



Agenda Item #: 5

SUB-002733-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

South terminus of McNeil Avenue

Subdivision Name:

Lots 1-3, Block 138 and Lots 15-18 & The North 20' of Lot 14, Block 139 Pinehurst, Delaney's Addition to Spring Hill Resubdivision of and Addition to

Applicant / Agent:

Mike Daniels, BDMD, LLC

Property Owner:

BC Daniels, Inc.

Current Zoning:

R-1, Single-Family Residential Suburban District

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 six (6) legal lots of record from multiple existing legal lots of record and metes-and-bounds parcels.

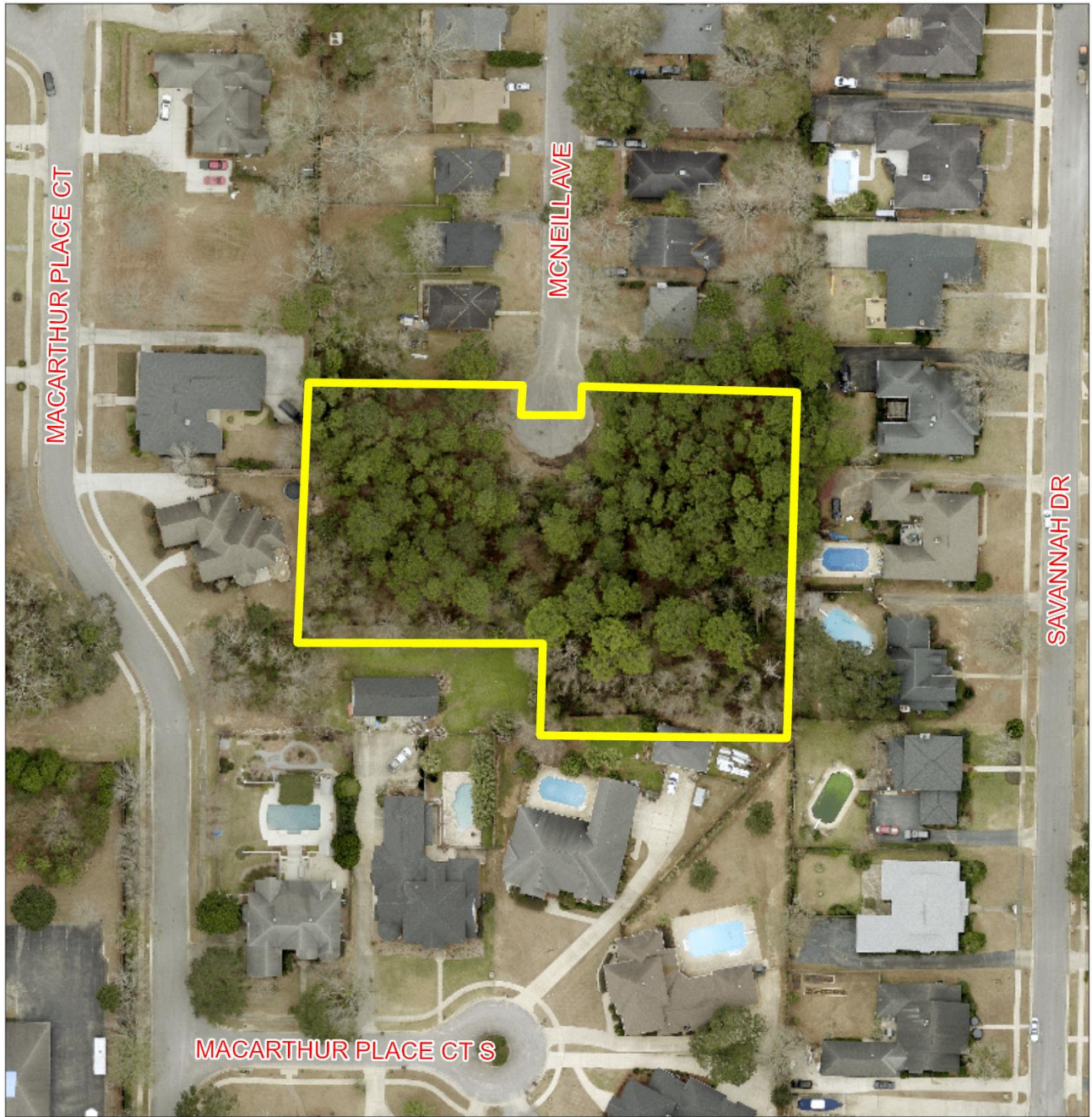
Commission Considerations:

- Subdivision proposal with ten (10) conditions.

Report Contents:

	Page
Context Map	2
Site History	3
Staff Comments	3
Subdivision Considerations	5
Exhibits	6

LOTS 1-3, BLOCK 138 AND LOTS 15-18 & THE NORTH 20' OF
LOT 14, BLOCK 139 PINEHURST, DELANY'S ADDITION TO
SPRING HILL RESUBDIVISION OF AND ADDITION TO



APPLICATION NUMBER 5 DATE December 21, 2023



SITE HISTORY

The subject site has never been before the Planning Commission or Board of Zoning Adjustment. It consists of multiple lots and portions of vacated streets recorded with Pinehurst, Delaney's Addition to Spring Hill, an old deed book plat which predates the Planning Commission.

Portions of McNeill Avenue and Hendrix Street within the site area were vacated in February, 1998.

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. Include all of the other information provided in the initial PLAT submitted 11/15/23.
- C. Show and label the correct MBSL. The label does not point to the revised MBSL.
- D. Provide and label the monument set or found at each proposed subdivision corner.
- E. Remove the NOTE about requesting front setback reductions.
- F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos LOTS 1A – 6A 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) as follows: LOTS 1A – 6A – NONE.
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- L. 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-sprinklered commercial buildings, within 600' of sprinklered 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 six (6) legal lots of record from seven (7) existing legal lots of record, four (4) metes-and-bounds parcels from vacated rights-of-way, and one (1) metes-and-bounds parcel from the parceling-off of adjacent property. The site is served by public water and sanitary sewer.

It should be noted that the applicant originally submitted a preliminary plat drawn to the technical standards of Section 5.A. of the Subdivision Regulations. A revised plat was later submitted which did not contain all of the data required on a preliminary plat, but focused on dimensional revisions to the original plat, and provided the information necessary for a review of the proposed subdivision. If approved, the plat should be revised to comply with the requirements of Section 5.C. of the Subdivision Regulations for Final Plats.

All proposed lots have frontage on the South terminus of McNeill Avenue, a cul-de-sac with a substandard 50-foot radius. The preliminary plat indicates dedication to provide a compliant 60-foot radius cul-de-sac, and this should be retained on the Final Plat, if approved. A compliant 25-foot minimum building setback line is indicated for proposed Lots 1A, 2A, 5A and 6A. A 40-foot minimum building setback line is indicated for proposed Lots 3A and 4A where each lot is at least 60-feet wide. If approved, the minimum building setback lines should be retained on the Final Plat as proposed on the preliminary plat.

Lots 1A and 6A would exceed the 60-foot minimum width requirement at the building setback line of Section 6 C.2.(b)(2) of the Subdivision Regulations. Lots 2A, 3A, 4A and 5A would not meet the 60-foot minimum width requirement, but they would meet or exceed a 50-foot width at the minimum building setback line. As the proposed subdivision is an addition to an older subdivision with substandard 50-foot lot widths, the allowance of substandard lot widths at the building setback line would seem in order, with a waiver of Section 6 C.2.(b)(2) of the Subdivision Regulations.

Section 6.C.2.(a) (1) of the Subdivision Regulations states that the minimum lot area shall be as defined in the Unified Development Code (UDC), and Section 64-2-5-E. of the UDC requires a minimum 7,200 square-foot area for lots in an R-1, Single-Family Residential Suburban District. Proposed Lots 1A, 2A and 6A would not meet the minimum 7,200 square-foot area requirement. The applicant's narrative states that in early communications with the City concerning the proposed subdivision, it was requested that the radius of the McNeill Avenue cul-de-sac be increased from 50 feet to a compliant 60 feet. It is further stated that this increase in radius reduced the area of each lot, and if the radius had been left at 50 feet, the smallest lot size would be approximately 7,327 square feet. Considering substandard lot sizes are common within the vicinity of the subject site, approval of the request may be appropriate. If approved, a waiver of Section 6.C.2.(a) (1) of the Subdivision Regulations would be required. The plat should be revised to label the lot sizes in both square feet and acres, or a table should be placed on the Final Plat providing the same information.

There are recorded sanitary sewer easements within the site. Therefore, a note should be required on the Final Plat, if approved, stating that no structure may be constructed or placed within any easement without the permission of the easement holder.

SUBDIVISION CONSIDERATIONS

Standards of Review:

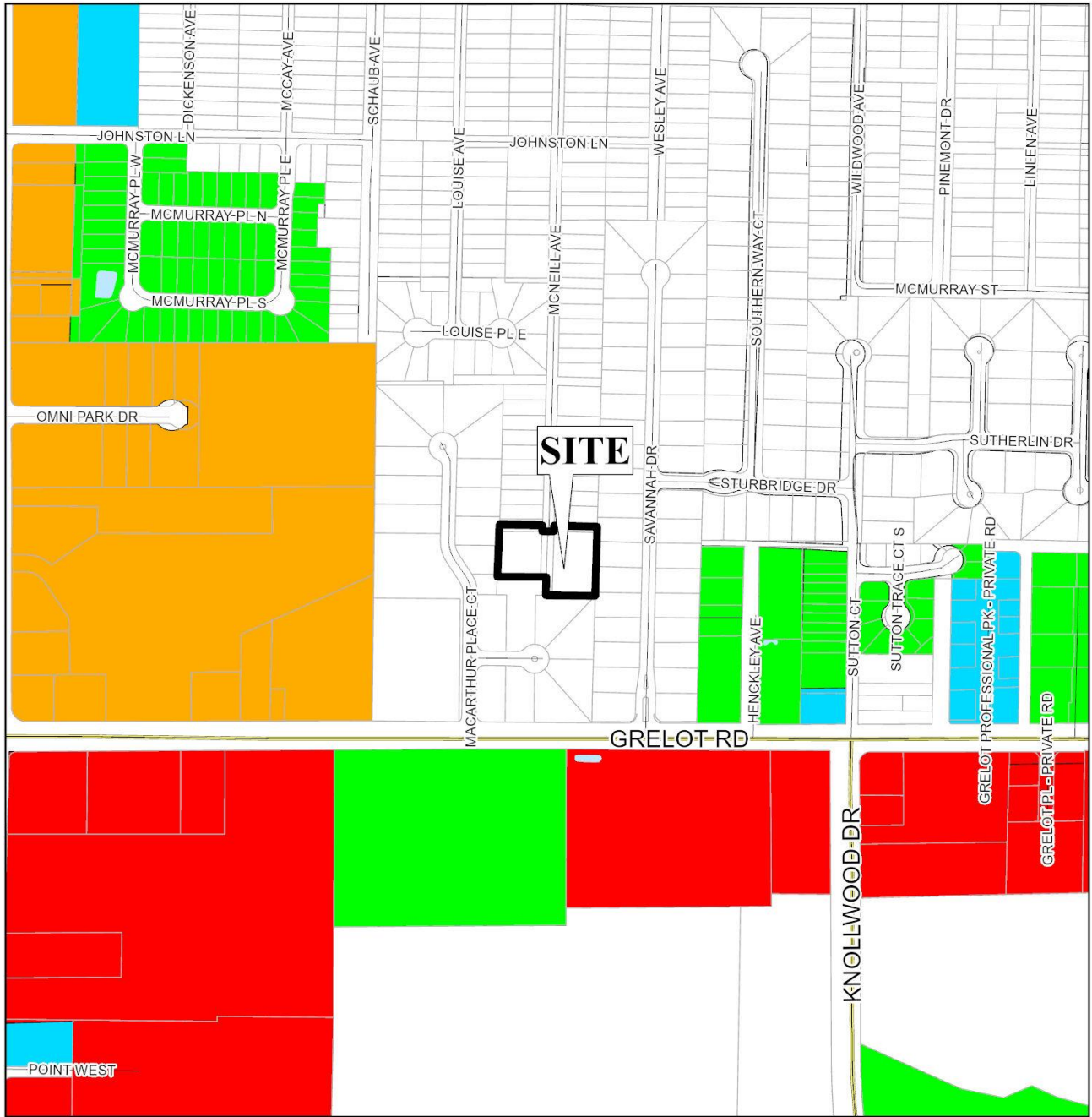
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

Based on the preceding, and with waivers of Sections 6.C.2.(a) (1) and 6 C.2.(b)(2) of the Subdivision Regulations, if the Subdivision request is considered for approval, the following conditions should apply:

1. Revision of the Final Plat to meet the technical requirements of Section 5 C. of the Subdivision Regulations;
2. Retention of dedication to provide a 60-foot radius cul-de-sac at the South terminus of McNeill Avenue;
3. Retention of a 25-foot minimum building setback line for Lots 1A, 2A, 5A and 6A on the Final Plat as measured from any right-of-way dedication;
4. Retention of a 40-foot minimum building setback line for Lots 3A and 4A on the Final Plat as measured from any right-of-way dedication;
5. Revision of the plat to label each lot with its size in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
6. Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without 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 the 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.

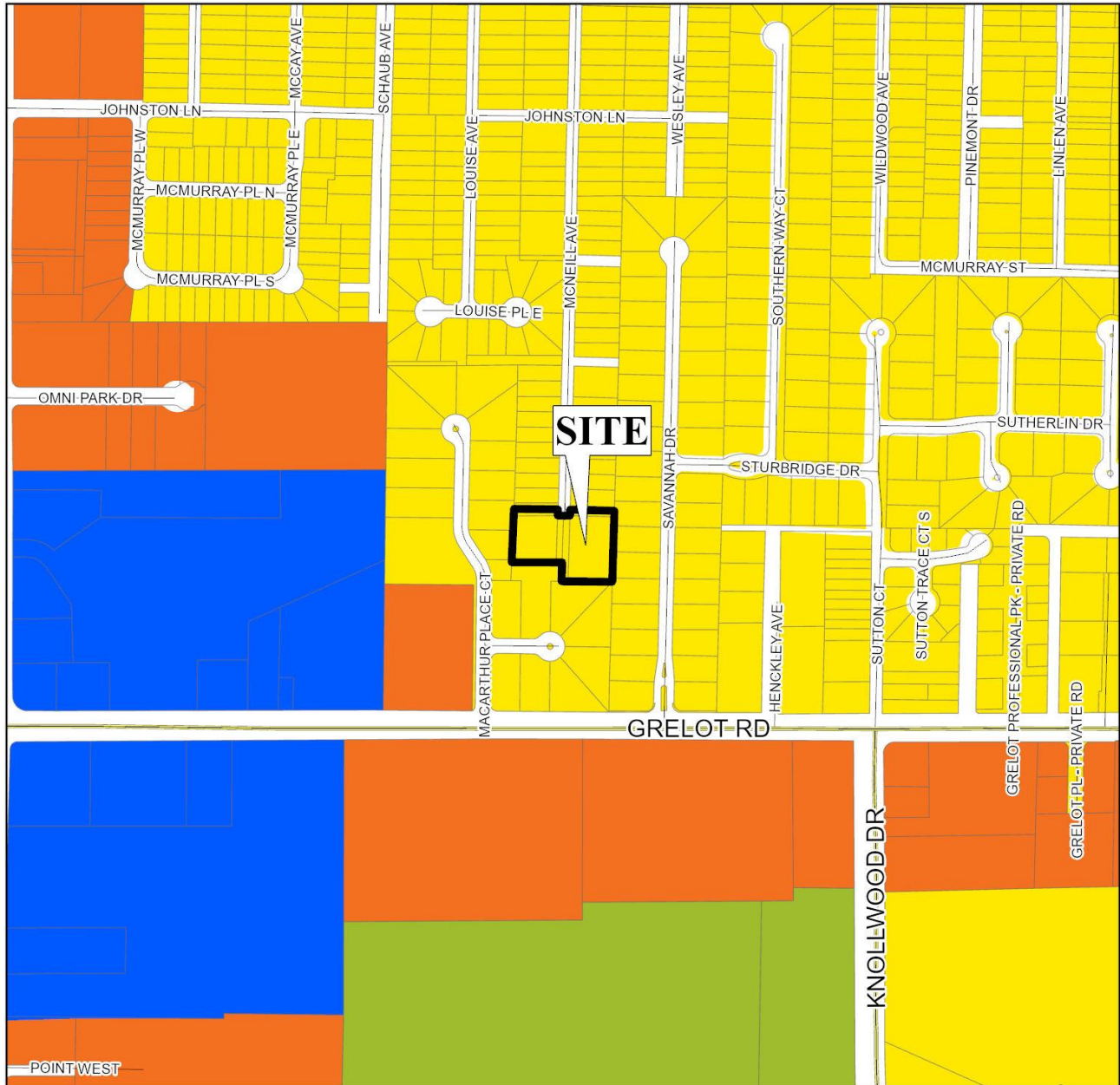
LOCATOR ZONING MAP



APPLICATION NUMBER 5 DATE December 21, 2023
 LOTS 1-3, BLOCK 138 AND LOTS 15-18 & THE NORTH 20' OF LOT 14, BLOCK 139 PINEHURST,
 APPLICANT DELANY'S ADDITION TO SPRING HILL RESUBDIVISION OF AND ADDITION TO
 REQUEST Subdivision

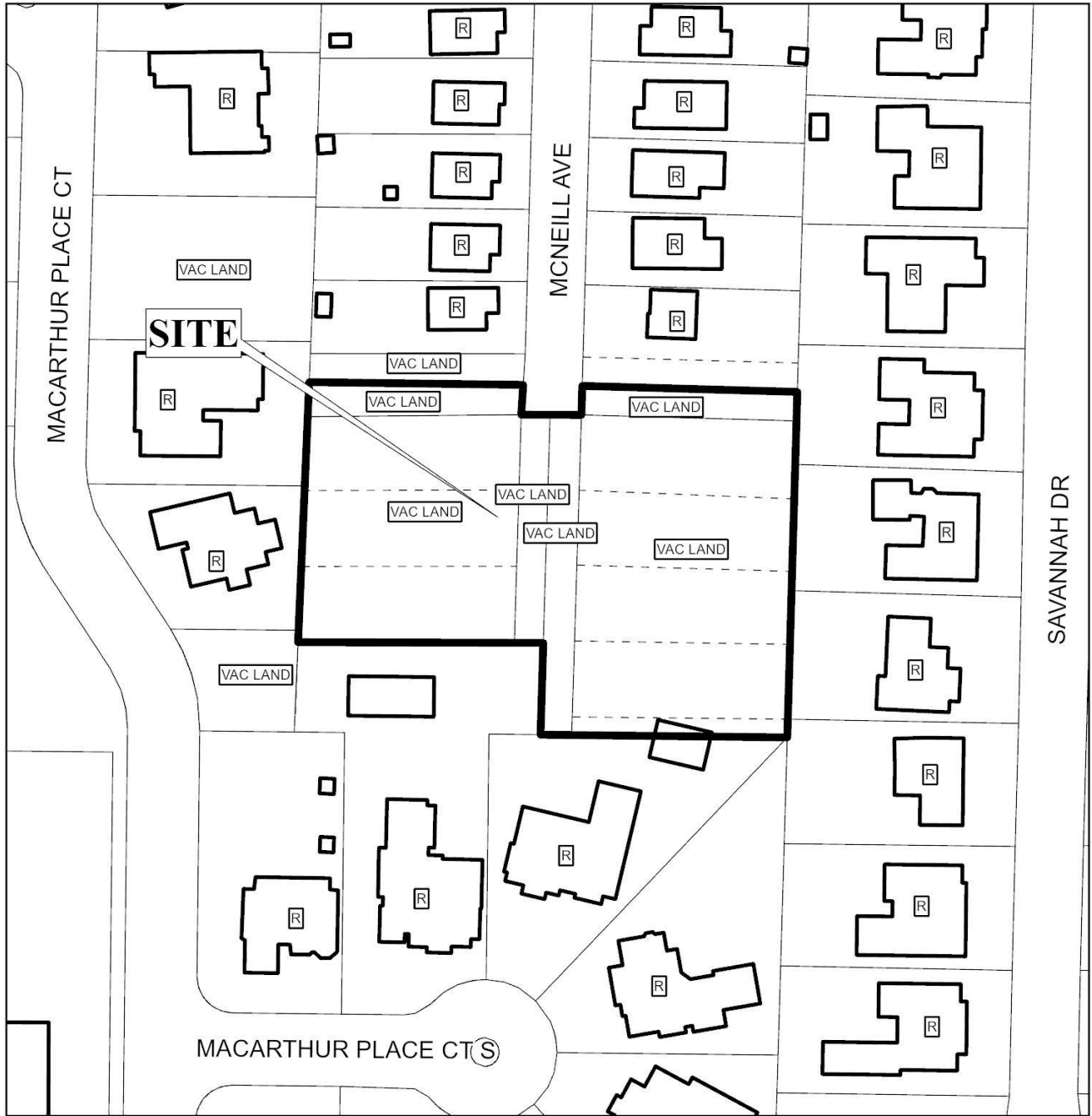


FLUM LOCATOR MAP



APPLICATION NUMBER <u>5</u> DATE <u>December 21, 2023</u>			
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REQUEST <u>Subdivision</u>			
<ul style="list-style-type: none"> Low Density Residential Mixed Density Residential Downtown District Center 	<ul style="list-style-type: none"> Neighborhood Center - Traditional Neighborhood Center - Suburban Traditional Corridor Mixed Commercial Corridor 	<ul style="list-style-type: none"> Downtown Waterfront Light Industry Heavy Industry Institutional 	<ul style="list-style-type: none"> Parks & Open Space Water Dependent

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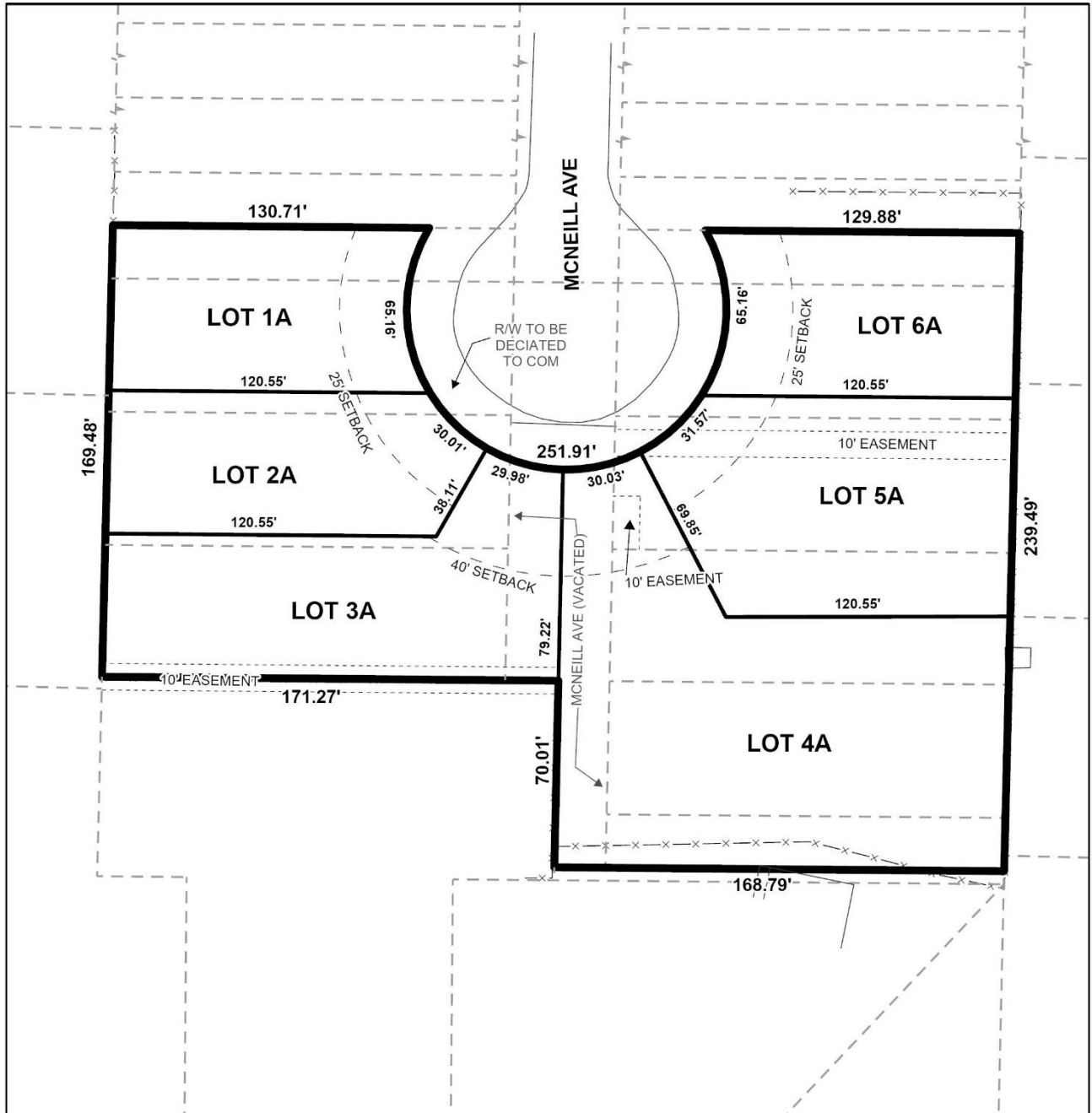


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



DETAIL SITE PLAN



APPLICATION NUMBER 5 DATE December 21, 2023
 APPLICANT LOTS 1-3, BLOCK 138 AND LOTS 15-18 & THE NORTH 20' OF LOT 14, BLOCK 139 PINEHURST, DELANY'S ADDITION TO SPRING HILL RESUBDIVISION OF AND ADDITION TO
 REQUEST Subdivision



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.