



Agenda Item #29

SUB-003787-2026 & ZON-UDC-003788-2026

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

[Applicant Materials for Consideration – Subdivision](#)

[Applicant Materials for Consideration – Rezoning](#)

DETAILS

Location:

2694 Government Boulevard and 2750, 2754, and
2756 Brookley Avenue

Subdivision Name:

Sagging Oaks Subdivision

Applicant / Agent:

Byrd Surveying, Inc.

Property Owners:

Estate of Raymond Stallings

Current Zoning:

R-1, Single-Family Residential Suburban District,
B-1, Buffer Business Suburban District &
B-2, Neighborhood Business Suburban District

Proposed Zoning:

B-3, Community Business Suburban District

Future Land Use:

Mixed Commercial Corridor

Neighborhood Meeting:

- A Neighborhood Meeting was required due to the proposed rezoning to a higher zoning classification.
- The meeting was held on June 23, 2026, at 5:00 p.m. at 3200 Pleasant Valley Road.

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create one (1) legal lot of record.
- Rezoning from R-1 Suburban, B-1 Suburban & B-2 Suburban to B-3 Suburban.
 - Any use permitted in the proposed district would be allowed at this location if the zoning is approved. The Planning Commission may consider other zoning districts than the proposed sought by the applicant for this property.

Commission Considerations:

1. Subdivision proposal with ten (10) conditions; and
2. Rezoning with two (2) conditions.

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER	29	DATE	July 16, 2026
APPLICANT	Sagging Oaks Subdivision		
REQUEST	Subdivision, Rezoning from B-2 to B-3		
 NTS			

SITE HISTORY

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

In August 1945, most of the site was included in Cooley's Subdivision, a 15-lot subdivision.

The site was granted a Rear Yard Variance by the Board of Zoning Adjustment in November 1956 to allow the construction of a heating and air conditioning business.

A second Rear Yard Variance was granted in December 1963 to allow the expansion of the existing warehouse.

In 1967, the Eastern portion of site was assigned a B-2, Neighborhood Business District zoning classification with the adoption of the Zoning Ordinance. The rest of the site was assigned an R-1, Single-Family Residential District zoning classification.

In July 1973, the middle portion of the site was rezoned from R-1 to B-2, Neighborhood Business District.

A third Rear Yard Variance was approved in September 1977 to allow an addition to the existing warehouse on the site.

In June 1980, the Western end of the site was rezoned from R-1 to B-1, Buffer Business District.

No additional Planning Commission or Board of Zoning Adjustment cases are associated with the site.

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. Provide a written description for the proposed subdivision boundary.
- C. Revise NOTES #15 to read - As shown on the 1984 aerial photo LOT A will receive the 82,000 sf of historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Stormwater detention will be required for any additional impervious area that exceeds the allowable credit for that LOT.
- D. Retain NOTES 6 – 8, 13, and 15.
- E. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.gov prior to obtaining any signatures. No signatures are required on the drawing.

Rezoning:

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 of the necessary permits and approvals.
6. 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 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:

Subdivision

The purpose of this application is to create one (1) legal lot of record from seven (7) legal lots of record, and two (2) metes-and-bounds parcels. The site is currently served by public water and sanitary sewer.

The proposed lot will have frontage along Government Boulevard and Brookley Avenue. Government Boulevard is a Principle Arterial Street requiring a 250-foot-wide right-of-way at this location. As the preliminary plat indicates a current right-of-way width of 236 feet along the site, dedication will be required to provide 125 feet from the centerline of Government Boulevard, if currently less. Brookley Avenue is a minor street without curb and gutter requiring a 60-foot right-of-way width. As the current right-of-way width is 50 feet, dedication would be required to provide 30 feet from the centerline of Brookley Avenue. The preliminary plat should be revised, if approved, to label both streets with their right-of-way widths after any required dedication.

No minimum building setback line is indicated on the preliminary plat along the street frontages. Therefore, if approved, the plat should be revised to illustrate at least a 25-foot minimum building setback line along both street frontages, adjusted for any required dedication.

The proposed lot meets the minimum size requirements for lots within a proposed B-3, Community Business Suburban District, as per Section 64-2-14 E of the Unified Development Code. As on the preliminary plat, the lot size label in both square feet and acres should be retained on the Final Plat, if approved, adjusted for any required frontage dedication, or a table should be furnished on the Final Plat providing the same information.

The proposed one (1)-lot subdivision would result in a split-zoning within the new lot. Therefore, if approved, the Final Plat for the subdivision should not be signed until the Rezoning process is finalized.

Rezoning

The applicant's justification for the rezoning request can be viewed via the link provided on Page 1 of this report.

A Neighborhood Meeting was conducted in accordance with Article 3, Section 64-5 of the Unified Development Code due to the request for rezoning to a higher zoning classification. The meeting was properly advertised, and notice of the date, time, and location was mailed to all property owners within 300 feet of the subject site. The meeting was held on June 23, 2026, at 5:00 p.m., at Salvation Army Church at 3200 Pleasant Valley Road. According to the sign-in sheet provided by the applicant, three (3) members of the public attended. The applicant submitted all required Neighborhood Meeting documentation within the prescribed timeframe prior to the Planning Commission meeting and executed the required checklist attesting to the accuracy and completeness of the information provided.

The site is bordered to the North by R-1 and B-2 zoning. To the West is R-1 zoning, and to the South across Brookley Avenue is a mixture of R-1 and B-2 zoning. To the East across Government Boulevard is B-3 zoning.

The site has been used for warehousing/light distribution for approximately sixty (60) years, and no changes in use are proposed. The site plan submitted with the rezoning application depicts the existing structure on the proposed lot, along with a paved parking area. No new development is proposed on the site and no site modifications are proposed. The applicant states that the property was developed and used by businesses that are in the B-3 classification, and the purpose of the amendment is to correct the classification to match the business use.

The Unified Development Code (UDC) and corresponding zoning map are based on long-range comprehensive planning studies intended to promote orderly and desirable development. Unsubstantiated or inconsistent amendments to the UDC may undermine this purpose. Therefore, rezoning requests are evaluated according to the following criteria:

- Consistency with the Comprehensive Plan
- Existence of a mistake or error in the original zoning map
- Compatibility with the surrounding neighborhood
- Promotion of public health, safety, and welfare
- Capacity of infrastructure to support the proposed zoning
- Presence of changed or changing conditions justifying the amendment

In this case, the proposed subdivision may warrant reclassification to eliminate split zoning. If approved, the rezoning process should be completed prior to signing the Final Plat for the subdivision.

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, the following conditions could apply:

1. Dedication to provide 125 feet from the centerline of Government Boulevard, if currently less;
2. Dedication to provide 30 feet from the centerline of Brookley Avenue, if currently less;
3. Revision of the plat to label the right-of-way widths of both streets after any required dedication;
4. Revision of the plat to illustrate a minimum building setback line of at least 25 feet along both street frontages, adjusted for any required dedication;
5. Retention of the lot size label in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
6. Completion of the Rezoning process to eliminate the potential for split-zoning prior to signing the Final Plat;
7. Compliance with all Engineering comments noted in this staff report;
8. Compliance with 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.

REZONING CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezoning is intended to carry out the objective of a sound, stable and desirable development and that casual change or amendment would be detrimental to the achievement of that objective.

The UDC goes on to say that zoning changes should be consistent with the Comprehensive Plan. However, the Comprehensive Plan and Future Land Use Plan (FLUP) and Map (FLUM) are meant to serve as a general guide, not a detailed lot and district plan; they are not a legal mandate for development. The FLUP and FLUM allow the Planning Commission and City Council to consider individual cases based on several factors including: surrounding development, classification requested, timing of the request, and the appropriateness and compatibility of the proposed use the zoning classification.

The UDC states that an application for rezoning shall include a statement of the justification for the proposed amendment that addresses all of the following:

- A) Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
- B) Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
- C) Compatibility. Whether the proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- D) Health, Safety and General Welfare. Whether the proposed amendment promotes the community's public health, safety, and general welfare;
- E) Capacity. Whether the infrastructure is in place to accommodate the proposed amendment; and
- F) Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.
- G) 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.

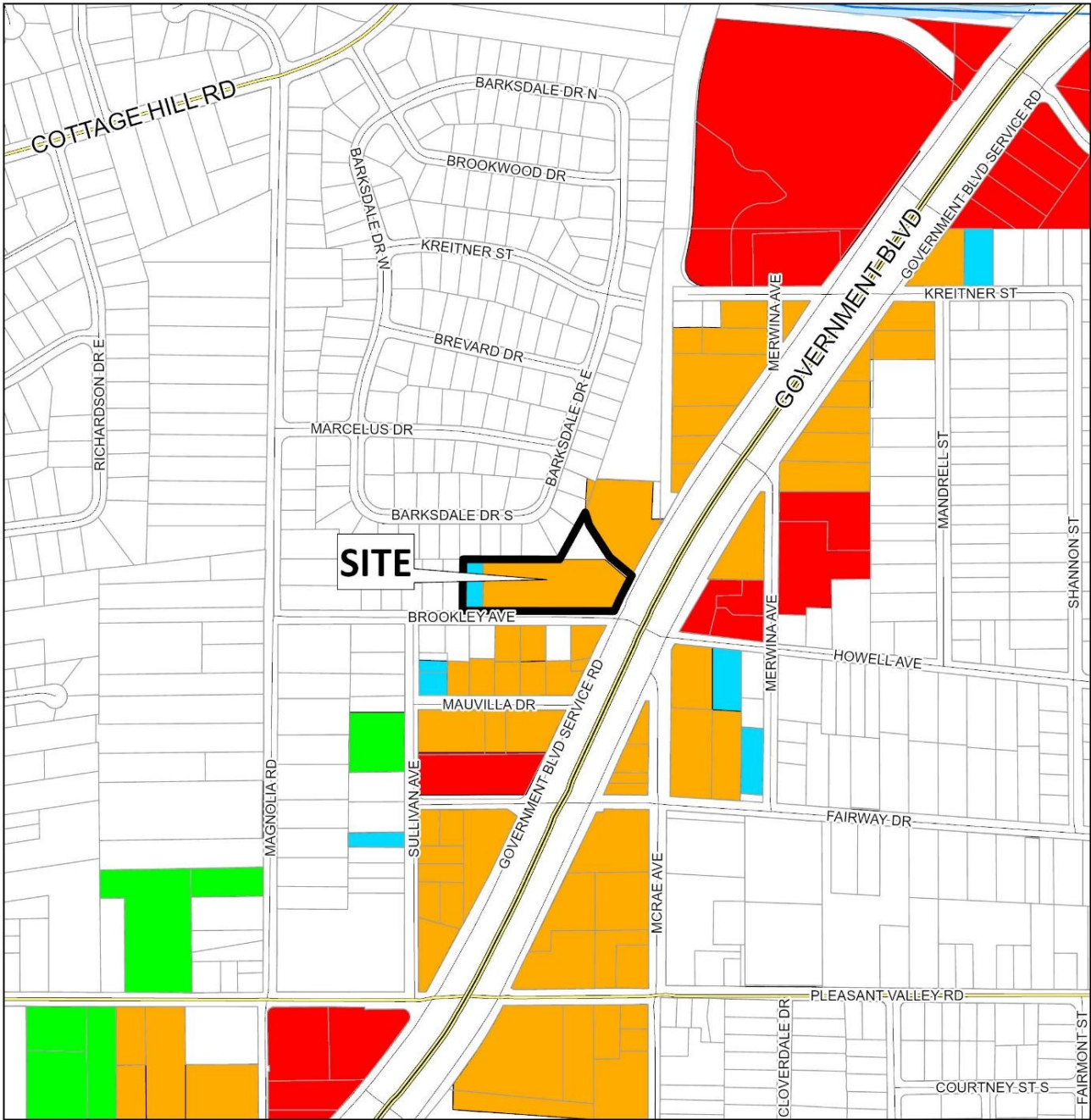
The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

If the Planning Commission considers a recommendation of approval of the Rezoning request to the City Council, the following conditions could apply:

1. Completion of the Rezoning process prior to signing the Final Plat for the subdivision; and
2. Full compliance with all municipal codes and ordinances.

LOCATOR ZONING MAP

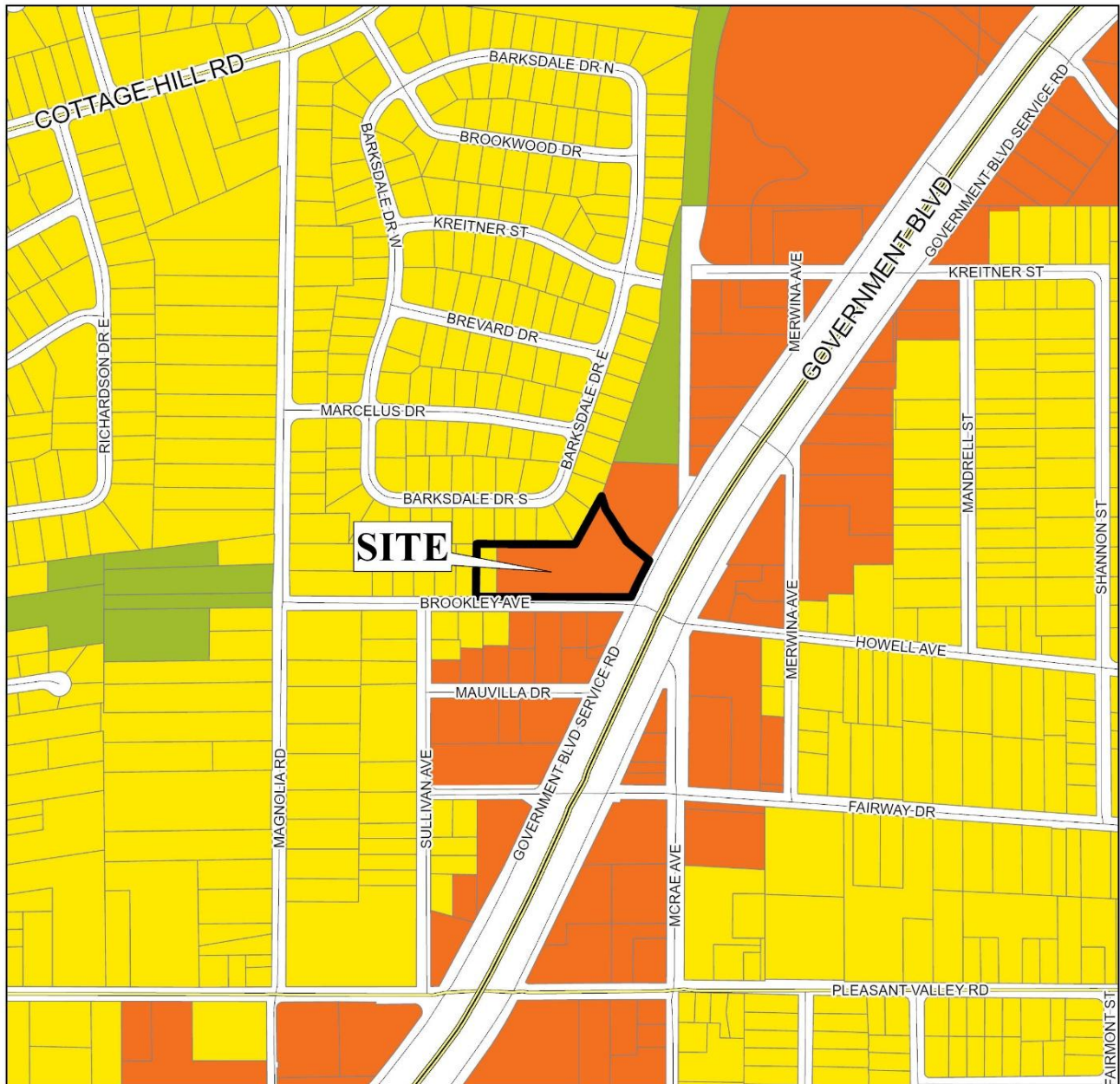


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APPLICANT	Sagging Oaks Subdivision		
REQUEST	Subdivision, Rezoning from B-2 to B-3		

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FLUM LOCATOR MAP



APPLICATION NUMBER 29 DATE July 16, 2026

APPLICANT Sagging Oaks Subdivision

REQUEST Subdivision, Rezoning from B-2 to B-3

- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| 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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APPLICANT Sagging Oaks Subdivision

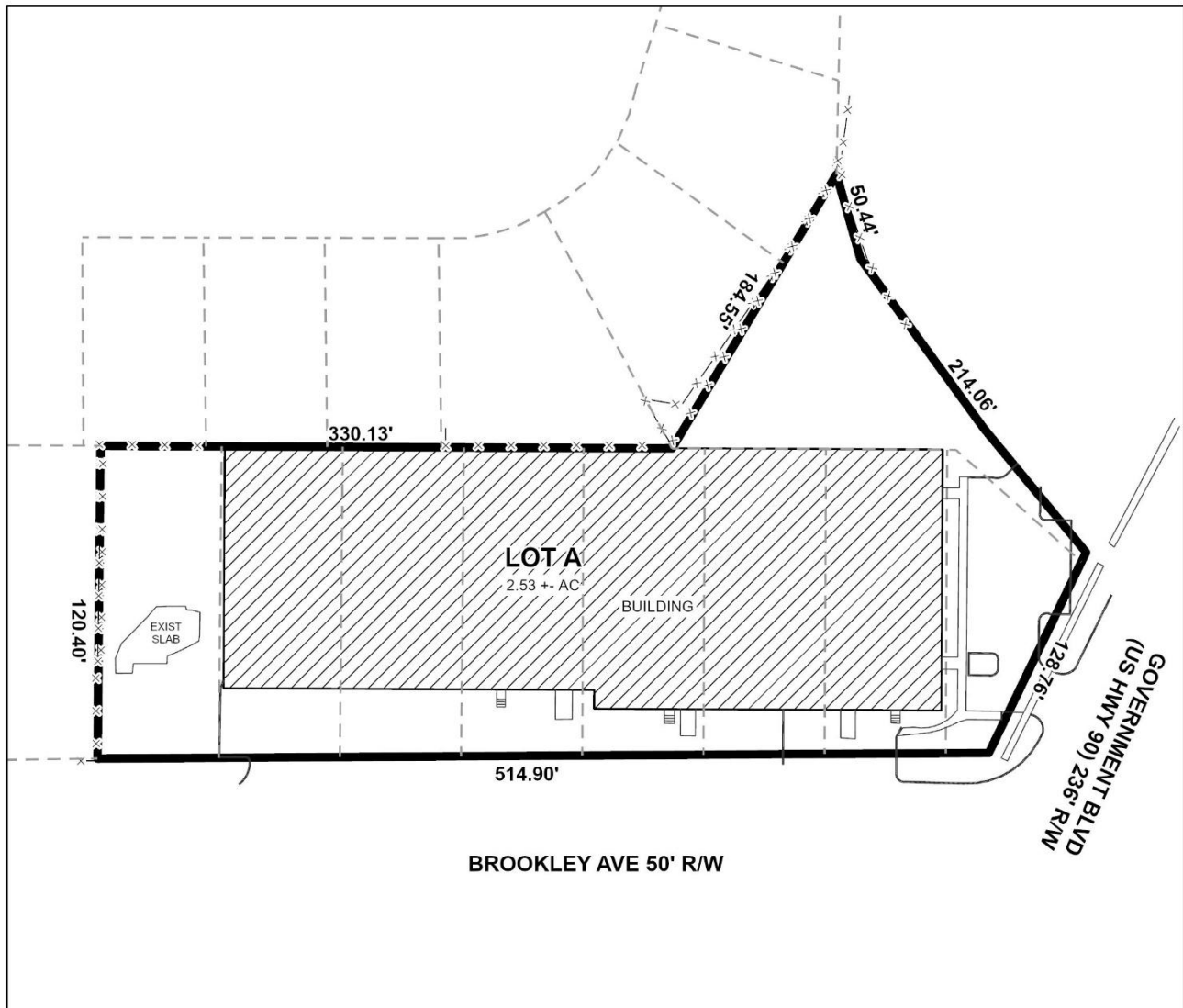
REQUEST Subdivision, Rezoning from B-1 and B-2 to B-3

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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SITE PLAN



The site plan illustrates existing buildings, fencing, and sidewalks.

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APPLICANT Sagging Oaks Subdivision

REQUEST Subdivision, Rezoning from B-1 and B-2 to B-3



NTS

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]

MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses. This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Development Intent

- › New development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

Land use mix

Primary Uses

- › Commercial
- › Office

Secondary Uses

- › Residential, Multifamily
- › Residential, Attached
- › Civic
- › Parks

Housing mix

- › Multifamily buildings
- › Attached residential such as duplexes, multiplexes, and townhomes

Character Example

