



Agenda Item # 14

MOD-003829-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

1891 & 1901 Hurtel Street

Applicant / Agent:

City of Mobile / James Roberts, III

Property Owner(s):

City of Mobile

Current Zoning:

R-3, Multi-Family Residential Suburban District

Future Land Use:

Mixed Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Map for Mobile Comprehensive Plan

Schedule for Development:

- Immediately

Proposal:

- Modification of a previously approved Planned Unit Development.

Considerations:

1. Modification of a previously approved Planned Unit Development with fifteen (15) conditions.

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PLANNING COMMISSION

VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER 14 DATE August 20, 2026
 APPLICANT City of Mobile (James Roberts, III, Agent)
 REQUEST PUD Modification



SITE HISTORY

The site was annexed into the City of Mobile in 1945.

For many years, the property was developed with Mae Eanes Middle School, a public school operated by the Mobile County Public School System.

In March 2001, the Board of Zoning Adjustment approved Use, Height, and Access Variances to allow the construction of a 72-foot-tall telecommunications tower on the site.

The City acquired the property in 2020 and subsequently demolished all existing structures, including the telecommunications tower, in preparation for redevelopment as a multi-family residential community.

In December 2020, the Planning Commission approved a three (3)-lot subdivision of the property, along with a Planned Unit Development (PUD) to allow the two-phase development of the site with multiple buildings on individual building sites and shared access and parking. The Planning Commission later granted a one-year extension of these approvals in December 2021.

Also in December 2020, the Planning Commission recommended approval of a rezoning from the R-1, Single-Family Residential District, to the R-3, Multi-Family Residential District. The rezoning was subsequently adopted by the City Council on February 17, 2021.

The final plat for the *Maryvale Place Subdivision* was recorded in the Mobile County Probate Court in April 2022.

By mid-2025, the first phase of the multi-family residential development had been completed with the construction of 96 dwelling units across four (4) residential buildings, together with a community building and playground. The second phase of the development remains undeveloped.

There are no other Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

1. 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).
2. 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.
3. 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.
4. 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.

5. 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 the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Traffic Engineering Comments:

Access to the site is limited to the driveways shown on the approved PUD plan with 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 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 applicant is requesting a Major Modification to the three (3)-lot, two (2)-phase, multi-family residential Planned Unit Development (PUD) approved by the Planning Commission in 2020 to remove Lots 2 and 3 from the PUD. If approved, development of those lots could proceed independently under the applicable provisions of the Unified Development Code (UDC) without further amendments to the PUD. Lot 1 would remain subject to the existing PUD and all associated conditions.

The submitted site plan depicts all three (3) lots within the *Maryvale Place Subdivision*. Lot 1 contains the completed first phase of the development, consisting of four (4) residential buildings with a total of 96 dwelling units, a community building, two (2) picnic pavilions, a playground, and associated parking. Lots 2 and 3 are identified with notes stating, "Not to be included in PUD." If approved, these notes should be retained on the Final PUD Site Plan.

The original PUD was approved subject to numerous conditions, including revisions to the site plan to reflect the approved dwelling unit count, depict required setback lines and buffer fencing, provide lot areas, and demonstrate compliance with applicable parking lot lighting, dumpster screening, landscaping, subdivision, and other municipal requirements. Additional conditions required compliance with Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments.

The modified site plan includes a development data table identifying the number of buildings, dwelling units, parking spaces, and other site information; however, it does not include the required Engineering or Traffic Engineering notes or identify the size of each building. Additionally, no dumpster pad or waste collection information is provided, and the required 25-foot minimum front yard setback from Hurtel Street is not labeled. These items should be addressed on the Final PUD Site Plan, if approved.

The site plan generally reflects compliance with the previously approved landscape and tree planting plan. While detailed landscaping calculations are not typically required on a PUD site plan, the plan should either depict compliance with the approved landscape plan on file with the Planning and Zoning Department or include a note stating that the site shall comply with the applicable tree planting and landscaping requirements of the Unified Development Code.

The site is zoned R-3, Multi-Family Residential District, and is surrounded by property within the same zoning district. Therefore, a residential buffer is not required under the current UDC. No buffer is depicted on the site plan, which is consistent with recent site inspections and available aerial imagery.

The remaining PUD lot, Lot 1, is identified with its area in square feet, and Hurtel Street is correctly depicted with the previously recorded 50-foot-wide right-of-way. This information should be retained on the Final PUD Site Plan, if approved.

Any future development, redevelopment, or site modifications affecting Lot 1 may require additional amendments to the PUD in accordance with Article 5 of the UDC. A note to that effect should be included on the Final PUD Site Plan, if approved.

If approved, a revised Modified PUD Site Plan, in both hard-copy and PDF format, should be submitted to and approved by the Planning and Zoning Department prior to recording in the Mobile County Probate Court, in accordance with Section 64-5-8.B.2(f) of the Unified Development Code.

Overall, the proposed modification appears reasonable. Lots 2 and 3 remain undeveloped and no longer function as part of the approved first phase of the development on Lot 1. Removing these lots from the PUD would allow

future development to proceed in accordance with the current provisions of the UDC without requiring amendments to the existing PUD, while Lot 1 would remain subject to the approved PUD and all applicable conditions. Should future development or site modifications be proposed for Lot 1, they would continue to require review and approval in accordance with Article 5 of the UDC unless the PUD is subsequently terminated through the applicable approval process.

PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in Section 64-5-8-B.(5) states the following concerning Planned Unit Development 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.

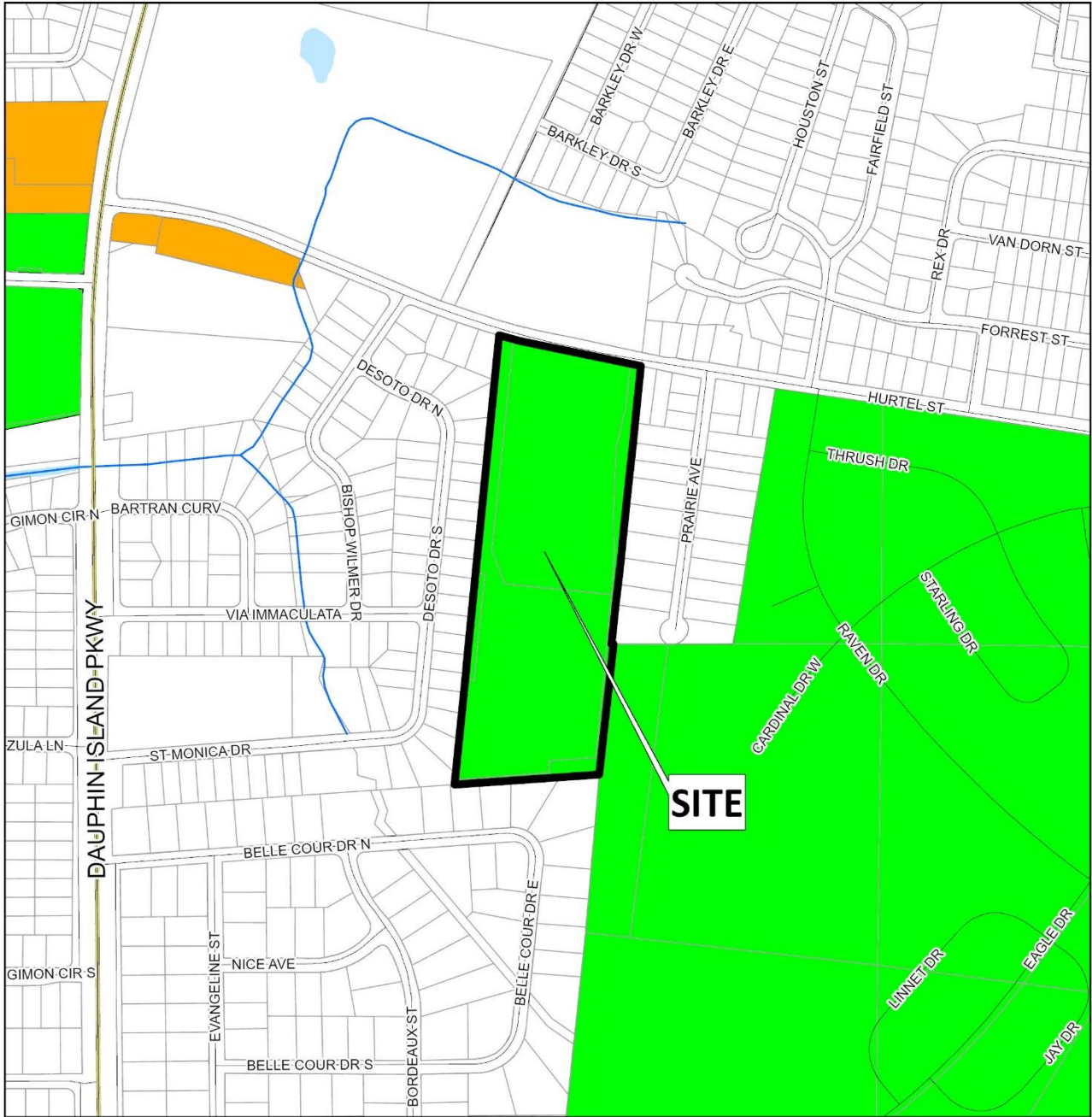
Considerations:

If the Planning Commission considers a recommendation of approval of the Modified Planned Unit Development (PUD), the following conditions could apply:

1. Retain the notes on Lots 2 and 3 stating, "Not to be included in PUD," on the Final PUD Site Plan;
2. Revise the Final PUD Site Plan to label the required 25-foot minimum front yard setback along Hurtel Street;
3. Revise the Final PUD Site Plan to provide the size of each building in square feet;
4. Revise the Final PUD Site Plan to depict the location of any dumpsters or dumpster enclosures, or provide a note stating curbside waste collection is utilized;
5. Revise the Final PUD Site Plan to either depict compliance with the approved landscape and tree planting plan on file with the Planning and Zoning Department or include a note stating that the site shall comply with the applicable tree planting and landscaping requirements of the Unified Development Code;

6. Provide a note on the Final PUD Site Plan stating parking lot lighting shall continue to comply with the applicable illumination standards of the Unified Development Code;
7. Retain the lot area for Lot 1 on the Final PUD Site Plan;
8. Retain the previously recorded 50-foot-wide right-of-way along Hurtel Street on the Final PUD Site Plan;
9. Provide a note on the Final PUD Site Plan stating that any future development, redevelopment, or site modifications affecting Lot 1 may require modification of the Planned Unit Development (PUD) in accordance with Article 5 of the Unified Development Code, unless the PUD is subsequently terminated through the applicable approval process;
10. Comply with all Engineering comments noted in this staff report;
11. Comply with all Traffic Engineering comments noted in this staff report;
12. Comply with all Urban Forestry comments noted in this staff report;
13. Comply with all Fire Department comments noted in this staff report;
14. Submit a revised Final PUD Site Plan for Planning and Zoning Approval prior to its recording in the Mobile County Probate Court, and provide one (1) copy of the recorded site plan (hard copy and/or pdf) to the Planning and Zoning Department; and
15. Fully comply with all municipal codes and ordinances.

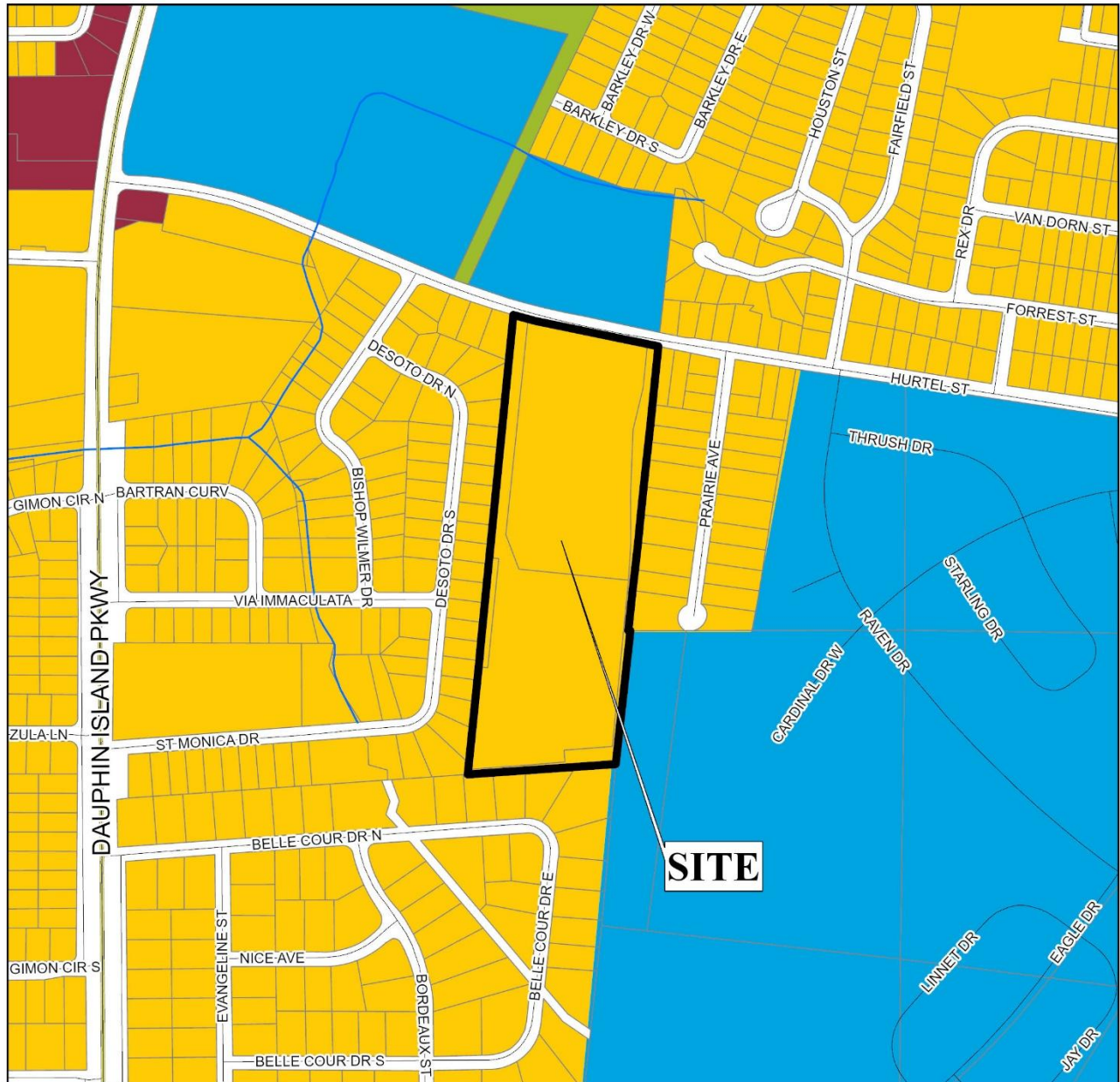
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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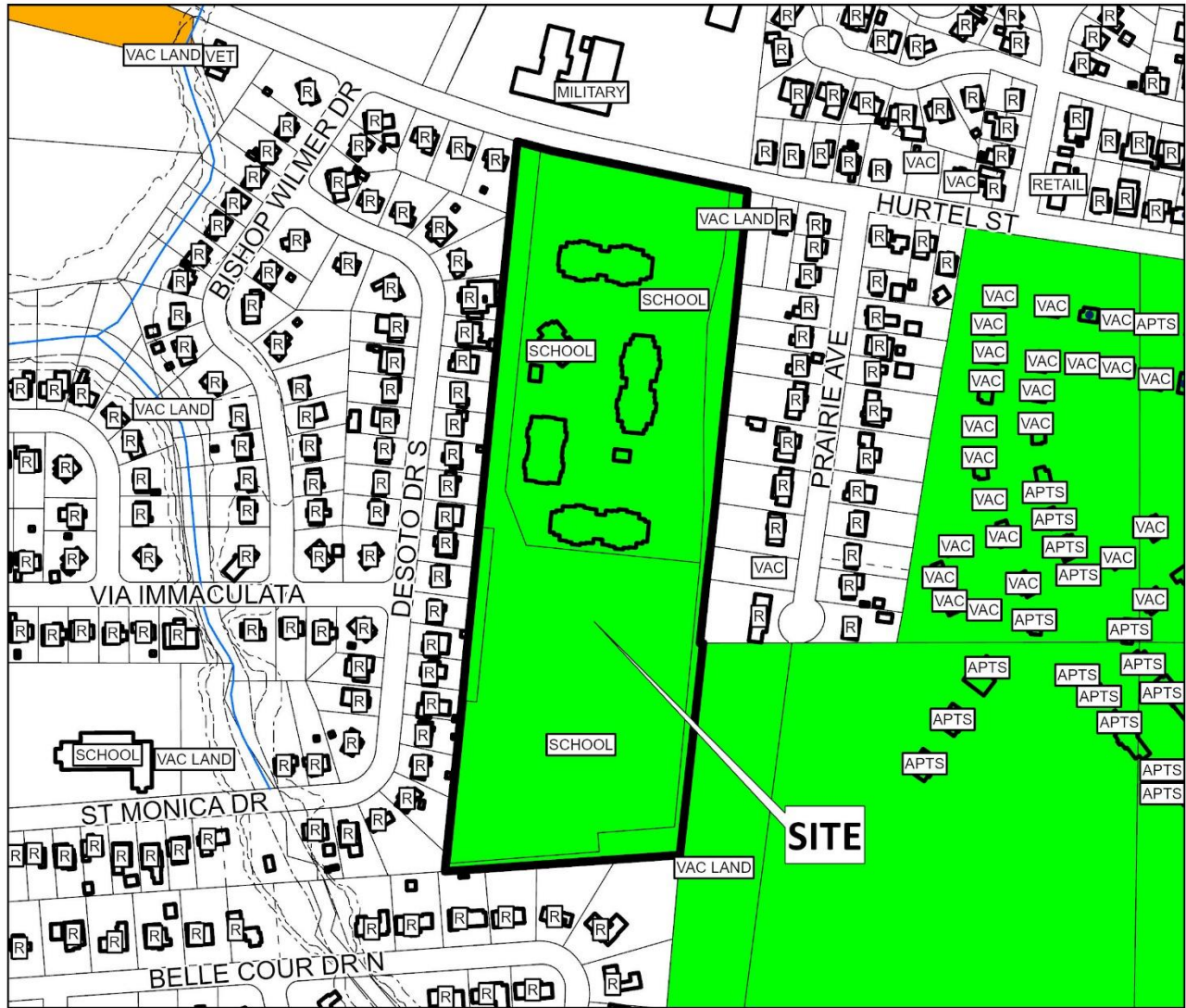
REQUEST PUD Modification

- | | | | |
|---|---|---|---|
| ■ 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.

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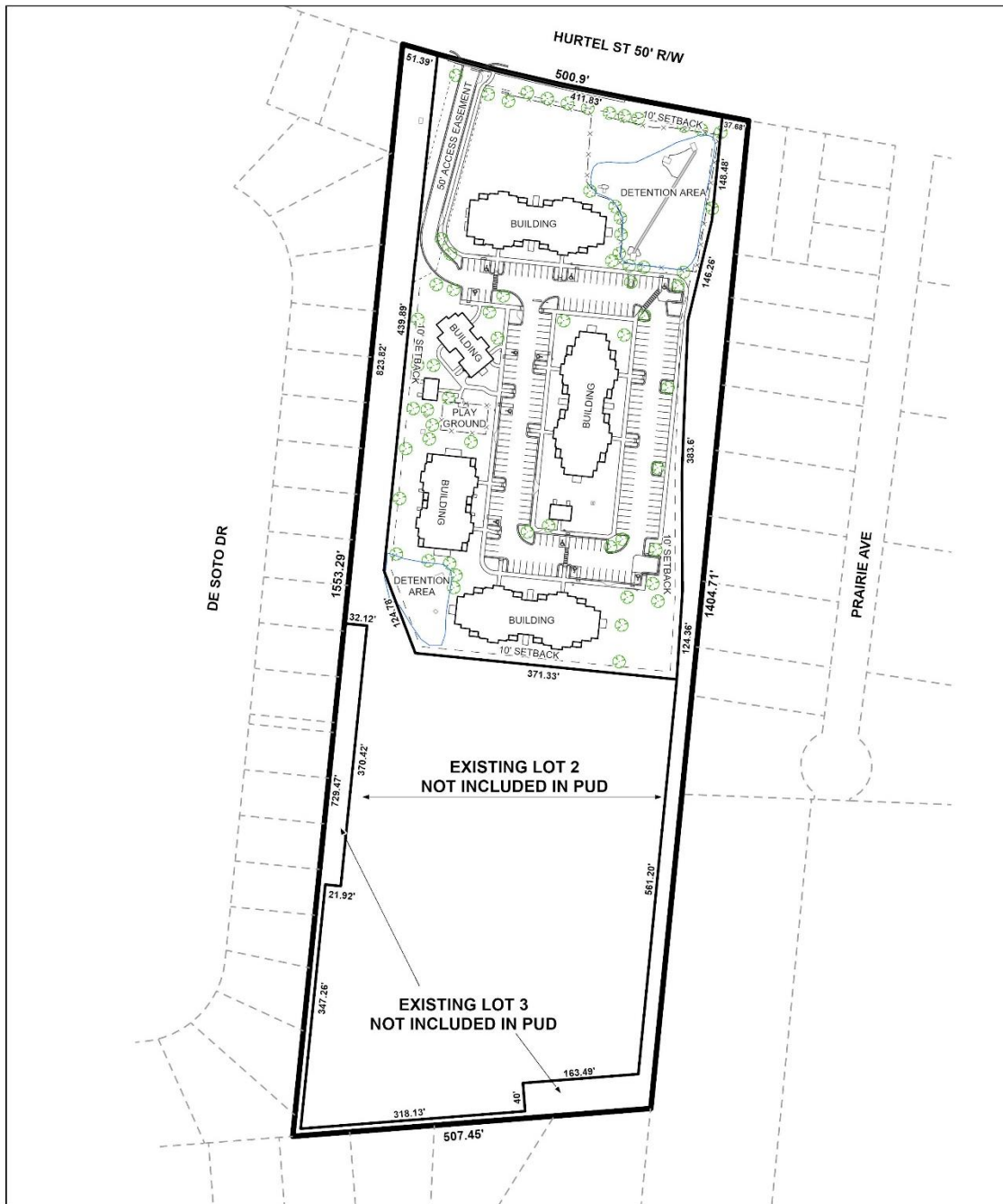
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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



The site plan illustrates existing buildings, parking, and detention ponds.

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NTS

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

[illegible]

Residential Land Use Areas

MIXED DENSITY RESIDENTIAL (MDR)

This designation applies mostly to residential areas located between Downtown and I-65, where the predominant character is that of a traditional neighborhood laid out on an urban street grid. These areas should offer a variety of residential types in a compact pattern at the scale of a single family neighborhood. They typically have a walkable block pattern with integrated neighborhood amenities such as parks and schools. Small office, commercial, and civic uses may also exist in these areas near major thoroughfares. Residential density ranges between 6 and 30 dwelling units per acre (du/ac) depending on the mix, types, and locations of the housing as specified by zoning.

Development Intent

- Continue historic preservation efforts to maintain the existing neighborhood character within city-designated historic districts.
- Support residential infill that fits-in with neighboring homes (building scale, placement, etc.). Support more intense residential infill and redevelopment adjacent to commercial or mixed use centers.

Land use mix

Primary Uses

- Residential, Single family
- Residential, Attached

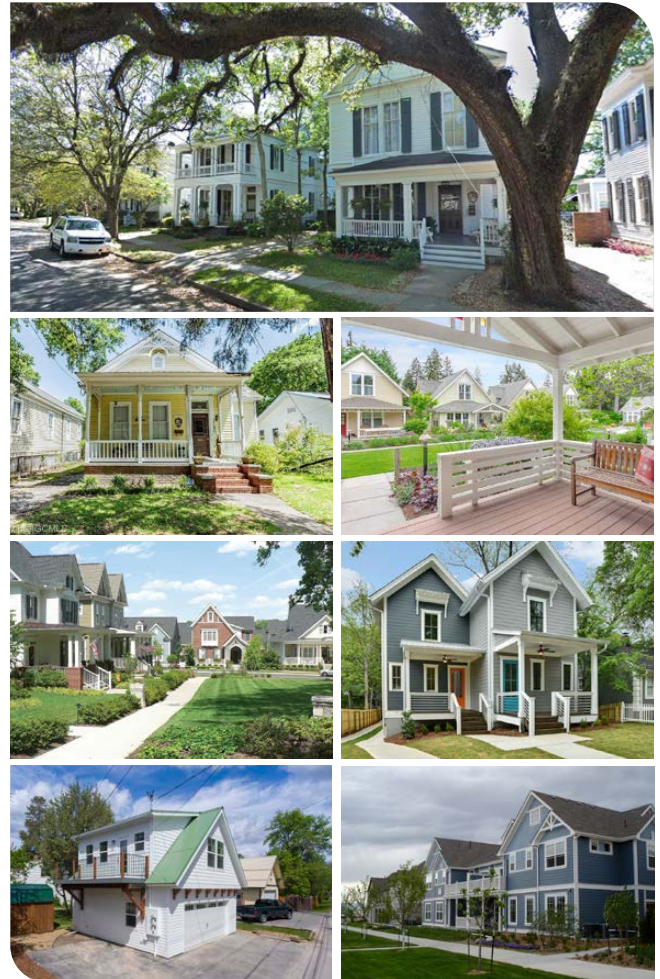
Secondary Uses

- Residential, Multifamily
- Commercial
- Civic
- Parks

Housing mix

- Single family on small to medium sized lots
- Attached residential such as duplexes, multiplexes, and townhomes
- Small scale multifamily buildings

Character Example



A mixed density neighborhood may include a range of housing types and densities at a similar scale.

Rendering: Dover Kohl