

RAPIER AVENUE SUBDIVISION

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. Review and revise the last distance call-out on the south boundary of the proposed subdivision.
- C. Provide the Surveyor's and Owner's (notarized) signatures.
- D. 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.
- E. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.

Traffic Engineering Comments: Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

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-Rescue Department Comments: All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.

The preliminary plat illustrates the proposed 3-lot, 0.3± acre subdivision which is located on the Northeast corner of Elmira Street and Rapier Avenue, within Council District 2. The applicant states that the subdivision is served by city water and sanitary sewer systems. The purpose of this application is to create three (3) legal lots of record from one (1) existing metes-and-bounds parcel.

The site has been given a Mixed Density Residential land use designation per the adopted Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development

Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single-family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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.

The applicant states:

Smith, Clark & Associates is submitting a request to subdivide a parcel of land in the Oakleigh Garden Historic District on behalf of K L Investments, LLC. K L Investments, LLC consists of local individuals who are interested in the restoration of historic homes.

K L Investments, LLC purchased this property with the intention of restoration of the home currently on the subject parcel. On behalf of K L Investments, LLC we request approval to divide this parcel into three lots of record. While the configuration of this property does not allow for current subdivision regulations to be enforced, we believe this request is well within the character of the neighborhood.

Most parcels in this area would not meet current regulations in both frontage and square footage and many lots are of similar size to the request. 10 of the 13 parcels on this side of Elmira Street are of similar size and configuration, along with 12 or so lots in the 1100 block of Texas Street which is one block south of the subject property. Recent subdivisions of 1166 and 1168 Elmira as well as 1171 and 1173 Elmira have also been approved

It should be noted that the applicant (KL Investments, LLC) claims ownership of the subject site. However, City GIS data indicates current ownership by others, and staff research also indicates the same. No authorization from the current owner of record was provided for the submission of the application.

Furthermore, the proposed subdivision will result in Lots 1 and 2 having 36.97 feet of frontage along Rapier Avenue, and proposed Lot 3 having 66.68 feet of frontage along Elmira Street. Lot 1 would have 3,091 square feet; Lot 2 would have 3,081 square feet; and Lot 3 would have 4,946 square feet. Lots 1 and 2 would not meet the minimum width requirement (60-foot width at the building setback line), and none of the three would meet the minimum area requirement of 7,200 square feet of Section V.D.2. of the Subdivision Regulations. Given that the site is in the Oakleigh Garden Historic District, substandard size lots are common, and the Commission has approved other small-lot subdivisions within the area. However, those subdivisions were in instances where dwellings already existed on the proposed lots, and the subdivisions were intended to provide a separate lot of record for an existing dwelling, even though the lots were of substandard size. In this instance, the lot size for the existing dwelling would be reduced from a compliant size to a noncompliant size, and all three proposed lots would be of substandard size and would be in violation of both the Zoning Ordinance and Subdivision Regulations.

Based upon the preceding, this application is recommended for Denial for the following reasons:

- 1) the applicant has not provided proof of ownership for the subject property, nor has authorization for the application submission from the current owner of record been provided; and
- 2) the subdivision would create substandard size lots which would be in violation of the Subdivision Regulations and Zoning Ordinance.

Revised for the January 6, 2022 meeting:

This application was heldover from the December 2, 2021 meeting to allow the applicant to address the following:

- 1) Meet with neighbors to discuss the proposed application; and*
- 2) Submit revised plats showing the subject property configured as a 2-lot subdivision.*

As a revised plat was not submitted as required, and as no new information was submitted, this application is recommended for Denial for the following reason:

- 1) the subdivision would create substandard size lots which would be in violation of the Subdivision Regulations and Zoning Ordinance.*

Revised for the January 20th meeting:

This application was heldover from the January 6th meeting to give staff time to review the revised plat submitted after the report was completed for that meeting. The applicant also submitted proof of ownership of the subject property.

The revised plat indicates the proposed subdivision reduced to two lots. Lot 1 would have frontage on both Rapier Avenue and Elmira Street. Lot 2 would front only Elmira Street. Both streets are minor streets with curb and gutter and compliant 50-foot rights-of-way; therefore, no frontage dedication would be required. As on the preliminary plat, the right-of-way widths of both streets should be retained on the Final Plat, if approved. A 25-foot corner radius should be required at the intersection of Rapier Avenue and Elmira Street if determined necessary by the Engineering Department.

The proposed lots will not meet the minimum area requirements (7,200 square feet of area) of Section V.D.2. of the Subdivision Regulations. However, as the site is within an older part of the City where substandard size lots are common, and as the applicant complied with the Commission's requirement of reducing the subdivision to two lots, a waiver of Section V.D.2. would seem in order. Moreover, at 5,900 and 5,100 square feet per lot, this would seem in keeping with the surrounding area, as the lots at the Southwest corner range from 5,500 to 5,700 square feet. The lot size labels in both square feet and acres should be retained on the Final Plat, adjusted for any required radius dedication, or a table should be furnished on the Final Plat providing the same information.

No minimum building setback lines are indicated on the preliminary plat. Section V.D.9. of the Subdivision Regulations requires at least a minimum front building setback of 25 feet. Since the site is located within a historic district, relief from the normal building setbacks and site coverage limitation is automatically granted via the more flexible Historic District Overlay under Section 64-3.G. of the Zoning Ordinance. Therefore, it is recommended that Section V.D.9. of the Subdivision Regulations be waived, and that a note be placed on the Final Plat stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance. A note should also be required on the Final Plat stating that each lot is limited to 50% maximum site coverage.

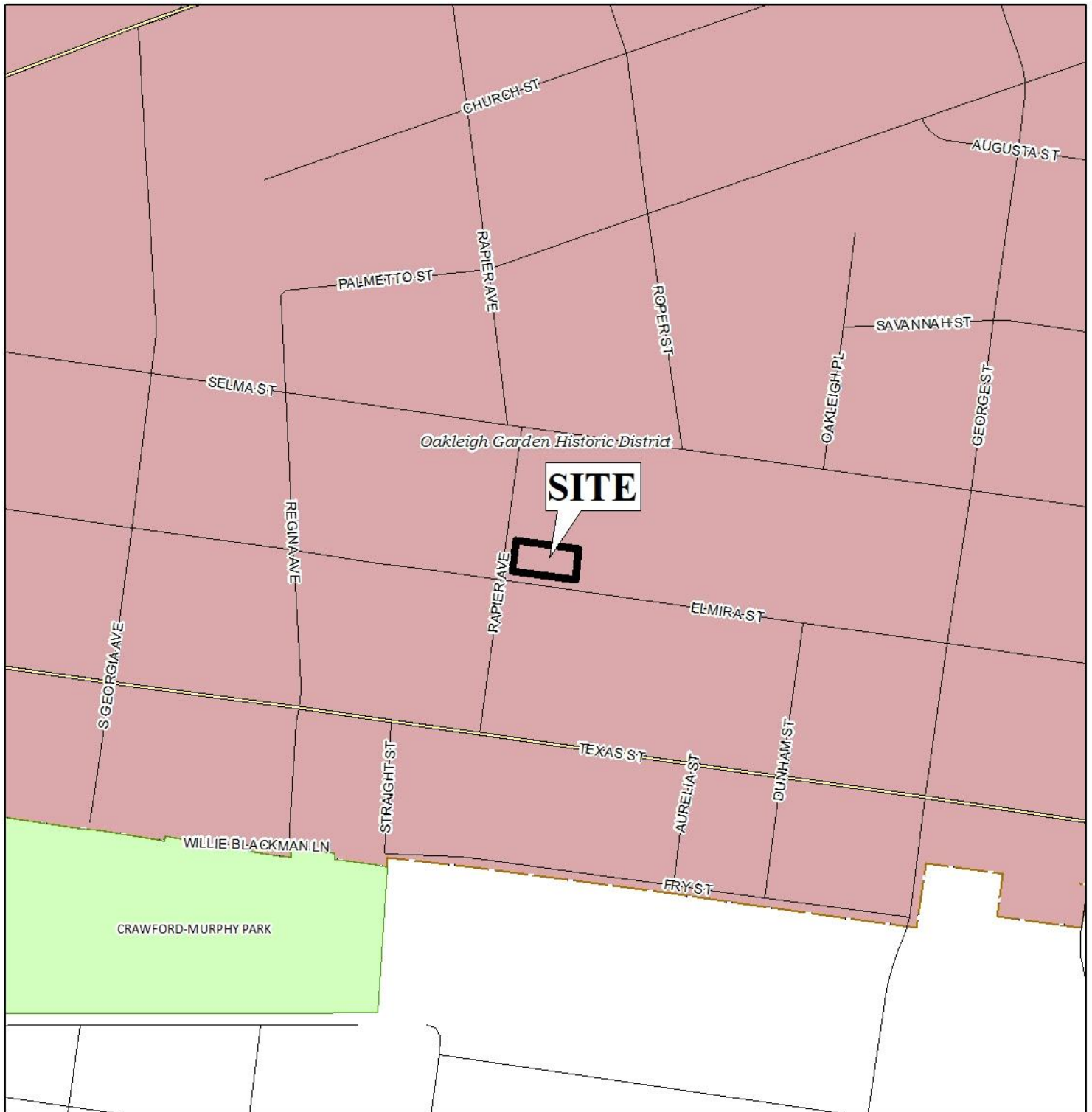
As per the Traffic Engineering comments, the driveway number, size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards. A note should be required on the Final Plat stating these comments.

Based upon the preceding, and with waivers of Sections V.D.2. and V.D.9., the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) retention of the right-of-way widths of Rapier Avenue and Elmira Street on the Final Plat;*
- 2) revision of the plat to provide a 25-foot corner radius at the intersection of Rapier Avenue and Elmira Street if determined necessary by the Engineering Department;*

- 3) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required radius dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 5) placement of a note on the Final Plat stating that each lot is limited to 50% maximum site coverage;
- 6) compliance with the 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. Review and revise the last distance call-out on the south boundary of the proposed subdivision. C. Provide the Surveyor's and Owner's (notarized) signatures. D. 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. E. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 7) compliance with the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 8) compliance with the 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.); and
- 9) compliance with the Fire-Rescue Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 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.).

LOCATOR MAP



APPLICATION NUMBER 3 DATE January 20, 2022

APPLICANT Rapier Avenue Subdivision

REQUEST Subdivision



NTS

LOCATOR ZONING MAP



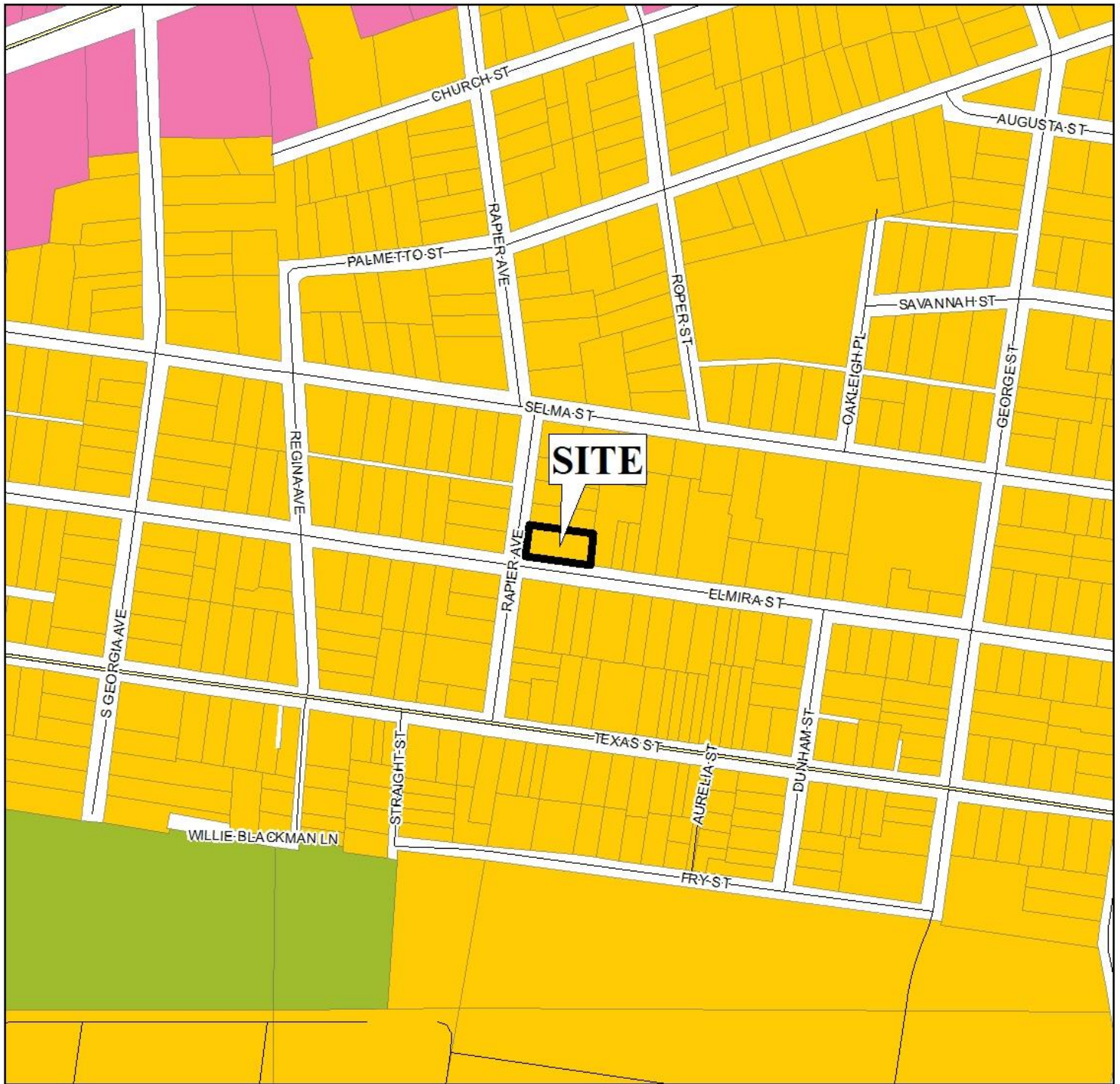
APPLICATION NUMBER 3 DATE January 20, 2022

APPLICANT Rapier Avenue Subdivision

REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE January 20, 2022

APPLICANT Rapier Avenue Subdivision

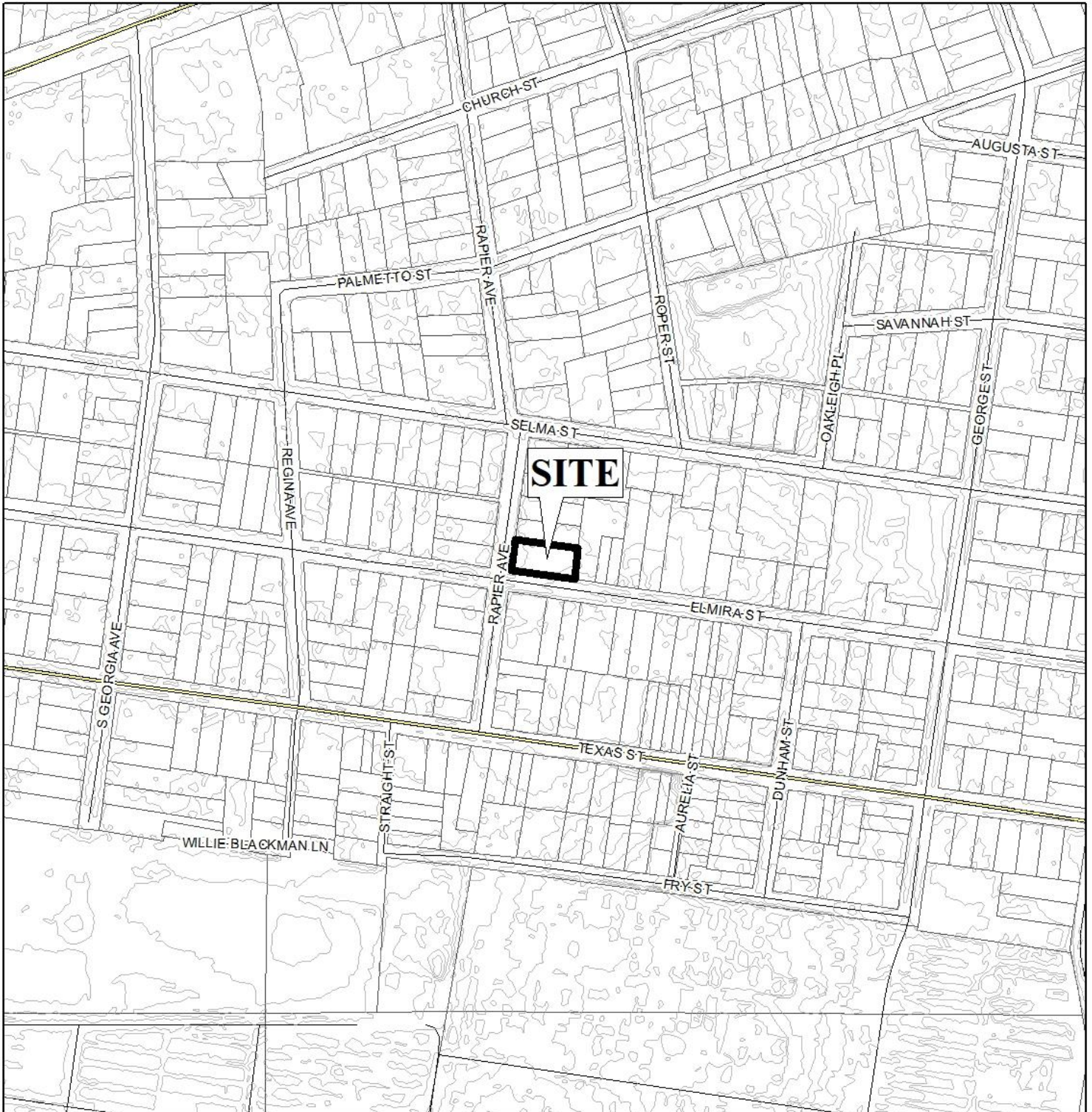
REQUEST Subdivision

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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 | |



NTS

ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 3 DATE January 20, 2022

APPLICANT Rapier Avenue Subdivision

REQUEST Subdivision



RAPIER AVENUE SUBDIVISION



APPLICATION NUMBER 3 DATE January 20, 2022

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



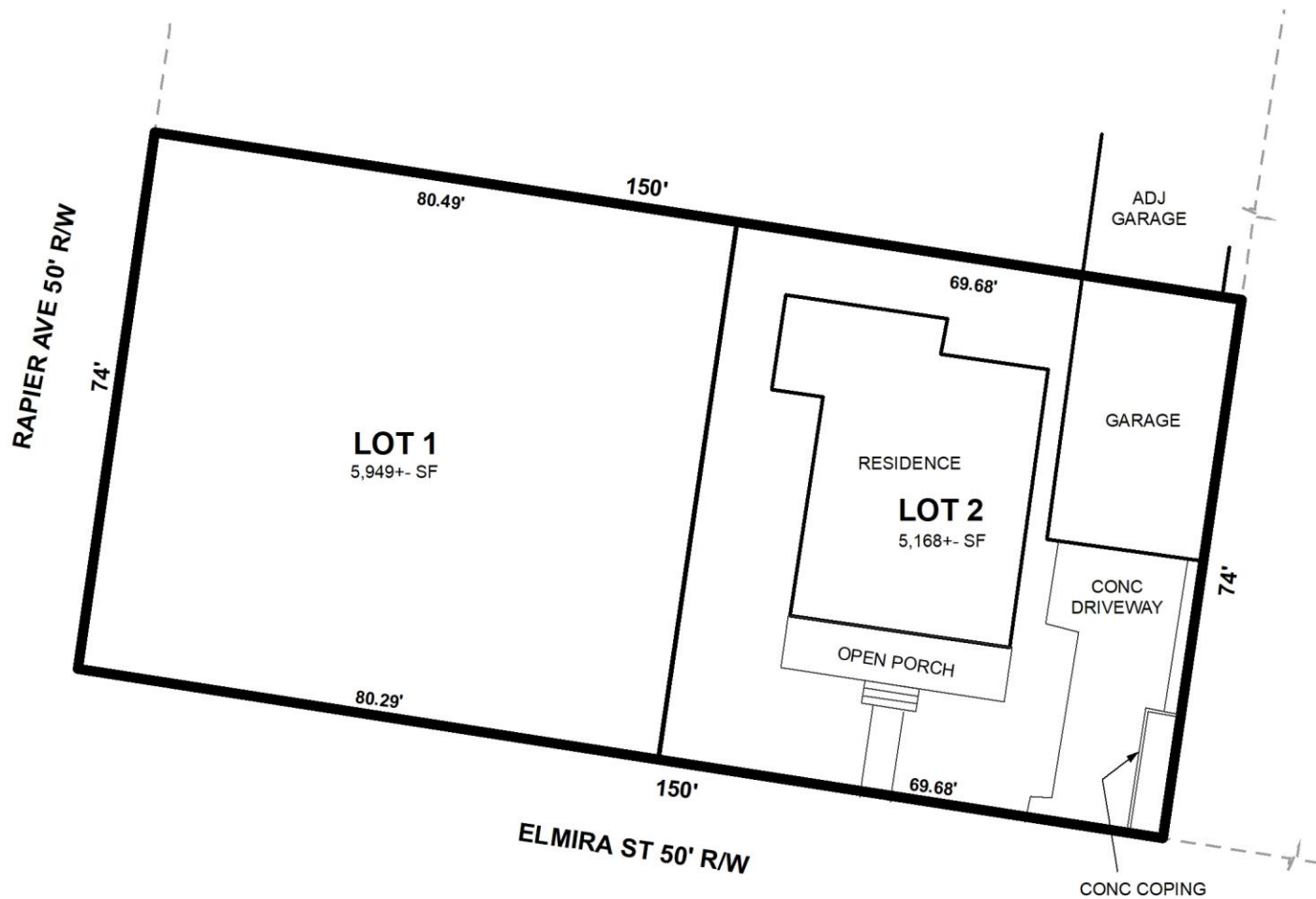
RAPIER AVENUE SUBDIVISION



APPLICATION NUMBER 3 DATE January 20, 2022



DETAIL SITE PLAN



APPLICATION NUMBER 3 DATE January 20, 2022

APPLICANT Rapier Avenue Subdivision

REQUEST Subdivision

