



Agenda Item #: 3 SUB-002745-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

East side of Halls Mill Road, 1,103'± South of Pleasant Valley Road, extending to the East terminus of Karagan Drive

Subdivision Name:

Cross Pond Subdivision, First Addition, Resubdivision of Lot 2

Applicant / Agent:

Legendary Investment Ventures/Dismuke Transport (J. Casey Pipes, Helmsing Leach, P.C., Agent)

Property Owner:

Gulf Coast Truck & Equipment Company, Inc.

Current Zoning:

R-1, Single-Family Residential Suburban District, and 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 two (2) legal lots of record from one (1) existing legal lot of record.

Commission Considerations:

- Subdivision proposal with nine (9) conditions.

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CROSS POND SUBDIVISION, FIRST ADDITION,
RESUBDIVISION OF LOT 2



APPLICATION NUMBER 3 DATE December 21, 2023



SITE HISTORY

Most of the subject site was assigned a B-3, Community Business District classification with the adoption of the Zoning Ordinance in 1967. A small area at the East terminus of Karagan Drive has remained in an R-1, Single-Family Residential Suburban District classification since the adoption of the 1967 Zoning Ordinance. Since then, there have been various cases before the Board of Zoning Adjustment and Planning Commission for portions of the site.

In 1996, the area adjacent to the East side of the subject site was approved by the Commission as Cross Pond Subdivision.

In 1998, the subject site was approved as Lot 2 of Cross Pond Subdivision, First Addition, a two (2)-lot subdivision.

In January, 2023, the Commission approved Cross Pond Resubdivision which proposed to combine all of Cross Pond Subdivision and Lot 2, Cross Pond Subdivision, First Addition, into one (1) lot. That subdivision was not completed. Also at that meeting, the Commission recommended denial of a proposed rezoning from B-3, Community Business Suburban District, to I-1, Light Industry District, for the over-all site. .

From a zoning perspective, in 1998, the portion of the subject site consisting of the vacated GM&O Railroad right-of-way was rezoned from R-1, Single-Family Residential District, to B-3, Community Business District, to eliminate split zoning within Cross Pond Subdivision, First Addition.

At its November 16, 2023 meeting, the Commission recommended approval of a rezoning request from R-1, Single-Family Residential Suburban District, and B-3, Community Business Suburban District, to B-5, Office Distribution District, for the overall site, with the exception of a portion of the property abutting the East terminus of Karagan Drive, which will remain zoned R-1.

In April, 2000, the Board approved a Parking Surface Variance for the area of the subject 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. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- C. 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 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 application is to create two (2) legal lots of record from one (1) existing legal lot of record. The site is served by public water and sanitary sewer.

The subject site is currently split-zoned, with most of the area being B-3, Community Business Suburban District. A very small section at the East terminus of Karagan Drive is zoned R-1, Single-Family Residential Suburban District. As mentioned, the applicant proposes to retain the current R-1 zoning classification for that small area and create a separate lot for it.

Proposed Lot B would have frontage at the East terminus of Karagan Drive, and proposed Lot A would have frontage along Halls Mill Road. Dedication was provided with the recording of Cross Pond Subdivision, First Addition, to provide 50 feet from the centerline of Halls Mill Road; therefore, no further dedication would be required.

The plat should be revised to illustrate a 25-foot minimum building setback line on Lot B as blocked-out from the East terminus of Karagan Drive. A 25-foot minimum building setback line is illustrated on Lot A within the 50-foot wide "pole" as measured from the Halls Mill Road right-of-way. The plat should be revised to illustrate the 25-foot minimum building setback line for Lot A as blocked-out from where the lot is at least 60 feet wide.

Most of Lot A would follow the same irregular shape as Lot 2, Cross Pond Subdivision, First Addition, a "flag lot." Per Section 6.C.9. of the Subdivision Regulations, flag-shaped lots are generally not allowed; therefore, a waiver of Section 6.C.9. of the Subdivision Regulations would be required for approval, and would seem in order.

Regarding access, if approved, a note should be included on the Final Plat stating that Lot A cannot be further resubdivided until such time that direct access to a compliant, fully improved roadway can be provided.

As proposed, both lots would exceed the minimum lot size requirements of the UDC. As on the preliminary plat, the lot size labels in both square feet and acres should be retained on the Final Plat, if approved, or a table should be furnished on the Final Plat providing the same information.

The 50±-foot width of Lot B is substandard. Section 6.C.(b) of the Subdivision Regulations requires residential lots within the suburban sub-district to be at least 60-feet wide. Lot B also exceeds the width-to-depth ratio of Section

6.C.3. of the Subdivision Regulations. As such, waivers of Section 6.C.(b) and 6.C.3. of the Subdivision Regulations would be required for approval.

Lot A contains a recorded 25-foot buffer strip at its South end, and this should be retained on the Final Plat, if approved.

SUBDIVISION CONSIDERATIONS

Standards of Review:

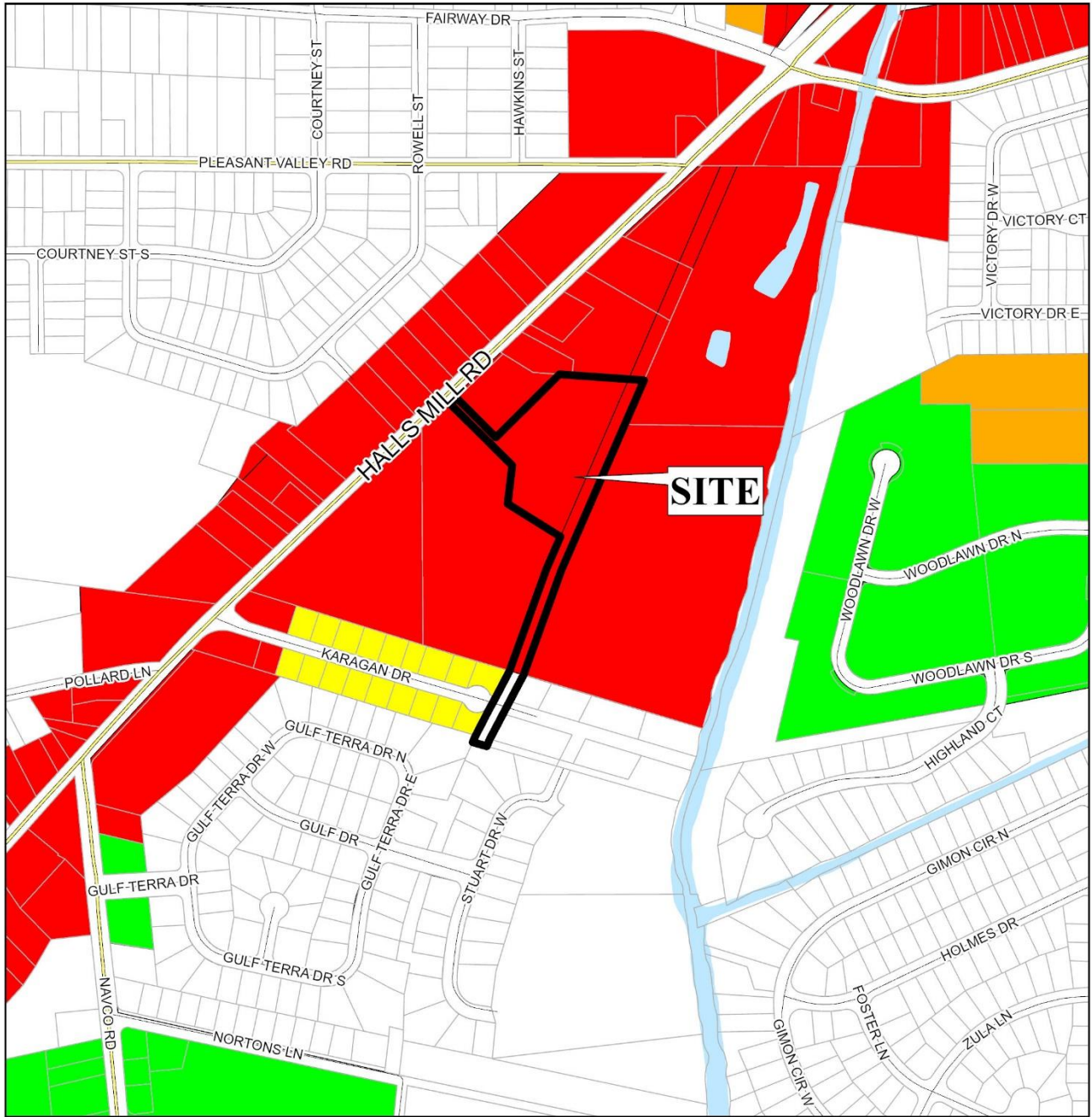
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

Based on the preceding, and with a waiver of Sections 6.C.(b), 6.C.3., and 6.C.9. of the Subdivision Regulations, if the Subdivision request is considered for approval, the following conditions should apply:

1. Revision of the Final Plat to illustrate a 25-foot minimum building setback line on Lot B as blocked-out from the East terminus of Karagan Drive;
2. Revision of the Final Plat to illustrate the 25-foot minimum building setback line for Lot A as blocked-out from where the lot is at least 60 feet wide;
3. Provision of a note on the Final Plat stating that Lot A cannot be further resubdivided until such time that direct access to a compliant, fully improved roadway can be provided;
4. Retention of the lot size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
5. Retention of the recorded 25-foot buffer strip at the South end of Lot A on the Final Plat;
6. Compliance with all Engineering comments noted in this staff report;
7. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
8. Compliance with all Urban Forestry comments noted in this staff report; and
9. Compliance with all Fire Department comments noted in this staff report.

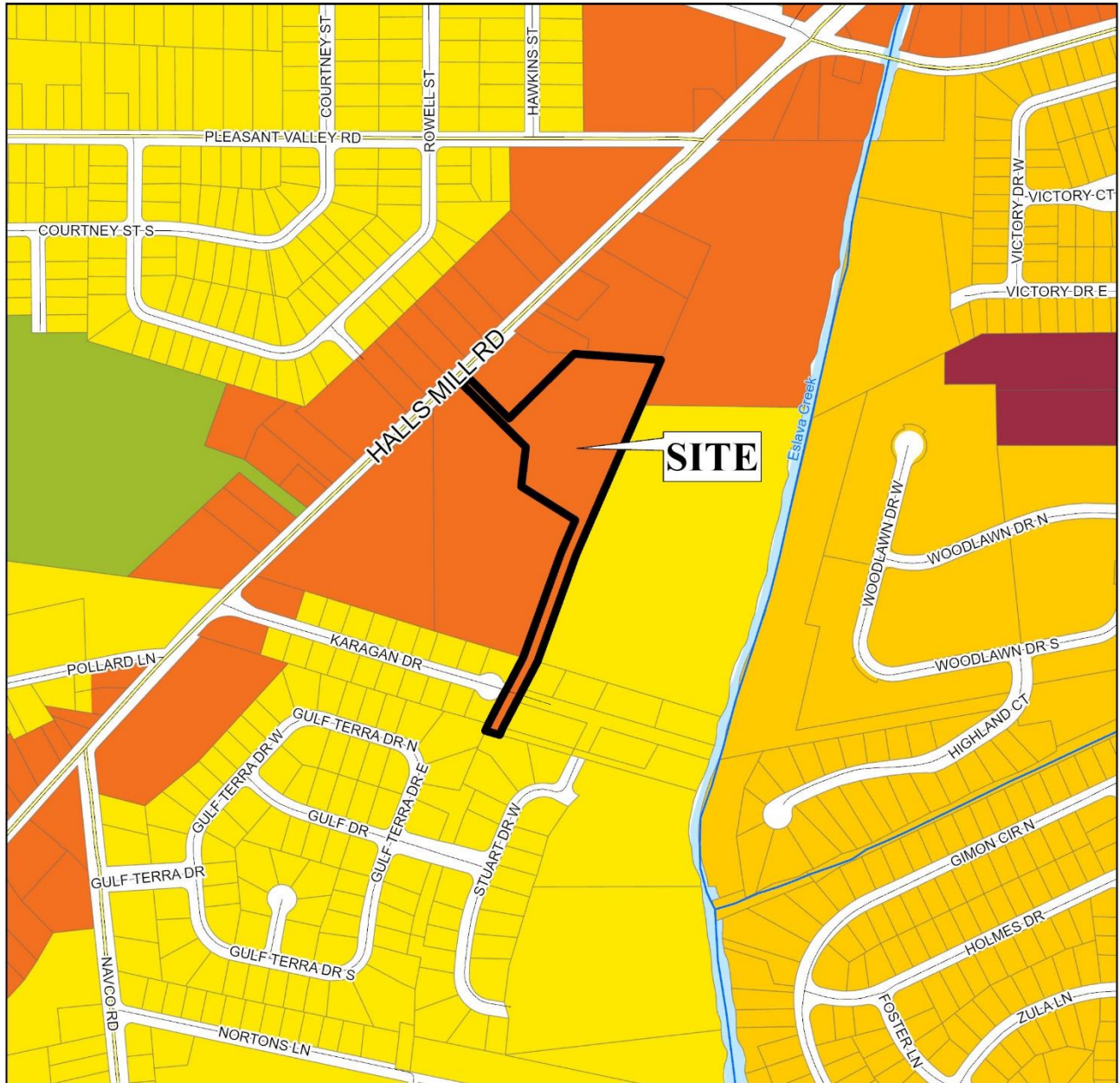
LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE December 21, 2023
 APPLICANT Cross Pond Subdivision, First Addition, Resubdivision of Lot 2
 REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE December 21, 2023

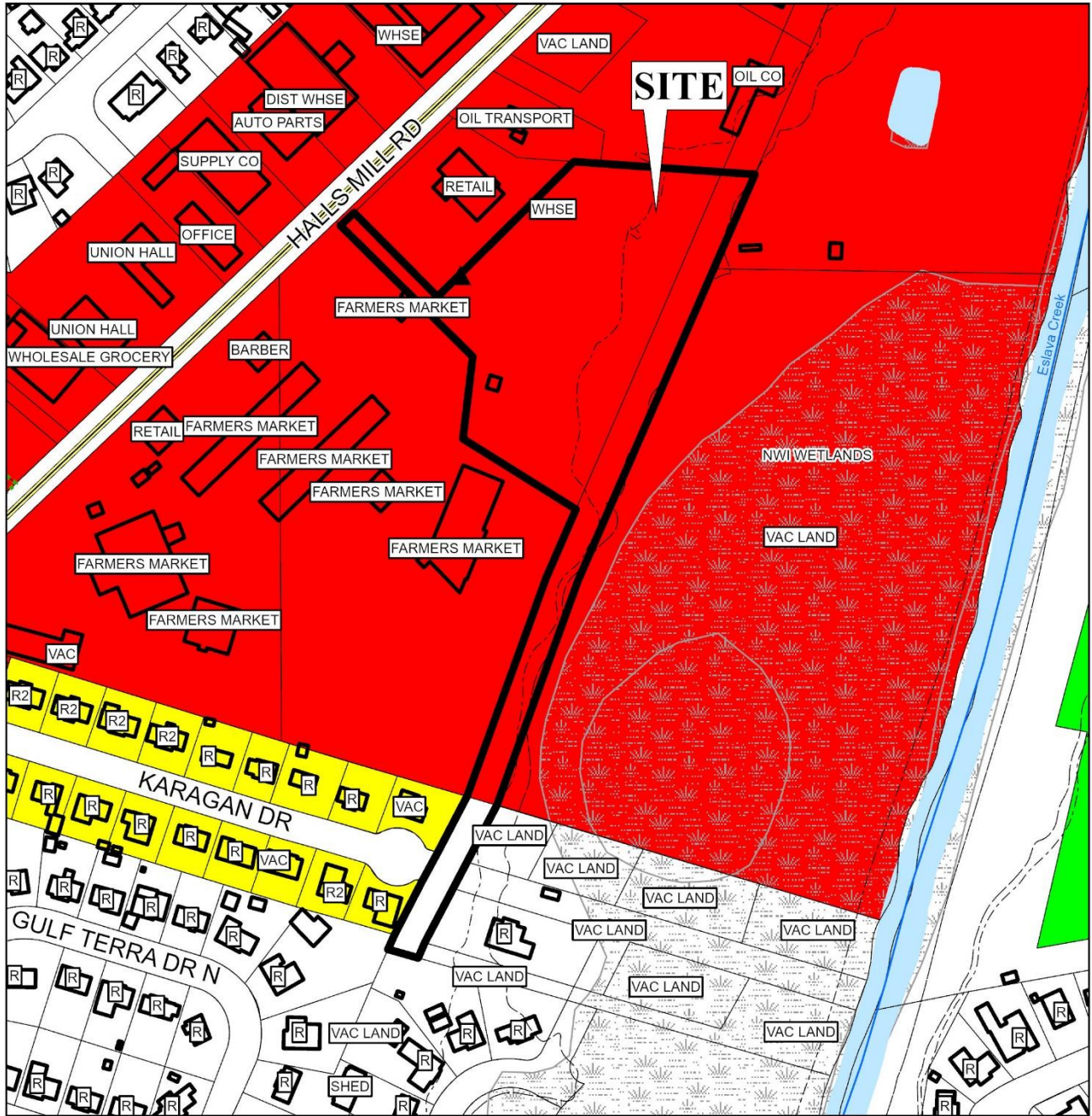
APPLICANT Cross Pond Subdivision, First Addition, Resubdivision of Lot 2

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 | |



CROSS POND SUBDIVISION, FIRST ADDITION, RESUBDIVISION OF LOT 2

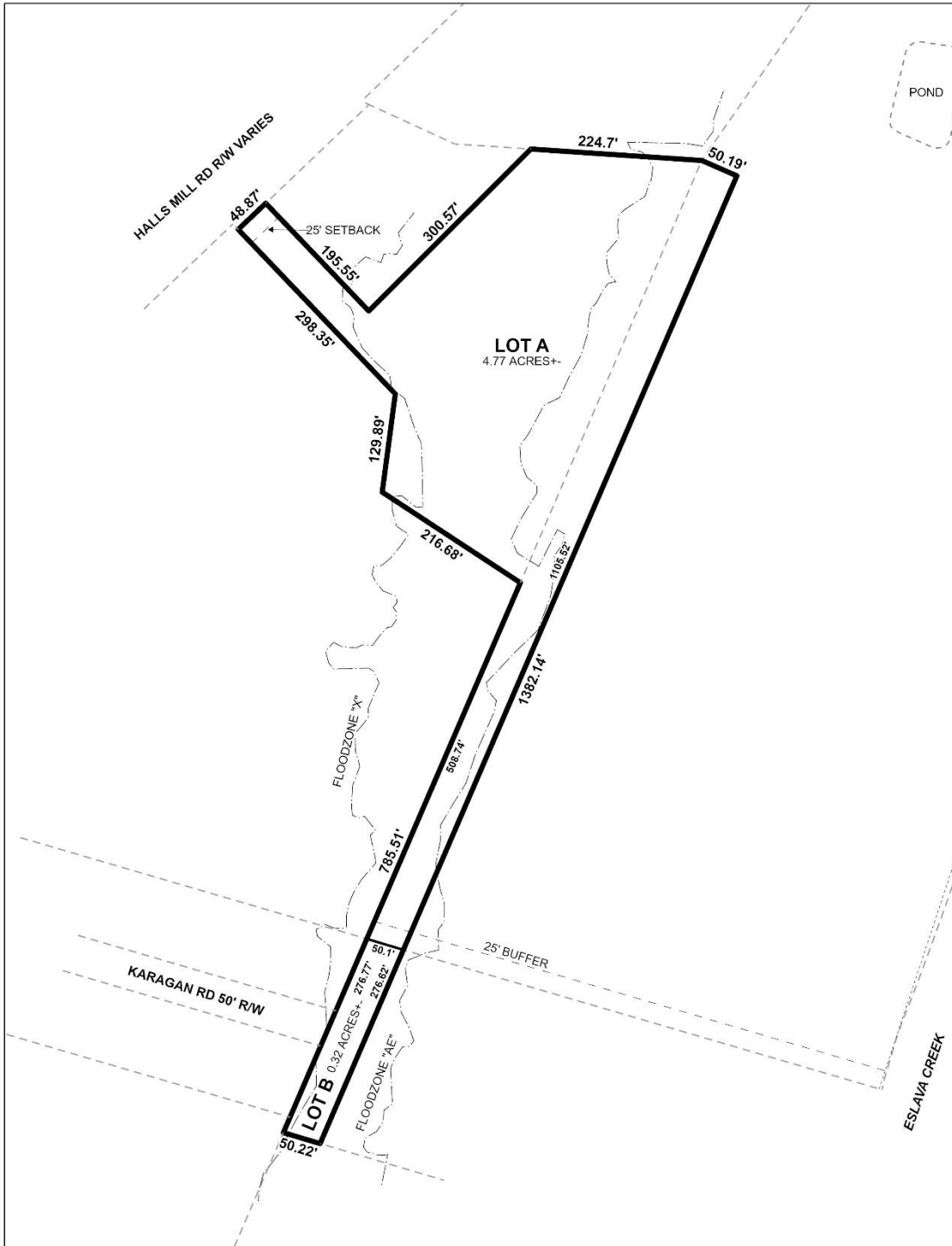


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



APPLICATION NUMBER	3	DATE	December 21, 2023
APPLICANT	Cross Pond Subdivision, First Addition, Resubdivision of Lot 2		
REQUEST	Subdivision		



NTS

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.