



Agenda Item # 30

SUB-003785-2026 & ZON-UDC-003786-2026

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:

320 & 330 Western Drive

Subdivision Name:

Aiden Property Subdivision

Applicant / Agent:

Byrd Surveying, Inc.

Property Owner(s):

Chris Holmes, Aiden Properties, LLC

Current Zoning:

B-3, Community Business Suburban District &
I-1, Light Industry District

Future Land Use:

Light Industry

Neighborhood Meeting:

- A Neighborhood Meeting was required due to the proposed rezoning to a higher zoning classification.
- The meeting was held on June 25, 2026, at 5:00 p.m. at 164 New Shiloh Avenue.

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create two (2) legal lots of record.
- Rezoning B-3 Suburban and I-1 to I-1.
- **Note:**
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.

Considerations:

1. Subdivision proposal with eight (8) conditions.
2. Rezoning with three (3) conditions)

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PLANNING COMMISSION

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER 30 DATE July 16, 2026

APPLICANT Aiden Property Subdivision

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



SITE HISTORY

The subject site was annexed into the corporate limits of the City of Mobile in 1945. Upon annexation, the northern portion of the property was assigned an industrial zoning classification, while the southern portion was assigned a community business zoning classification. These zoning designations have remained in effect through the adoption of the 1951 Zoning Ordinance, the 1967 Zoning Ordinance, and the Unified Development Code (UDC) in 2023.

The property was subsequently included within the one-lot *Western Drive Commercial Park Subdivision*, the plat of which was approved by the Planning Commission in May 1987 and later recorded in the Mobile County Probate Court.

The 1987 subdivision created a single lot that was split-zoned between the B-3 (Community Business District) and I-1 (Light Industry) zoning districts.

Subsequent subdivisions recorded in 1989 and 1995 further divided the 1987 lot. On both plats, the subject property is identified as a future development area and is described by metes-and-bounds legal descriptions. The resulting parcels have remained split-zoned between the B-3 (Community Business District) and I-1 (Light Industry) zoning districts and have never been developed.

Aside from the subdivision approvals described above, there are no additional Planning Commission or Board of Zoning Adjustment cases associated with the subject 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. Retain NOTES 1 - 5 and 7.
- C. 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 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 subdivision request is to create two (2) legal lots of record from two (2) metes-and-bounds parcels. The site is served by public water and sanitary sewer.

The proposed lots front Western Drive, a minor street with curb and gutter improvements requiring a 50-foot-wide right-of-way. Sufficient right-of-way is depicted on the preliminary plat making additional dedication unnecessary.

Proposed Lot 1 and Proposed Lot 2 exceed the minimum lot area requirements of Article 2, Section 64-2-14.E. of the Unified Development Code (UDC) for properties served by public water and sanitary sewer within the B-3 (Community Business Suburban) zoning district. While the I-1 (Light Industry) zoning district does not establish a minimum lot area, the area of each proposed lot is provided on the preliminary plat in both square feet and acres. If approved, this information should be retained on the Final Plat; alternatively, a table containing the same information may be provided.

Proposed Lot 1 exceeds the minimum lot width requirement of Section 6.C.2.(b)(4) of the Subdivision Regulations for commercial and industrially zoned lots.

Proposed Lot 2 is designed as a flag lot, with a 40-foot-wide access strip providing frontage along Western Drive. Section 6.C.9. of the Subdivision Regulations generally discourages flag lot configurations except where unusual circumstances exist or where such lot designs are common within the surrounding area. The Planning Commission has previously approved similarly configured lots in the vicinity of the subject site, suggesting that the proposed design may be appropriate. However, approval of the subdivision will require a waiver of Section 6.C.9. of the Subdivision Regulations.

A 25-foot front yard setback is depicted along Western Drive where each lot is at least 60 feet in width, consistent with Section 6.C.8. of the Subdivision Regulations and the applicable requirements of the UDC. If approved, the depicted setbacks should be retained on the Final Plat.

As proposed, each lot would remain split-zoned between the B-3 (Community Business Suburban) and I-1 (Light Industry) zoning districts. Accordingly, approval of the subdivision should be contingent upon approval of the associated rezoning application.

Rezoning

As previously noted, approval of the associated subdivision application would result in the proposed lots remaining split-zoned between the B-3 (Community Business Suburban) and I-1 (Light Industry) zoning districts. To eliminate this split-zoning condition, the applicant requests that the entire site be rezoned to I-1 (Light Industry).

In support of the request, the applicant contends that the existing B-3 zoning is the result of a mapping error and that I-1 is the predominant zoning classification in the surrounding area. The applicant's complete narrative and justification are available through the link provided on Page 1 of this report.

A Neighborhood Meeting was conducted in accordance with Article 5, Section 64-5-4 of the Unified Development Code (UDC) because the request seeks 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 25, 2026, at 5:00 p.m. at 164 New Shiloh Avenue. According to the submitted sign-in sheet, one (1) member of the public attended. The meeting summary indicates that the attendee had questions regarding the potential impacts of the rezoning on nearby property but did not express opposition to the request. The meeting remained open until 6:00 p.m., satisfying the minimum one-hour requirement. The applicant timely submitted all required Neighborhood Meeting documentation, including the executed checklist certifying the completeness and accuracy of the materials.

The subject site is located within an area characterized by a mix of commercial, industrial, institutional, and residential development. Properties to the north and west are zoned I-1 and are developed with commercial and light industrial uses, including wholesale and HVAC equipment sales and service, minor warehousing, storage and distribution facilities of less than 40,000 square feet, and a convenience store with gasoline sales. Properties to the south are zoned B-3 and developed with commercial uses including a sign installation company, general retail sales, fast-food restaurants, and a religious facility. Properties to the east are zoned R-1 and developed with single-family residences and a religious facility.

No development or redevelopment plans were submitted with this application. Any future development of the property will be subject to compliance with all applicable provisions of the Unified Development Code.

The area was originally assigned its commercial and industrial zoning classifications upon annexation into the City of Mobile in 1945. Those zoning designations were subsequently carried forward through the adoption of the 1951 Zoning Ordinance, the 1967 Zoning Ordinance, and the UDC in 2023. The current split-zoning of the subject property is not the result of a mapping error, but rather of subsequent subdivisions of the original parent tract that created parcels crossing the longstanding zoning district boundary. Accordingly, the historical zoning record does not support the applicant's assertion that the existing B-3 zoning resulted from an error in the Official Zoning Map.

The Unified Development Code and Official Zoning Map are founded upon long-range comprehensive planning principles intended to promote orderly growth, compatible land use patterns, and the public health, safety, and welfare. Consequently, amendments to the Official Zoning Map should be supported by evidence demonstrating that the proposed change is warranted. In evaluating rezoning requests, the Planning Commission considers:

- Consistency with the Comprehensive Plan;
- Whether the existing zoning resulted from a mistake or error;
- Compatibility with the surrounding neighborhood;
- Promotion of the public health, safety, and welfare;
- Availability of adequate public infrastructure; and
- The presence of changed or changing conditions warranting the amendment.

While eliminating the split-zoning condition is appropriate, the evidence does not demonstrate that rezoning the property to I-1 is necessary to accomplish that objective. Rezoning the property to B-3 would likewise eliminate the split-zoning while maintaining the longstanding commercial-industrial transition established for this portion of the corridor. Although several nearby properties are zoned I-1, many of the existing surrounding uses—including wholesale establishments, minor warehousing, storage and distribution facilities of less than 40,000 square feet, retail businesses, and service commercial uses—are permitted within the B-3 zoning district. Moreover, no redevelopment proposal has been submitted demonstrating a need for the broader range of industrial uses

permitted in the I-1 district. In the absence of changed conditions or a specific development proposal requiring industrial zoning, extending the I-1 district to encompass the entire site does not appear justified. Rezoning the property to B-3 would eliminate the split-zoning while remaining consistent with the historical zoning pattern and providing an appropriate transition between the adjacent industrial properties and the residential neighborhood to the east.

If approved, the rezoning should be completed prior to the signing of the Final Plat associated with the companion subdivision application.

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.C.9. of the Subdivision Regulations will be required (for lot design) and the following conditions could apply:

1. Retention of the 50-foot-wide right-of-way along Western Drive on the Final Plat;
2. Retention of the lot sizes in both square feet and acres, or the provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot front yard setback line along Western Drive where each lot is at least 60 feet in width, in compliance with Section 6.C.8. of the Subdivision Regulations;
4. Completion of the Rezoning process prior to signing the Final Plat;
5. Compliance with all Engineering comments noted in this staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report; and,
8. 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 Rezonings are 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:

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

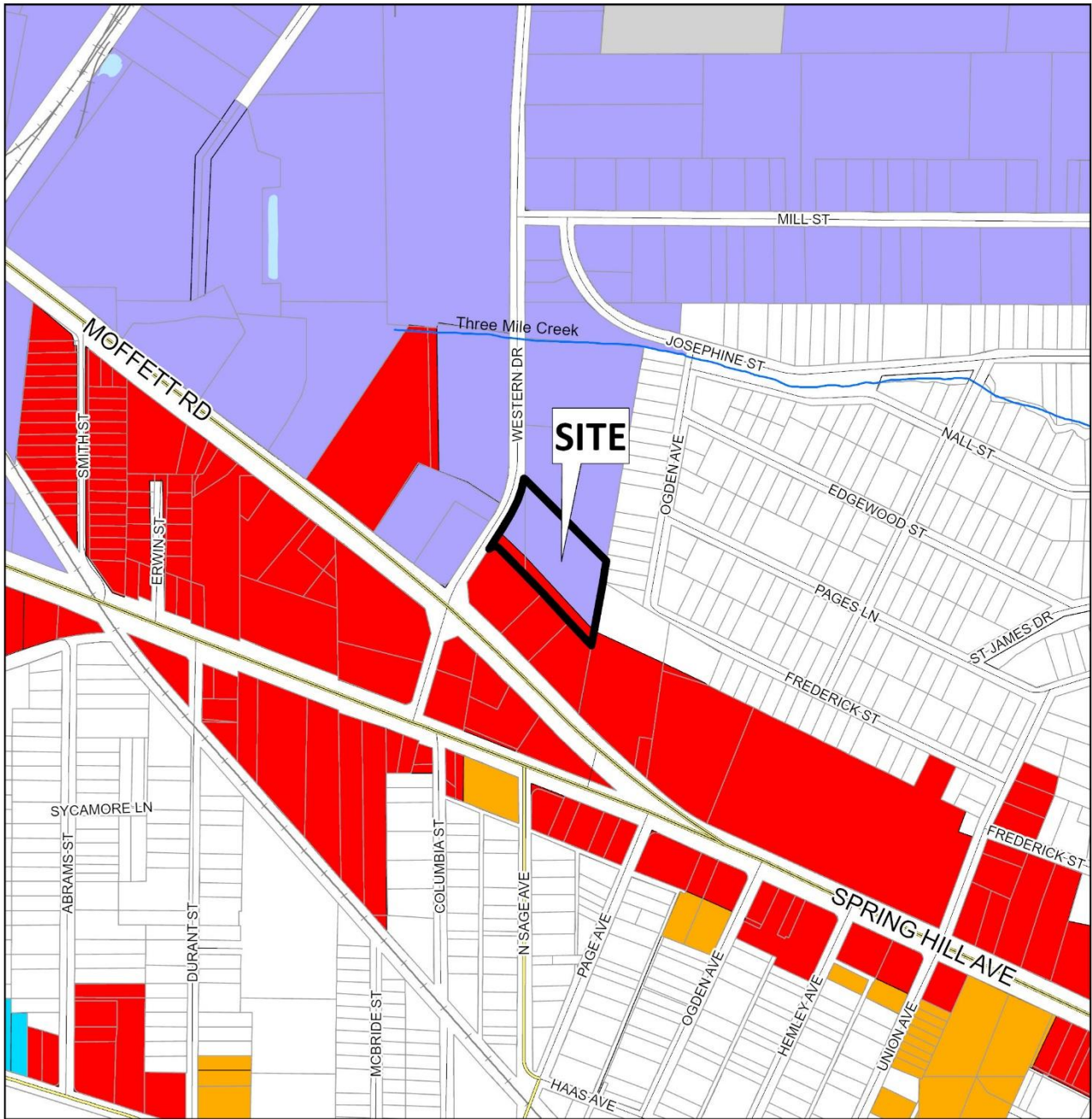
The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

If the Planning Commission considers a recommendation of approval of the request to the City Council to Rezoning the site to either B-3 or I-1, the following conditions could apply:

1. Completion of the Subdivision process;
2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report; and,
3. Full compliance with all municipal codes and ordinances.

LOCATOR ZONING MAP



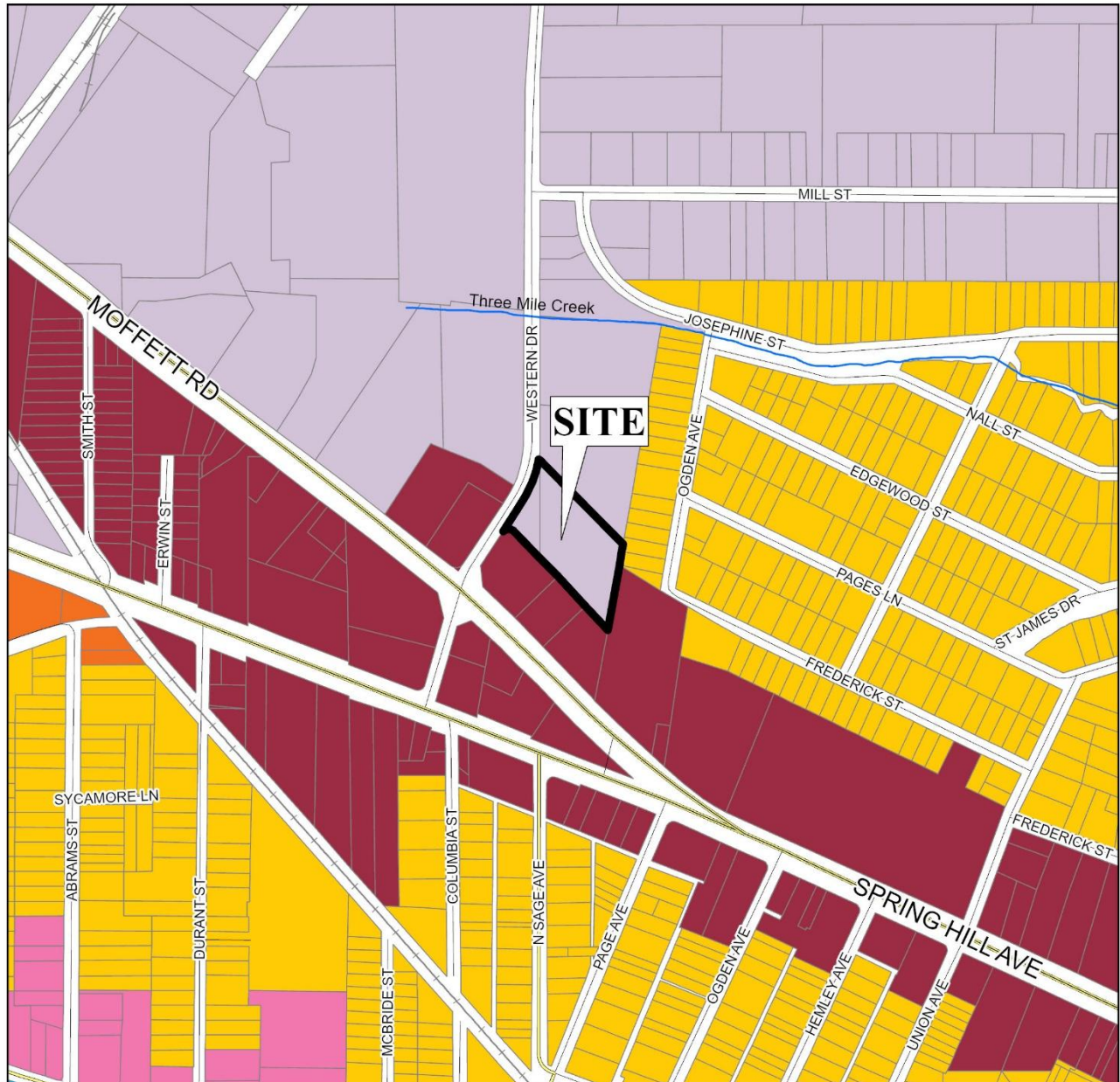
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REQUEST Subdivision, Rezoning from B-3 and I-1 to I-1



FLUM LOCATOR MAP



APPLICATION NUMBER 30 DATE July 16, 2026

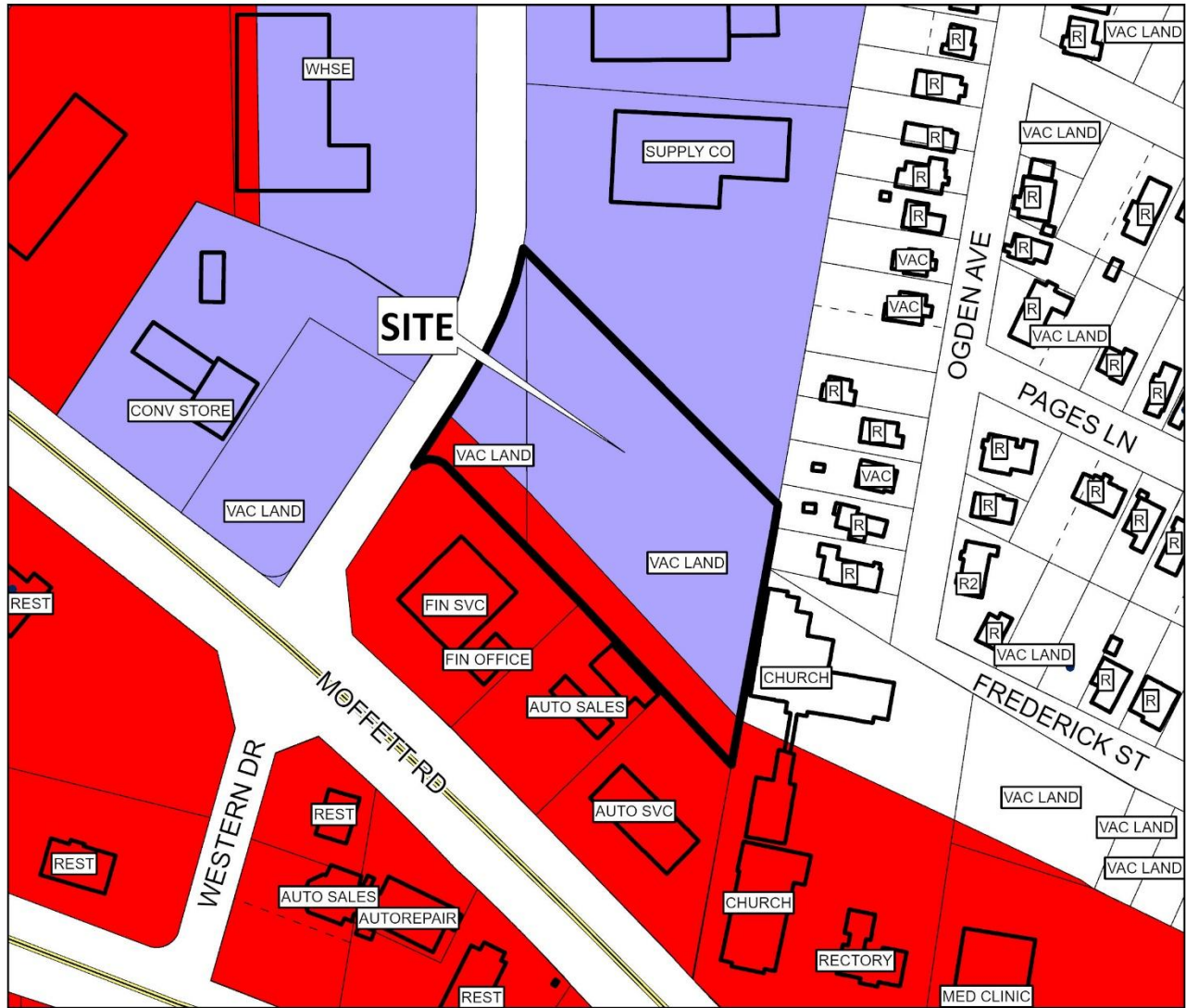
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- | | | | |
|---|---|---|---|
| ■ Low Density Residential | ■ Neighborhood Center - Traditional | ■ Light Industry | ■ Water Dependent |
| ■ Mixed Density Residential | ■ Neighborhood Center - Suburban | ■ Heavy Industry | |
| ■ Downtown | ■ Traditional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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

APPLICATION NUMBER 30 DATE July 16, 2026

APPLICANT Aiden Property Subdivision

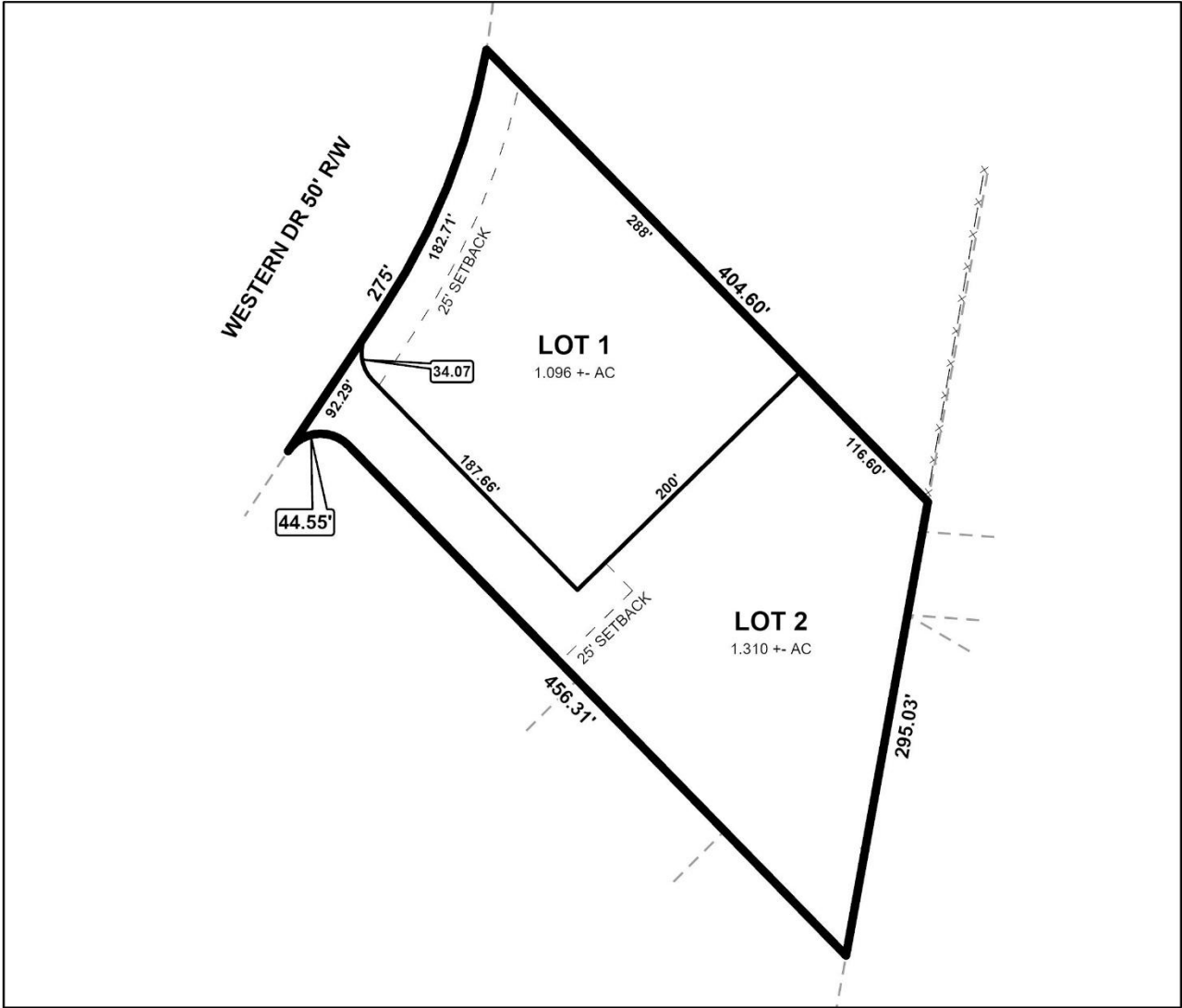
REQUEST Subdivision, Rezoning from B-3 and I-1 to I-1

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	



NTS

SITE PLAN



The site plan illustrates proposed lots and setbacks.

APPLICATION NUMBER	30	DATE	July 16, 2026
APPLICANT	Aiden Property Subdivision		
REQUEST	Subdivision, Rezoning from B-3 and I-1 to I-1		



DETAIL SITE PLAN



APPLICATION NUMBER 30 DATE July 16, 2026

APPLICANT Aiden Property Subdivision

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



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]

Industrial Areas

LIGHT INDUSTRY / BUSINESS CENTER (LI)

This land use designation applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. This designation may also include uses such as complementary offices and retail, and areas that may be regarded as “industrial business”, including business administration and logistics operations for industrial concerns, building trade contractors facilities and advanced research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks.

Development Intent

- › If the use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements.
- › Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods.
- › Development may take the form of planned campuses in park-like settings or unified design corridor with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.
- › Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations.
- › Protection buffers may also be required.
- › Higher quality building design should be encouraged at highly visible sites.

Land use mix

Primary Uses

- › Light Industrial / Clean Manufacturing
- › Warehousing / Logistics
- › Office

Secondary Uses

- › Commercial
- › Civic
- › Parks

Housing mix

- › A range of housing may be considered but it is not intended for these areas.

Character Example

