



Agenda Item # 10

SUB-003399-2025 & MOD-003427-2025

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

[Applicant Materials for Consideration – Subdivision](#)

[Applicant Materials for Consideration – Planning Approval Modification](#)

DETAILS

Location:

348 & 360 North McGregor Avenue

Applicant / Agent:

Daryl Russell, Board of Water & Sewer Commissioners
of the City of Mobile

Property Owner:

Board of Water & Sewer Commissioners of the City of
Mobile

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Mixed Density Residential

Applicable Codes, Policies, and Plans:

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

Schedule for Development:

- N/A

Proposal:

- Subdivision approval to create two (2) legal lots of record
- Modification of a previously approved Planning Approval

Considerations:

- Subdivision approval with nine (9) conditions
- Modification of a previously approved Planning Approval with ten (10) conditions

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PLANNING COMMISSION

VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER 10 DATE August 21, 2025
 APPLICANT Mordecai Lane Subdivision
 REQUEST Subdivision, PA Modification



SITE HISTORY

The subject site was annexed into the City of Mobile in 1956.

In June 1964, the Board of Zoning Adjustment denied a request for an extension of the Civil Defense building to come to the side property line.

In June 1966, the Board approved a request for an extension of the Civil Defense building to come to the side property line subject to the conditions of the building being one (1) story in height and that the South wall of the building be of old brick.

The site was assigned an R-1, Single-Family Residential District zoning classification with the adoption of the Zoning Ordinance in 1967.

In July 1986, the Planning Commission approved the site plan for the replacement of the existing water tower.

STAFF COMMENTS

Engineering Comments:

Subdivision

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. 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.
- C. 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.
- D. 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.
- E. 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.
- F. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- 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.

Planning Approval Modification

1. Label the drawing that was submitted (As-Built Survey for MAWSS) as the Planning Approval Site Plan.
2. ADD THE FOLLOWING NOTES TO THE SITE PLAN:
 - a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
 - b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
 - c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance 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.
 - d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
 - e. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
 - f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

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 and Article 13, Section 64-13-6 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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

Subdivision

The purpose of the subdivision request is to create two (2) legal lots of record from one (1) existing metes-and-bounds parcel. The site is served by public water and sanitary sewer.

The proposed lots have frontage on North McGregor Avenue and Mordecai Lane. North McGregor Avenue is a component of the Major Street Plan as a Minor Arterial Street with a planned 50-foot right-of-way. The preliminary plat indicates a varying right-of-way width along North McGregor Avenue. Therefore, the plat should be revised to indicate the right-of-way width from the centerline of North McGregor Avenue, with dedication required to provide 25 feet from the centerline if necessary. Mordecai Lane is a Minor Street without curb and gutter, requiring a 60-foot wide right-of-way. A substandard 50-foot right-of-way is illustrated. However, as previous subdivision of property along Mordecai Lane did not require dedication of right-of-way, it would seem that none should be required in this case. A waiver of Section 8 A.1. of the Subdivision Regulations requiring dedication would seem in order to allow such. The right-of-way widths of North McGregor Avenue and Mordecai Lane should be labeled on the Final Plat, after any required dedication, if approved.

As on the preliminary plat, the 25-foot minimum building setback line illustrated along both street frontages should be retained on the Final Plat, if approved, adjusted to be measured from any required dedication.

Each lot, as proposed, exceeds the minimum size requirements for lots served by public water and sanitary sewer in an R-1, Single-Family Residential Suburban District, and are appropriately labeled with this information in square feet and acres on the preliminary plat, as required by Section 5.A.2(e)(4) of the Subdivision Regulations. This information should be retained on the Final Plat, adjusted for any required dedication, if approved, or a table should be furnished on the Final Plat providing the same information.

Planning Approval Modification

As previously mentioned, the site was the subject of a Planning Approval heard by the Planning Commission in July 1986 to allow the replacement of the existing water storage tower on the site

The application at hand focuses on only the inclusion of an internal lot line separating the developed Western portion of the overall site from the undeveloped Eastern portion. No new development at this time is proposed on either of the proposed lots by the Modification. Lot 1 of the proposed subdivision would retain the existing

water tower and other supporting structures, and Lot 2 would remain vacant. The Modification serves to add the internal common lot line to coincide with the proposed subdivision. The site plan depicts the addition of the interior lot line, as proposed by the Subdivision request, and illustrates that only proposed Lot 1 is developed. The size of the proposed lots is not depicted on the preliminary site plan. Therefore, the site plan should be revised to label each lot with its size in both square feet and acres, adjusted for any required dedication, or a table should be furnished on the site plan providing the same information, if approved.

The right-of-way widths of North McGregor Avenue and Mordecai Lane should be retained on the Final MOD site plan, if approved, adjusted for any required dedication.

The site plan should be revised to illustrate the 25-foot minimum building setback line along both street frontages, if approved, as measured from any required dedication.

It should be noted that future development or redevelopment of either of the lots may require additional modifications of the Planning Approval to be approved by the Planning Commission and City Council, or possibly a Special Exception for an Intermediate Utility expansion in R-1 to be approved by the Board of Zoning Adjustment. A note stating as much should be placed on the recorded site plan, 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:

Based on the preceding, if the Subdivision request is considered for approval, and with a waiver of Section 8 A.1. of the Subdivision Regulations, the following conditions could apply:

1. Revision of the plat to label the right-of-way width of North McGregor Avenue, adjusted for any required dedication;
2. Retention of the right-of-way width of Mordecai Lane on the Final Plat;
3. Retention of the 25-foot minimum building setback line along both street frontages on the Final Plat, adjusted to be measured from any required dedication;
4. Retention of the lot size labels on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
5. Submittal to and approval by Planning and Zoning of a revised Planning Approval site plan prior to signing the Final Plat;
6. Compliance with all Engineering comments noted in this staff report;
7. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
8. Compliance with all Urban Forestry comments noted in this staff report; and,
9. Compliance with all Fire Department comments noted in this staff report.

PLANNING APPROVAL MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in Section 64-5-8-B.(5) states the following concerning Planning Approval Modifications:

Approval Criteria. The Planning Commission shall not recommend a major modification for approval, and the City Council shall not approve the modification, unless the proposed modification:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 - a. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - b. Includes adequate public facilities and utilities;
5. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
6. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
7. Shall not be detrimental or endanger the public health, safety or general welfare.
8. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

Considerations:

If the Planning Commission considers a recommendation of approval for the Modified Planning Approval, the following Findings of Fact must apply:

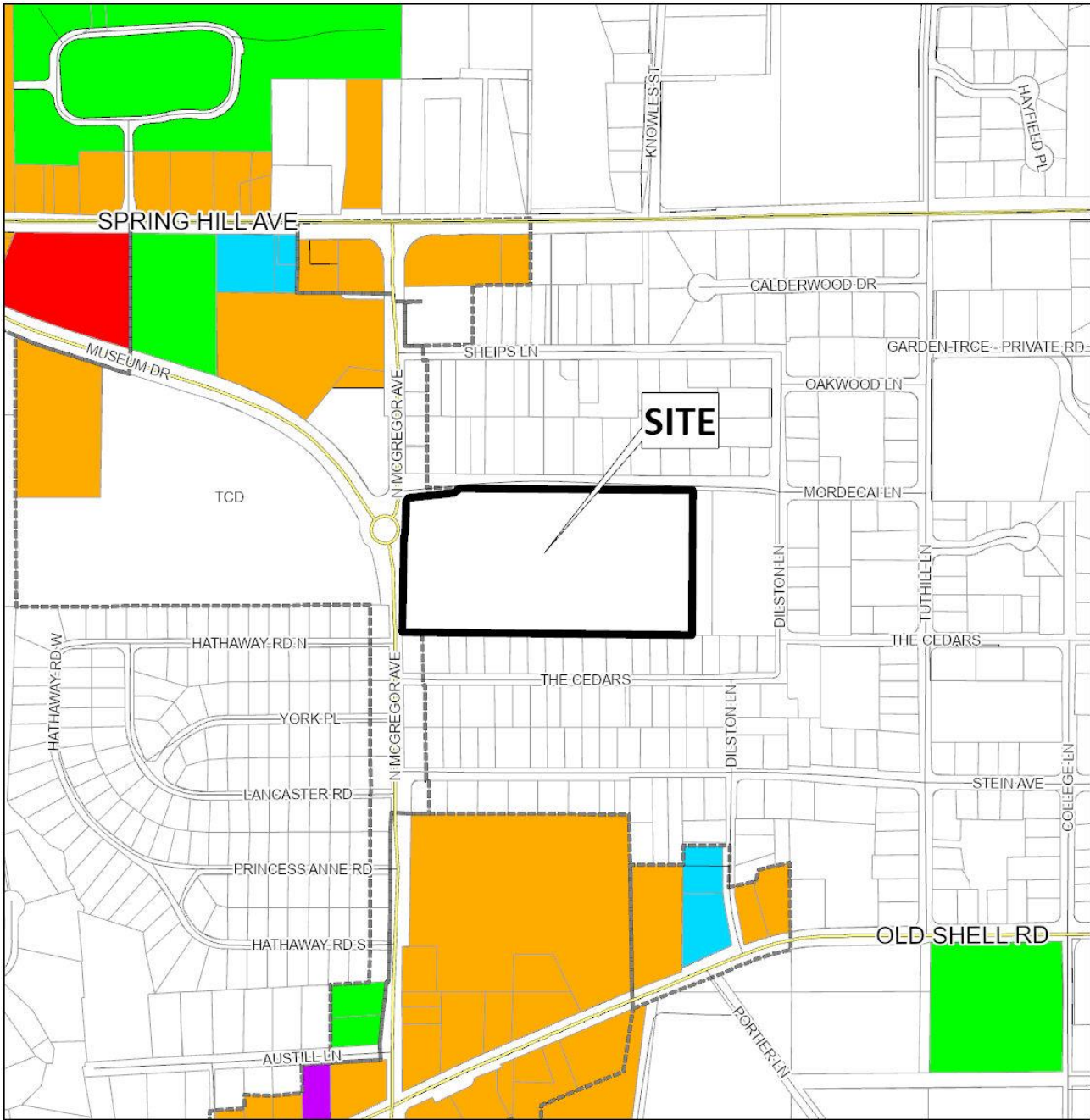
- a. Is consistent with all applicable requirements of this Chapter;
- b. Is compatible with the character of the surrounding neighborhood;
- c. Will not impede the orderly development and improvement of surrounding property;
- d. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 1. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 2. Includes adequate public facilities and utilities;
- e. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- g. Shall not be detrimental or endanger the public health, safety or general welfare.

- h. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

If the Planning Commission considers a recommendation of approval of the Modified Planning Approval, it should be subject to the following conditions:

1. Revision of the site plan to label each lot with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the site plan providing the same information;
2. Revision of the site plan to label the right-of-way width of North McGregor Avenue, adjusted for any required dedication;
3. Retention of the right-of-way width labels of Mordecai Lane on the site plan;
4. Revision of the site plan to illustrate the 25-foot minimum building setback line along both street frontages, as measured from any right-of-way dedication;
5. Placement of a note on the revised site plan stating that future development or redevelopment of either of the lots may require additional modifications of the Planning Approval to be approved by the Planning Commission and City Council, or possibly a Special Exception approved by the Board of Zoning Adjustment to allow an Intermediate Utility expansion in R-1;
6. Submittal to and approval by Planning and Zoning of a revised Planning Approval site plan prior to signing the Final Plat for the associated subdivision;
7. Compliance with all Engineering comments noted in this staff report;
8. Placement of a note on the site plan 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.

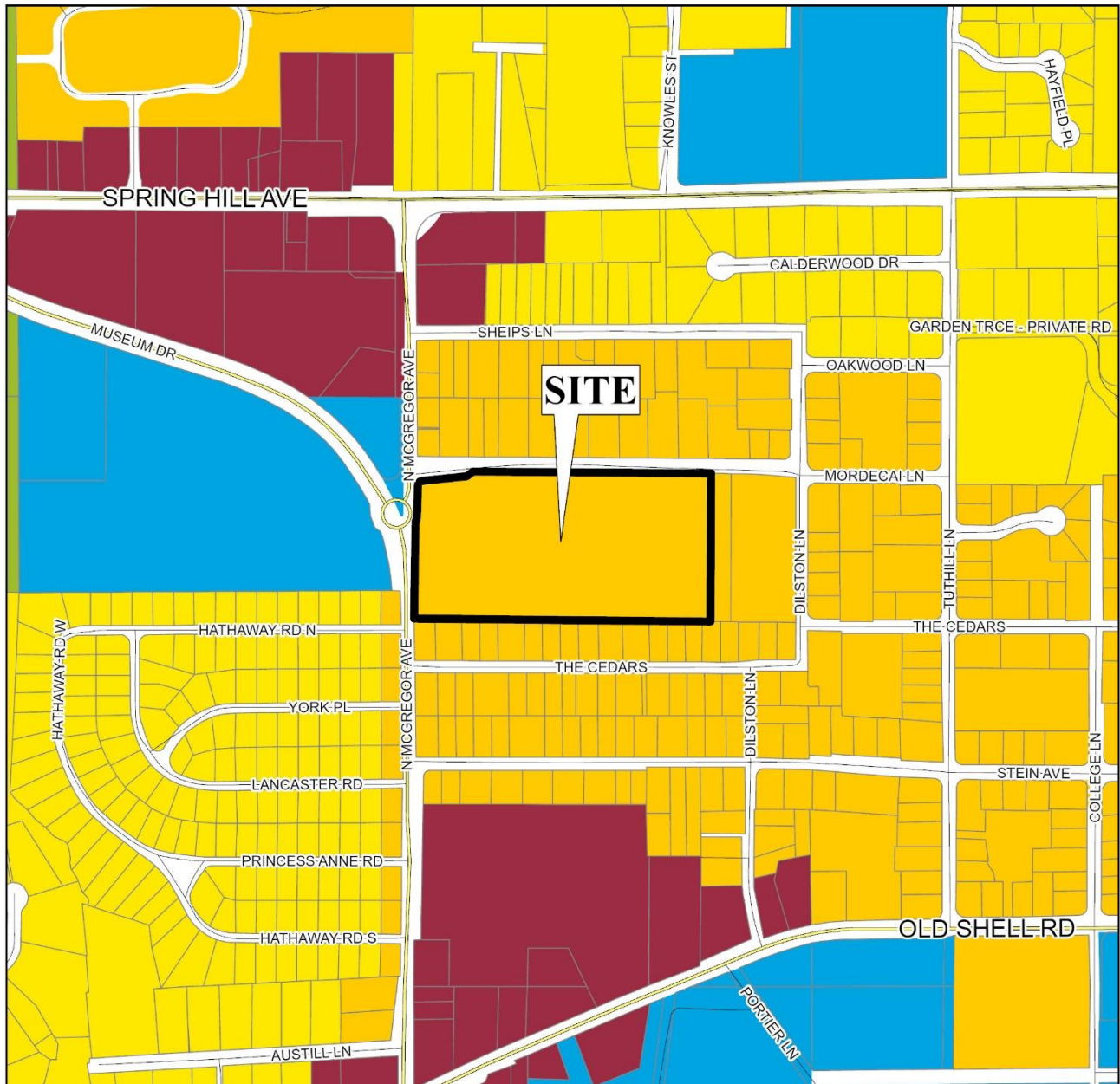
LOCATOR ZONING MAP



APPLICATION NUMBER	10	DATE	August 21, 2025
APPLICANT	Mordecai Lane Subdivision		
REQUEST	Subdivision, PA Modification		


NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 10 DATE August 21, 2025

APPLICANT Mordecai Lane Subdivision

REQUEST Subdivision, PA Modification

Low Density Residential	Neighborhood Center - Traditional	Light Industry	Water Dependent
Mixed Density Residential	Neighborhood Center - Suburban	Heavy Industry	
Downtown	Traditional Corridor	Institutional	
District Center	Mixed Commercial Corridor	Parks, Open Space	



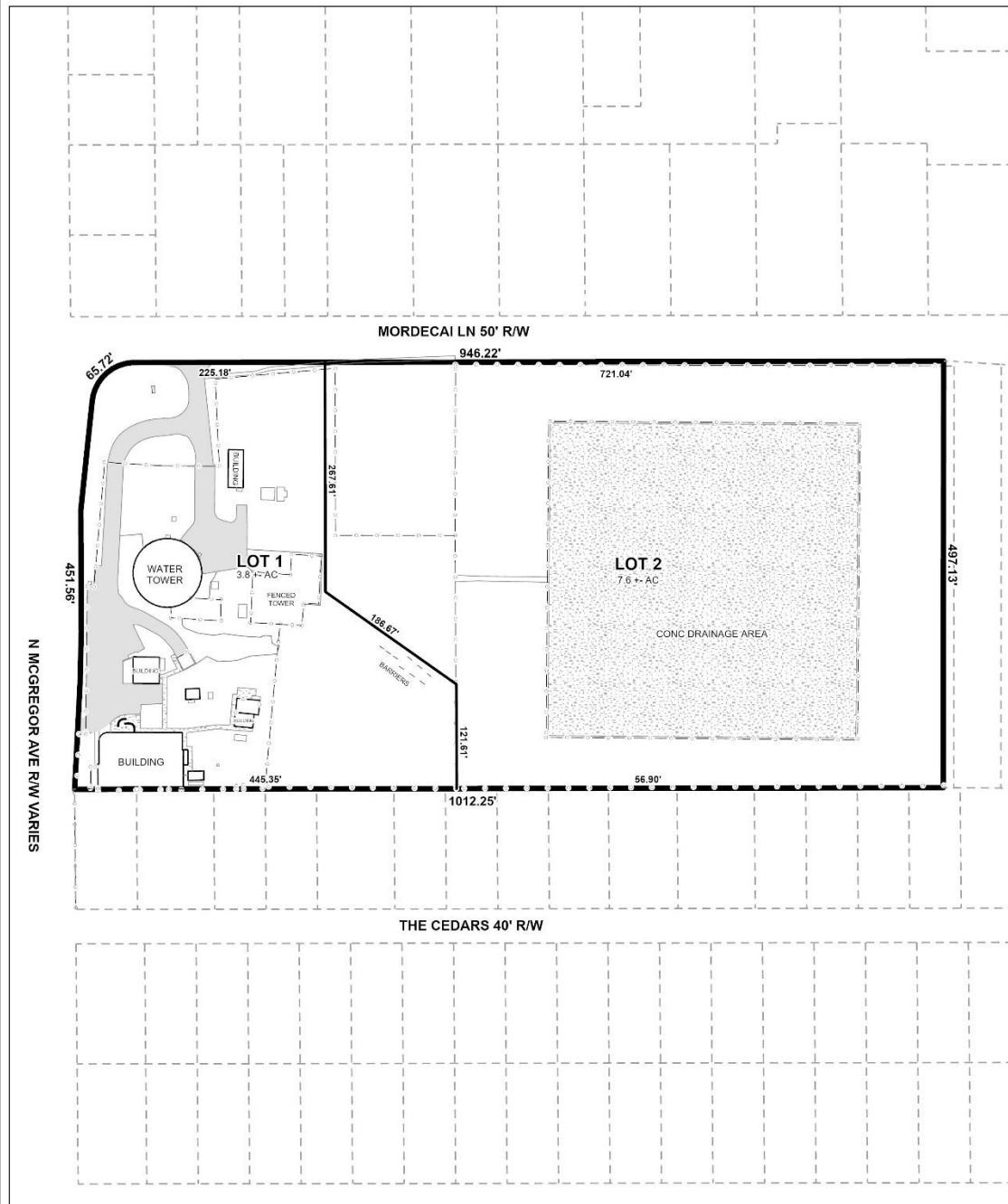
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER <u>10</u> DATE <u>August 21, 2025</u>																																
APPLICANT <u>Mordecai Lane Subdivision</u>																																
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<table border="0"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>			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	
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



The site plan illustrates existing buildings, water tower, and fencing.

APPLICATION NUMBER	10	DATE	August 21, 2025	
APPLICANT	Mordecai Lane Subdivision			
REQUEST	Subdivision, PA Modification			

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 (WDW/RU)
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)

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.