

## **FULTON ROAD BAPTIST CHURCH SUBDIVISION,** **RESUBDIVISION OF LOT 2**

Engineering Comments: **FINAL PLAT COMMENTS** (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- 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. Provide and label the monument set or found at each subdivision corner.
- C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Add a note to the SUBDIVISION PLAT stating 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.
- E. Add a note to the Plat stating 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.
- F. 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.
- G. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- H. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- I. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

Traffic Engineering Comments: Dauphin Island Parkway (Alabama Highway 163) is an ALDOT maintained roadway. Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lot 2C is denied access to Dauphin Island Parkway.

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 (State Act 2015-116 and City Code Chapters 57 and 64.)

Fire Department Comments: All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code.)

MAWSS Comments: MAWSS has water and sewer services available, but a Capacity Assurance application for sewer services has not been applied for. MAWSS cannot guarantee sewer service until the Capacity application is approved by Volkert Engineering, Inc.

The plat illustrates the proposed 3-lot, 0.9± acre subdivision located at the Southwest corner of Nicholas Lane and Dauphin Island Parkway, in Council District 3. The applicant states the site is served by public water and sanitary sewer.

The site has been given a **Low Density Residential** land use designation per the recently adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting. 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 Low Density Residential districts is residential development where 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, bike-able human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The site is currently Lot 2 of Fulton Road Baptist Church Subdivision, approved by the Commission in 2004. The lot was created by the combining of Lots 3 – 8, Plat No.2, Nicholas Subdivision, Brickyard Tract, which pre-dates the current Subdivision Regulations. The purpose of this application is to re-subdivide Lot 2 into three lots, one of which (Lot 2C) will be the same configuration as the originally-recorded lot in Nicholas Subdivision, minus the street frontage area dedicated with the recording of Lot 2, Fulton Road Baptist Church Subdivision.

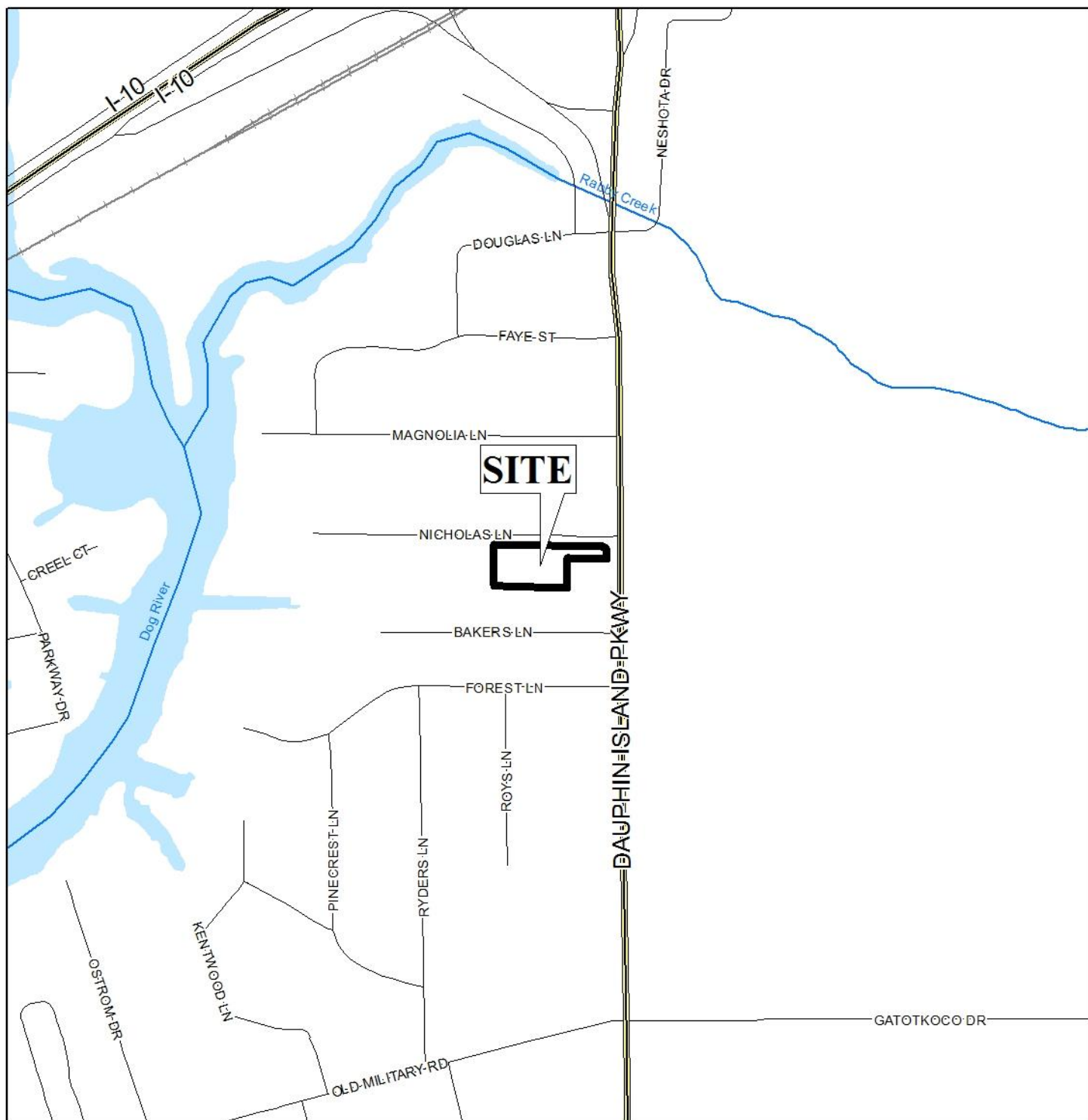
Fulton Road Baptist Church Subdivision was accompanied by a Planning Approval to allow the expansion of the church in an R-1 District, and a Planned Unit Development (PUD) request to allow multiple buildings on a single building site for the church. As the Planning Approval and

PUD both pertained only to the main church site on the North side of Nicholas Lane, and as no church expansion is related to the current application, staff has determined that a revised Planning Approval and PUD will not be required at this time. However, in the future, should the church propose to make any improvements to the current subject site, an amended Planning Approval and amended PUD will be required. Also, the existing cellular communications tower on the site was approved by the Board of Zoning Adjustment in 2001 for 145' and that approval was amended in 2010 for a 156' tower. Since no modifications are proposed for the tower site at this time, staff has also determined that no amended variance request will be required for the tower until such time that changes are proposed for it. It should also be noted that the current tower site is a lease parcel and Alabama State law was enacted since its construction to require all lease parcels to be made legal lots of record. However, the tower will be on proposed Lot 2B which will be wholly-owned by the tower operator. Therefore, the existing lease parcel will cease to exist and there will be no need for it to be made a separate legal lot of record.

As proposed, Lots 2A and 2B meet the minimum width and area requirements of Section V.D.2. of the Subdivision Regulations. However, Lot 2C would only be 40' wide and would only contain 5,149 square feet. As this lot was originally Lot 3, Plat No.2, Nicholas Subdivision, Brickyard Tract, and was 50' wide and contained approximately 6,600 square feet, it became a legal nonconforming lot at the time of the adoption of the Subdivision Regulations in 1952. However, its size was further reduced with the frontage dedication required of Fulton Road Baptist Church Subdivision in 2004, but it was incorporated into the much larger Lot 2 of that subdivision. It is now proposed to once again become an individual lot but of even smaller size. As it would be reduced below its original nonconforming size, it cannot be allowed. Therefore, the over-all three-lot subdivision cannot be approved as presented.

**RECOMMENDATION** Based on the preceding, this application is recommended for holdover to the meeting of December 7<sup>th</sup> to allow the applicant to meet with staff to discuss alternatives to the proposed plat.

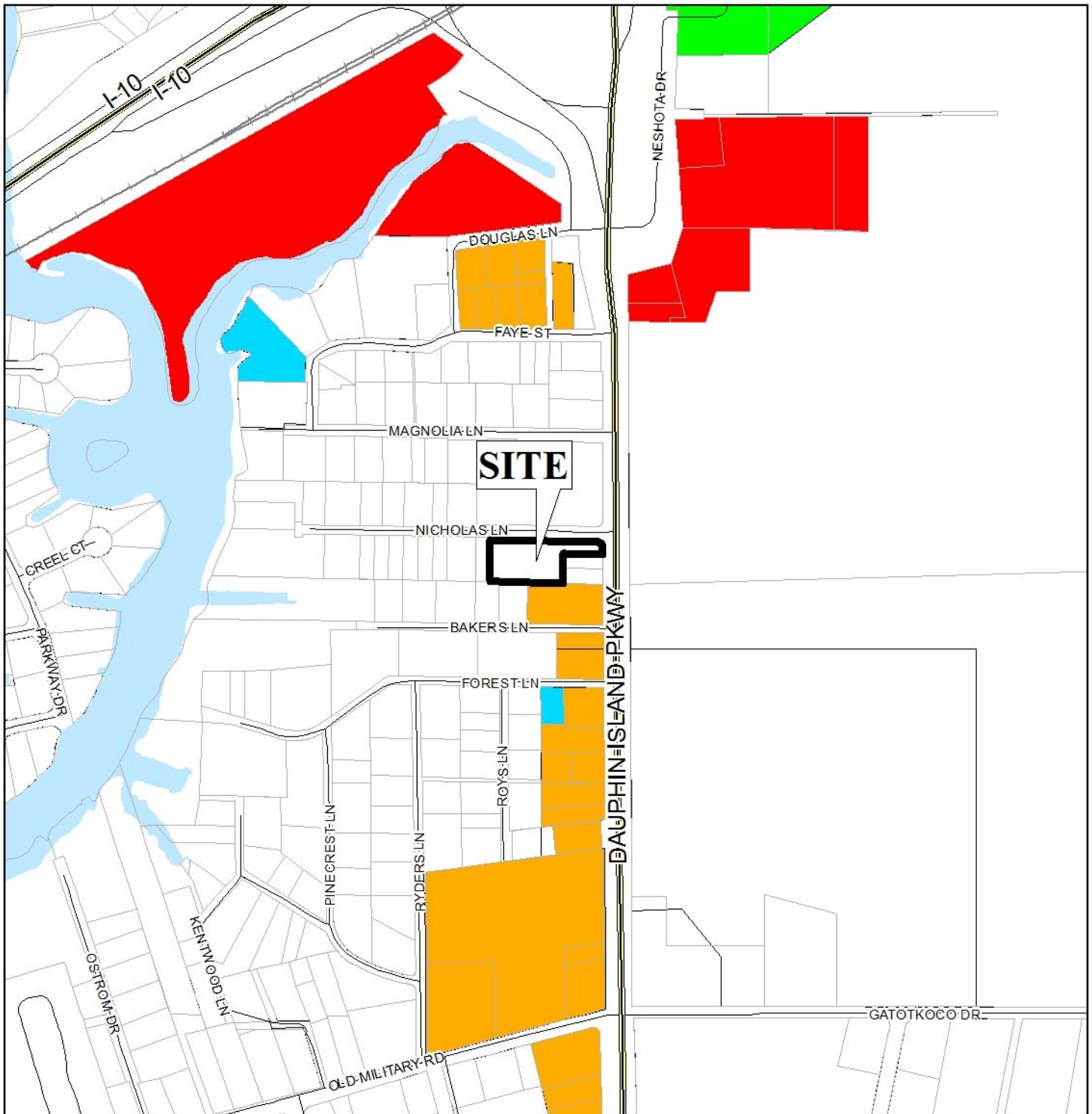
# LOCATOR MAP



APPLICATION NUMBER 9 DATE November 2, 2017  
APPLICANT Fulton Road Baptist Church Subdivision, Resubdivision of Lot 2  
REQUEST Subdivision



# LOCATOR ZONING MAP

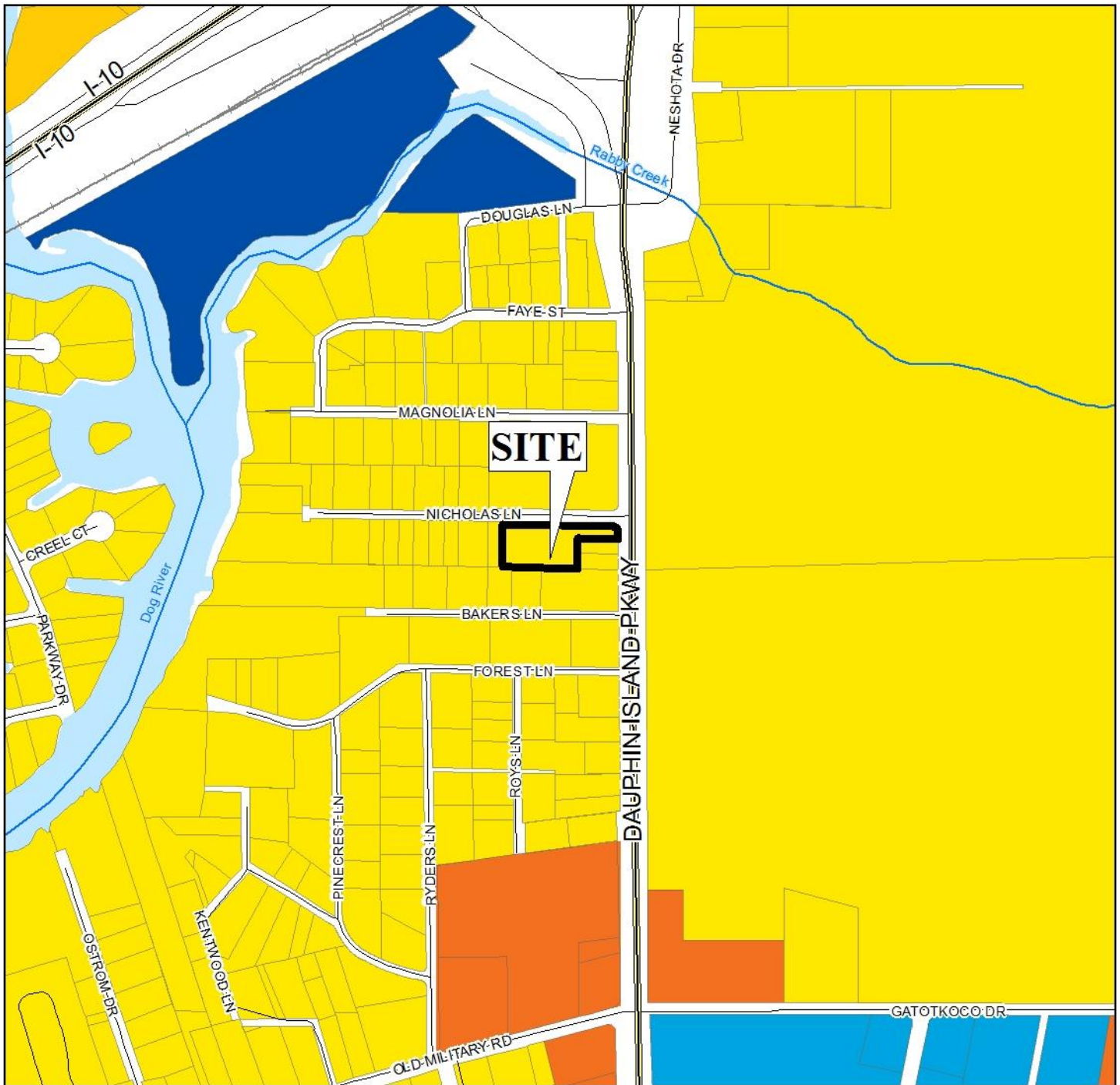


APPLICATION NUMBER 9 DATE November 2, 2017  
 APPLICANT Fulton Road Baptist Church Subdivision, Resubdivision of Lot 2  
 REQUEST Subdivision





# FLUM LOCATOR MAP



APPLICATION NUMBER 9 DATE November 2, 2017

APPLICANT Fulton Road Baptist Church Subdivision, Resubdivision of Lot 2

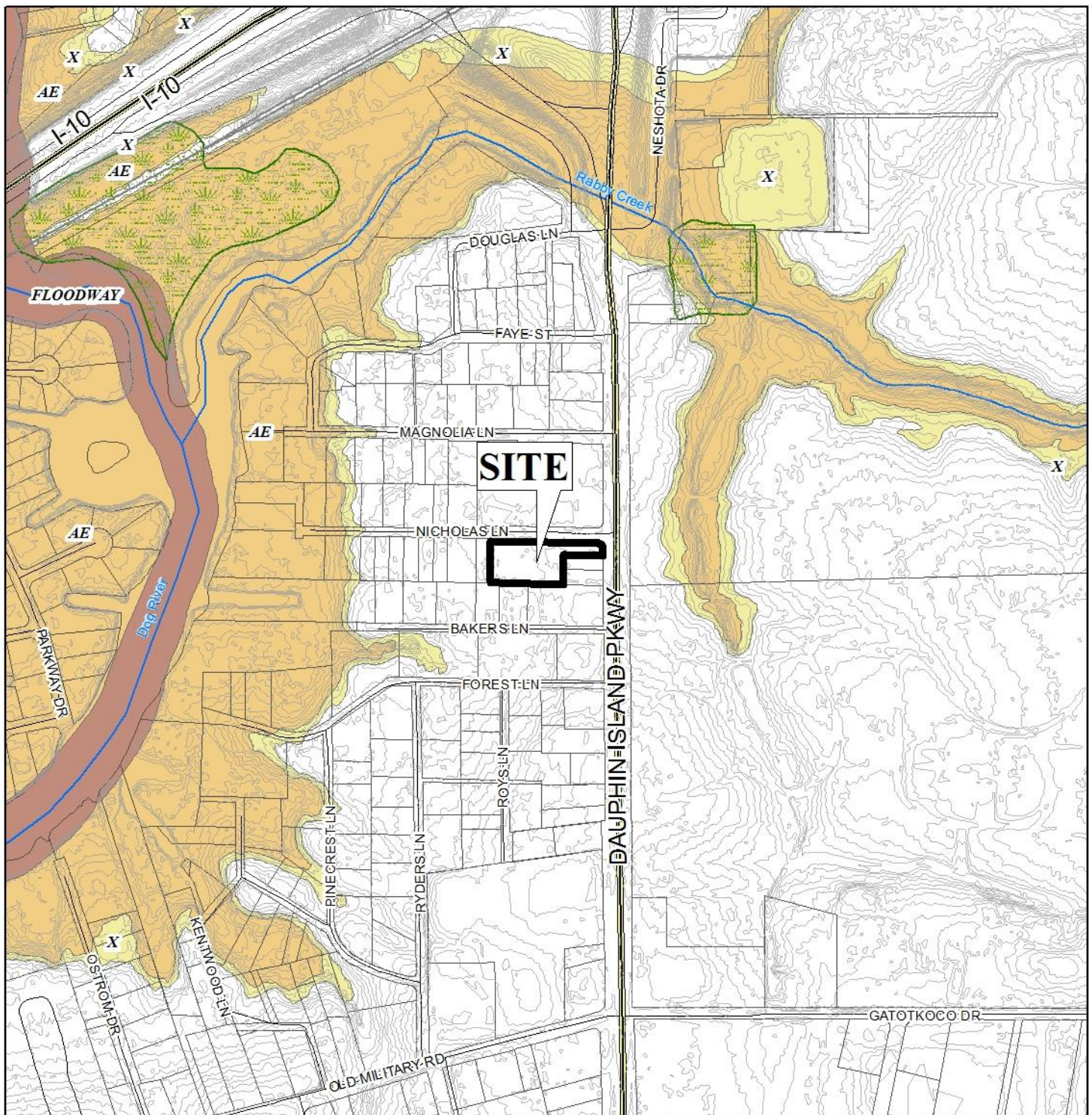
REQUEST Subdivision

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





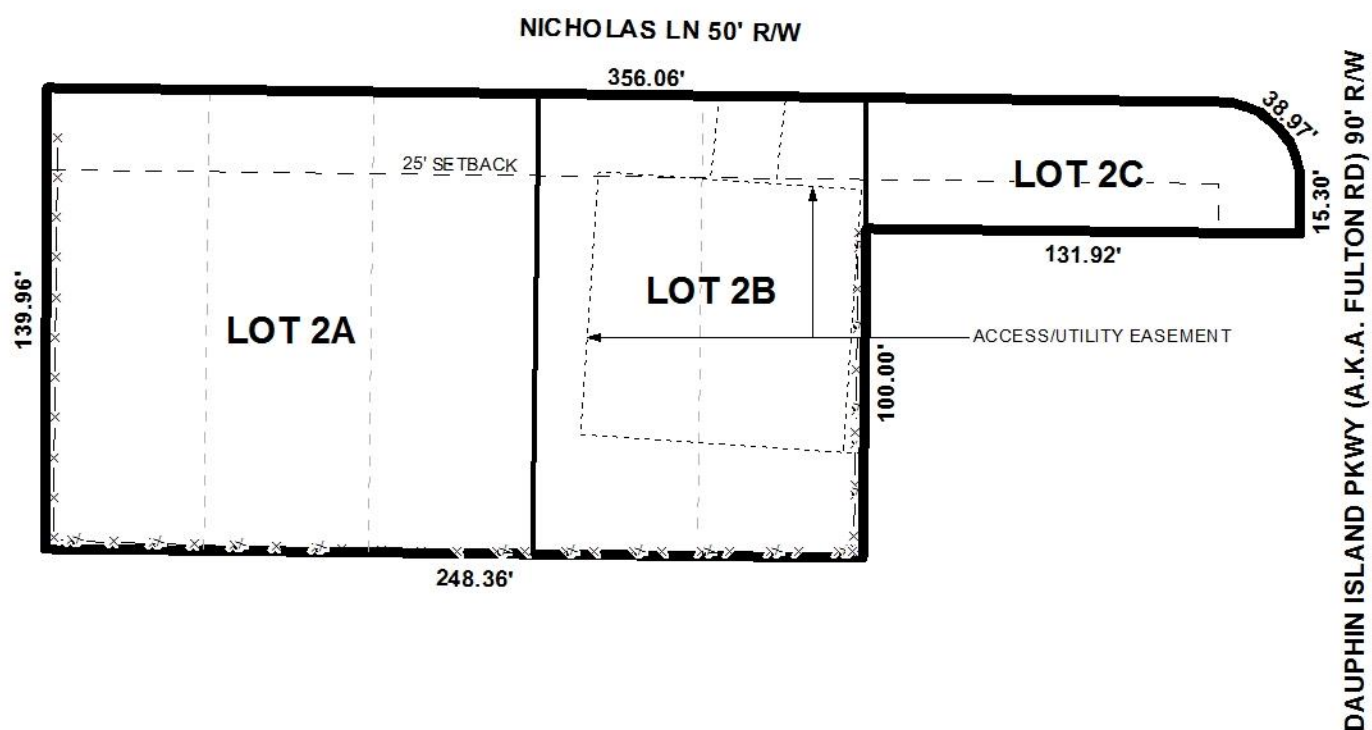
# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 9 DATE November 2, 2017  
 APPLICANT Fulton Road Baptist Church Subdivision, Resubdivision of Lot 2  
 REQUEST Subdivision



# DETAIL SITE PLAN



APPLICATION NUMBER 9 DATE November 2, 2017  
APPLICANT Fulton Road Baptist Church Subdivision, Resubdivision of Lot 2  
REQUEST Subdivision

