



Agenda Item # 4

SUB-003134-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2015 Old Shell Road

Subdivision Name:

2015 Old Shell Road Subdivision

Applicant / Agent:

Samuel & Meagan Harris

Property Owner:

Samuel & Meagan Harris

Current Zoning:

R-1, Single-Family Residential Urban District

Future Land Use:

Mixed Density Residential

Applicable Codes, Policies, and Plans:

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

Schedule for Development:

- Not Applicable

Proposal:

- Subdivision approval to create two (2) legal lots of record from one (1) metes-and-bounds parcel.

Commission Considerations:

1. Subdivision proposal with nine (9) conditions.

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2015 OLD SHELL ROAD SUBDIVISION



APPLICATION NUMBER 4 DATE December 19, 2024



NTS

SITE HISTORY

The site was originally part of the Michaeloffsky Addition to Dauphin Heights Subdivision, the plat for which was recorded in October 1908. Since that time, development of the area has resulted in the shifting of lot lines without approval from the Planning Commission, such that the designs of many of the lots are no longer compatible with the recorded subdivision plat. This includes the subject site, which now has a metes-and-bounds legal description. The applicant plans to further modify the lot lines by creating two (2) lots, thus requiring full compliance with the Subdivision Regulations.

No other Planning Commission or Board of Zoning Adjustment cases are 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. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1 and 2 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 3,000 sf AND LOT 2 – NONE.
- C. Add a note 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.
- D. Add a note 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.
- E. 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.
- F. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- G. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- H. 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 Traffic Engineering and conform to AASHTO standards.

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 within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The purpose of this request is to create two (2) legal lots of record from one (1) metes-and-bounds parcel. The site is served by public water and sanitary sewer services.

Both proposed lots have frontage on Old Shell Road, a Major Collector Street with an existing minimum 50-foot-wide right-of-way at this location. The plat depicts a varying right-of-way, with a dedicated width between 25± feet and 29± feet from the centerline of Old Shell Road. This information should be retained on the Final Plat, if approved.

The proposed lots also have frontage on an unnamed, unopened 20-foot-wide street right-of-way to the South. At the time the surrounding neighborhood was developed, it was not uncommon for such rights-of-way to accommodate the construction of alleyways for rear access to abutting properties and required only a 20-foot right-of-way width. As such, while no alleyway is proposed to be constructed as part of this application, retention of the 20-foot-wide right-of-way may be appropriate, making additional dedication unnecessary. However, because the lots technically have double street frontage, which is discouraged by the Subdivision Regulations, a waiver of Section 6.C.7. will be required for approval.

The lots, as proposed, exceed the minimum size requirements for lots served by public water and sanitary sewer in an R-1, Single-Family Residential Urban District, and are labeled in both square feet and acres on the preliminary plat, as required by Section 5.A.2(e)(4) of the Subdivision Regulations. If approved, this information should be retained on the Final Plat; or provision of a table on the Final Plat with the same information will suffice.

Both lots meet the minimum 50-foot width requirement of Section 6.C.2(b)(3) for residential lots located within the urban sub-district.

A 25-foot front yard setback is illustrated along Old Shell Road, in compliance with Section 5.C.2.(i) of the Subdivision Regulations, but only a 5-foot front yard setback is required for lots in the R-1, Single-Family Residential Urban District, per Article 2, Section 64-2-5.E. of the Unified Development Code (UDC). The applicant may retain the 25-foot setbacks, but if approved and the plat recorded in Mobile County Probate Court depicts a 25-foot front yard setback, future development of the properties will be subject to a front yard setback that is greater than what is required by the UDC. As such, at least a 5-foot front yard setback should be illustrated along Old Shell Road on the Final Plat, if approved.

No front yard setback is illustrated along the unnamed, unopened street right-of-way to the rear. If approved, revision of the plat to illustrate at least a 5-foot front yard setback should be required along the unnamed street

right-of-way, in compliance with Article 2, Section 64-2-5.E. of the UDC and Section 5.C.2.(i) of the Subdivision Regulations.

It should be noted that proposed Lot 1 is developed with a single-family dwelling and a detached carport. The distance from the proposed interior lot line to the existing carport is illustrated on the preliminary plat and depicts compliance with the 5-foot side yard setback requirement of Article 2, Section 64-2-5.E. of the UDC for lots in an R-1 urban district.

SUBDIVISION CONSIDERATIONS

Standards of Review:

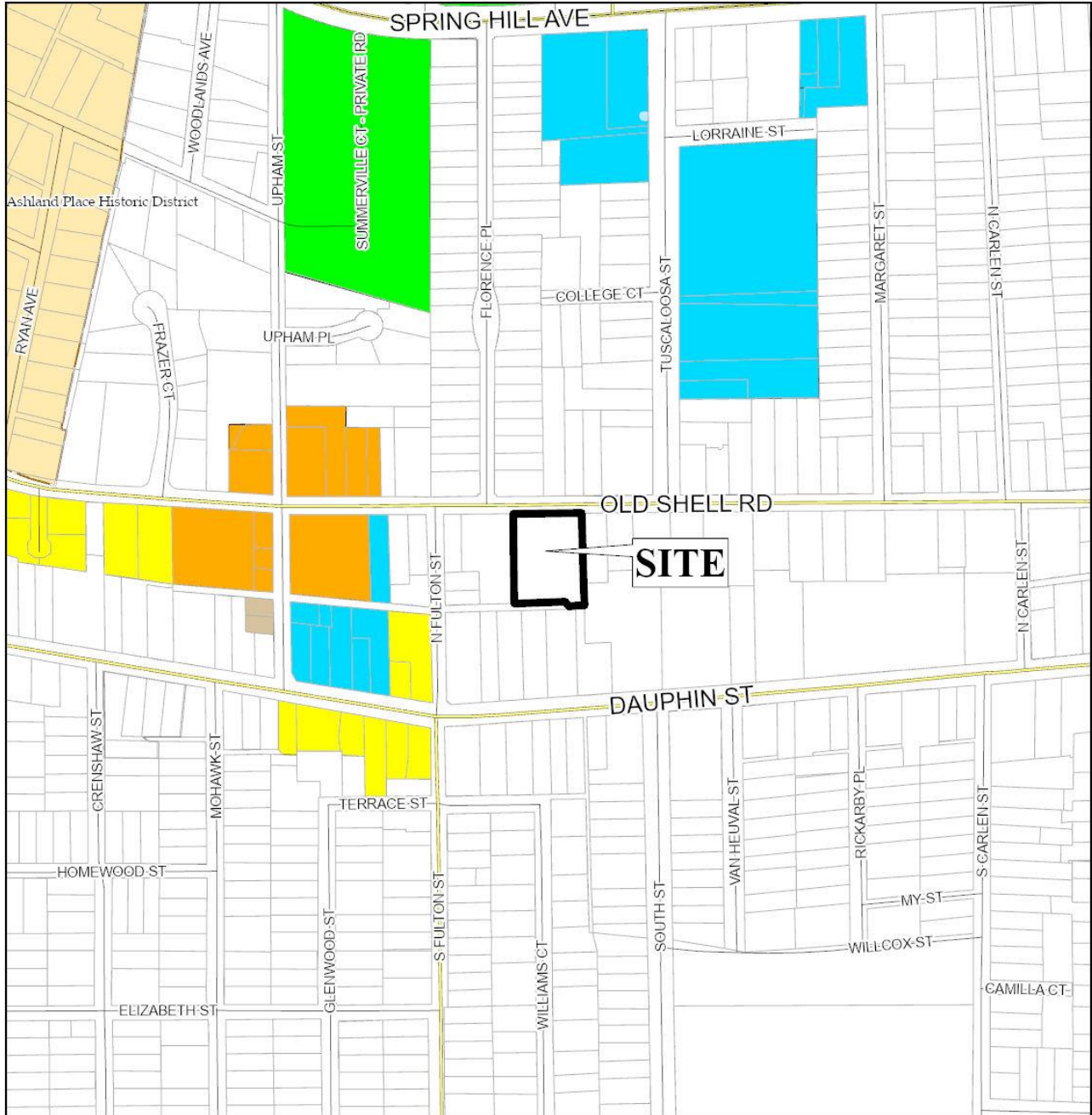
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set 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.2(b)(2) will be required and the following conditions could apply:

1. Retention of the existing right-of-way widths along Old Shell Road on the Final Plat, as depicted on the preliminary plat;
2. Retention of the 20-foot-wide right-of-way along the unnamed, unopened public street right-of-way;
3. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat with the same information;
4. Retention of at least a 5-foot front yard setback along Old Shell Road;
5. Revision of the plat to illustrate a 5-foot front yard setback along the unnamed, unopened public street right-of-way;
6. Compliance with all Engineering comments noted in this staff report;
7. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
8. Compliance with all Urban Forestry comments noted in this staff report; and,
9. Compliance with all Fire Department comments noted in this staff report.

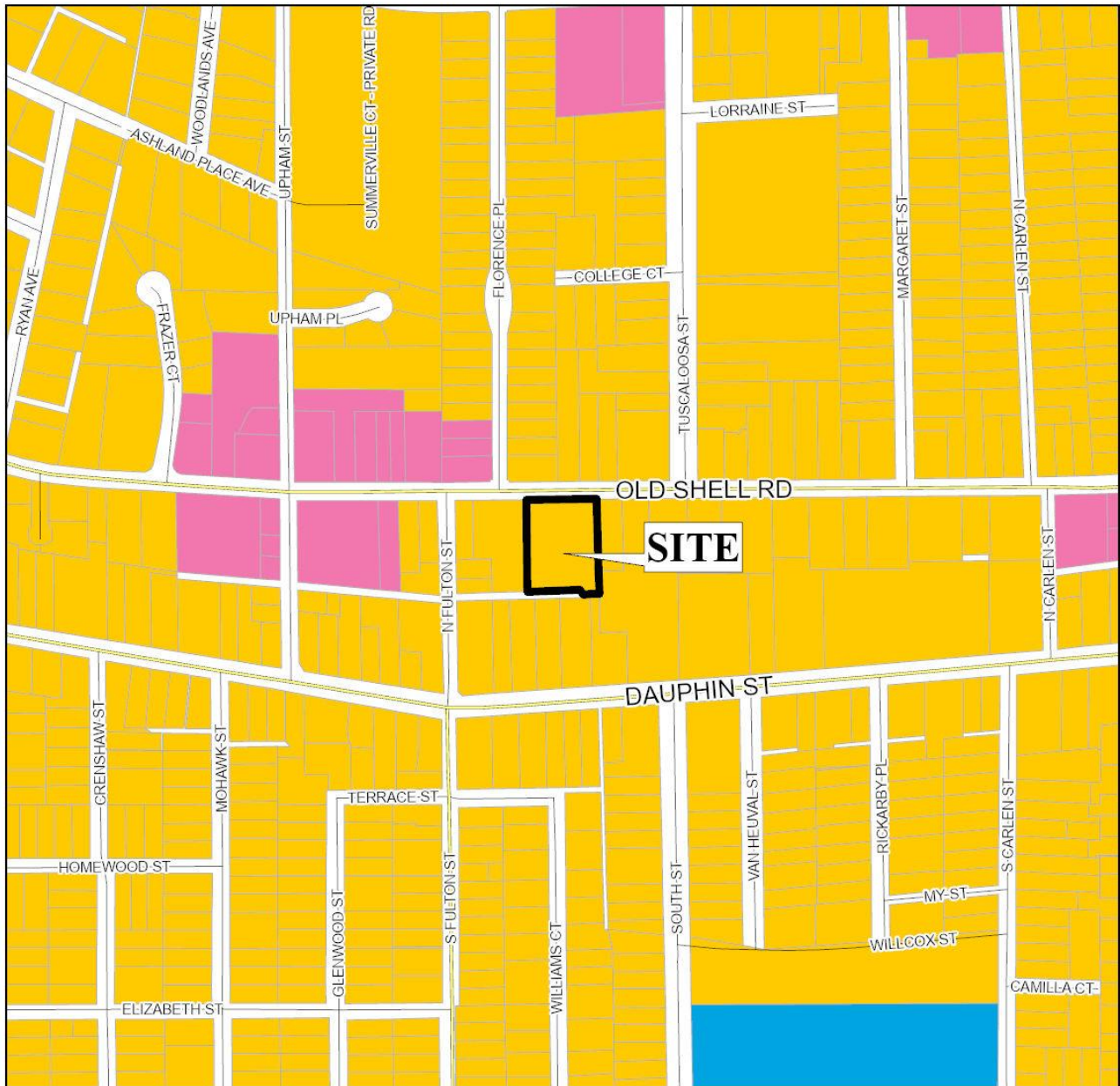
LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE December 19, 2024
 APPLICANT 2015 Old Shell Road Subdivision
 REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 4 DATE December 19, 2024

APPLICANT 2015 Old Shell Road Subdivision

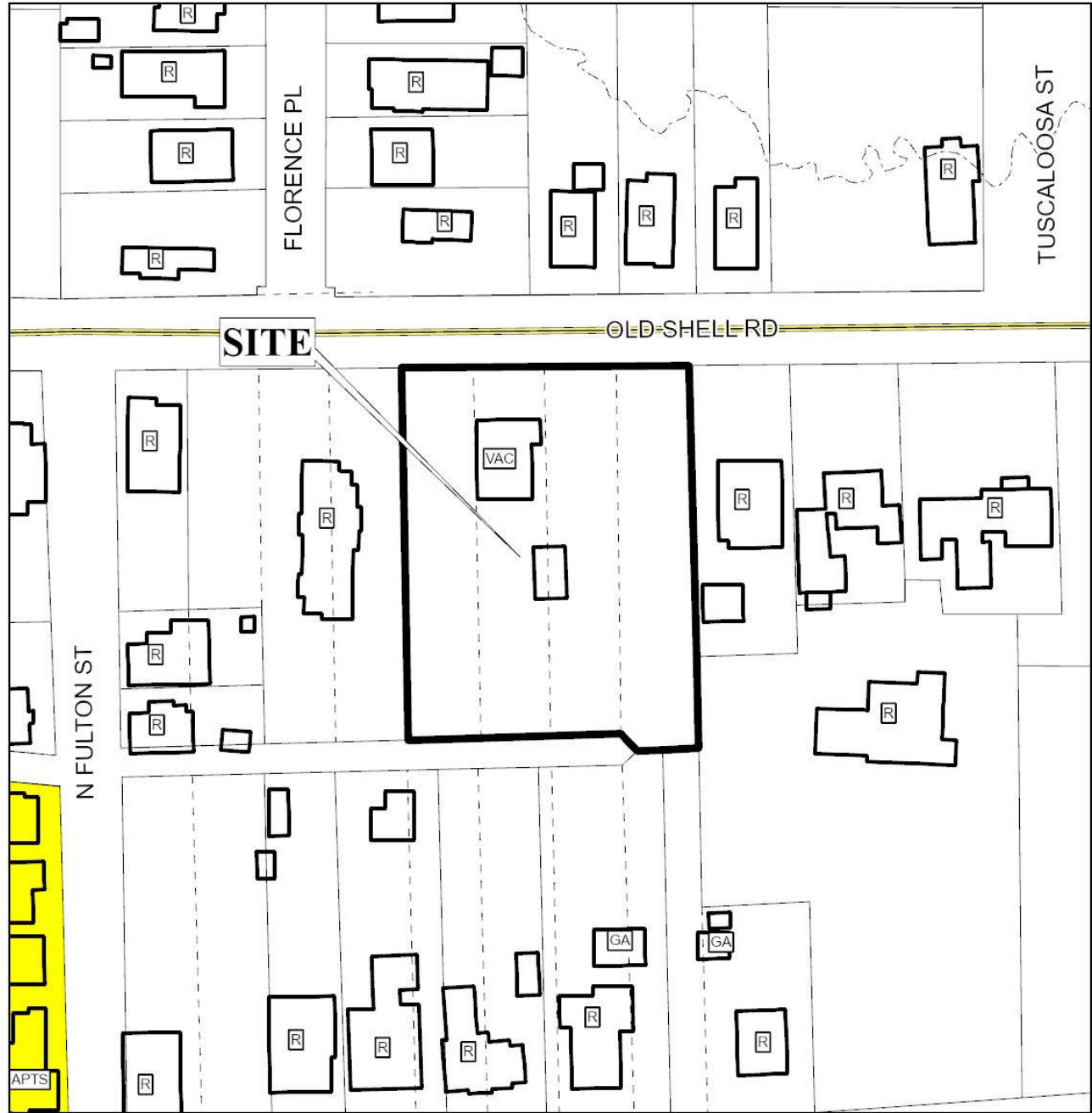
REQUEST Subdivision

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



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2015 OLD SHELL ROAD SUBDIVISION

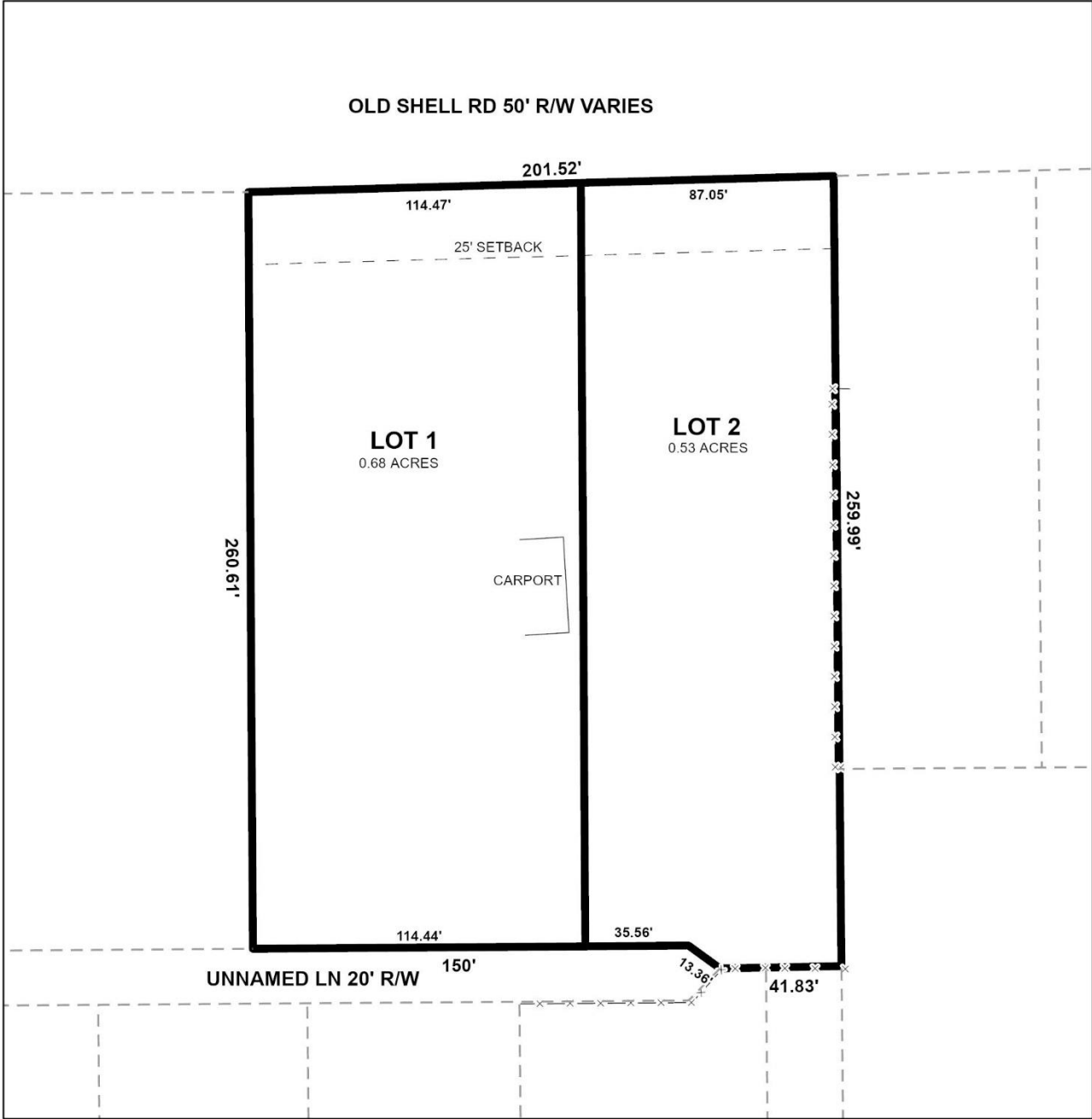


APPLICATION NUMBER 4 DATE 06/20/2024

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	



DETAIL SITE PLAN



APPLICATION NUMBER <u>4</u> DATE <u>December 19, 2024</u>
APPLICANT <u>2015 Old Shell Road Subdivision</u>
REQUEST <u>Subdivision</u>



ZONING DISTRICT CORRESPONDENCE MATRIX		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWURU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. 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	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

MIXED DENSITY RESIDENTIAL (MxDR)

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4- residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like LDR areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.