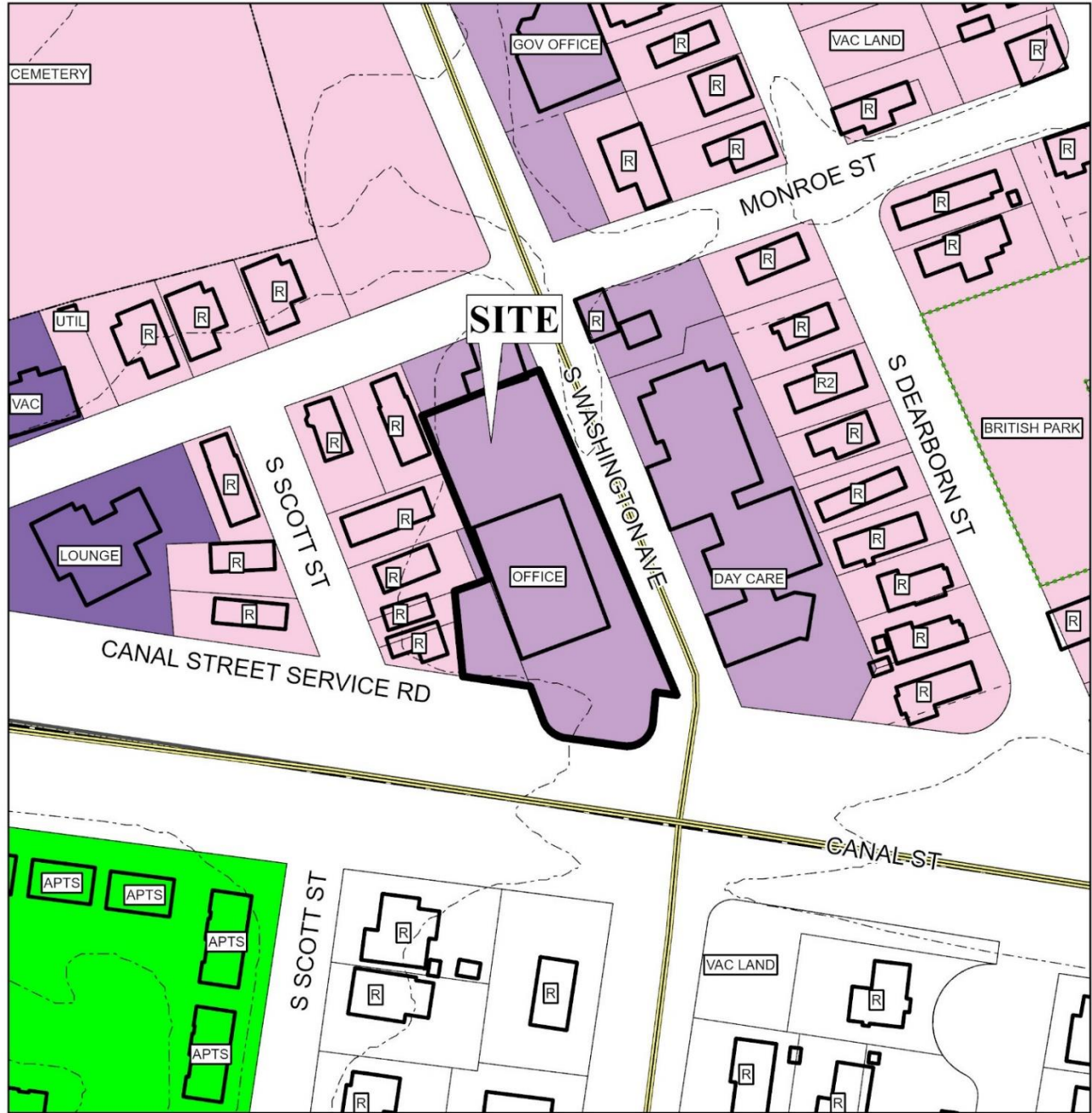
APPLICANT Hargrove Estates Subdivision, Resubdivision of Lot 1

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 | |



HARGROVE ESTATES SUBDIVISION, RESUBDIVISION OF LOT 1

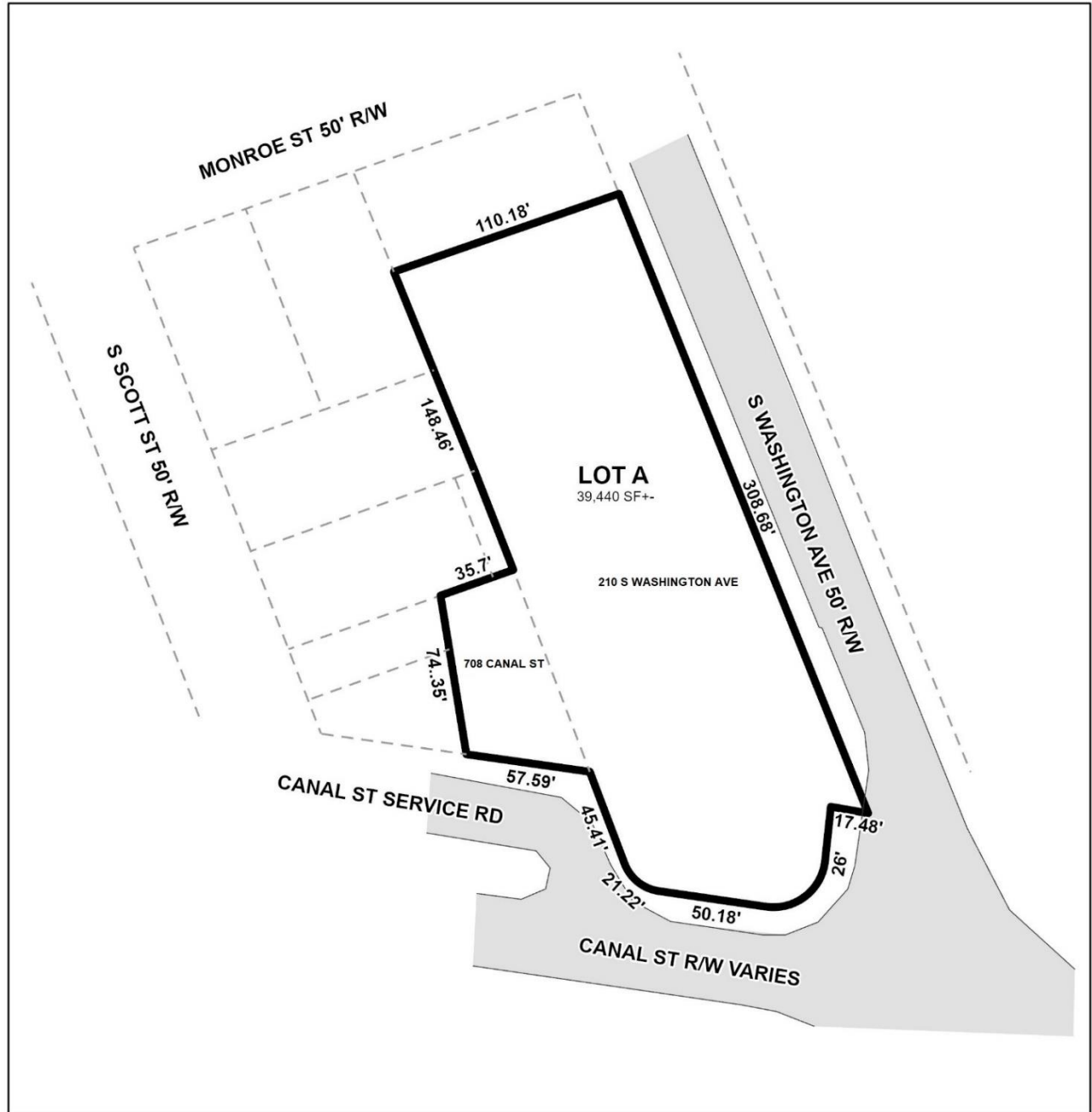


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- | | | | | | | | | | |
|---|---|--|---|---|---|---|---|---|---|
| R-A | R-3 | B-1 | B-2 | B-5 | ML | I-2 | OPEN | T-3 | T-5.2 |
| R-1 | R-B | T-B | B-3 | CW | MH | PD | SD | T-4 | T-6 |
| R-2 | H-B | LB-2 | B-4 | MM | I-1 | MUN | SD-WH | T-5.1 | |



SITE PLAN



APPLICATION NUMBER <u>1</u>	DATE <u>January 18, 2024</u>
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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 (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)



DOWNTOWN (DT)

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the City's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 du/ac); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7, active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.