



Agenda Item # 3

SUB-003421 -2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

710 Downtowner Boulevard

Subdivision Name:

Downtown West Subdivision, Unit One, Resubdivision
of Lots 3 & 4

Applicant:

Kari Givens, Byrd Surveying, Inc.

Property Owner:

David M. Barr

Current Zoning:

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 two (2) existing legal lots of record.

Commission Considerations:

1. Subdivision denial.

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**DOWNTOWN WEST SUBDIVISION,
UNIT ONE, RESUBDIVISION OF LOTS 3 & 4**



APPLICATION NUMBER 3 DATE August 21, 2025



SITE HISTORY

The subject site was annexed into the City of Mobile in 1956.

The site was made two legal lots of record in May 1967 via the recording of Downtown West Subdivision, Unit One.

With the Zoning Ordinance becoming effective on June 15, 1967, the site was assigned an R-1, Single-Family Residential District zoning classification.

On June 27, 1967, the site was rezoned from R-1 to B-3, Community Business District.

There have been no 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):

- 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. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- C. Provide the Surveyor's Certificate.
- D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS A and B 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 – 5,500 SF AND LOT 2 – 15,000 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.

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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings. Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

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

The site has frontage on Downtowner Boulevard West, a minor street with a compliant 80-foot right-of-way. Therefore, no dedication would be required. If approved, the right-of-way width along Downtowner Boulevard West should be retained on the Final Plat.

The preliminary plat indicates a 50-foot minimum building setback line along Downtowner Boulevard West for Lot A, as on the recorded plat for Downtown West Subdivision, Unit One, and this should be retained on the Final Plat,

if approved. The 25-foot minimum building setback line for Lot B is shown as “blocked” from where that lot is 60 feet wide, and this also should be retained on the Final Plat, if approved.

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.

Lot A would exceed the minimum area requirements of the Subdivision Regulations. Lot B, as proposed, would be a “flag lot” with a total square footage of 9,810 square feet. However, the 25-foot wide “pole” portion of the lot contains approximately 3,750 square feet, and the main building portion contains the remaining approximately 5,985 square feet. Section 6-C.9.(d) of the Subdivision Regulations states that the building site area of a flag lot shall be exclusive of the “pole” portion of the lot. Therefore, Lot B would not contain a building site area of the minimum 7,200 square feet required by the UDC in a B-3, Community Business Suburban District.

Furthermore, Section 6-C.9. of the Subdivision Regulations states that flag-shaped lots shall generally not be allowed, but may be permitted only:

- (1) Where there are natural or pre-existing man-made barriers which may cause an undue hardship on the land owner;
- (2) Where unusual circumstances such as an odd shaped lot exists;
- (3) Where disparate uses exist on a single lot; or
- (4) Where varied and irregularly-shaped lot designs are common and the lot design is consistent with other lots in the vicinity.

None of those criteria are evident in this case. Section 6-C.9.(b) of the Subdivision Regulations also states that requests for flag-shape lots shall be accompanied by evidence showing that a flag lot is necessary to allow the site owner reasonable use of the site or to alleviate a situation that would otherwise cause extreme hardship. Such evidence has not been presented in this case.

As such, staff cannot provide conditions for approval of the proposed subdivision.

SUBDIVISION CONSIDERATIONS

Standards of Review:

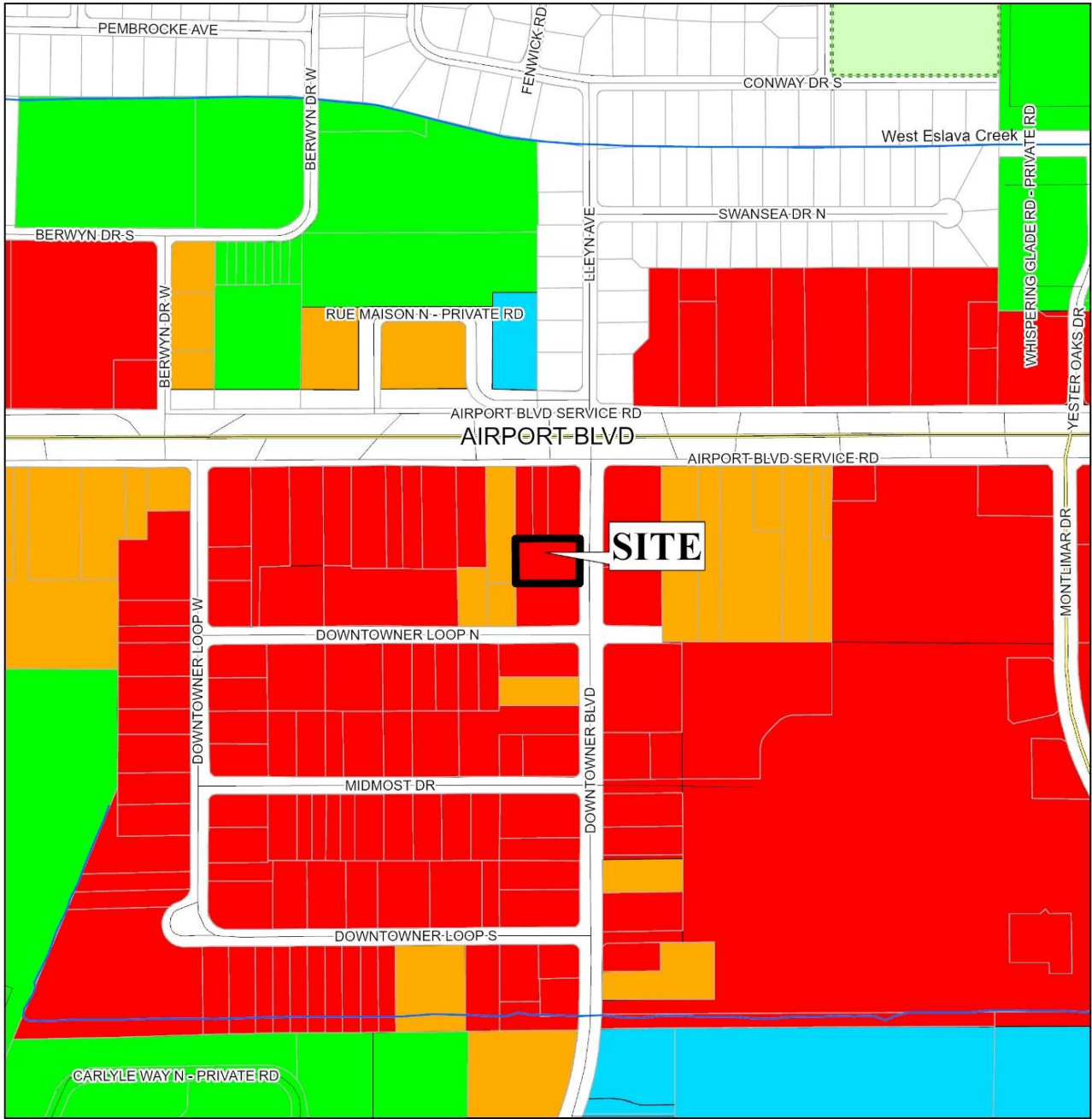
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

The Planning Commission should consider denying the request due to the following:

- 1) The design of proposed Lot B is not compatible with the size requirements of Section 6.C.9(d) of the Subdivision Regulations or Article 2, Section 64-2-14.E of the Unified Development Code for lots in a B-3 Suburban District; and
- 2) The design of proposed Lot B does not meet the applicable criteria for approval as outlined in Section 6.C.9. of the Subdivision Regulations.

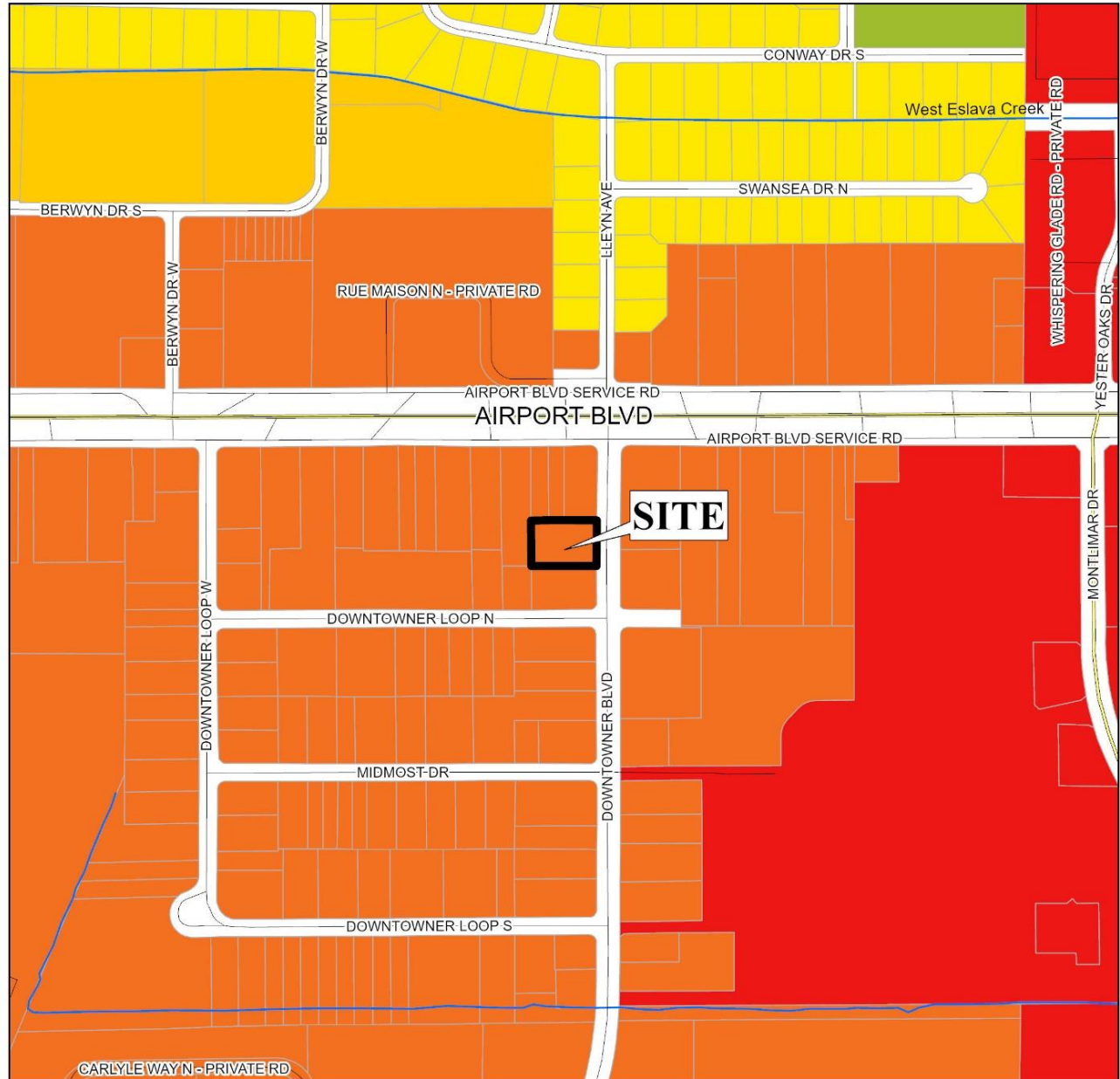
LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE August 21, 2025
 APPLICANT Downtown West Subdivision, Unit One, Resubdivision of Lots 3 & 4
 REQUEST Subdivision



FLUM LOCATOR MAP

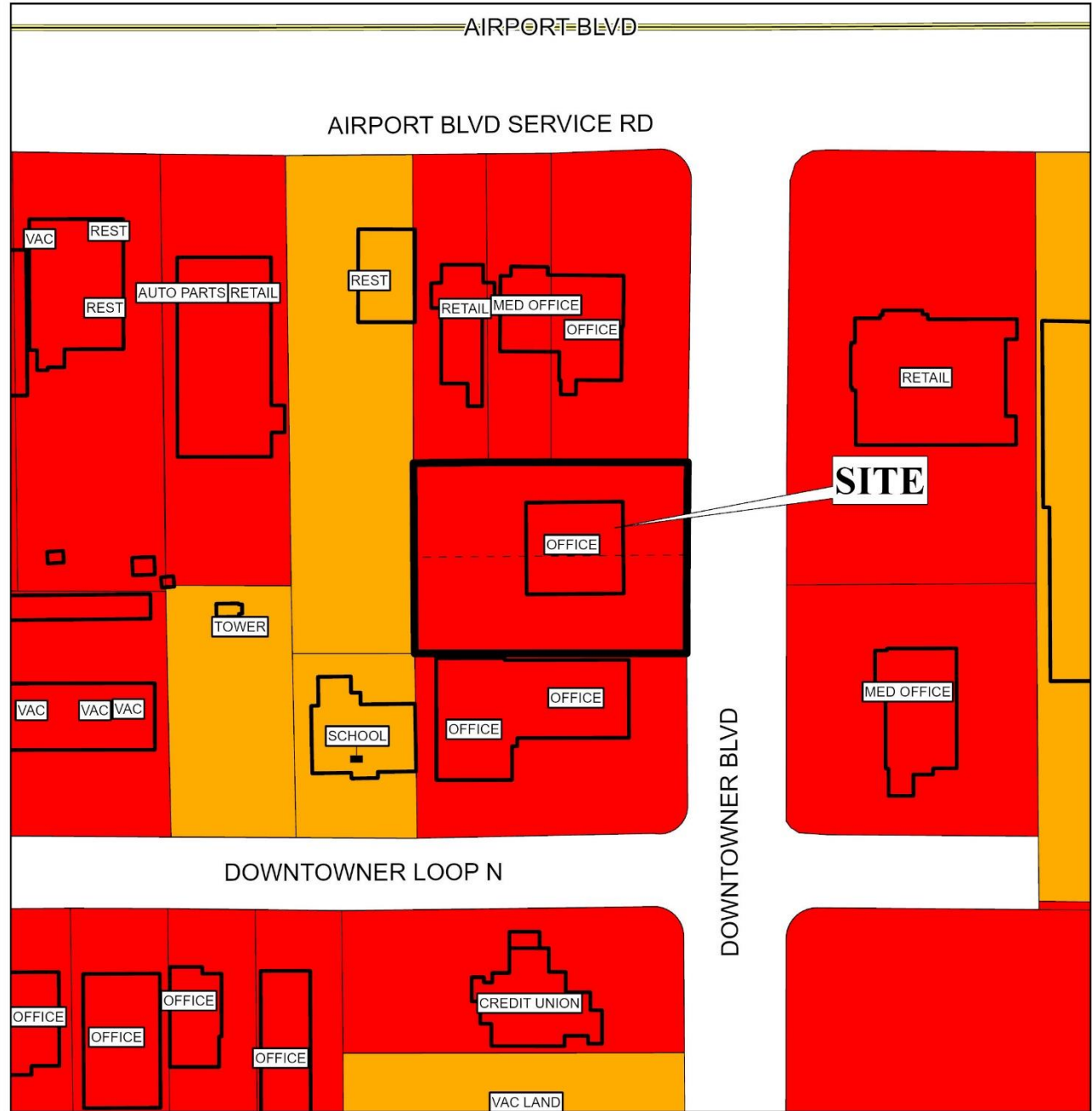


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- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



DOWNTOWN WEST SUBDIVISION, UNIT ONE, RESUBDIVISION OF LOTS 3 & 4

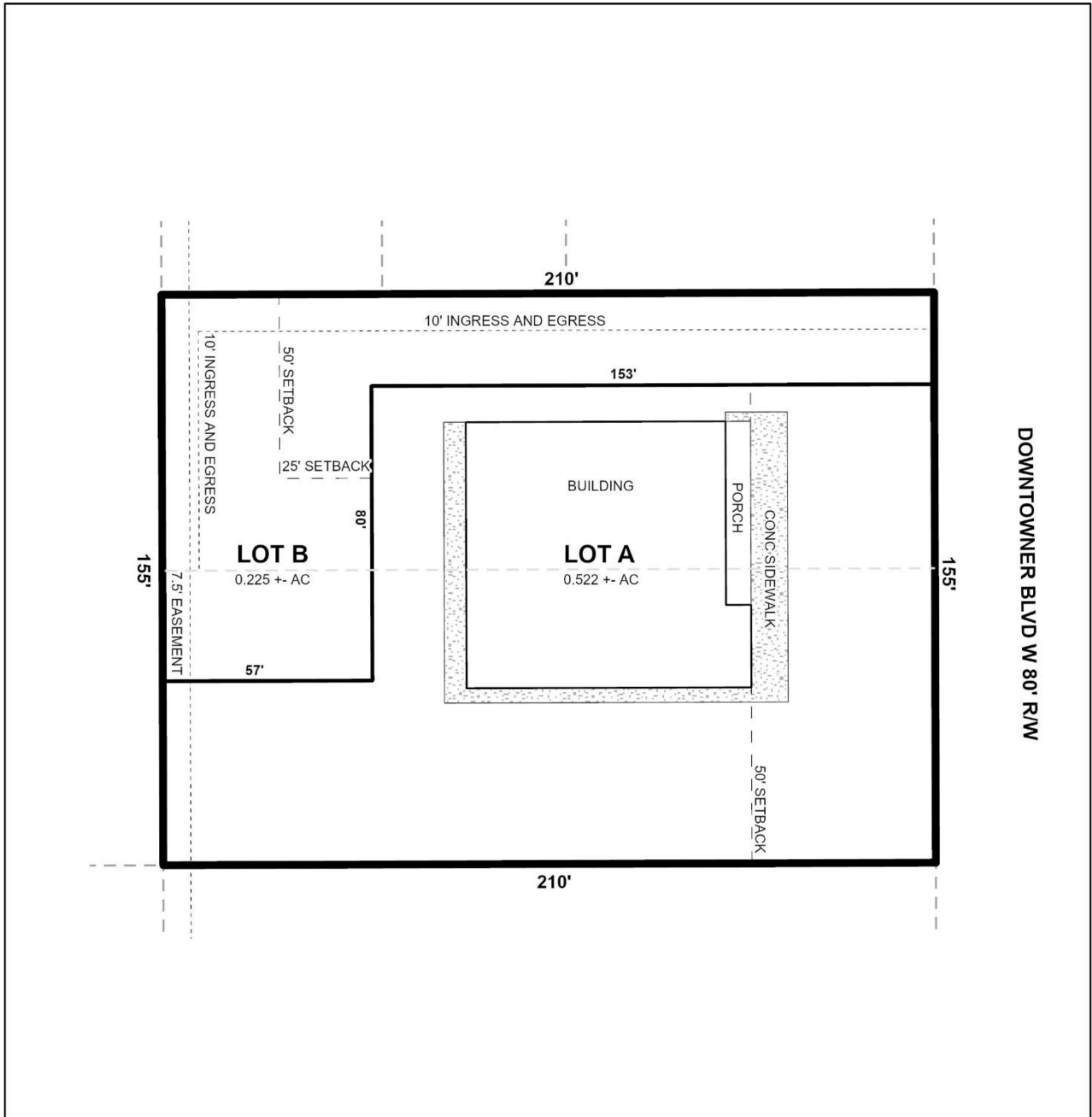


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



DETAIL SITE PLAN



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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 (WDWU)
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.