



Agenda Item #: 5
SUB-002586-2023

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

[**Applicant Materials for Consideration**](#)

DETAILS

Location:

1154 Athey Road

Subdivision Name:

Athey Place Subdivision

Applicant / Agent:

Joe Phiem Dinh & Vit Ma Nguyen

Property Owner:

Joe Phiem Dinh & Vit Ma Nguyen

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create five (5) legal lots from one (1) existing metes-and-bounds parcel.

Commission Considerations:

- Subdivision proposal with eleven (11) conditions.

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ATHEY PLACE SUBDIVISION



APPLICATION NUMBER 5 DATE August 17, 2023



SITE HISTORY

The subject site was granted a Special Exception Variance in 1976 by the Board of Zoning Adjustment to allow a trailer on the property for six (6) months. Otherwise, there have been no other cases before the Board or Planning Commission.

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 and label the monument set or found at each subdivision corner.
- C. Delete the last sentence of the eighth NOTE – “CERTIFICATION IS TO BE SUBMITTED TO THE PLANNING SECTION OF URBAN DEVELOPMENT AND COUNTY ENGINEERING.”
- D. Dedicate Public ROW for one half of a permanent turnaround at the west end of Middle Ring Ct. (cul-de-sac or hammerhead as approved by City Engineer). Coordinate the layout and dimensions with Engineering Dept. and the current requirements of the International Fire Code.
- E. Update the SITE DATA table.
- F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #68) LOTS 1-5 will share the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). The lots will be allowed to add the following amount of impervious area before storm water detention is required: LOT 1 – 2,000 sf, LOT 2 – 2,000 sf, LOT 3 – 2,000 sf, LOT 4 – 2,000 sf, and LOT 5 – 2,000 sf.
- 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 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 request is to create five (5) legal lots from one (1) existing metes-and-bounds parcel.

The subject site has linear frontage on Athey Road, a minor street with curb and gutter, and a compliant 50-foot right-of-way; therefore, no dedication would be required along Athey Road. The site also has closed-end frontage on Barker Drive West and Middle Ring Court. The plat should be revised to label all abutting streets with their right-of-way widths and the plat should be revised to correctly label Barker Drive West as such, not as West Barker Drive.

As per Section 6.B.3 of the Subdivision Regulations, a turnaround is required for new lots at the end of a closed-end street. As per the Engineering comments, a public right-of-way for one-half of a permanent turnaround should be dedicated at the west end of Middle Ring Court (cul-de-sac or hammerhead as approved by City Engineering). The layout and dimensions are to be coordinated with the City Engineering Department and the current requirements of the International Fire Code. No turnaround is required at the Southern terminus of Barker Drive West due to its short length.

A minimum building setback line of at least 25 feet should be retained along Athey Road for Lots 1 and 2, and from the South terminus of Barker Drive West for Lots 3 and 4 on the Final Plat. The plat should be revised to indicate a minimum building setback line of at least 25 feet as measured from any required turnaround dedication for Lot 5 at the end of Middle Ring Court.

The subject site is served by public water and sanitary sewer services, and the proposed lots exceed the minimum size requirements of Article 2, Section 64-2-5.E. of the Unified Development Code for lots in an R-1, Single-Family Residential Suburban district. As on the preliminary plat, the lot size labels in both square feet and acres should be retained on the Final Plat, revised for any required dedication, or a table should be furnished on the Final Plat providing the same information.

All proposed lots contain drainage and utility easements; therefore, a note should be required on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if approved.

SUBDIVISION CONSIDERATIONS

Standards of Review:

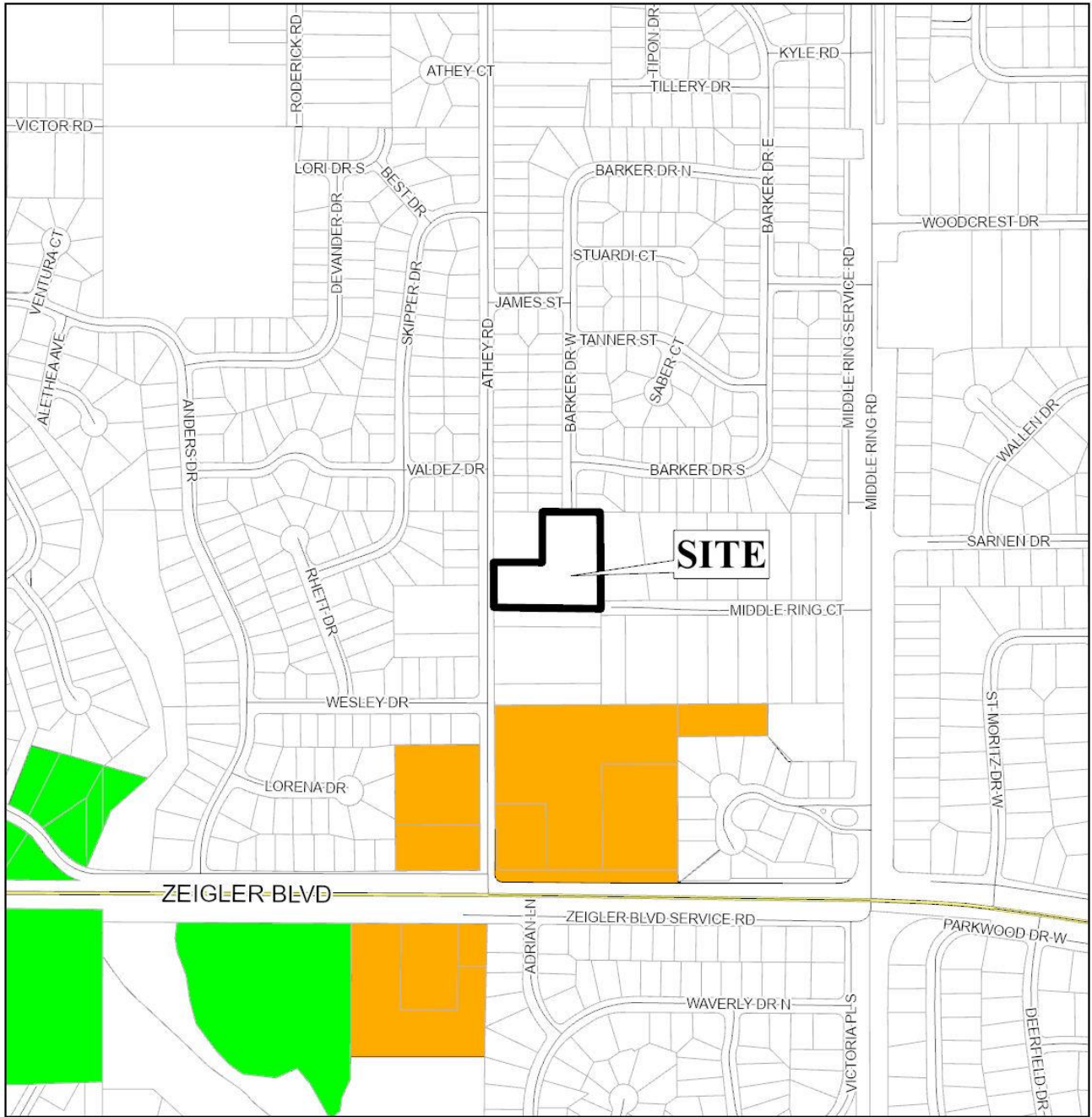
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

If the Planning Commission considers approving the Subdivision request, the following conditions could apply:

1. Dedication and construction of one-half of a permanent turnaround at the end of Middle Ring Court, with the layout and dimensions to be coordinated with the Engineering Department and the current requirements of the International Fire Code;
2. Revision of the plat to correctly label Barker Drive West instead of West Barker Drive;
3. Revision of the plat to label all abutting streets with their right-of-way widths;
4. Retention of at least a 25-foot minimum building setback line along Athey Road for Lots 1 and 2, and from the South terminus of Barker Drive West for Lots 3 and 4;
5. Revision of the plat to indicate a minimum building setback line of at least 25 feet as measured from any required turnaround dedication for Lot 5 at the end of Middle Ring Court;
6. Retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
7. 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;
8. Compliance with all Engineering comments noted in this staff report;
9. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
10. Compliance with all Urban Forestry comments noted in this staff report; and,
11. Compliance with all Fire Department comments noted in this staff report.

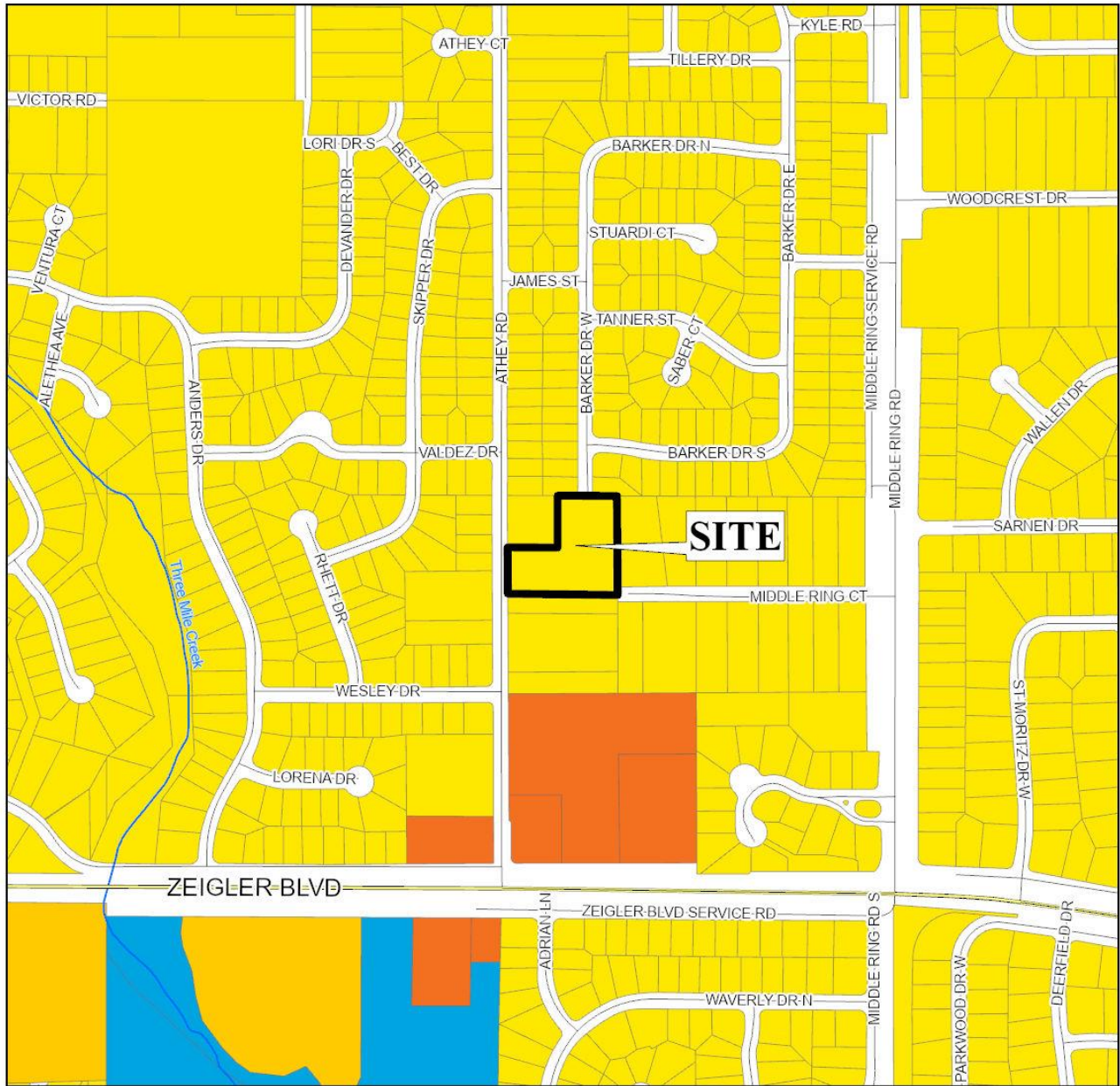
LOCATOR ZONING MAP



APPLICATION NUMBER <u>5</u>	DATE <u>August 17, 2023</u>
APPLICANT <u>Athey Place Subdivision</u>	
REQUEST <u>Subdivision</u>	



FLUM LOCATOR MAP



APPLICATION NUMBER 5 DATE August 17, 2023

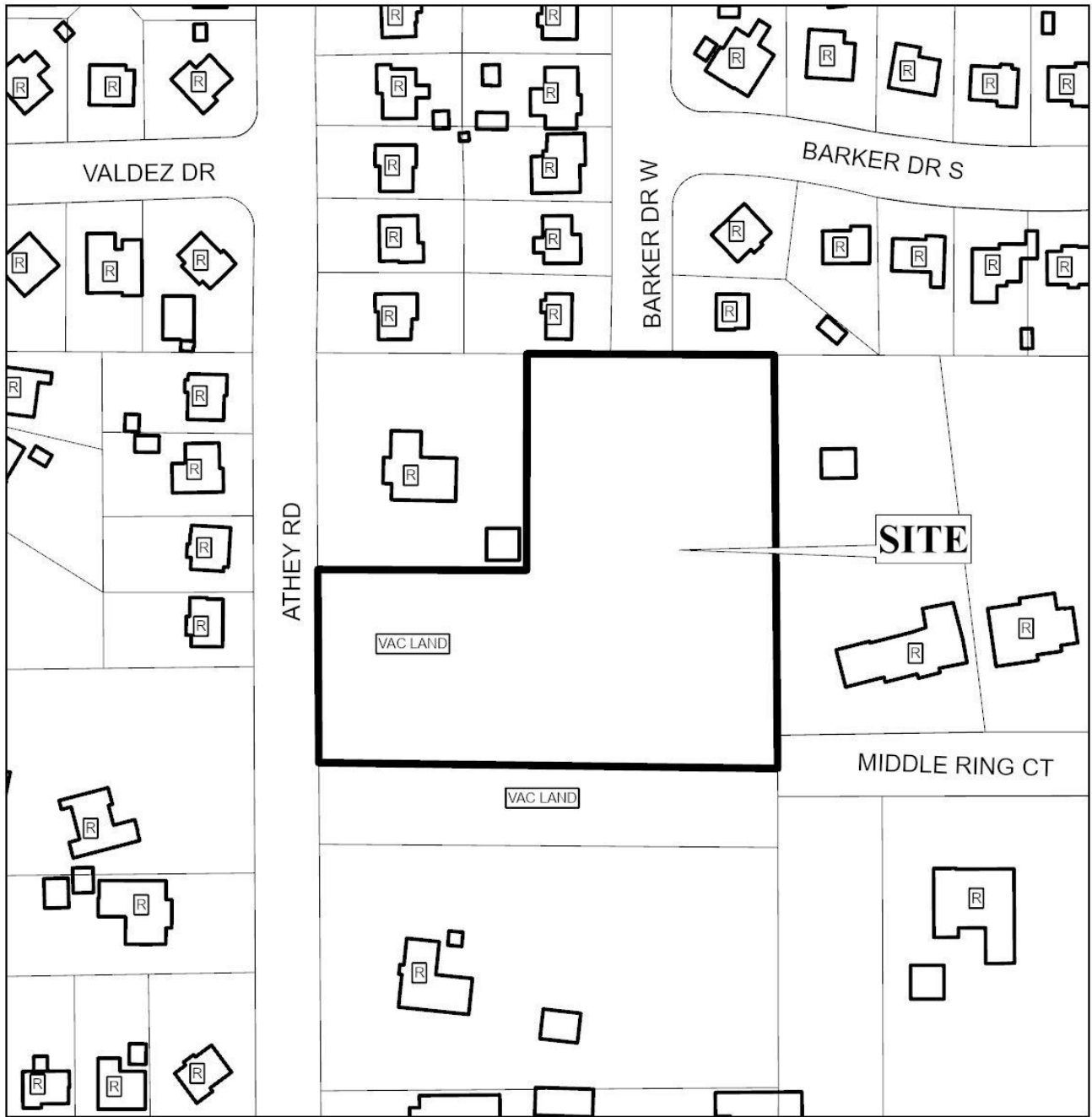
APPLICANT Athey Place Subdivision

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 | |



ATHEY PLACE SUBDIVISION

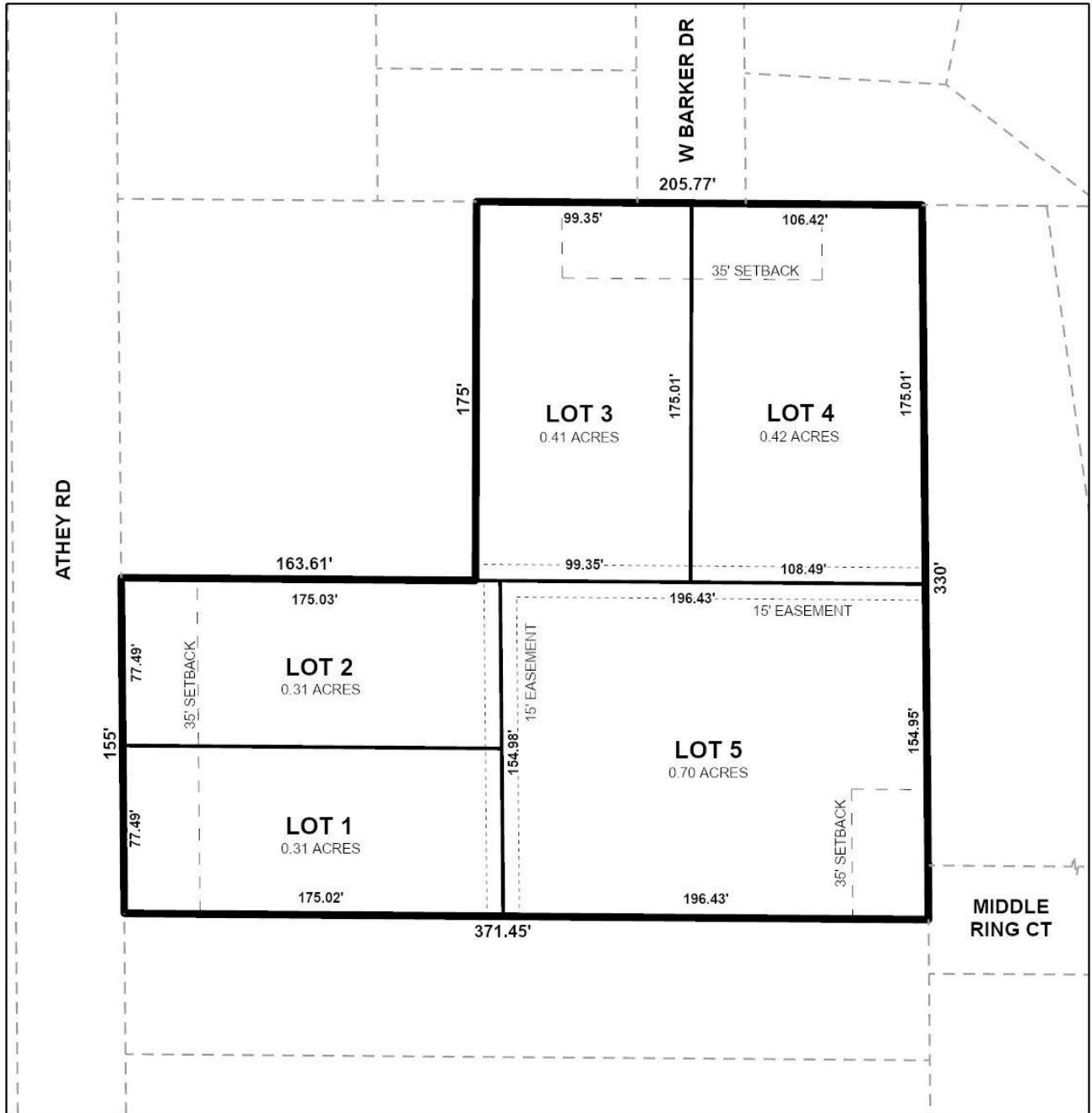



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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



DETAIL SITE PLAN



APPLICATION NUMBER <u>5</u> DATE <u>August 17, 2023</u>	
APPLICANT <u>Athey Place Subdivision</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 (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)

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context.

The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

