



Agenda Item # 6

SUB-002855-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

916 Church Street

Subdivision Name:

The Residences at Oakleigh Subdivision

Applicant / Agent:

Trae Corte

Property Owner:

Stephen Howle, RGH Oakleigh, LLC

Current Zoning:

R-B, Residential Business District
Historic District Overlay

Future Land Use:

Mixed Density Residential

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create seven (7) legal lots of record from one (1) existing legal lot of record.

Considerations:

1. Subdivision proposal with ten (10) conditions.

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THE RESIDENCES AT OAKLEIGH SUBDIVISION



APPLICATION NUMBER 6 DATE March 21, 2024



SITE HISTORY

The Planning Commission approved a Planned Unit Development (PUD) for the subject site and an adjacent parcel to the North in October 2018 allowing multiple buildings on a single building site and off-site parking. Rezoning of the subject site from B-1, Buffer Business District, to R-B, Residential Business District, was adopted by City Council at its December 4, 2018 meeting. Both approvals were subject to Subdivision of the two properties, an application for which was approved in December 2018; however, the plat was never recorded and the approval expired. The PUD has also expired. The site remains zoned R-B.

A one (1)-lot subdivision of the subject site was approved in October 2020, along with a PUD allowing multiple buildings on a single building site. The subdivision plat was subsequently recorded in Mobile County Probate Court, but the PUD was allowed to expire as no permits associated with the development were obtained.

Another PUD was approved in December 2022 allowing multiple buildings on a single building, but was again allowed to expire without any permits.

The site has not been the subject of any Board of Zoning 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. Revise SURVEYORS NOTES #14 from "...1984 AERIAL PHOTO LOTS 1-7..." to "...1984 AERIAL (29 - #77) LOTS 1-7...".
- C. Show and label all flood zones.
- D. Label all of the proposed drainage easements between the proposed LOTS as "DRAINAGE (PRIVATE) &...".
- E. Label the proposed 5' DRAINAGE EASEMENT along the Church St. frontage as "5' PRIVATE DRAINAGE EASEMENT...".
- F. Provide a table of "PROPOSED WEIGHTED RUNOFF COEFFICIENT (Cw)" for each LOT.
- 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. 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 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 request is to create seven (7) legal lots of record from one (1) existing legal lot of record. The site is served by public water and sanitary sewer.

The site has frontage on Church Street, a minor street with curb and gutter requiring a 50-foot right-of-way. Proposed Lot 1 also has frontage on Marine Street, another minor street with curb and gutter requiring a 50-foot right-of-way. The preliminary plat depicts sufficient rights-of-way along both street frontages; therefore, no additional dedication should be required.

Proposed Lot 1 is a corner lot requiring at least a 25-foot corner radius where Church Street and Marine Street intersect, per Section 6.C.6. of the Subdivision Regulations. The preliminary plat depicts a substandard 15-foot corner radius. Section 6.B.12. of the Subdivision Regulations allows a 20-foot corner radius, but anything less requires approval from the City Engineer. As such, the plat should be revised to illustrate at least a 25-foot corner radius at the intersection of Church Street and Marine Street. If a reduced corner radius is approved, approval from the City Engineer and a waiver of Section 6.C.6. will be required.

A 5-foot front yard setback is illustrated along Church Street and Marine Street, in compliance with Section 64-2.8.E. of the Unified Development Code for lots in an R-B district; however, the site is within the Oakleigh Garden Historic District Overlay which limits front yard setbacks to no greater or lesser than the setback of those structures on the same side of the street within 150 feet of both sides (exclusive of right-of-way) of the proposed building site. As such, the plat should be revised to remove the 5-foot front yard setback; and a note should be placed on the Final Plat, if approved, stating that the site shall comply with the provisions of the Historic District Overlay (HDO) in Article 14 of the UDC, including the front yard dimensional standards for lots in the HDO.

The proposed lots exceed the minimum size requirement for lots served by public water and sanitary sewer in an R-B district, but are only labeled in square feet. If approved, the lot sizes should be provided on the Final Plat in both square feet and acres, adjusted for any required dedication; or a table should be furnished on the Final Plat providing the same information.

As proposed, all lots exceed the maximum width-to-depth ratio of Section 6.C.3. of the Subdivision Regulations. Such a lot design does not appear to be common within the vicinity, but the Planning Commission has approved similarly narrow lots on nearby Augusta Street. If approved, a waiver from Section 6.C.3. will be necessary.

Approval of the subdivision will create seven (7) lots that share access to Marine Street via a private ingress/egress and utility easement, as illustrated on the preliminary plat along the North property lines of each proposed lot. Such access is permissible by Article 3, Section 64-3-4.C. of the UDC, subject to the recording of the

appropriate legal instrument establishing such access. As such, if approved, retention of the private ingress/egress and utility easement should be required on the Final Plat; or provision of a legal document providing the same information and recorded in Mobile County Probate Court may instead be accepted, prior to signing of the Final Plat.

The Preliminary Plat illustrates additional drainage and building maintenance easements on each of the proposed lots, which should also be retained on the Final Plat, if approved. Additionally, 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, approvals from the Historic Development Department/Architectural Review Board are required prior to the issuance of any development permits.

SUBDIVISION CONSIDERATIONS

Standards of Review:

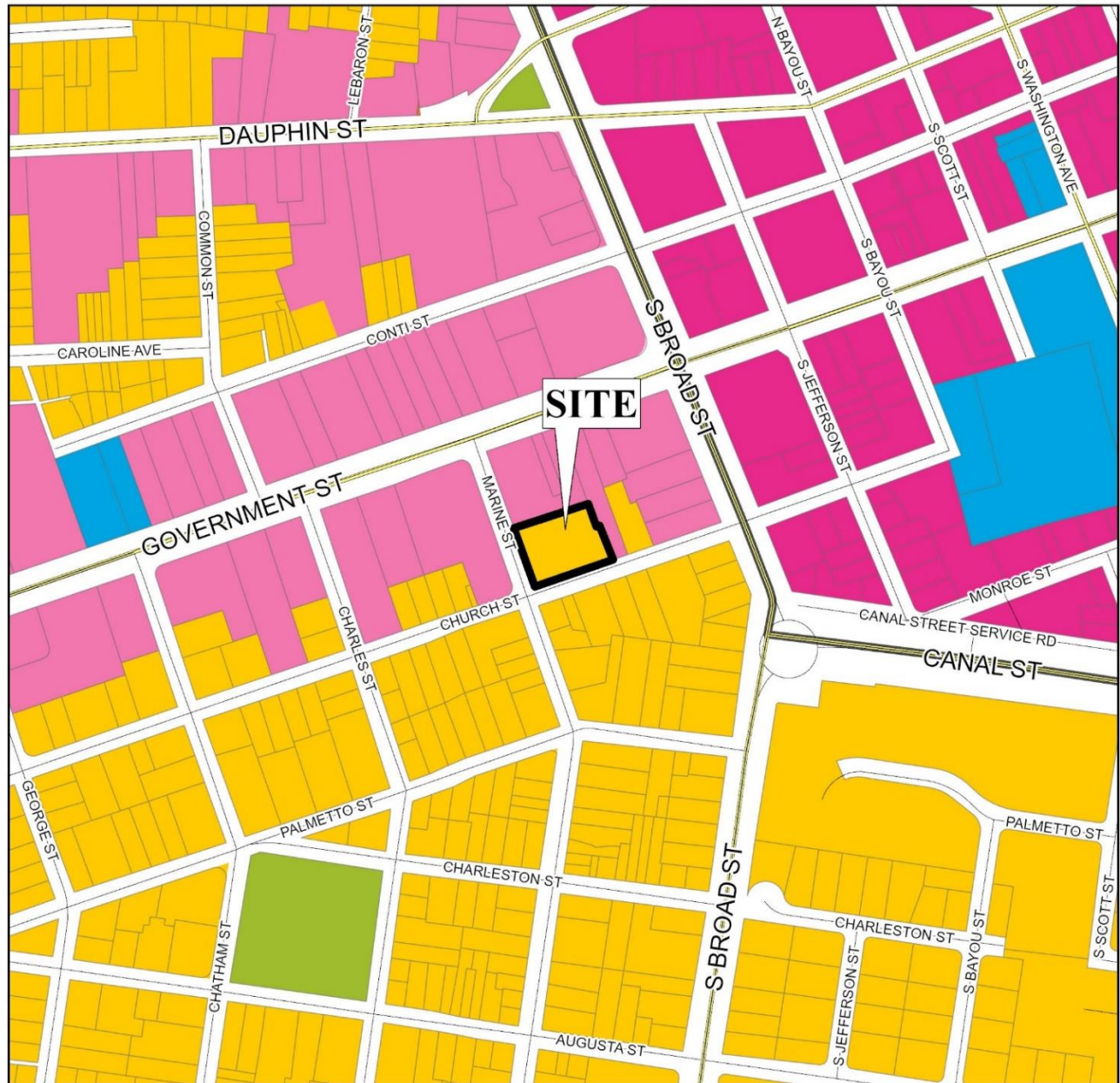
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set 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.3., the following conditions should apply:

1. Retention of rights-of-way along Church Street and Marine Street on the Final Plat;
2. Dedication sufficient to provide a 25-foot corner radius at the intersection of Church Street and Marine Street, in compliance with Section 6.C.6. of the Subdivision Regulations, unless a smaller radius is approved by the City Engineer and the Planning Commission waives Section 6.C.6.;
3. Revision of the plat to remove the 5-foot front yard setback line along Church Street and Marine Street;
4. Placement of a note on the Final Plat stating that the site shall comply with the provisions of the Historic District Overlay (HDO) in Article 14 of the UDC, including the front yard dimensional standards for lots in the HDO;
5. Provision of the lot sizes in both square feet and acres, adjusted for any required dedication, 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 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.

FLUM LOCATOR MAP



APPLICATION NUMBER 6 DATE March 21, 2024

APPLICANT The Residences at Oakleigh 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 | |



THE RESIDENCES AT OAKLEIGH SUBDIVISION



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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 | |



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 DENSITY RESIDENTIAL (MxDR)

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 LDR areas, MxDR 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.