



Agenda Item # 8

SUB-003207-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2806 Old Shell Road

Subdivision Name:

Old Shell Cottages Subdivision

Applicant / Agent:

195, LLC

Property Owner:

Marl M. Cummings, III & Kelley Goree

Current Zoning:

R-1, Single-Family Residential Urban District

Future Land Use:

Traditional Corridor

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 seven (7) legal lots of record from two (2) legal lots of record and two (2) metes-and-bounds parcels.

Commission Considerations:

1. Subdivision proposal with nine (9) conditions.

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OLD SHELL COTTAGES SUBDIVISION



APPLICATION NUMBER 8 DATE February 20, 2025



SITE HISTORY

The site was originally part of the McDonald Property Subdivision, the plat for which was recorded in June 1903. Since that time, development of the area has resulted in the shifting of lot lines between several properties without approval from the Planning Commission, such that the designs of at least two (2) of the lots are no longer compatible with the recorded subdivision plat, which now have metes-and-bounds descriptions. The applicant plans to develop the property with seven (7) new, single-family dwellings, thus requiring full compliance with current regulations, including 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. Provide a Subdivision Name on the FINAL PLAT.
- C. Provide the Client's name in the title block.
- D. Complete the information in NOTES #2.
- E. Provide reference, on the map and the description, to a monumented corner.
- F. Provide a written description for the proposed subdivision boundary.
- G. Provide and label the monument set or found at each subdivision corner.
- H. Add a graphic scale.
- I. Provide a vicinity map.
- J. Delete the note under the URBAN FORESTRY section "As shown on the 1984...LOT 2 – NONE."
- K. Provide an updated Plat for review after revising the centerline of Wynngate Way to meet the requirements the Subdivision Regulations.
- L. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- M. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1 – 7 will share the 4,100 SF historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) and share the 12,000 SF credit for the three (3) original lots as follows: LOT 1 – 2,300 SF, LOT 2 – 2,300 SF, LOT 3 – 2,300 SF, LOT 4 – 2,300 SF, LOT 5 – 2,300 SF, LOT 6 – 2,300 SF, and LOT 7 – 2,300 SF. Any additional impervious area will require stormwater detention.
- N. 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.
- O. 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.
- P. 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.
- Q. 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.

- R. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- S. 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-sprinkled commercial buildings, within 600' of sprinkled 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 seven (7) legal lots of record from two (2) legal lots of record and two (2) metes-and-bounds parcels. The site is served by public water and sanitary sewer services.

All the proposed lots have frontage on Old Shell Road, a Minor Arterial Street with an existing 50-foot-wide right-of-way. The plat depicts a sufficient right-of-way width making additional dedication unnecessary.

Lots 1, 3, 4, 5, 6, and 7, as proposed, exceed the minimum area requirements for lots served by public water and sanitary sewer in an R-1, Single-Family Residential Urban District, but are not labeled in either square feet or acres on the preliminary plat, as required by Section 5.A.2(e)(4) of the Subdivision Regulations. If approved, revision of the Final Plat to provide the size of each lot in both square feet and acres should be required; or provision of a table on the Final Plat with the same information will suffice.

Lot 2, as proposed, does not meet the minimum area requirements for lots in an R-1 Urban district by approximately 313± square feet. This is not uncommon within the surrounding neighborhood, but such lots appear to have boundaries not approved by the Planning Commission (metes-and-bounds parcels). Nevertheless, the area has been established since at least 1903 and may suggest the proposed lot would be compatible with other properties within the vicinity of the subject site; however, if approved, a waiver of Section 6.C.2.(a)(1) of the Subdivision Regulations will be required, and the plat should be revised to provide the size of the lot in both square feet and acres.

Proposed Lot 1 meets the minimum 50-foot width requirement of Section 6.C.2(b)(3) for residential lots located within the urban sub-district, but Lots 2-7 are each 41.88-feet-wide. This is uncommon within the surrounding

neighborhood. As such, a waiver of Section 6.C.2.(b)(3) of the Subdivision Regulations will be required for approval.

A 5-foot front yard setback is illustrated along Old Shell Road on the preliminary plat, in compliance with Section 5.C.2.(i) of the Subdivision Regulations, and Article 2, Section 64-2-5.E. of the Unified Development Code (UDC) for lots in an R-1 Urban district. If approved, this information should be retained on the Final Plat.

Five (5)-foot side and rear yard setbacks are illustrated along the side and rear property lines, which is not required by the Subdivision Regulations. As such, if approved, removal of the side and rear setbacks from the Final Plat should be required.

The name of the proposed subdivision is not provided on the preliminary plat. If approved, the name of the proposed subdivision should be placed on the Final Plat.

SUBDIVISION CONSIDERATIONS

Standards of Review:

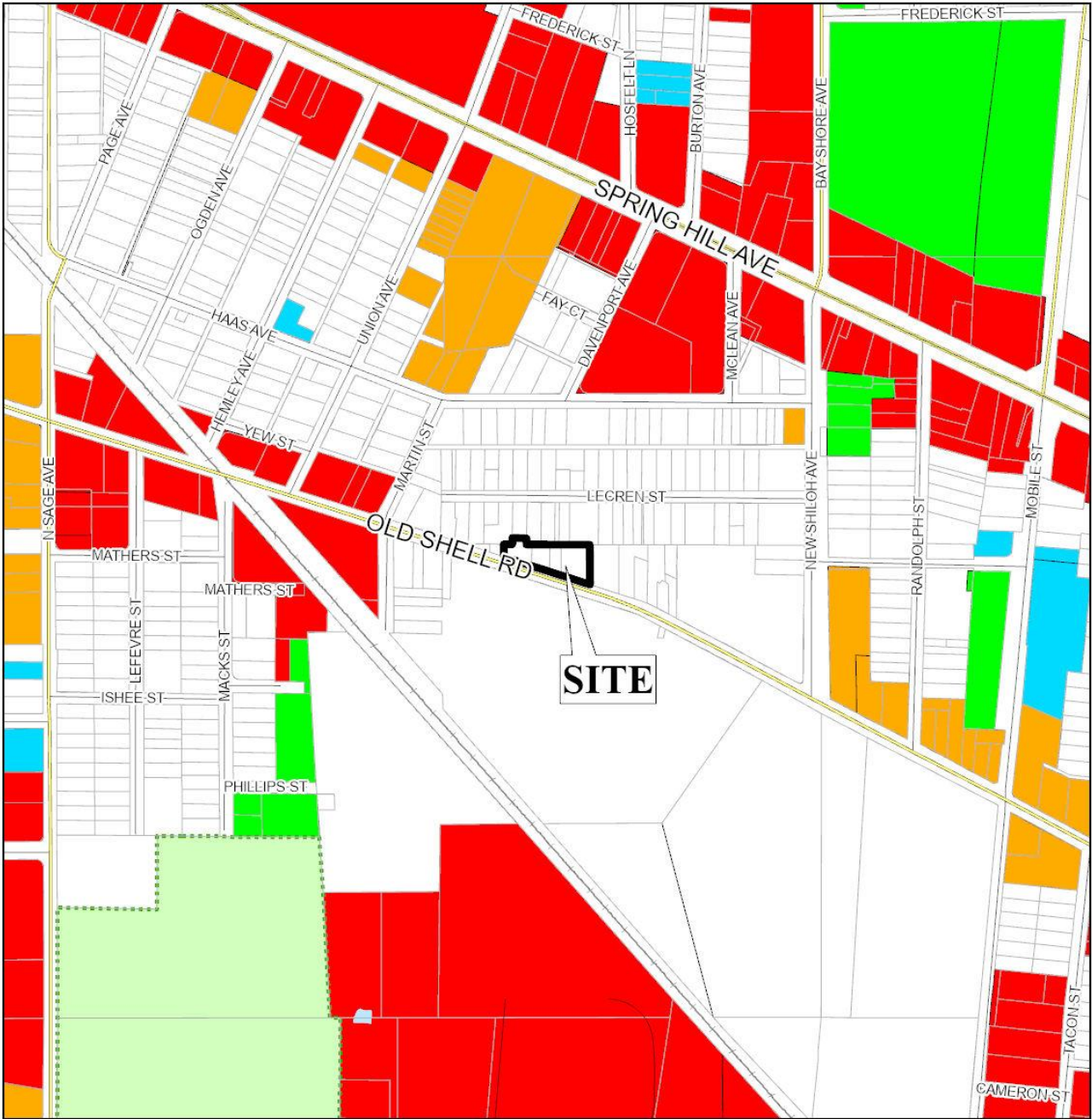
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set 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 Sections 6.C.2(a)(1) and 6.C.2.(b)(3) of the Subdivision Regulations will be required and the following conditions could apply:

1. Retention of the 50-foot-wide right-of-way along Old Shell Road;
2. Revision of the plat to label each lot with its size in square feet and acres, or provision of a table on the Final Plat with the same information;
3. Retention of the 5-foot front yard setback along Old Shell Road;
4. Removal of the side and rear yard setbacks from the Final Plat;
5. Provision of the name of the proposed subdivision on the Final Plat;
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.

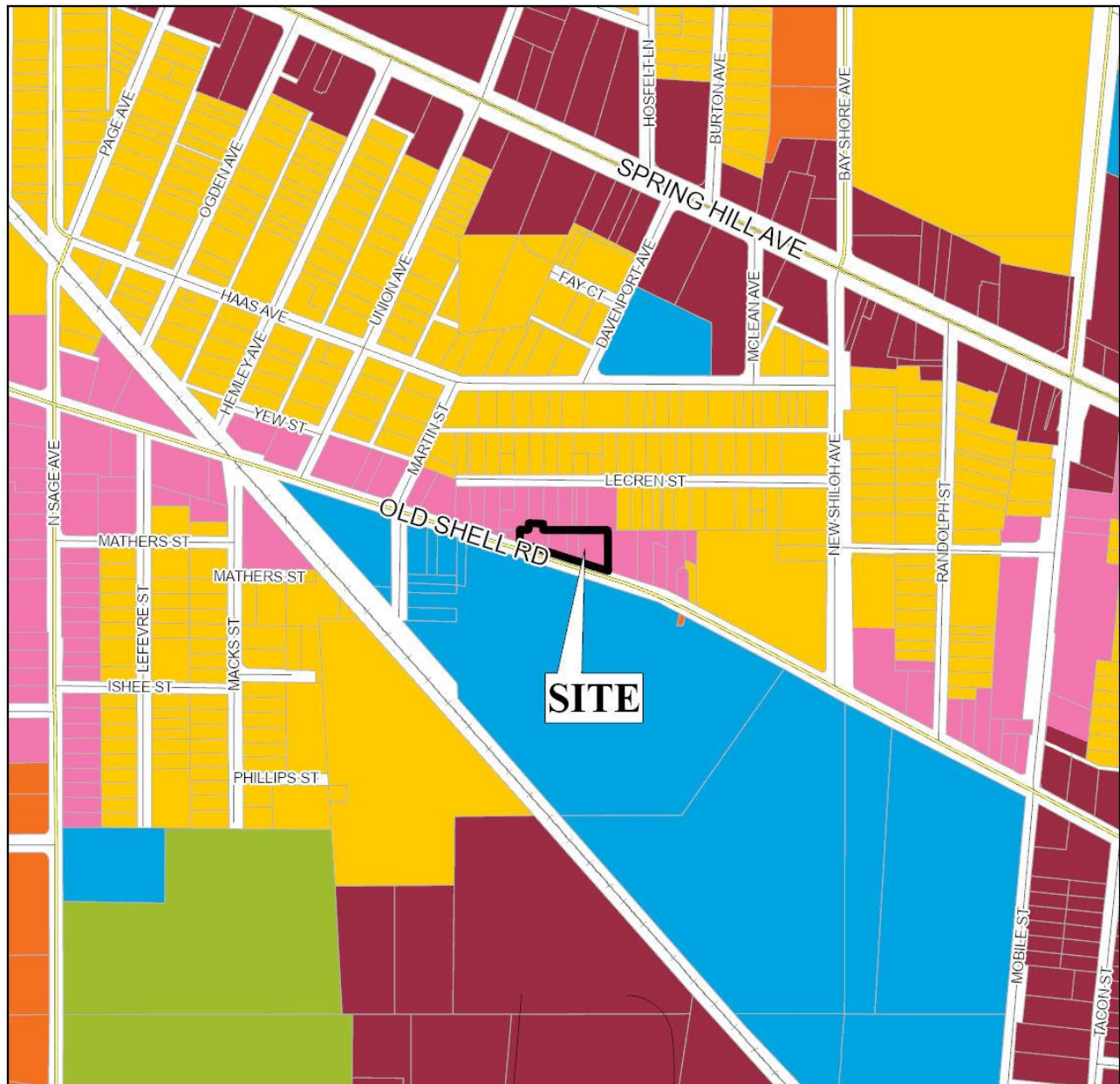
LOCATOR ZONING MAP



APPLICATION NUMBER 8 DATE February 20, 2025
APPLICANT Old Shell Cottages Subdivision
REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 8 DATE February 20, 2025

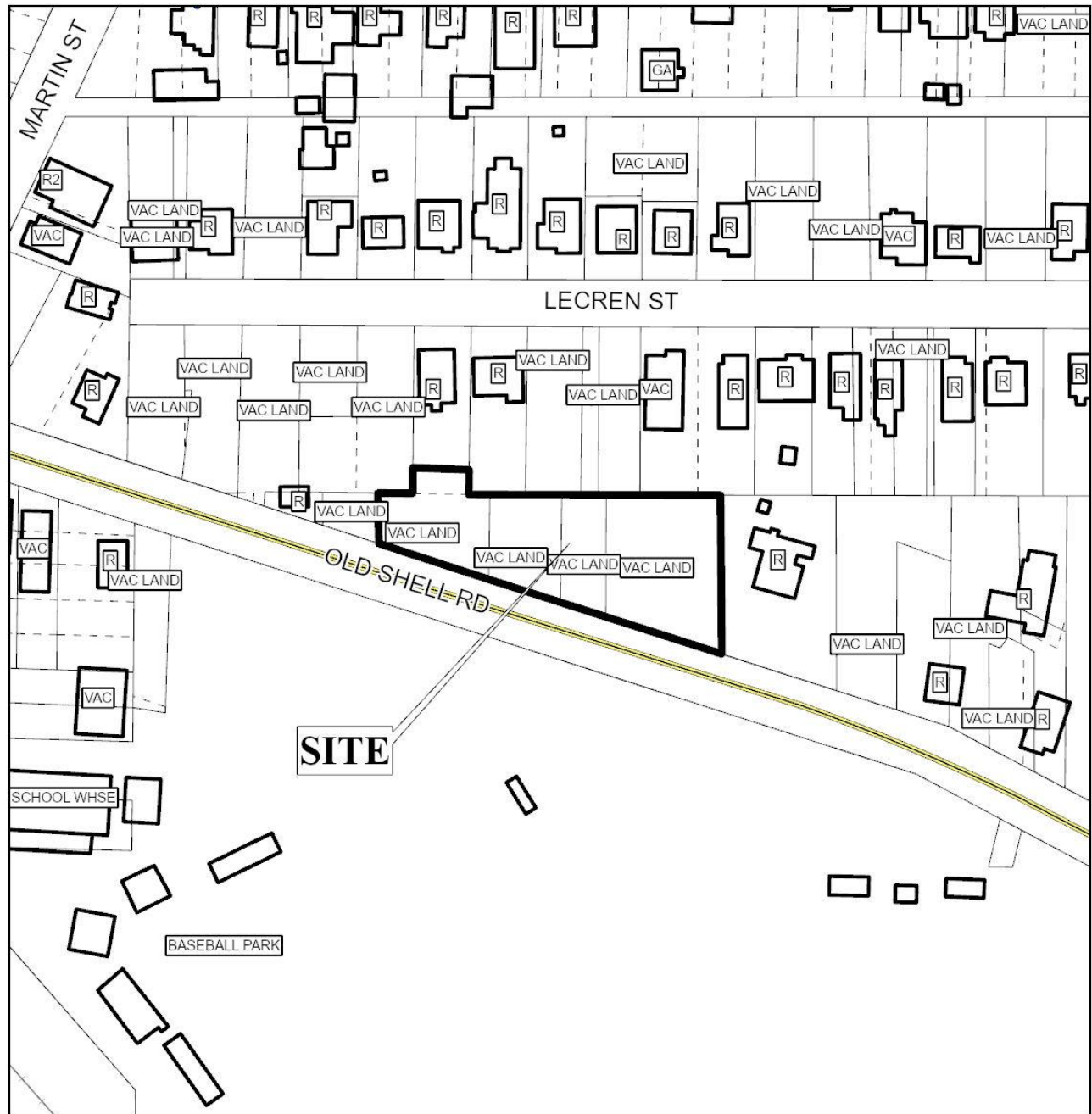
APPLICANT Old Shell Cottages Subdivision

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 | |



OLD SHELL COTTAGES SUBDIVISION

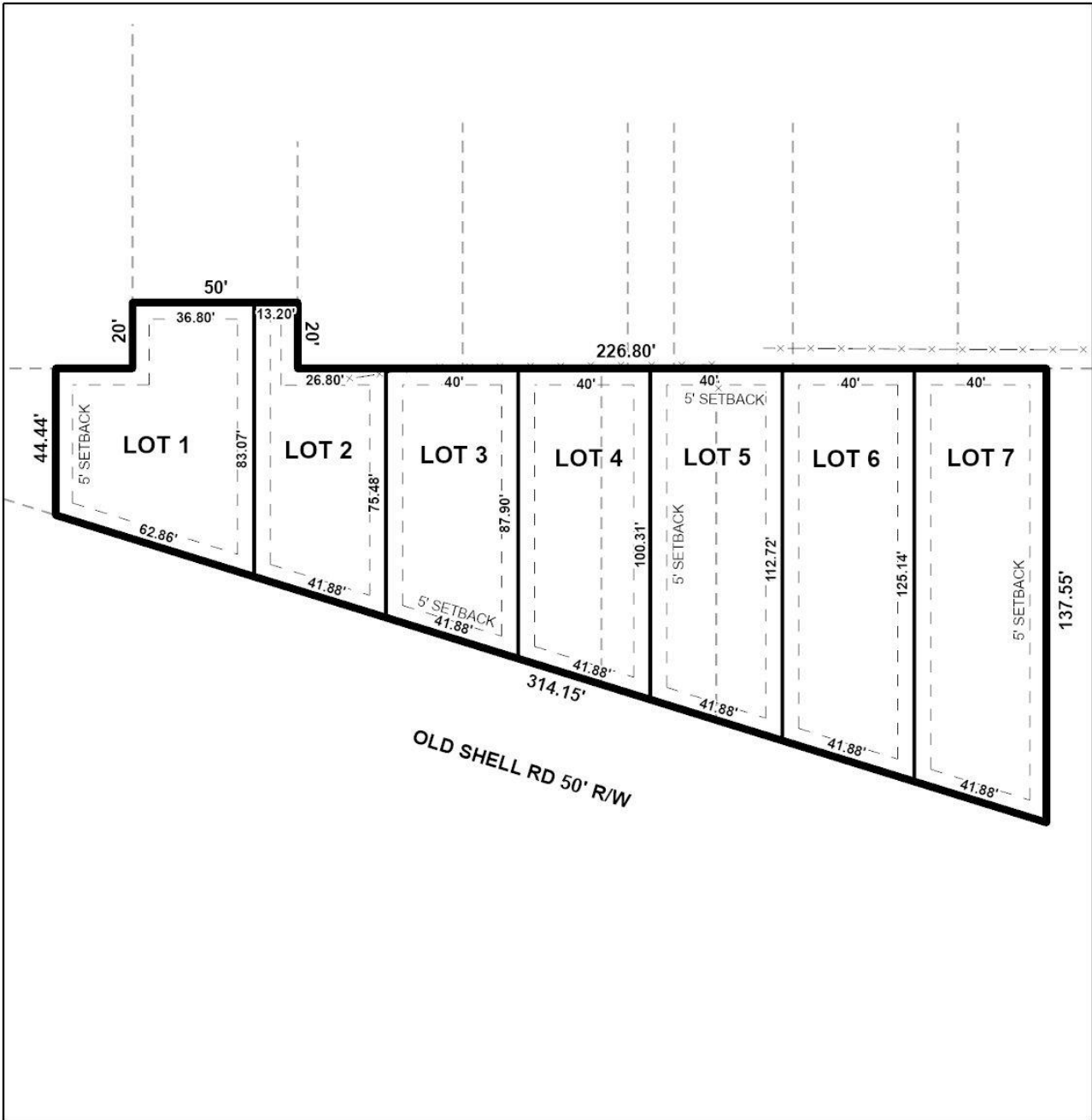


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 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	



DETAIL SITE PLAN



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APPLICANT Old Shell Cottages Subdivision

REQUEST Subdivision



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 (WDWU)
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)

TRADITIONAL CORRIDOR (TC)

This land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.