



Agenda Item # 2 SUB-002658-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

3107 Halls Mill Road

Subdivision Name:

The Resubdivision of Southern Oaks Subdivision

Applicant / Agent:

FGP Manufacturing, LLC

Property Owner:

Shipyard Road, LLC

Current Zoning:

B-2, Neighborhood Business Suburban District
& B-3, Community Business Suburban District

Future Land Use:

Mixed Commercial Corridor

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create three (3) legal lots of record from two (2) legal lots of record.

Commission Considerations:

- Holdover

Report Contents:

	Page
Context Map	2
Site History	3
Staff Comments	3
Subdivision Considerations	5
Exhibits	7

THE RESUBDIVISION OF SOUTHERN OAKS SUBDIVISION



APPLICATION NUMBER 2 DATE October 19, 2023



SITE HISTORY

In 1982 the Board of Zoning Adjustment approved a Use Variance for a portion of the subject site to be used as a golf driving range. The property has since been redeveloped.

In 2000 the Planning Commission approved a two-lot subdivision, Southern Oaks Subdivision, the plat for which was recorded in 2001. The rezoning of Lot 1 from R-1 to B-3, and Lot 2 from R-1 to B-2, was adopted by City Council at its February 6, 2001 meeting.

In 2003 the Planning Commission approved the replat of Lot 1 to incorporate an adjacent parcel, thus creating a one-lot subdivision distinct from the original subdivision. In 2006, the one-lot subdivision was again resubdivided to incorporate Lot 6 of the adjacent Alabama West Unit One Subdivision, approved in 2005. Rezoning of Lot 6 of the Alabama West Unit One Subdivision from R-1 to B-3 was adopted by City Council at its December 13, 2005 meeting.

The plat from 2006 remains the most recently-recorded subdivision; however, since that time, it appears a portion of the lot along the South property line was conveyed to an adjacent property owner (Parcel #: R023202370005017.000) by a "Settlement Agreement" resulting from a property boundary dispute, as recorded in 2007 (Real Property Book 6131, Page 303). This was done without approval of a subdivision and has resulted in a split-zoned, R-1 and B-3, metes-and-bounds parcel. The request at hand does depict this alteration of property lines, but does not include the split-zoned parcel.

A Sidewalk Waiver was approved by the Planning Commission in 2007 to waive construction of a sidewalk along Halls Mill Road.

The Planning Commission approved Planning Approvals in 2003 and 2021, first to allow the construction of a distribution warehouse greater than 50,000 square feet in a B-3 zoning district, then to allow a popsicle manufacturing facility in a building larger than 50,000 square feet in a B-3 zoning district.

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 a written description for the subdivision boundary.
- C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 11.
- D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #80) LOTS A, B, and C 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 – 2,000 sf, LOT B - NONE AND lot C – NONE.
- 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.

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 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 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 purpose of this application is to create three (3) legal lots of record from two (2) legal lots of record. The site is served by public water and sanitary sewer services.

Proposed Lot A has frontage along McVay Drive North, a Minor Arterial street with an 80-foot right-of-way at this location. Proposed Lots B and C have frontage along Halls Mill Road, a Minor Arterial street requiring a 70-foot right-of-way at this location. The preliminary plat depicts adequate right-of-way along McVay Drive North and a varying right-of-way along Halls Mill Road. The Southern Oaks Subdivision plat, approved by the Planning Commission at its December 21, 2000 meeting and recorded in 2001, dedicated the required right-of-way along Halls Mill Road, thus no additional dedication is required; however, if approved, the Final Plat should be revised to depict the existing right-of-way along Halls Mill Road.

It should be noted that Lot C also has frontage along an unimproved service road proposed along Halls Mill Road.

It should also be noted that McVay Drive North is inaccurately labeled "McVay Drive". If approved, the Final Plat should be revised to correctly label McVay Drive North.

Each lot, as proposed, exceeds the minimum size requirements for lots served by public water and sanitary sewer in both the B-2 and B-3 zoning districts. Their sizes are appropriately labeled in square feet and acres on the preliminary plat. If approved, this information should be retained on the Final Plat; or, provision of a table on the Final Plat with the same information will suffice.

Each proposed lot is irregularly shaped, and the depth of Lot C exceeds its width by more than 3.5, which is discouraged by Section 6.C.3 of the Subdivision Regulations. Such lot designs are not uncommon within the vicinity of the subject site, and previous subdivision approvals of the site with similar lot designs may again justify their approval. Previous approval of Lot C with nearly the same configuration may also justify an additional waiver of Section 6.C.3. regarding the excessive width-to-depth ratio of Lot C.

Lots A and B are proposed to share a common lot line through an existing building, and through part of an existing parking lot. The resulting setbacks of the building on each lot should not be an issue considering Section 64-2-14.E. of the UDC allows for either a zero-foot, or a five (5)-foot side and rear yard setback for lots in the B-3 zoning district; however, shared access to the parking lot should be facilitated via the appropriate legal instrument (e.g. ingress/egress easement, reciprocal easement, etc.), which has not been presented to Staff, and is not illustrated on the preliminary plat. As such, submission of a copy of the appropriate legal instrument facilitating shared access between Lots A and B should be required, prior to Staff signing the Final Plat; or, revision of the Final Plat illustrating an easement granting shared access may suffice.

If approved, the Final Plat should be revised to illustrate the 25-foot minimum building setback along each street frontage, per Sections 64-2-13.E. and 64-2-14.E. of the UDC for lots in the B-2 and B-3 zoning districts within the Suburban sub-district.

As previously mentioned, the site was the subject of Planning Approvals in 2006 and 2021. Redevelopment of the site is not proposed at this time, but revision of the lot lines modifies the Planning Approvals in such a way that a Major Modification will need to be reviewed by the Planning Commission and approved by City Council, per Section 64-5-8.B.2. of the UDC. Moreover, the subdivision request cannot be considered for approval by the Planning Commission until the Major Modification request is submitted for review, per Section 64-5-1.D. of the UDC, which requires all applications related to the same site to be filed and considered concurrently.

It should also be noted that the site is subject to four (4) different zoning ordinances covering different portions of the site, with differing conditions. A rezoning application to consolidate the B-3 portion of the site to one zoning ordinance with one set of conditions is needed.

SUBDIVISION CONSIDERATIONS

Standards of Review:

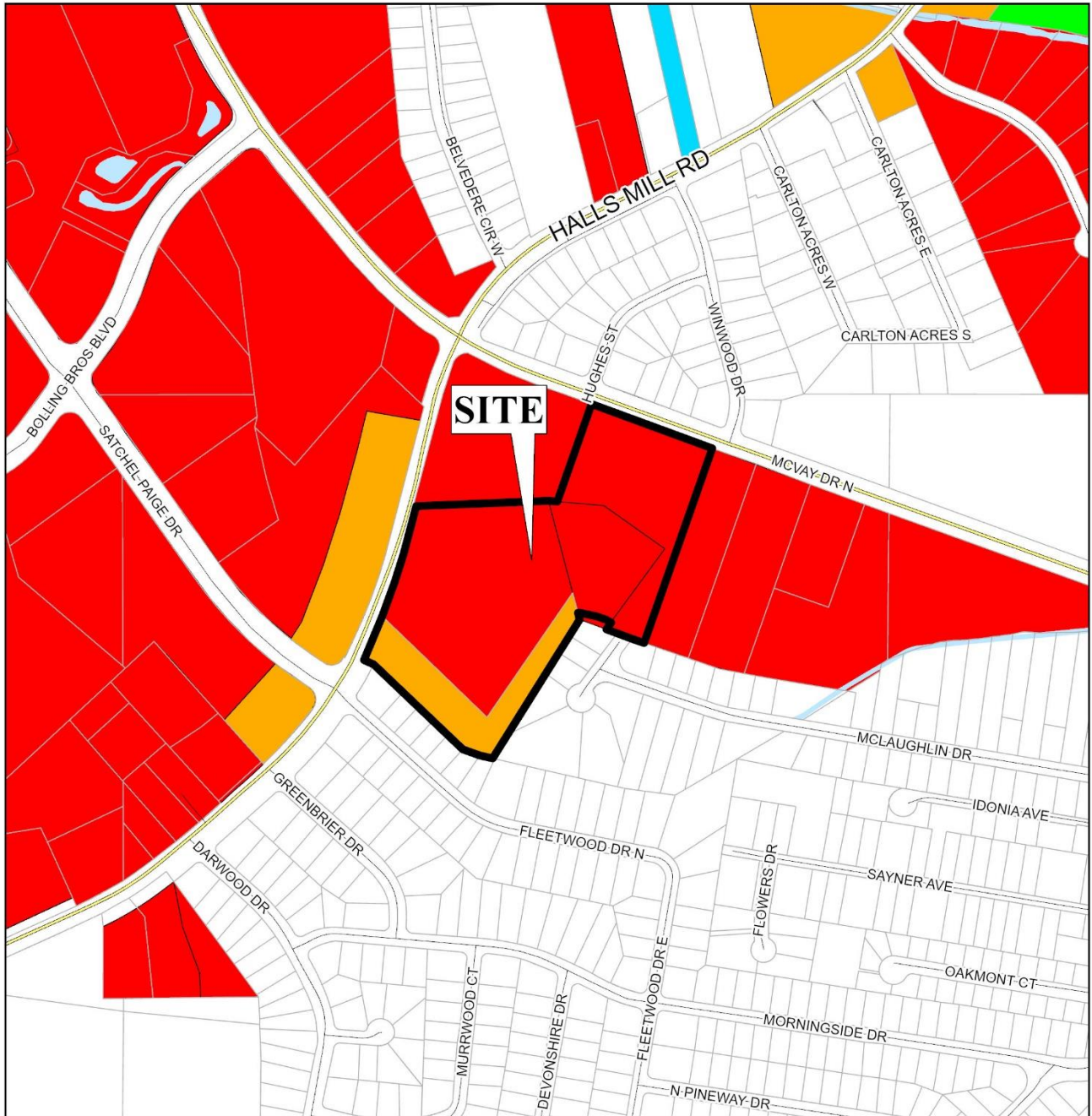
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

The Planning Commission cannot consider the application at this time as a request to review a Major Modification of the previously approved Planning Approval has not been submitted. Article 5, Section 64-5-1.D of the Unified Development Code requires all applications related to the same site to be filed and considered concurrently.

Additionally, submission of a rezoning application to consolidate the B-3 portion of the site to one (1) zoning ordinance, with one (1) set of conditions, may be appropriate.

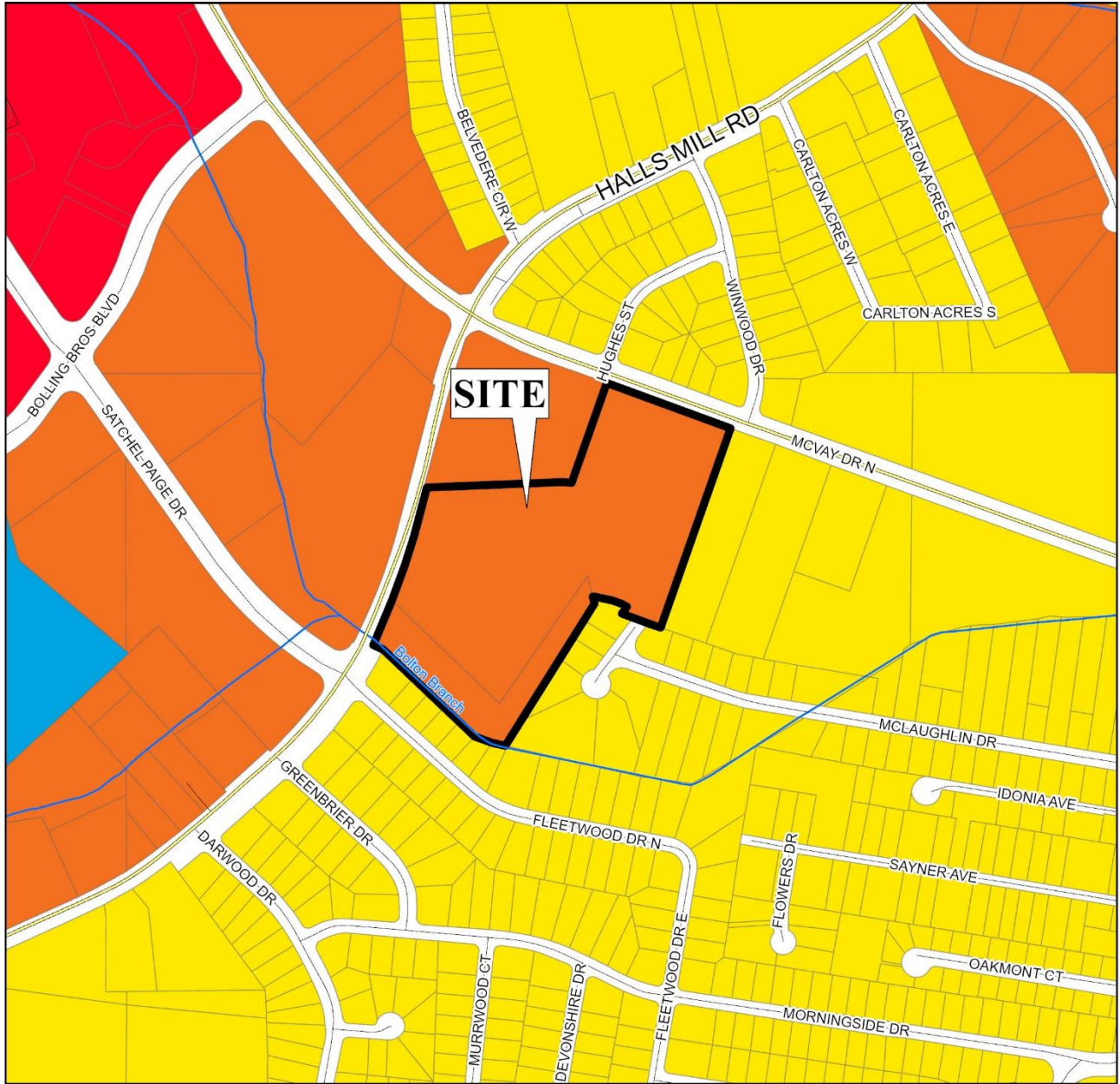
LOCATOR ZONING MAP



APPLICATION NUMBER 2 DATE October 19, 2023
APPLICANT The Resubdivision of Southern Oaks Subdivision
REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 2 DATE October 19, 2023

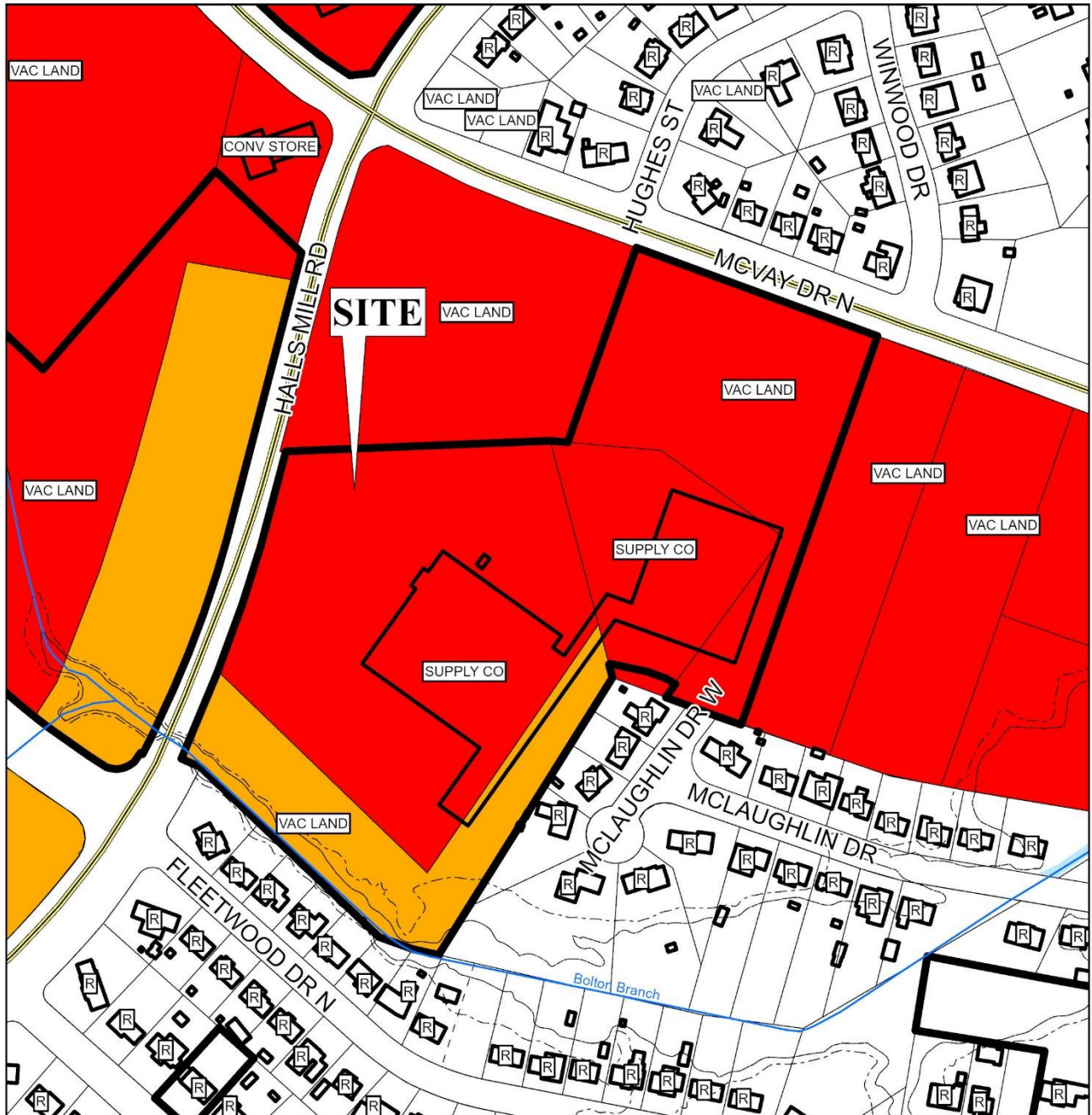
APPLICANT The Resubdivision of Southern Oaks Subdivision

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	



THE RESUBDIVISION OF SOUTHERN OAKS SUBDIVISION

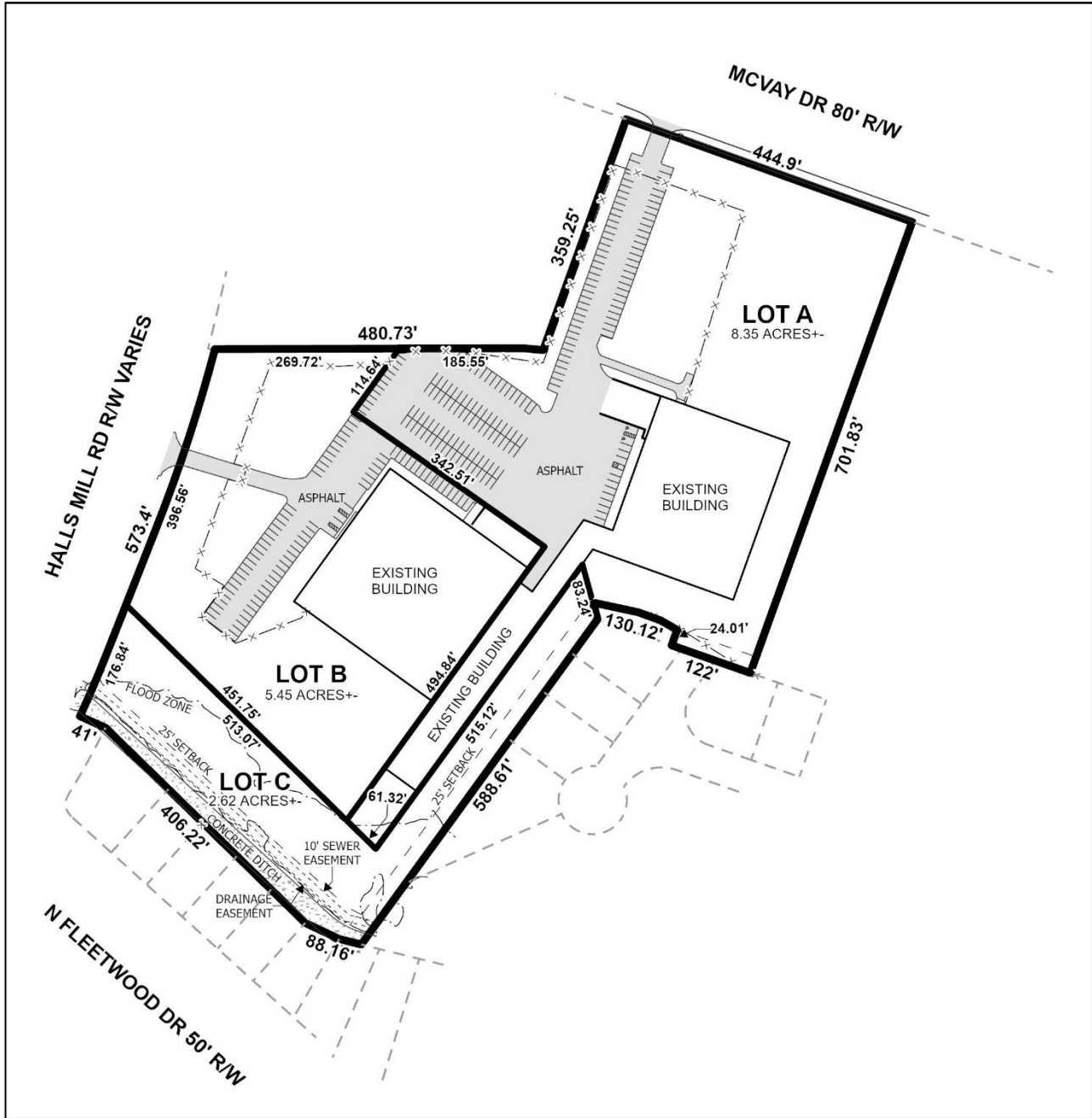


APPLICATION NUMBER 2 DATE October 19, 2023

	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 2 DATE October 19, 2023
 APPLICANT The Resubdivision of Southern Oaks Subdivision
 REQUEST Subdivision



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 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.