



Agenda Item # 32

SUB-003731-2026 & ZON-UDC-003732-2026

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:

2665 Government Boulevard and 604 and 610
Mandrell Street

Subdivision Name:

Sunset Estates Subdivision

Applicant / Agent:

Bryant Properties / Byrd Surveying, Inc.

Property Owner(s):

Eunice B. Lecuru

Current Zoning:

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

Future Land Use:

Low Density Residential & 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 May 21, 2026, at 5:00 p.m. at 1400 Dauphin Island Parkway.

Applicable Codes, Policies, and Plans:

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

Proposal:

- Subdivision approval to create three (3) legal lots of record.
- Rezoning from R-1 Suburban and B-2 Suburban to R-1 Suburban and B-3 Suburban.
- **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	32	DATE	July 16, 2026
APPLICANT	Sunset Estates Subdivision		
REQUEST	Subdivision, Rezoning from R-1 and B-2 to R-1 and B-3		



SITE HISTORY

The eastern portion of the site was originally included within the *Shannon Heights Subdivision*, the plat of which was recorded in the Mobile County Probate Court in early 1938. The western portion of the site was subsequently included within the *First Addition to Shannon Heights Subdivision*, recorded in March 1939.

The property was annexed into the City of Mobile in 1945 and assigned its respective Single-Family Residential and Neighborhood Business zoning classifications. These zoning designations remained in place through the adoption of the 1967 Zoning Ordinance and the 2023 Unified Development Code (UDC).

Historically, the portion of the site fronting Government Boulevard was developed for commercial purposes and has long been used as an automobile dealership. The portions of the site fronting Mandrell Street were developed for single-family residential use and each contain an existing single-family dwelling.

There are no previous Planning Commission or Board of Zoning Adjustment cases 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. Revise NOTES #7 to read - As shown on the 1984 aerial photo LOTS 1 - 3 share the 14,000 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) and share the 8,000 SF credit provided to the original residential lots as follows: LOT 1 – 11,000 sf, LOT 2 – 5,200 sf, and LOT 3 – 5,800 sf. Stormwater detention will be required for any additional impervious area that exceeds the allowable credit for that LOT.
- C. Retain NOTES #1 - 5.
- D. 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 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 subdivision request is to create three (3) legal lots of record from one (1) existing legal lot of record and three (3) metes-and-bounds parcels. The site is served by public water and sanitary sewer.

Proposed Lot 1 fronts Government Boulevard, an Alabama Department of Transportation-maintained Principal Arterial Street requiring a 250-foot-wide right-of-way at this location. Proposed Lots 2 and 3 front Mandrell Street, a minor street with curb and gutter improvements requiring a 50-foot-wide right-of-way.

The preliminary plat depicts Government Boulevard with a 236-foot-wide right-of-way. Therefore, if approved, the Final Plat should be revised to provide sufficient dedication to establish 125 feet from the centerline of Government Boulevard, unless a waiver of Section 6.B.9. of the Subdivision Regulations is approved upon recommendation of the City Engineer and Traffic Engineer. No additional right-of-way dedication is required along Mandrell Street.

All proposed lots exceed the minimum lot area requirements of Article 2, Sections 64-2-5.E. and 64-2-14.E. of the Unified Development Code (UDC) for properties served by public water and sanitary sewer. The preliminary plat properly identifies the area of each lot in both square feet and acres. If approved, this information should be retained on the Final Plat, adjusted as necessary to reflect any required right-of-way dedication. A lot area table may be provided in lieu of individual lot labels.

The proposed lots also exceed the minimum lot width requirements of Sections 6.C.2.(b)(2) and 6.C.2.(b)(4) of the Subdivision Regulations for residential and commercial lots within the Suburban sub-district.

A 25-foot front yard setback is depicted along both Government Boulevard and Mandrell Street, consistent with Section 6.C.8. of the Subdivision Regulations and the applicable requirements of the UDC. If approved, the setback should be retained on the Final Plat and adjusted as necessary to account for any required right-of-way dedication.

As submitted, approval of the subdivision would result in proposed Lot 1 being split-zoned between R-1 (Single-Family Residential Suburban District) and B-2 (Neighborhood Business Suburban District). Therefore, approval of the subdivision should be contingent upon approval of the associated rezoning application.

Rezoning

As previously noted, approval of the subdivision request would result in proposed Lot 1 being split-zoned R-1 and B-2. The applicant is requesting rezoning of the potentially split-zoned lot to B-3, Community Business Suburban District, and to rezone proposed Lot 2 to R-1. Proposed Lot 3 will retain its existing R-1 zoning classification.

In support of the application, the applicant states that the purpose of the request is to align the zoning classifications with the historic and existing uses of the proposed lots. The portion of the site fronting Government Boulevard has long been developed and utilized for commercial purposes, most notably as an automobile dealership, while the portions fronting Mandrell Street were developed for and continue to be used as single-family residential properties. Automobile sales and service are not permitted within the B-2 zoning district, but the property's longstanding commercial use history may establish legal non-conforming status, supporting the applicant's request to assign a zoning classification more consistent with the site's historic use.

The applicant's narrative and 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 5, Section 64-5-4 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 May 21, 2026, at 5:00 p.m. at 1400 Dauphin Island Parkway. According to the sign-in sheet provided by the applicant, no members of the public attended. The meeting remained open until 6:00 p.m., satisfying the requirement that Neighborhood Meetings be scheduled for a minimum of one (1) hour. 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 surrounded by a mix of commercial and residential development. Properties to the north and south are zoned B-2 and developed with commercial uses, including automobile sales and service businesses and a bar/lounge. Properties to the east are zoned R-1 and developed with single-family residences. Across Government Boulevard to the west, properties are zoned B-2 and developed with a variety of commercial uses, including appliance repair services and a restaurant with drive-thru service.

The site plan submitted with the rezoning application depicts the existing commercial structures and billboard on proposed Lot 1, as well as existing single-family dwellings and accessory structures on proposed Lots 2 and 3. No redevelopment plans were submitted as part of this request. Any future development or redevelopment of the properties will be subject to compliance with all applicable provisions of the Unified Development Code (UDC).

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 rezoning appears justified to eliminate the split-zoning condition that would result from the subdivision request and to better align the zoning classifications with the historic development pattern and longstanding use of the respective properties. The request may also address a potential inconsistency in the zoning map by assigning a B-3 classification to the commercial portion of the site, which has historically been used in a manner more characteristic of the B-3 district than the existing B-2 designation.

If approved, the rezoning should be completed prior to signing the Final Plat associated with 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. Revision of the plat to illustrate dedication sufficient to provide 125 feet from the centerline of Government Boulevard, unless a waiver of Section 6.B.9. of the Subdivision Regulations is recommended by the City Engineer and Traffic Engineer;
2. Retention of the 50-foot-wide right-of-way along Mandrell Street on the Final Plat;
3. 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, adjusted for any required dedication;
4. Retention of the 25-foot front yard setback line along all street frontages, adjusted for any required dedication, in compliance with Section 6.C.8. of the Subdivision Regulations;
5. Completion of the Rezoning process prior to signing 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.

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:

- 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.

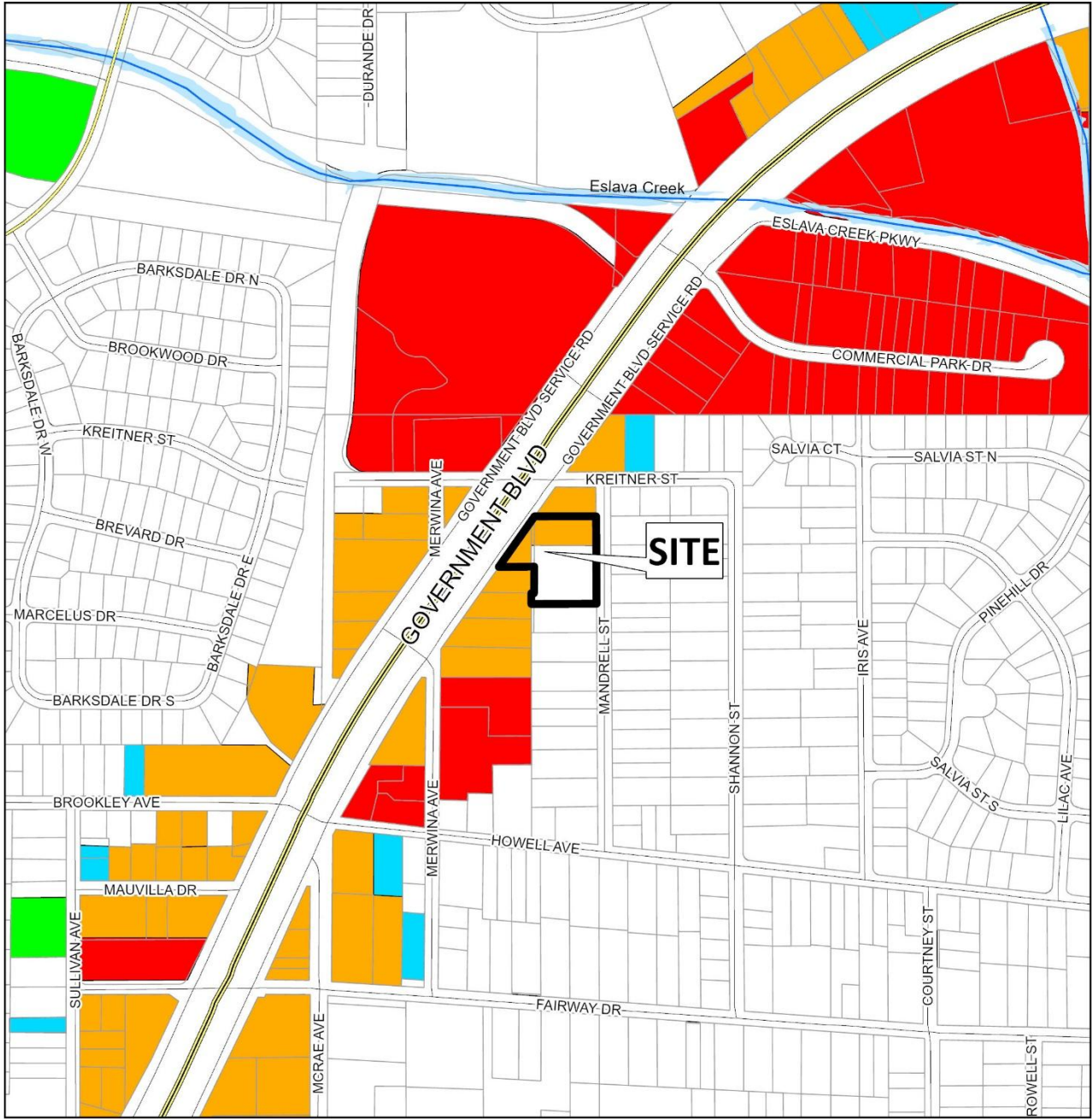
The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

If the Planning Commission considers a recommendation of approval of the Rezoning request to the City Council, 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.

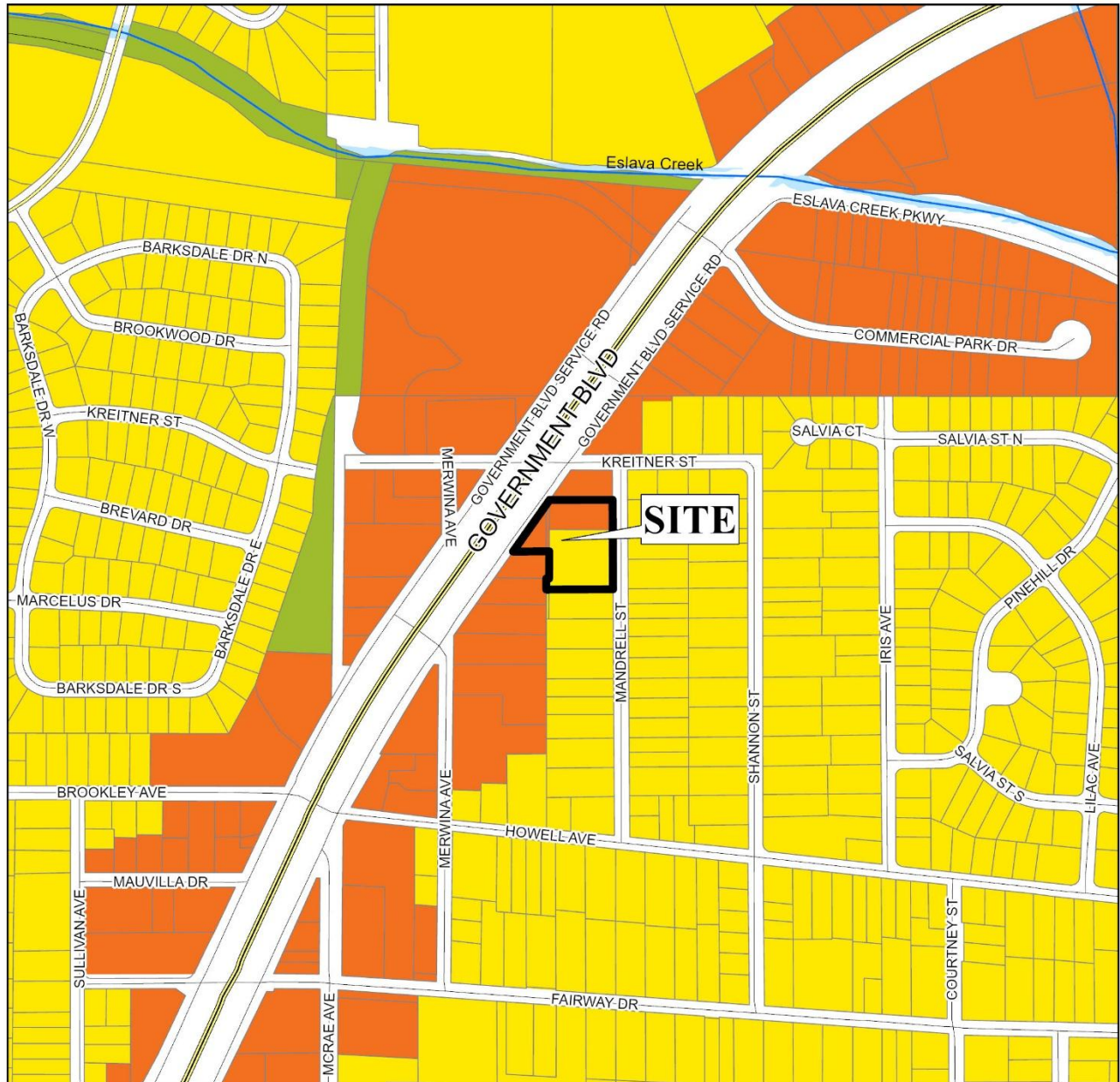
LOCATOR ZONING MAP



APPLICATION NUMBER 32 DATE July 16, 2026
 APPLICANT Sunset Estates Subdivision
 REQUEST Subdivision, Rezoning from R-1 and B-2 to R-1 and B-3



FLUM LOCATOR MAP



APPLICATION NUMBER 32 DATE July 16, 2026

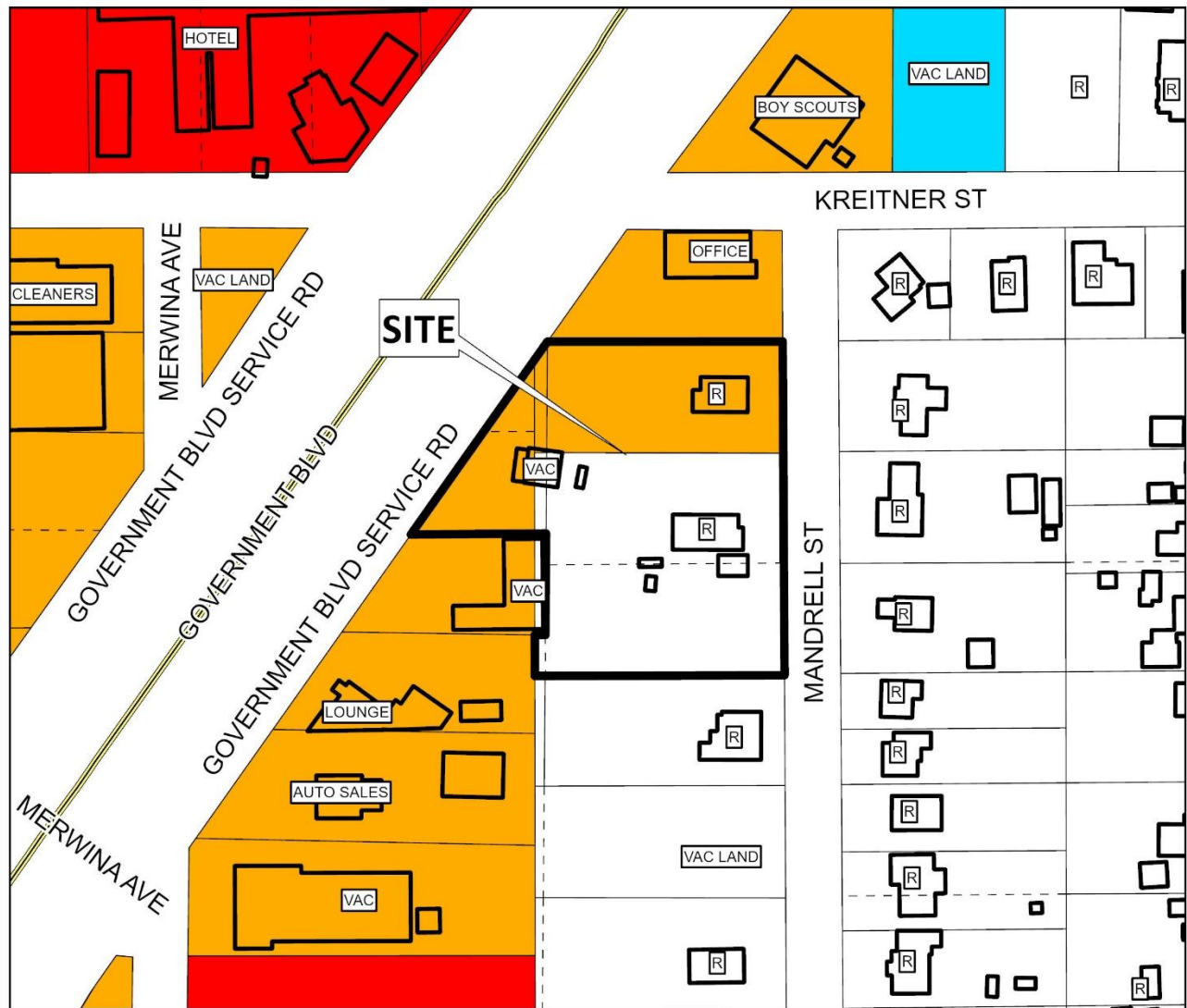
APPLICANT Sunset Estates Subdivision

REQUEST Subdivision, Rezoning from R-1 and B-2 to R-1 and 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 commercial and residential units.

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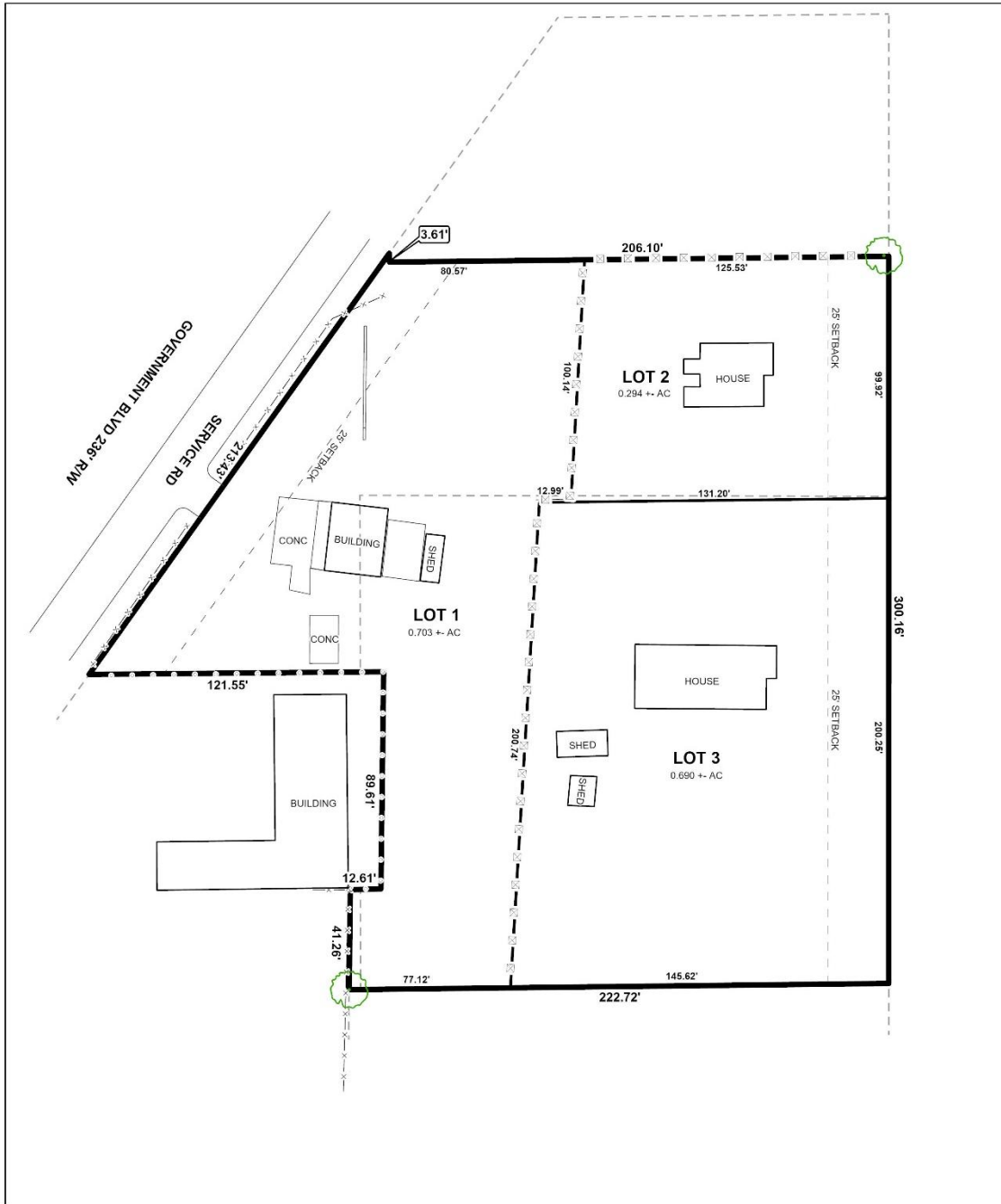
APPLICANT Sunset Estates Subdivision

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



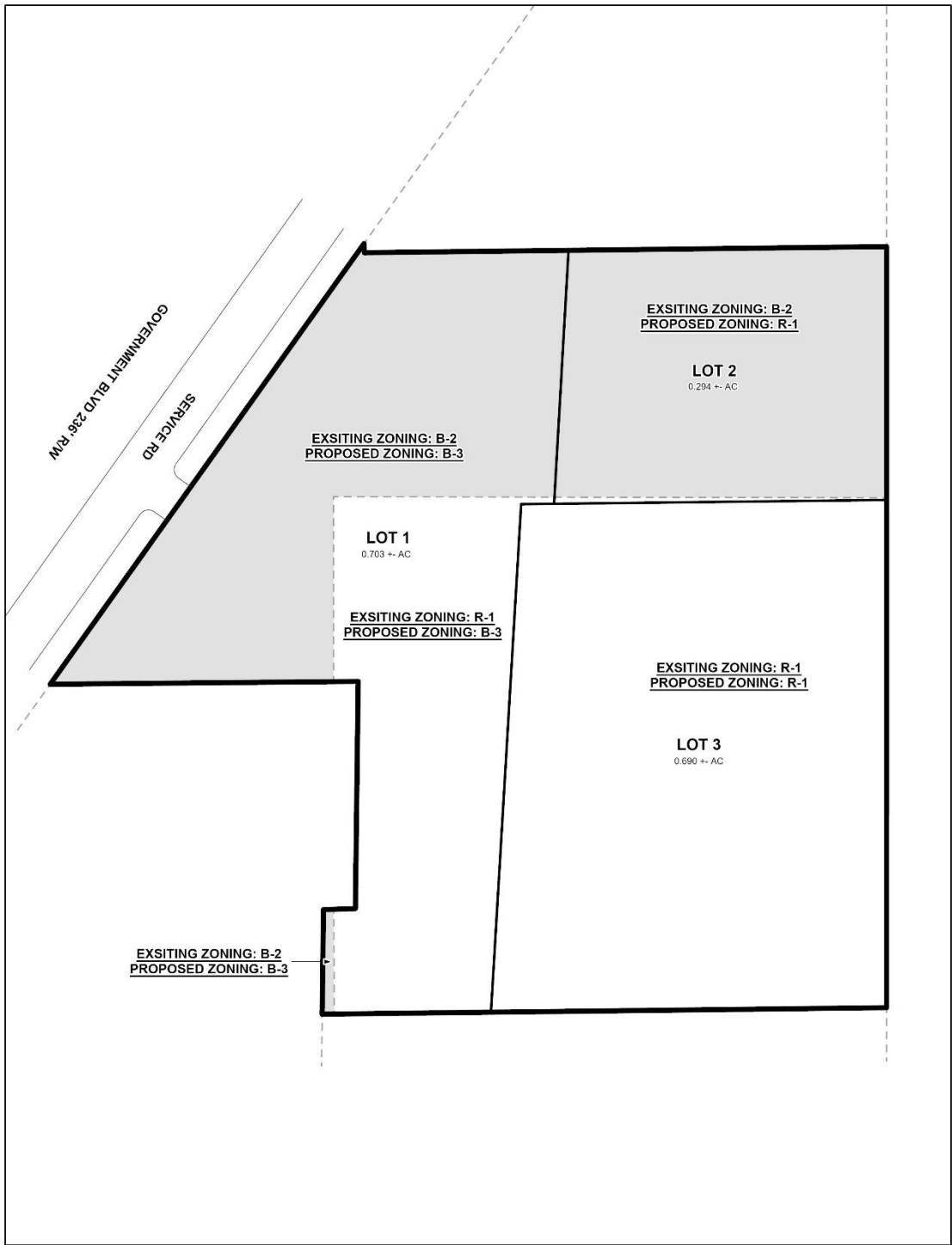
SITE PLAN



The site plan illustrates existing structures, setbacks, and proposed lots.

APPLICATION NUMBER	32	DATE	July 16, 2026	 NTS
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DETAIL SITE PLAN



APPLICATION NUMBER 32 DATE July 16, 2026

APPLICANT Sunset Estates Subdivision

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



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]

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary 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, bikeable human scale.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example



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

