



Agenda Item # 3

SUB-002845-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

5425 U.S. Highway 90 West

Subdivision Name:

Tillman’s Square Subdivision, Resubdivision of Lots 2 & 4

Applicant / Agent:

Jefferson Bennett, Swinstorage Tillman’s Corner AL, LLC

Property Owner:

Jefferson Bennett, Swinstorage Tillman’s Corner AL, LLC

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 one (1) existing legal lot of record.

Considerations:

1. Subdivision proposal with ten (10) conditions.

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TILLMAN'S SQUARE SUBDIVISION, RESUBDIVISION OF LOTS 2 & 4



APPLICATION NUMBER 3 DATE March 21, 2024



SITE HISTORY

The site is originally part of the Tillman's Square Subdivision, a five (5)-lot subdivision within the city's former Planning Jurisdiction, approved by the Planning Commission in July 1987 and subsequently recorded in Mobile County Probate Court.

Since being annexed into the City of Mobile in 2008, the site was rezoned by the City Council from R-1, Single-Family Residential District, to B-3 Community Business District.

The site has not been the subject of any Board of Zoning Adjustment cases.

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. Show and label the correct limits of the existing easements on the east side of LOT A.
- C. Provide the width of the existing SLOPE, SURFACE WATER, DRAINAGE & RETENTION easement shown on the east property line of LOT A.
- D. Show and label the width of the existing SLOPE EASEMENT.
- E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #90) LOTS A & 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). Applicant will need to coordinate with the City Engineering Permitting Department (G. Davis) to establish the exact amount that each Lot will receive prior to the submittal of the Final Plat from review.
- F. 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.
- G. 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.

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

The proposed lots, Lots A and B, have frontage on U.S. Highway 90 West, a Principal Arterial street with a compliant 180-foot right-of-way; as such, no additional dedication should be required. Lot A has additional frontage along Wiley Orr Road, a minor street without curb and gutter requiring a 60-foot right-of-way. The Preliminary Plat illustrates a sub-standard 45-foot right-of-way at this location. As such, if approved, the Final Plat should be revised to illustrate dedication sufficient to provide 30 feet from the centerline of Wiley Orr Road.

It should be noted that the site is developed, and it does not appear that the additional 7.5-foot dedication of right-of-way will impact the development; however, if the Planning Commission chooses not to require additional dedication, a waiver of Section 6.B.9. of the Subdivision Regulations will be required for approval.

A 60-foot front yard setback is illustrated along U.S. Highway 90 West. The proposed setback exceeds the 25-foot minimum required by Section 64-2.14.E. of the UDC for lots in a B-3 Suburban district, but the proposal appears to accommodate a 30-foot non-exclusive easement for ingress/egress. If approved, at least a 30-foot setback should be illustrated on the Final Plat.

The Preliminary Plat does not illustrate a compliant 25-foot front yard setback along Wiley Orr Road. If approved, the Final Plat should be revised to illustrate a front yard setback along Wiley Orr Road, in compliance with Section 64-2.14.E. of the UDC, adjusted for any required dedication.

It should be noted that, if additional dedication is required along Wiley Orr Road, it may cause an existing building to encroach within the required 25-foot setback, thus creating a non-conforming condition. Future improvements to the building may therefore require compliance with the 25-foot front yard setback requirement; or a variance may be obtained from the Board of Zoning Adjustment for a reduced front yard setback.

Both lots, as proposed, exceed the minimum size requirement for lots served by public water and sanitary sewer in a B-3, Community Business Suburban District, and are appropriately labeled in both square feet and acres on the preliminary plat. This information should be retained on the Final Plat, if approved, adjusted for any required dedication; or provision of a table on the Final Plat with the same information will suffice.

As proposed, Lot A is an irregular, flag-shaped lot. Such a lot design is discouraged by Section 6.C.9. of the Subdivision Regulations unless varied and irregularly shaped lot designs are common in the vicinity. However, the lot also fronts Wiley Orr Road and there are existing flag-shaped lots in the vicinity of the site, some of which were approved by the Planning Commission under various subdivision requests; therefore, a waiver of Section 6.C.9. may be appropriate.

The Preliminary Plat illustrates multiple easements across both proposed lots, which should be retained on the Final Plat, if approved. Additionally, if approved, a note should be included on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder.

Finally, the site is developed with proposed Lot A as a multi-tenant shopping center and parking lot, and proposed Lot B as a parking lot; therefore, future development or redevelopment of either lot will require full compliance with the requirements of the UDC.

SUBDIVISION CONSIDERATIONS

Standards of Review:

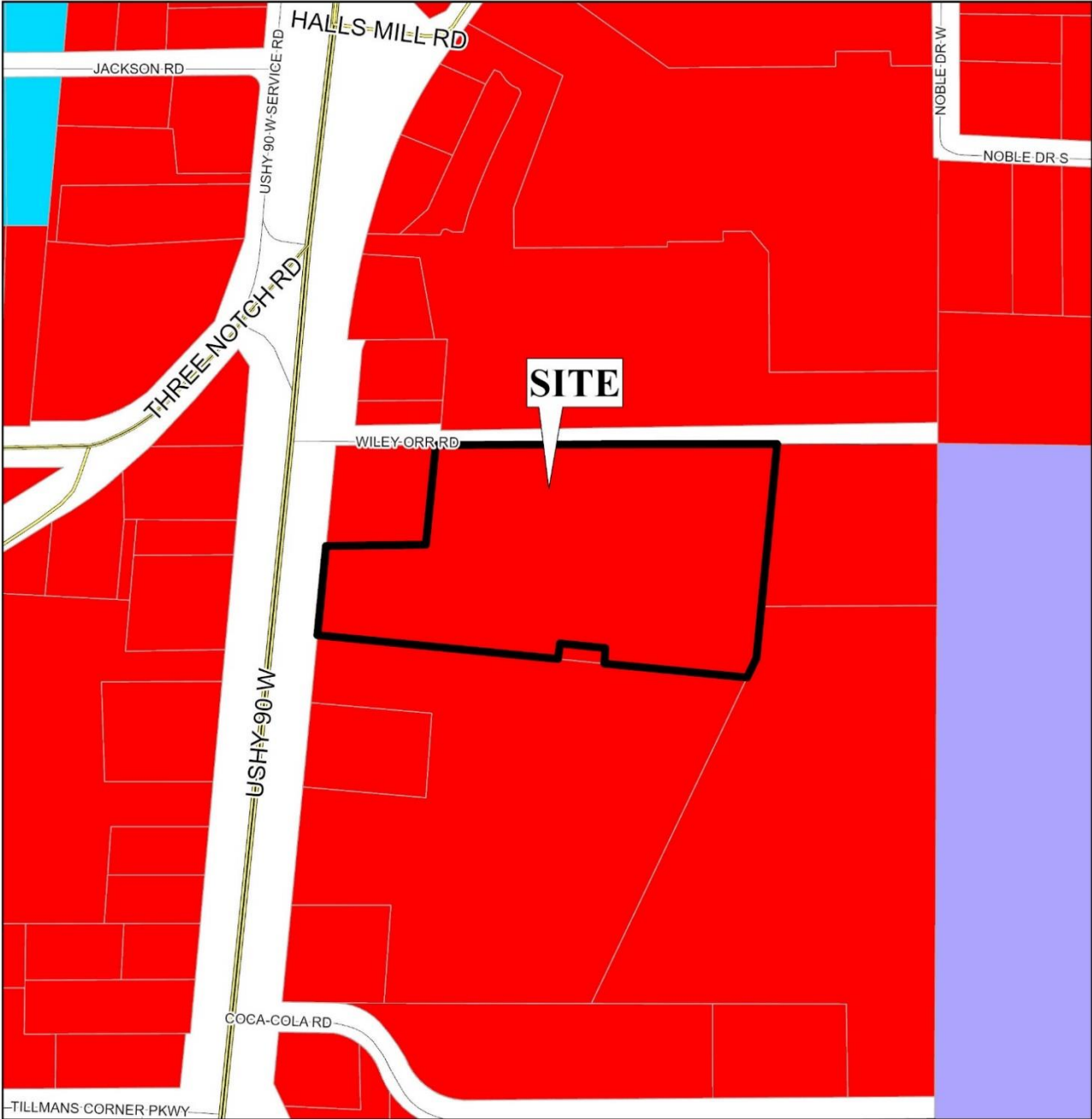
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

If the Planning Commission considers approving the Subdivision request with a waiver of Section 6.C.9., the following conditions should apply:

1. Retention of the right-of-way along U.S. Highway 90 West as depicted on the preliminary plat;
2. Provision of dedication sufficient to provide 30 feet from the centerline of Wiley Orr Road;
3. Retention of at least a 30-foot front yard setback along U.S. Highway 90 West on the Final Plat;
4. Revision of the plat to illustrate a 25-foot front yard setback along Wiley Orr Road, adjusted for any required dedication;
5. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat providing the same information, adjusted for any required dedication;
6. Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder;
7. Compliance with all Engineering comments noted in this staff report;
8. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
9. Compliance with all Urban Forestry comments noted in this staff report; and,
10. Compliance with all Fire Department comments noted in this staff report.

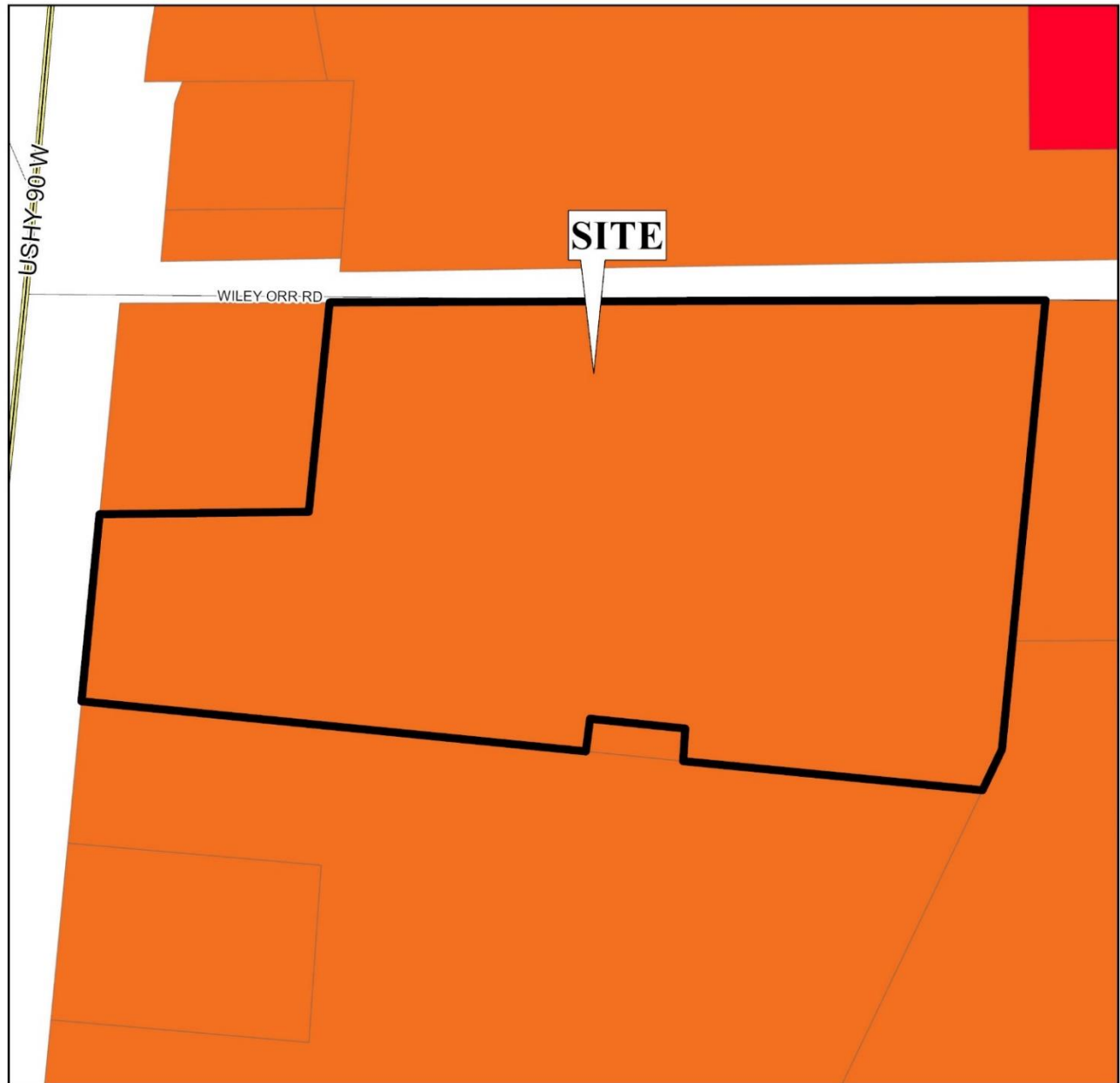
LOCATOR ZONING MAP



APPLICATION NUMBER <u>3</u>	DATE <u>March 21, 2024</u>
APPLICANT <u>Tilman's Square Subdivision, Resubdivision of Lots 2 & 4</u>	
REQUEST <u>Subdivision</u>	



FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE March 21, 2024

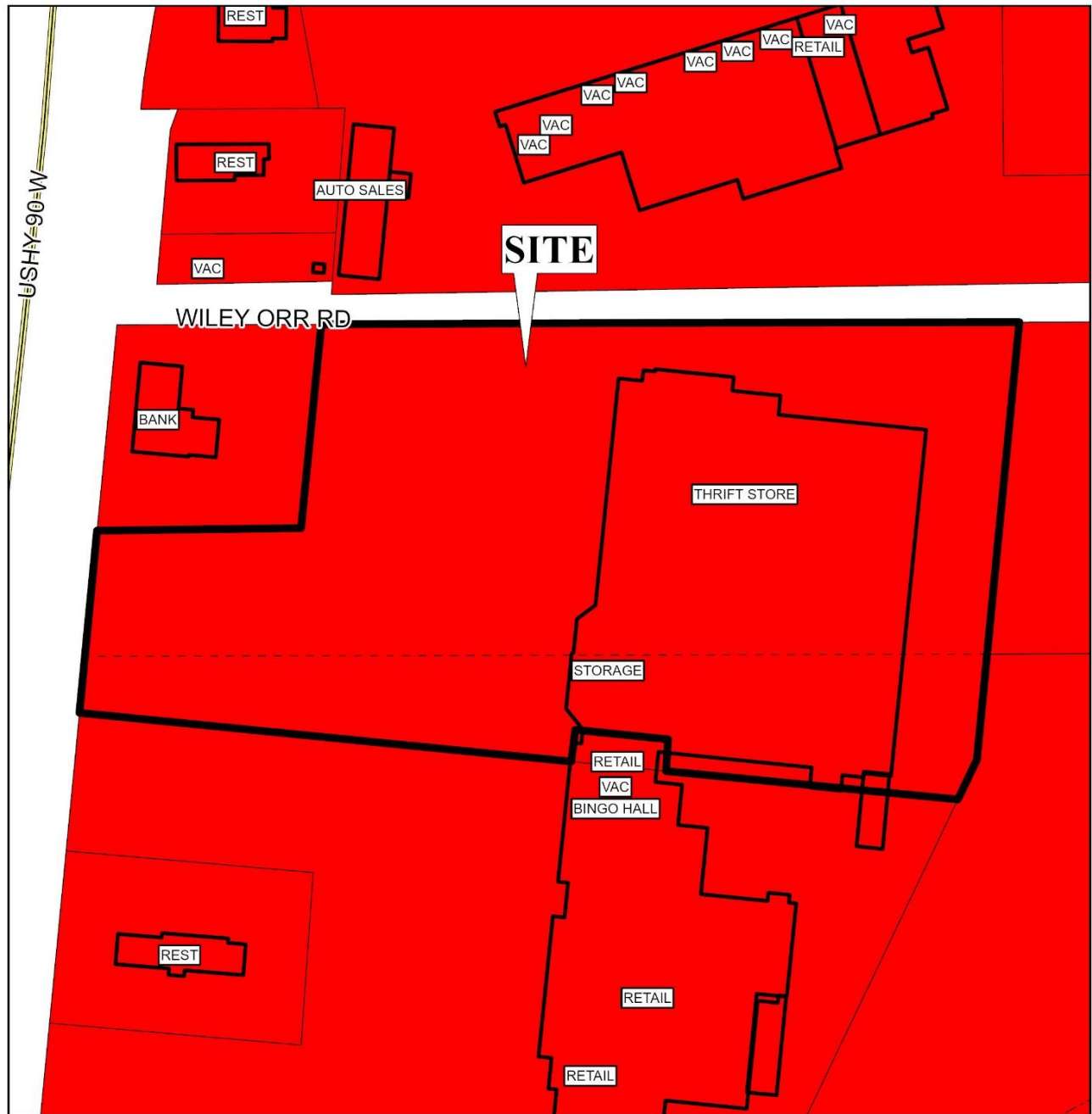
APPLICANT Tilman's Square Subdivision, Resubdivision of Lots 2 & 4

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 | |



TILLMAN'S SQUARE SUBDIVISION, RESUBDIVISION OF LOTS 2 & 4

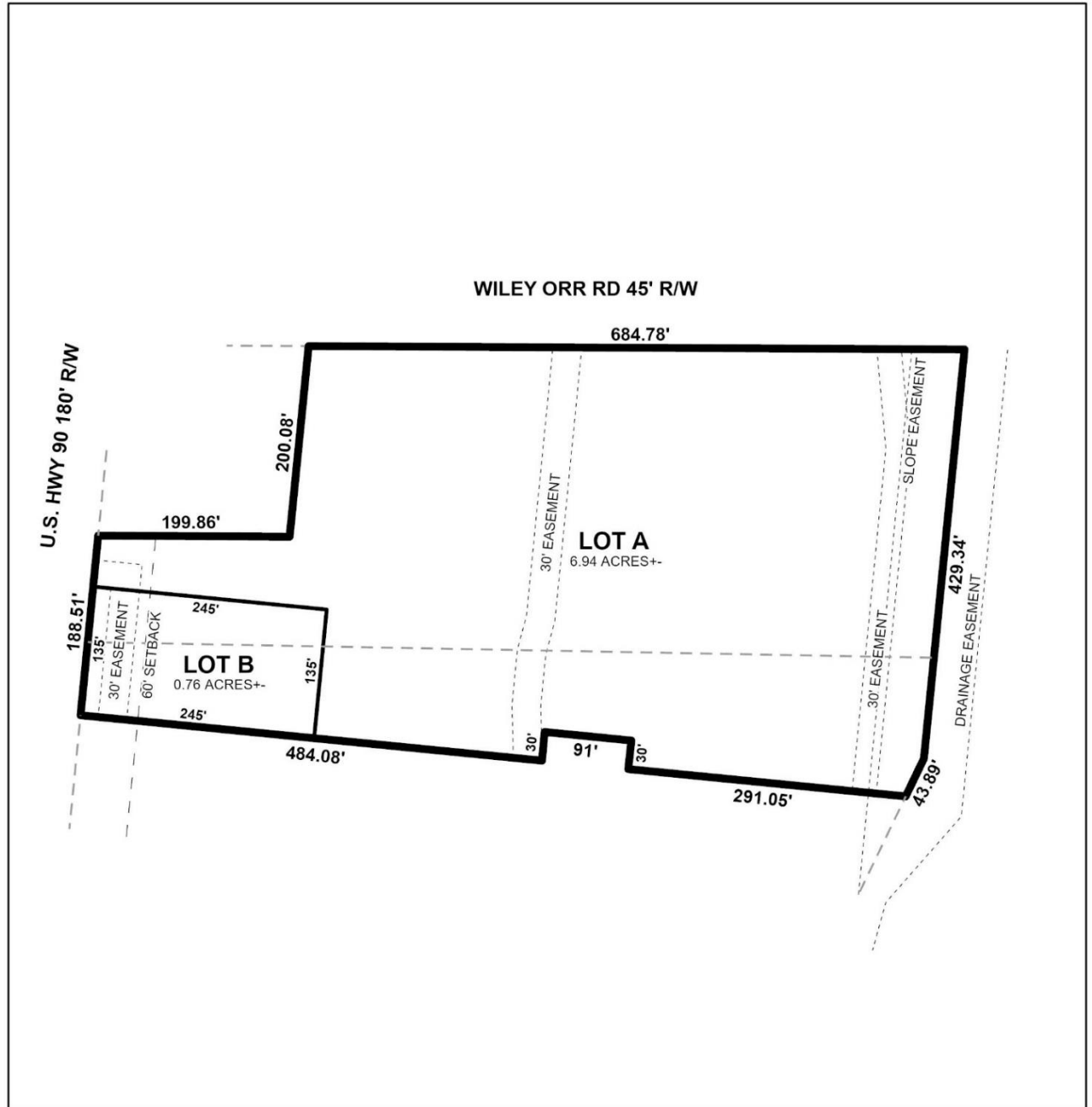



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 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	



SITE PLAN



APPLICATION NUMBER <u> 3 </u> DATE <u> March 21, 2024 </u>	
APPLICANT <u> Tilman's Square Subdivision, Resubdivision of Lots 2 & 4 </u>	
REQUEST <u> Subdivision </u>	

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 (WDWURU)
RESIDENTIAL - AG	R-A												<input type="checkbox"/>		
ONE-FAMILY RESIDENCE	R-1	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
TWO-FAMILY RESIDENCE	R-2	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
MULTIPLE-FAMILY	R-3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	
RESIDENTIAL-BUSINESS	R-B		<input type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
TRANSITIONAL-BUSINESS	T-B		<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input type="checkbox"/>		
HISTORIC BUSINESS	H-B			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
VILLAGE CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. CENTER	TCD					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. GENERAL	TCD					<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-6			<input checked="" type="checkbox"/>									<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.1			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.2			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-4			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-3			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	SD-WH									<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
DOWNTOWN DEV. DD	SD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
BUFFER BUSINESS	B-1		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
NEIGH. BUSINESS	B-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
LIMITED BUSINESS	LB-2		<input type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
COMMUNITY BUSINESS	B-3				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
GEN. BUSINESS	B-4			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OFFICE-DISTRIBUTION	B-5								<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
LIGHT INDUSTRY	I-1									<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEAVY INDUSTRY	I-2										<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

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.