Planning Commission
November 19, 2025

Agenda Item # 12
SUB-003946-2026

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

Applicant Materials for Consideration

DETAILS

Location:
6950, 6960 & 6964 Moffett Road

Subdivision Name:
Orchard Creek Subdivision

Applicant / Agent:
Dewberry Engineers, Inc.

Property Owner:
Meritage Homes of Alabama, 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 43 legal lots of record.

Commission Considerations:
1. Subdivision proposal with twelve (12) conditions.

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PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

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APPLICANT Orchard Creek Subdivision

REQUEST Subdivision

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SITE HISTORY

The site was annexed into the City of Mobile in 2023 as part of the King's Branch Annexation. During that process, a portion of the property was rezoned to LB-2, Limited Neighborhood Business Suburban District, while the remainder retained its R-1, Single-Family Residential Suburban District designation.

On May 16, 2024, the Planning Commission approved a 45-lot subdivision encompassing the subject site and the adjoining parcel zoned LB-2. As part of that approval, the Commission required that the LB-2 portion be rezoned to R-1 so the entire subdivision would fall under a single zoning classification.

The rezoning of the LB-2 portion was approved by the Planning Commission on September 19, 2024, and subsequently adopted by the City Council on November 19, 2024.

The subdivision approval later expired after one (1) year because no signatures were obtained on the Final Plat for recording in the Mobile County Probate Court. Consequently, the site was again brought before the Planning Commission, which approved a new 45-lot subdivision on December 18, 2025. That approval remains active, and construction is currently underway on the infrastructure improvements necessary to accommodate the proposed subdivision.

Most recently, at its October 15, 2026, meeting, the Planning Commission approved a waiver of Section 6.B.9. of the Subdivision Regulations, eliminating the requirement to revise the 2025 subdivision plat to provide additional right-of-way dedication along Moffett Road. The request was brought before the Commission by the City after determining that the Alabama Department of Transportation (ALDOT) would not maintain a recently constructed sidewalk that would otherwise be located within its right-of-way as a result of the additional dedication.

Permits currently issued for the site authorize only land disturbance and site preparation activities; however, no future development permits, including those for the construction of individual homes, can be reviewed or approved by the Planning and Zoning Department until the subdivision process has been completed.

There are no Board of Zoning Adjustment cases associated with the site.

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. Delete the proposed ROW dedication to Mobile County.
C. Add a note that the proposed roadway and stormwater improvements shall be complete and approved prior to issuing any residential construction permits.
D. Label the proposed Chavers Oaks ROW with a designation (i.e. Dr., St., Ave.) and mark it as either PRIVATE or PUBLIC.
E. Label the existing MOFFETT ROAD ROW and ROW width.
F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
G. Provide the as-built certification form, test reports, etc. and as-built plans for the proposed infrastructure prior to providing a copy of the FINAL PLAT to the Engineering Dept. for FINAL PLAT review.

H. The street must be submitted for acceptance by the Mobile City Council prior to submitting the Final Plat for City Engineer signature.
I. 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 ALDOT (where applicable) and 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 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:

The purpose of this application is to create a 43-lot public street subdivision from two (2) metes-and-bounds parcels. The site is served by public water and sanitary sewer services.

Access to the proposed subdivision is from Moffett Road, an Alabama Department of Transportation (ALDOT)-maintained Principal Arterial Road requiring a 100-foot-wide right-of-way at this location. A varying right-of-way is

depicted on the preliminary plat, along with approximately six (6) feet of additional dedication along the majority of the site's Moffett Road frontage. Given the Planning Commission's recent waiver of Section 6.B.9. of the Subdivision Regulations, which eliminated the requirement for additional dedication along Moffett Road for the previously approved *Chavers Oaks Subdivision*, a similar waiver for this request may also be appropriate. However, the preliminary plat should be revised to accurately depict the existing right-of-way along Moffett Road.

One (1) closed-end street, proposed for public dedication and identified as "Chavers Oaks," is depicted with a 50-foot-wide right-of-way, consistent with Section 6.B.9. of the Subdivision Regulations for streets equipped with curb and gutter.

A turnaround is illustrated at the terminus of Chavers Oaks with a radius of 60 feet, consistent with Section 6.B.3. of the Subdivision Regulations. However, the required right-of-way diameter for closed-end streets must be determined by the City Engineer and comply with the most recently adopted International Fire Code (IFC). Accordingly, the plat should be revised, as necessary, to depict the turnaround diameter approved by the Traffic Engineer, City Engineer, and Fire Department.

Two (2) common areas are depicted, each with frontage at the intersection of Chavers Oaks and Moffett Road and 38-foot corner radii, meeting the requirements of Section 6.C.6. of the Subdivision Regulations. These radii should be retained on the Final Plat, subject to adjustment for any required dedication along Moffett Road.

As proposed, each lot meets the minimum lot area requirement for properties served by public water and sanitary sewer in the R-1 Suburban District. Lot areas are labeled in square feet and acres on the preliminary plat, consistent with Section 5.A.2.(e)(4) of the Subdivision Regulations. This information should be retained on the Final Plat or provided in an accompanying table, with lot areas adjusted for any required dedication.

Each lot also meets the minimum width requirement for residential lots within the Suburban sub-district, in accordance with Section 6.C.2.(b)(2) of the Subdivision Regulations.

The area of proposed Common Area 1 is provided in both square feet and acres; however, the area of Common Area 2 is provided only in acres. In accordance with Section 5.A.2.(f) of the Subdivision Regulations, the Final Plat should identify the area of each common area in both square feet and acres, adjusted for any required dedication.

A 25-foot front yard setback is depicted along Chavers Oaks, consistent with Section 6.C.8. of the Subdivision Regulations and Article 2, Section 64-2-5.E. of the Unified Development Code. However, this setback is not depicted along the frontage of either common area. If approved, the plat should be revised to provide the required 25-foot front yard setback along the frontage of each lot and both common areas, in accordance with the aforementioned regulations.

Side and rear yard setbacks are also depicted on each lot but are not required to be illustrated on the subdivision plat. Accordingly, these setbacks should be removed from the Final Plat.

Multiple drainage easements appear to be proposed; however, they are identified only as "D.E." on the preliminary plat. Each easement should be properly identified on the Final Plat (e.g., "Drainage Easement"). Additionally, the following note should be included on the Final Plat: "No structure is permitted to be constructed in any easement without permission from the easement holder."

SUBDIVISION CONSIDERATIONS

Standards of Review:

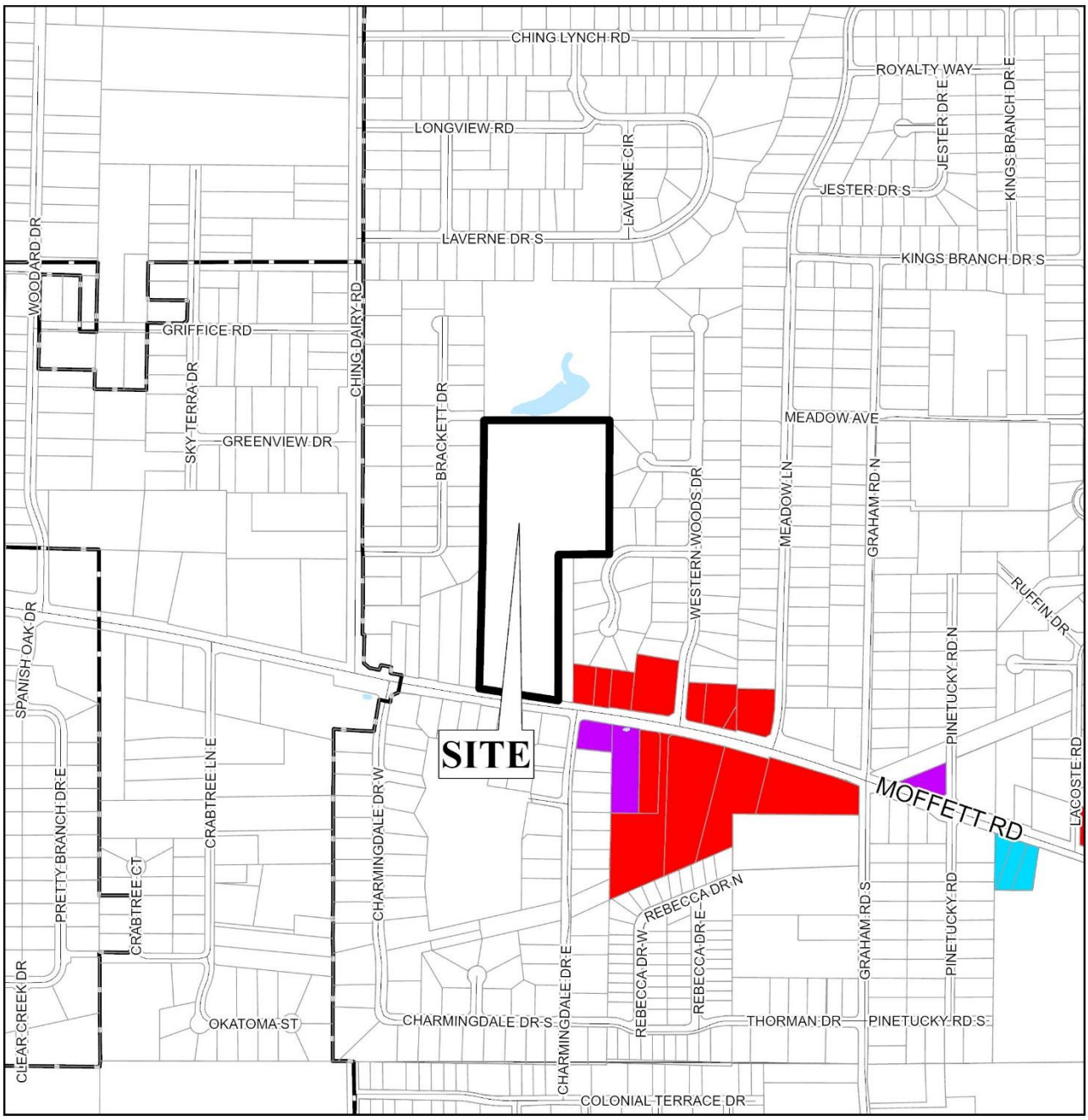
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

If the Planning Commission considers approving the Subdivision request a waiver of Section 6.B.9. of the Subdivision Regulations will be required (for substandard right-of-way), and the following conditions could apply:

1. If necessary, revision of the plat to depict an adequate turnaround diameter at the terminus of the proposed street, with the design approved by the Traffic Engineer, City Engineer, and Fire Department;
2. Retention of the 38-foot corner radii at the intersection of Chavers Oaks and Moffett Road, in compliance with Section 6.C.6. of the Subdivision Regulations;
3. Revision of the plat to identify the area of each common area in both square feet and acres, in compliance with Section 5.A.2.(f) of the Subdivision Regulations;
4. Retention of each lot's area in square feet and acres on the Final Plat or provision of an accompanying table containing the same information;
5. Retention of the 25-foot front yard setback along each lot's frontage, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2, Section 64-2-5.E. of the UDC;
6. Revision of the plat to depict a 25-foot front yard setback along the frontage of each common area;
7. Revision of the plat to properly identify each proposed easement (e.g., "Drainage Easement");
8. Placement of the following note on the Final Plat: "No structure is permitted to be constructed in any easement without permission from the easement holder.";
9. Compliance with all Engineering comments included in this staff report;
10. Placement of a note on the Final Plat addressing all Traffic Engineering comments included in this staff report;
11. Compliance with all Urban Forestry comments included in this staff report; and
12. Compliance with all Fire Department comments included in this staff report.

LOCATOR ZONING MAP



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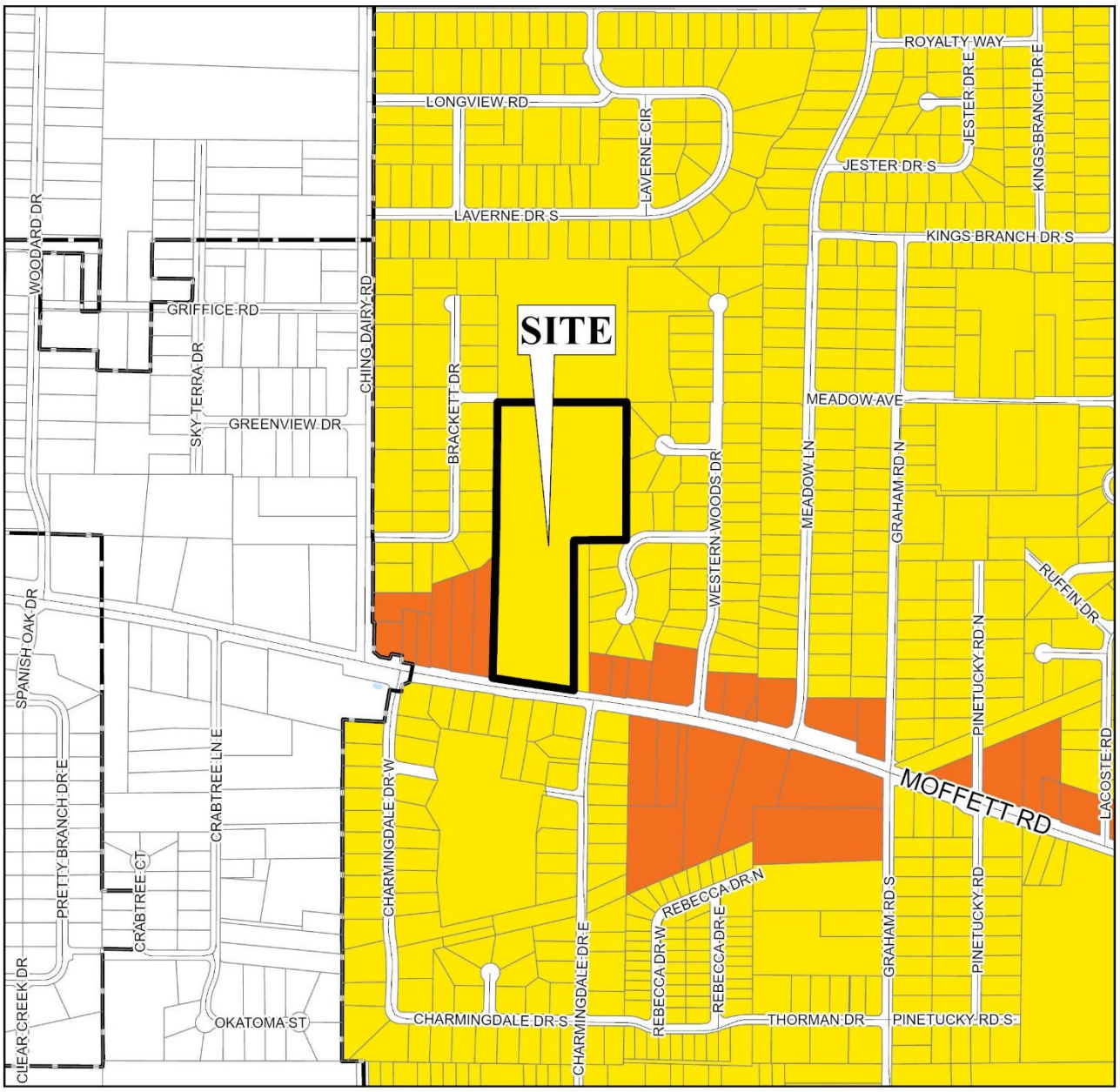
FLUM LOCATOR MAP



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REQUEST Subdivision

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

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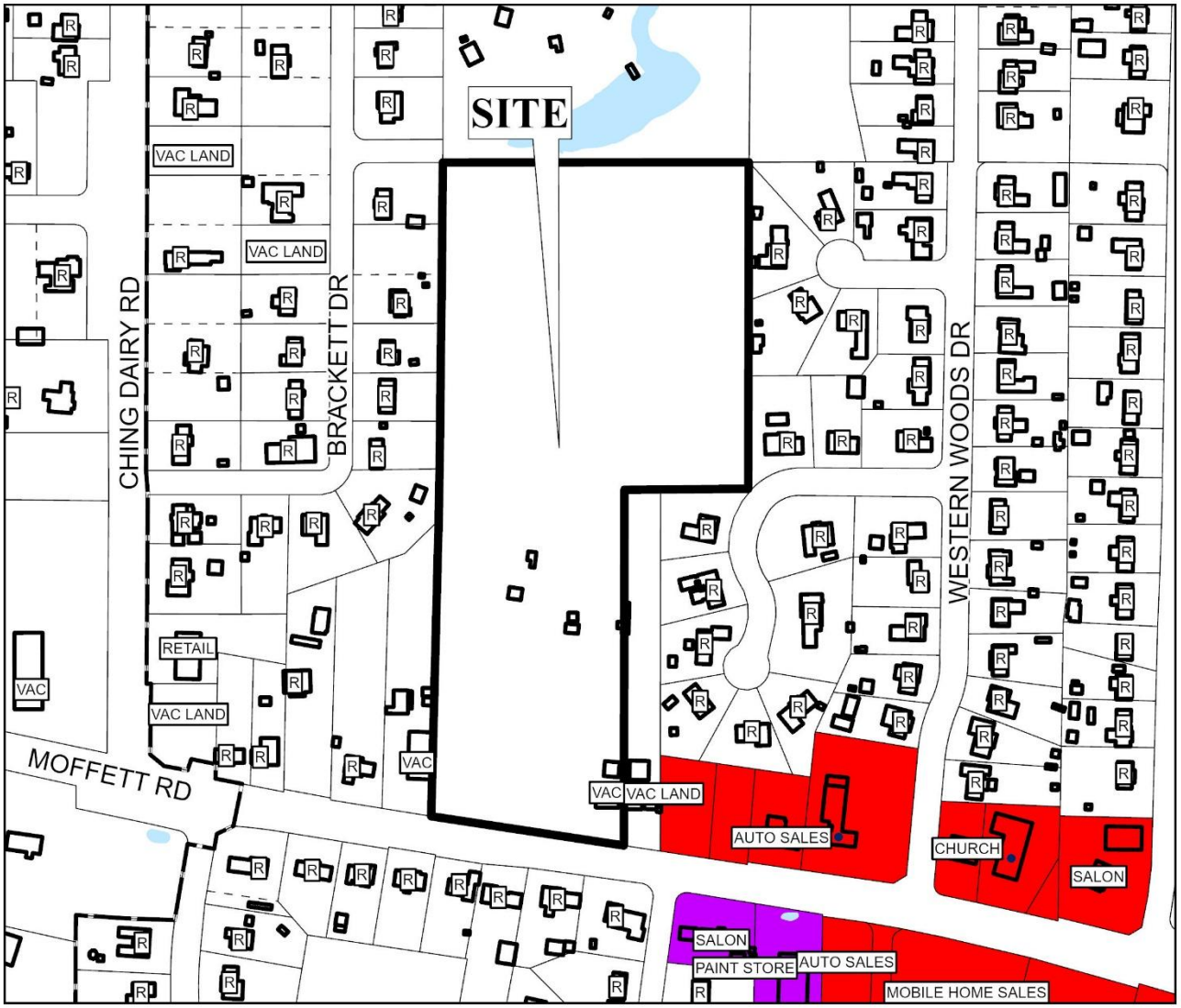
PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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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	

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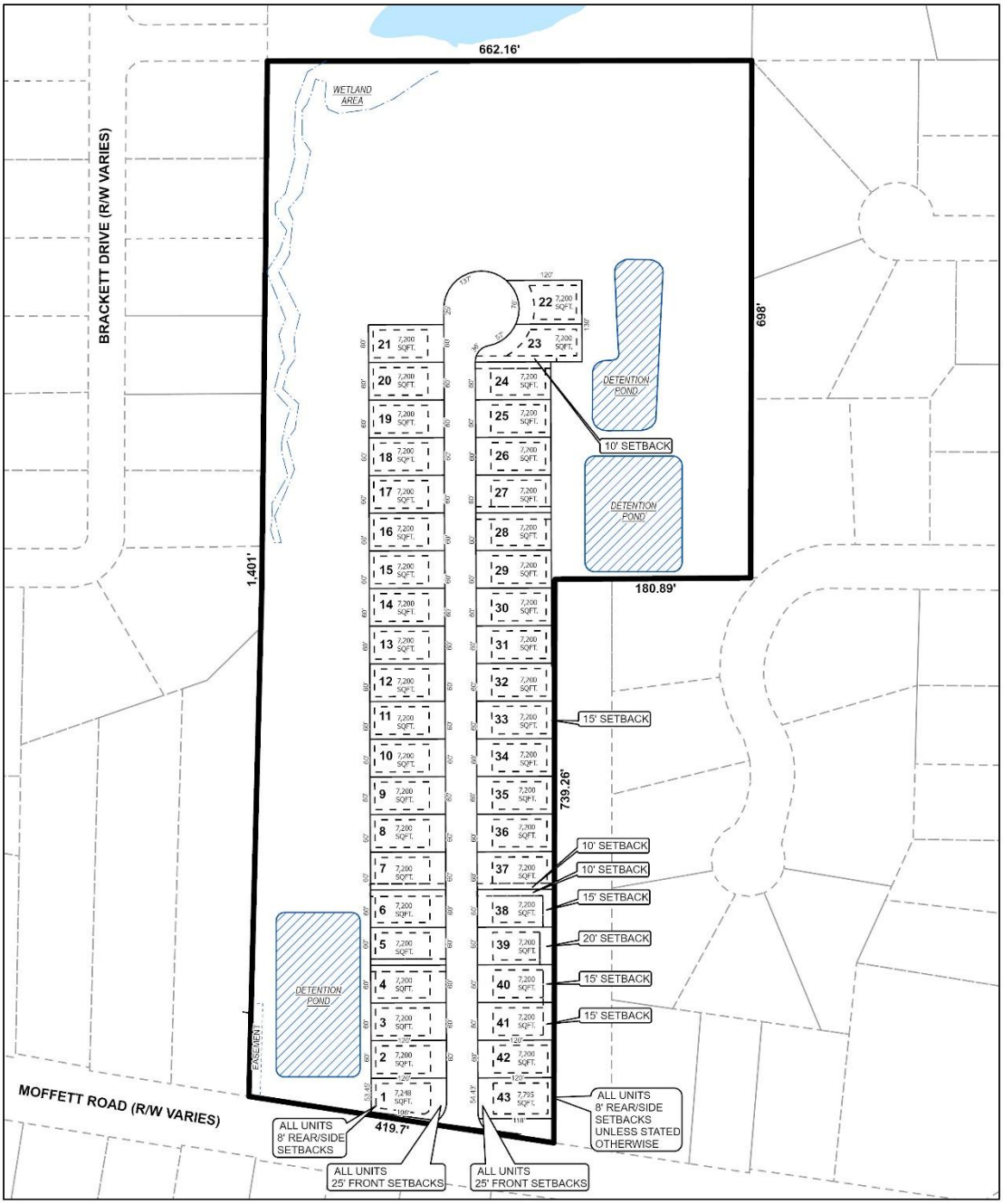
SUBDIVISION SITE PLAN



The site plan illustrates proposed lot subdivision, easements, setbacks, and landscape features.

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FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the "mixed use" types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is "automatically" assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

■ Zoning district is appropriate to implement the future land use category.

U S Zoning district with Urban or Suburban subdistrict is appropriate to implement the future land use category.

○ Elements of the zoning district are related to the future land use category and may be appropriate with qualifications or conditions.

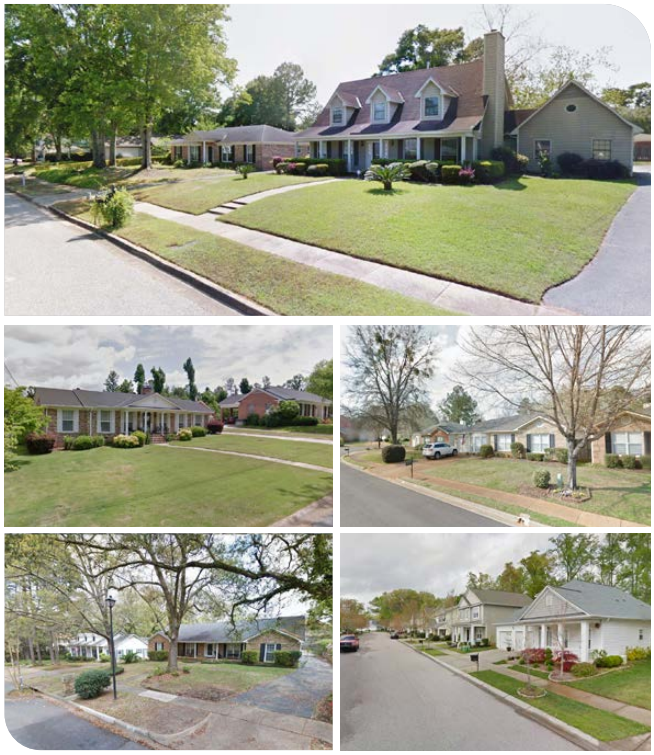
□ Zoning district is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

	RESIDENTIAL - AC (R-A)	ONE-FAMILY RESIDENCE (R-1)	TWO-FAMILY RESIDENCE (R-2)	MULTIPLE-FAMILY (R-3)	RESIDENTIAL BUSINESS (R-B)	HISTORIC BUSINESS (H-B)	BUFFER BUSINESS (B-1)	TRANSITIONAL BUSINESS (T-B)	LIMITED BUSINESS (LB-2)	NEIGHBORHOOD BUSINESS (B-2)	COMMUNITY BUSINESS (B-3)	GENERAL BUSINESS (B-4)	OFFICE-DISTRIBUTION (B-5)	COMMERCIAL WAREHOUSE (CW)	MARITIME MIXED (MM)	MARITIME LIGHT (ML)	MARITIME HEAVY (MH)	LIGHT INDUSTRY (I-1)	HEAVY INDUSTRY (I-2)	VILLAGE CENTER (TCD)	NEIGHBORHOOD CENTER (TCD)	NEIGHBORHOOD 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)
LOW DENSITY RESIDENTIAL (LDR)	■	S	S	S			○							○															○
MIXED DENSITY RESIDENTIAL (MDR)		U	U	■	■			■	■	■					■															○
DOWNTOWN (DT)						■					■													■	■	■	■	■	○	○
DISTRICT CENTER (DC)								■			U	○	○																	
NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)		■	■	U	■	■	○	■	○	○	○										■	■	■							
NEIGHBORHOOD CENTER - SUBURBAN (NC-S)				S			S	■	S	S	○									■	■									○
TRADITIONAL CORRIDOR (TC)		■	■		■	■	U	■	U	U	○																			○
MIXED COMMERCIAL CORRIDOR (MCC)							■		■	■	■	■	■	■	■															
LIGHT INDUSTRIAL (LI)													■	■	■	■			■										○	○
HEAVY INDUSTRY (HI)																■	■	■	■										○	○
INSTITUTIONAL LAND USE (INS)											■	■		○	○				○											
PARKS & OPEN SPACE (POS)	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
WATER DEPENDENT USES (WDWRU)	■					○								■	■	■		○												

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Character Example



Development Intent

- Complementary 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.
- When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- Residential, Single family
- Residential, Attached

Secondary Uses

- Residential, Multifamily
- Civic
- Parks

Housing mix

- Predominantly single family subdivisions with lots smaller than one acre
- Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home