



Agenda Item # 2 SUB-002129-2022

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

5015, 5017, 5019, 5021, 5029, 5033, 5039, 5043, 5049, 5051, 5055, 5121, & 5133 Cottage Hill Road, 2113 Demetropolis Road, & 2104 Garmons Lane

Subdivision Name:

Cottage Village Shopping Center Subdivision

Applicant / Agent:

McCrary & Williams, Inc.

Property Owners:

HC20WS LLC, An Alabama LLC, William M. Lyon , Jr. ET AL, Lyon Law Firm, P.C., and B. White-Spunner

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Neighborhood Center – Suburban (NC) and Low Density Residential (LDR)

Applicable Codes, Policies, and Plans:

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

Schedule for Development:

- Not Applicable

Proposal:

- One-year extension of Subdivision approval to create seven (7) legal lots of record from seven (7) metes-and-bounds parcels and three (3) legal lots of record.

Commission Considerations:

One-year extension of previous approval.

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units to the north and south.

APPLICATION NUMBER 2 DATE August 17, 2023

APPLICANT Cottage Village Shopping Center Subdivision

REQUEST Subdivision



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SITE HISTORY

The subject site was before the Commission at its September 1, 2022 meeting at which time the Subdivision, Planned Unit Development, and Rezoning were approved. The Rezoning was approved by the City Council at its November 15, 2022 meeting, and all Planned Unit Developments approved before the Unified Development Code effective date of March 1, 2023 that have not expired are valid until March 1, 2025, making the Subdivision application the only approval requiring an extension.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

No comments.

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 commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

The applicant is requesting a one-year extension of approval of the subdivision and the narrative is provided via the link on Page 1.

There have been no changes in conditions in the surrounding area that would affect the Subdivision as previously approved, nor have there been any changes to the Regulations which would affect the previous approval.

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.

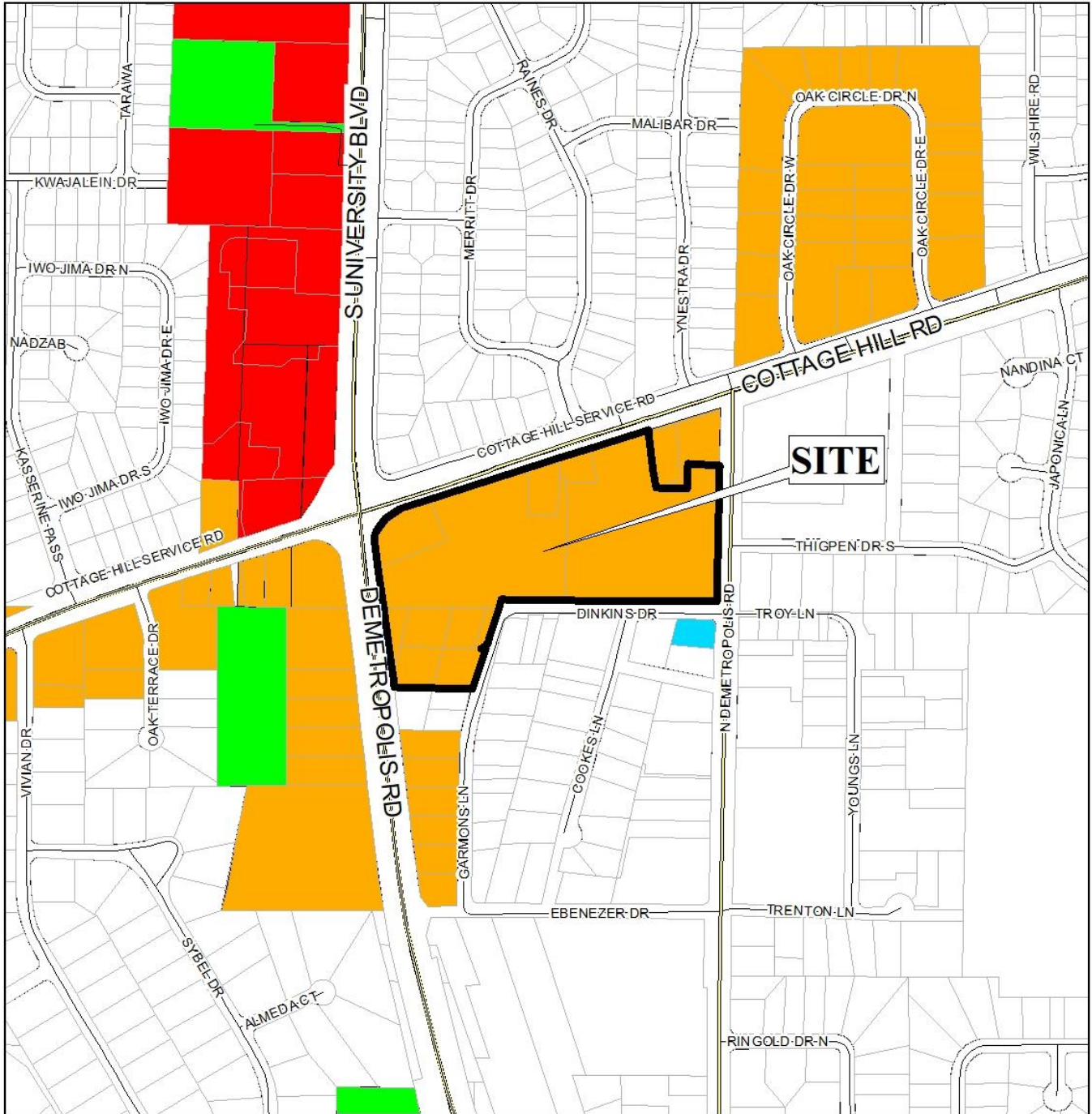
Considerations:

If the Planning Commission considers approving the extension request, the previous conditions of approval should still apply, except where applicable regulations have been updated, such as Fire requirements:

- 1) Revision of the plat to correctly identify North Demetropolis Road (incorrectly identified on the plat as University Boulevard);
- 2) Revision of the plat to correctly identify Dinkins Drive (incorrectly identified on the plat as Troy Lane);
- 3) Dedication to provide 50-feet from the centerline of Demetropolis Road, if necessary;
- 4) Dedication to provide 25-feet from the centerline of North Demetropolis Road, if necessary;
- 5) Dedication to provide 25-feet from the centerline of Dinkins Drive and Garmons Lane, if necessary;
- 6) Dedication of the corner radii at North Demetropolis Road and Dinkins Drive per Section V.D.6. of the Subdivision Regulations;
- 7) Retention of the lot size label in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information, adjusted for any required dedication;
- 8) Revision of the plat to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations, adjusted for any required dedication;
- 9) Placement of a note stating that no structures are allowed in any easements without the easement holder's permission;
- 10) Compliance with 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. Correct the street name in the plat and vicinity map from "University Boulevard" to "Demetropolis Road". C. Add a signature block for the Owner and Notary Public. D. As shown on the 1984 aerial photo (FLIGHT 22 - #86) LOTS 1 through 5 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 – 380,000 sf, LOT 2 – 23,000 sf, LOT 3 – 10,000 sf, LOT 4 – 15,000 sf, and LOT 5 – 38,000 sf. E. 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. F. 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. 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. 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. I. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. J. 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.);
- 11) Placement of a note on the revised plat stating Traffic Engineering comments: (A traffic impact study (TIS) has been requested for this site but has not yet been submitted or reviewed. Redevelopment of the site with a C-Store raises concerns about the driveway on Cottage Hill Road nearest to the University Blvd intersection. Traffic Engineering approval of this site is contingent upon the submission and acceptance of the traffic impact study. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits. Site is limited to driveways as shown on the approved PUD plan with 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 Section 64-6 of the City's Zoning Ordinance.);

- 12) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
- 13) Compliance with 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 commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
- 14) Completion of the rezoning process prior to issuance of building permits; and,
- 15) Full compliance with all other municipal codes and ordinances.

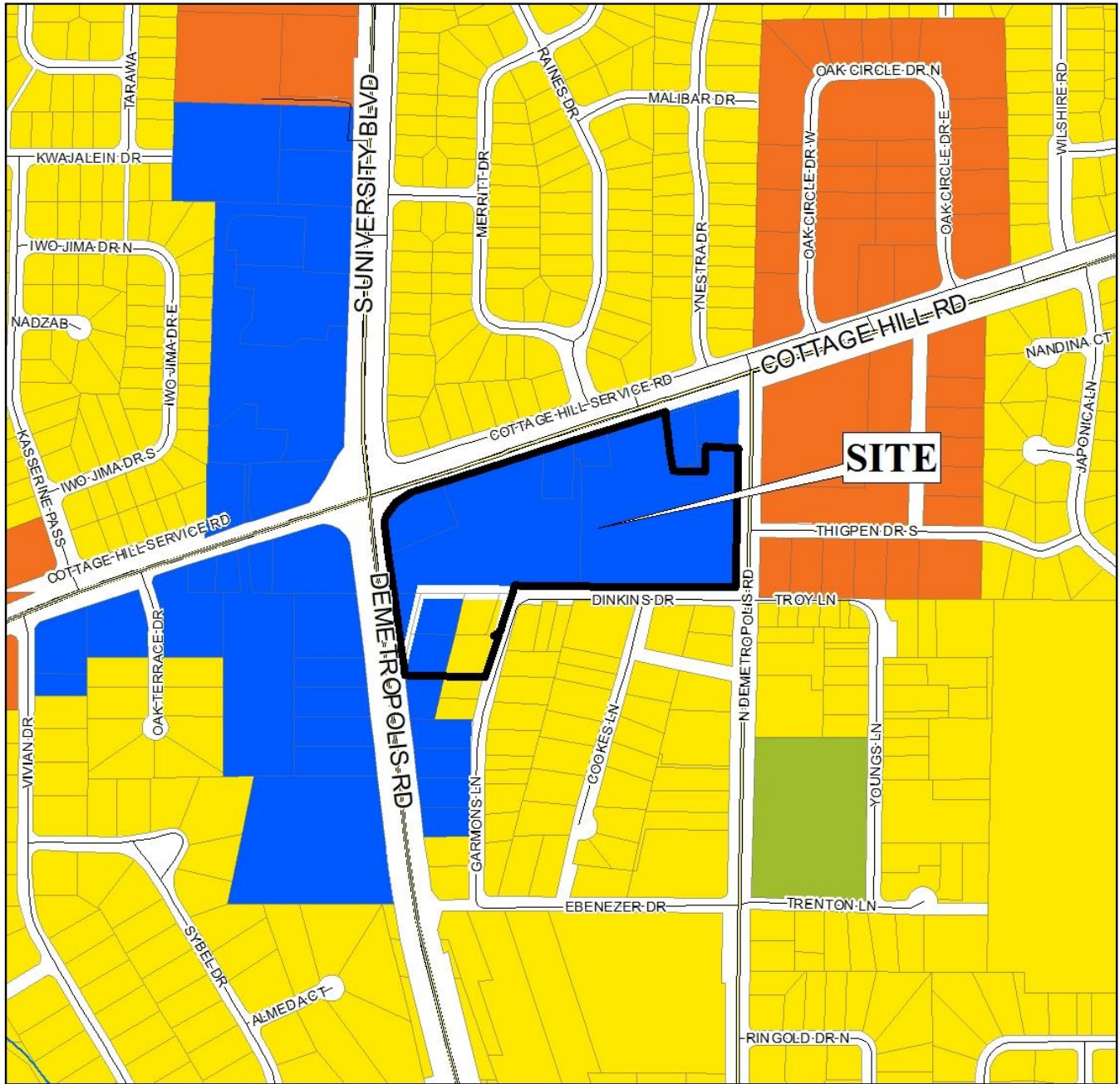
LOCATOR ZONING MAP



APPLICATION NUMBER 2 DATE August 17, 2023
 APPLICANT Cottage Village Shopping Center Subdivision
 REQUEST Subdivision



FLUM LOCATOR MAP



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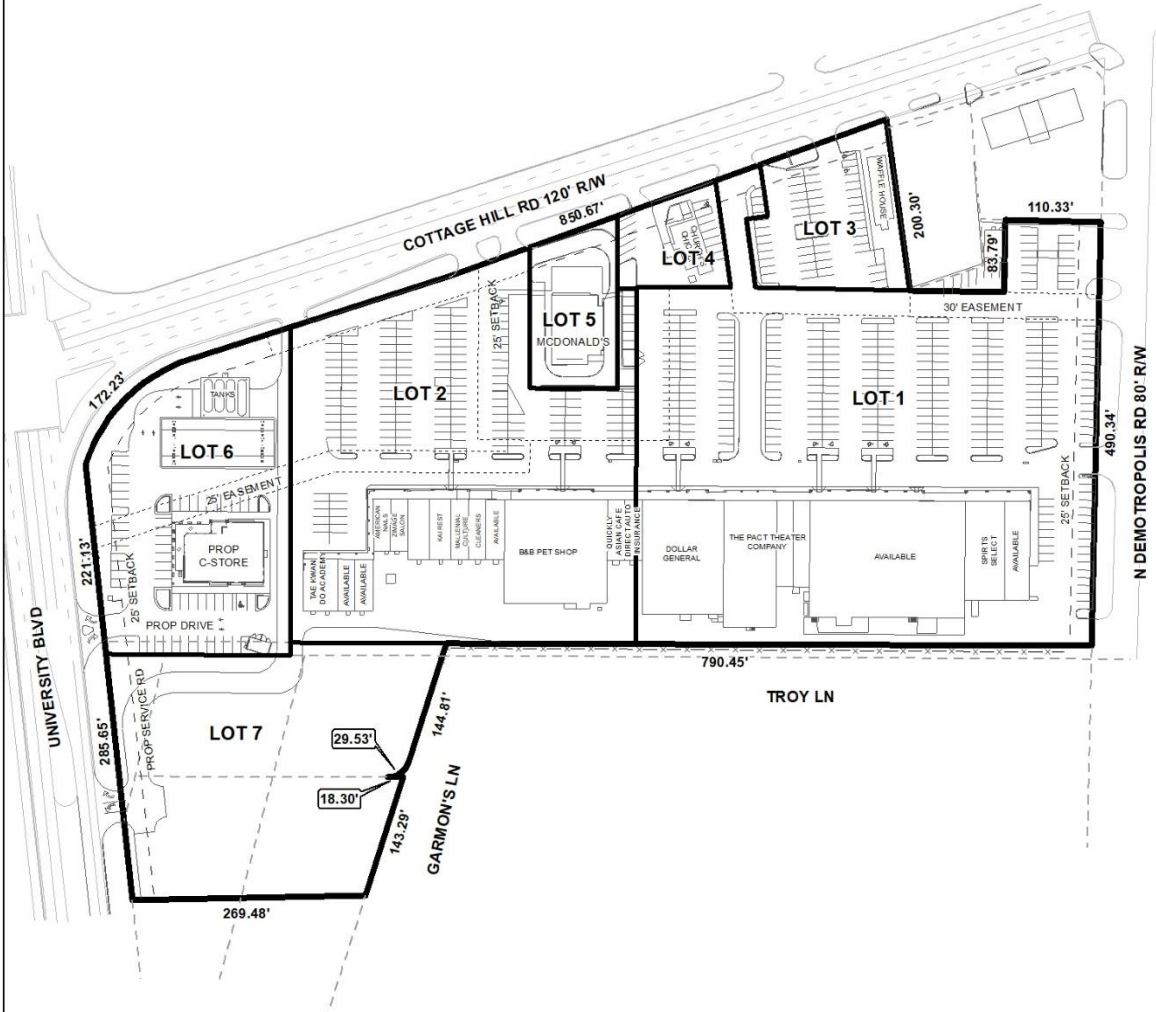
REQUEST Subdivision

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



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SITE PLAN



The site plan illustrates the existing buildings, parking, proposed convenience store, setbacks, and easements.

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