

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**JANUARY 21, 2021 - 2:00 P.M.**

Meeting streamed online

Roll call:

| <b>Members Present</b>  | <b>Members Absent</b>  |
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| Carlos Gant, Chairman<br>Libba Latham, (PJ) Vice Chair<br>Jennifer Denson, Secretary<br>Cart Blackwell<br>Allan Cameron<br>Don Hembree, (PJ)<br>Jay Stubbs, (S) | Shirley Sessions<br>Taylor Atchison<br>Matt Anderson, (MD)<br>Nick Amberger, (AO)<br>Bess Rich, (CC) |
| <b>Planning Staff Present</b>   | <b>Others Present</b>  |
| Margaret Pappas, Planning & Zoning<br>Bert Hoffman, Long Range Planning   | Doug Anderson, Staff Attorney<br>John Strope, Dogwood Productions                                    |

(S) Supernumerary (MD) Mayor's Designee (AO) Administrative Official  
(CC) City Council Representative (PJ) Planning Jurisdiction

The notation motion carried unanimously indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

### **ADOPTON OF THE AGENDA:**

Motion to adopt the agenda by Libba Latham. Second by Jennifer Denson. Adopted.

### **GROUP APPLICATIONS:**

- 1. 4234, 4250 & 4254 Halls Mill Road**  
**(West side of Halls Mill Road at the West terminus of Alden Drive).**  
**Council District 4**
  - a. SUB-001445-2020**  
**Pintail Place Subdivision, Replat (Holdover)**  
**Number of Lots / Acres: 3 Lots / 4.9± Acres**  
**Engineer / Surveyor: S. E. Civil Engineering & Surveying**

Applicant, Jared Landry, was present. He expressed concerns regarding the buffer and fence requirements on the west side of the property, as that property was owned by Mobile County.

The applicant, staff, legal counsel, and Commissioners discussed the buffer issues and various options.

No one else was present was present to speak regarding the application.

Motion to approve by Don Hembree. Second by Cart Blackwell. Approved.

After discussion, the Planning Commission Tentatively Approved the request, subject to the following conditions:

- 1) retention of the dedication to provide 35' from the centerline of Halls Mill Road;
- 2) retention of the 25' minimum building setback line as measured from any dedicated right-of-way;
- 3) retention of the lot size labels in both square feet and acres, after required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 5) subject to the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): 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 the recording data for the vacated Right-of-Way. C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. D. Provide the Owner's (notarized) signatures. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #86) LOTS 3A and 4A 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 3A – 6,500 sf, LOT 4A –NONE. F. 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. G. Add a note that all 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. H. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. I. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. J. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City

- Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.)
- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design are subject to an approved PUD for this site and shall 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 Section 64-6 of the City's Zoning Ordinance.);
  - 7) compliance with the 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
  - 8) compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
  - 9) completion of the Right-of-Way Vacation process for the unopened and unnamed public right-of-way prior to signing the Final Plat; and
  - 10) submission to and approval by Planning and Zoning of a revised PUD site plan prior to signing the Final Plat.

**b. PUD-001446-2020**

**Pintail Place Subdivision, Replat (Holdover)**

**Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access and parking between the building sites.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree, citing Findings of Fact a-f. Second by Libba Latham. Approved.

After discussion, the Planning Commission determined the following Findings of Fact for Approval:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it allows for the reconfiguration of an existing and developed site to meet the owner's needs;
- b. the proposal promotes the objectives of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because lot lines can be shifted and still retain shared access and parking as previously approved;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that

- remain undeveloped or that are appropriate for development), because the reconfiguration of the property boundaries does not require new construction on raw land;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the reconfiguration of the property boundaries does not eliminate any existing urban amenities or natural features, and the existing urban fabric is retained;
  - e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because only a small portion of the site will be subject to new paving; and
  - f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets, and community facilities), because the requirement for street frontage dedication allows for future widening along Halls Mill Road and infrastructure improvements.

The Approval is subject to the following conditions:

- 1) retention of the 25' minimum building setback line as measured from any dedicated right-of-way required by the associated Subdivision;
- 2) retention of the lot size labels in both square feet and acres, after required dedication, or the furnishing of a table on the site plan providing the same information;
- 3) placement of a note on the site plan stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 4) retention of the parking calculations on the site plan;
- 5) revision of the site plan to provide landscaping calculations;
- 6) revision of the site plan to provide tree plantings and calculations, to be coordinated with staff on the location of heritage trees;
- 7) revision of the site plan to provide either a 6' high privacy fence, or a 6' high, 10' wide evergreen vegetative buffer in compliance with Section 64.4.D.1. of the Zoning Ordinance, along the Western boundary of the site;
- 8) revision of the site plan to provide a public sidewalk along Halls Mill Road in the event the Sidewalk Waiver request is denied;
- 9) completion of the Right-of-Way Vacation process for the unopened and unnamed public right-of-way;
- 10) subject to the Engineering comments: (1. Show the Proposed LOTS 3A and 4A instead of the existing parcels (lot 3, 4, and ROW). 2. Add the following notes to the PUD SITE PLAN: a. 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. 3. Retain NOTES #5, 6, 7, 9, and 10 as shown on the MOBILE CITY PUD SITE PLAN dated 11/23/2020.);
- 11) placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design are subject to an approved PUD for this site and shall 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 Section 64-6 of the City's Zoning Ordinance.);
- 12) compliance with the 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
  - 13) compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
  - 14) submission to and approval by Planning and Zoning of a revised PUD site plan prior to signing the Final Plat for the associated Subdivision; and
  - 15) full compliance with all municipal codes and ordinances.

**c. SUB-SW-001471-2020**

**Safety Plus (Larry Smith P.E., Agent)**

**Sidewalk Waiver request to waive construction of a sidewalk along Halls Mill Road.**

See the discussion under the Subdivision application.

Motion to deny the sidewalk waiver request by Don Hembree. Second by Libba Latham. Denied.

After discussion, the Planning Commission denied the request to waive construction of a sidewalk along Halls Mill Road, as it appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

**2. Springdale Mall Shopping Center**

**(Northeast corner of Airport Boulevard and East I-65 Service Road South).**

**Council District 5**

**a. SUB-001470-2020**

**Springdale Mall Subdivision – Phase II**

**Number of Lots / Acres: 11 Lots / 70.4+ Acres**

**Engineer / Surveyor: CPH Design, Inc.**

Applicant, Brett Milke, was present and in agreement with all recommendations.

No one else was present to speak regarding the application.

Motion to approve by Libba Latham. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission waived Sections V.D.1. and V.D.3. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) Provision of a subdivision plat compliant with Section IV.C. of the Subdivision Regulations;
- 2) Either depiction of existing, compliant right-of-way widths along East I-65 Service Road and Airport Boulevard, or dedication thereof;
- 3) Provision of the sizes of each lot in square feet and acres on the Final Plat, or provision of a table on the Plat with the same information;
- 4) Depiction of the required 25' minimum building setback line along all street frontages where the lots exceed 60' in width;
- 5) Depiction and labeling of all existing easements and the Alabama Power Company right-of-way;
- 6) Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if applicable;
- 7) Compliance with Engineering comments: (No PLAT was submitted for review.);
- 8) Placement of a note on the plat stating Traffic Engineering comments: (Applicant has performed a Traffic Impact Study (TIS) and has arrived at several recommendations that are acceptable to Traffic Engineering and have been included in the PUD site plan. Site is limited to the curb cuts as illustrated in the approved PUD with any changes in size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 9) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
- 10) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and,
- 11) Full compliance with all other municipal codes and ordinances.

**b. PUD-001469-2020**

**Springdale Mall Subdivision – Phase II**

**Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow shared access and parking between multiple building sites.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree, citing Findings of Fact a-d. Second by Libba Latham. Approved.

After discussion, the Planning Commission determined the following Findings of Fact for Approval:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because greater flexibility is required due to the scope and scale of the site, and due to existing conditions and constraints;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the applicant is repurposing portions of a large existing site developed in multi-phases under different standards over the years;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the applicant is endeavoring to maintain the economic viability of an existing developed shopping center;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because redevelopment will occur within an existing site, and will reduce impervious area;

The Approval is subject to the following conditions:

- 1) Compliance with Engineering comments (Retain NOTES #3 - #8, as shown on the OVERALL SITE PLAN drawing SHEETC1.3 dated 4-28-2020.);
- 2) Placement of a note on the site plan stating Traffic Engineering comments: (Applicant has performed a Traffic Impact Study (TIS) and has arrived at several recommendations that are acceptable to Traffic Engineering and have been included in the PUD site plan. Site is limited to the curb cuts as illustrated in the approved PUD with any changes in size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 3) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
- 4) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and,
- 5) Full compliance with all other municipal codes and ordinances.

**3. 4612 Spring Hill Avenue**  
**(North terminus of an unnamed public street, 220'+ North of Spring Hill Avenue).**  
**Council District 7**

**a. SUB-001473-2020**  
**Carondolet Subdivision**  
**Number of Lots / Acres: 1 Lot / 19.3+ Acres**  
**Engineer / Surveyor: Sawgrass Engineering**

Applicant, Thornton Ratliff, was present and in agreement with the recommendations.

No one else was present to speak regarding the application.

Motion to approve by Don Hembree. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission waived Sections V.D.9. and V.B.14. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) Either revision of the Final Plat to label the right-of-way width for Spring Hill Avenue as 100 feet or remove the right-of-way width label for Spring Hill Avenue;
- 2) Completion of the Vacation process through the City Clerk's office prior to signing of the Final Plat;
- 3) Revision of the Final Plat to clearly label the streets as private;
- 4) Retention of the lot size label in both square feet and acres on the Final Plat or the furnishing of a table providing the same information;
- 5) Retention of all recorded easements on the Final Plat and placement of a note stating that no structures shall be constructed within any easement without the permission of the easement holder;
- 6) Placement of a note stating that maintenance of the common area is the sole responsibility of the property owners, and not the City of Mobile;
- 7) Full compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): 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 street names to the vicinity map. C. Review and revise the written overall description or distance label for one of the legs of the east property line. D. Provide a written description for the subdivision boundary. E. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. G. Show and label all flood zones. New maps went into effect on June 5, 2020. H. Show and label the MFFE (Minimum



- Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. I. Clarify that Carondolet Circle within LOT 1 is PRIVATE. J. Provide the Surveyor's and Owner's (notarized) signatures. K. 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. L. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 8) Placement of a note on the site plan stating the following Traffic Engineering comments: (With the vacation of right-of-way within the subject property, the site is limited to one curb cut to Carondolet Court, with any changes to size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
  - 9) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
  - 10) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
  - 11) Provision of two (2) revised PUD Site Plans to the Planning & Zoning Department prior to signing of the Final Plat; and
  - 12) Compliance with all other applicable municipal Codes and Ordinances.

**b. PUD-001472-2020**

**Carondolet Subdivision**

**Planned Unit Development Approval to allow a private street subdivision and multiple buildings on a single building site.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree, citing Findings of Fact a-c. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission determined the following Findings of Fact for Approval:

- a) the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is allowing additional development to occur on a developed lot;

- b) the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because it is allowing the existing business to expand on the existing property;
- c) the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because no perimeter development or development within the wetland or wooded areas of the site are proposed;


The Approval is subject to the following conditions:


- 1) Full compliance with Engineering comments: (Retain PUD NOTES #1 - #5 and #11, as shown on the PUD Site Plan dated DEC 2020.);
- 2) Placement of a note on the site plan stating the following Traffic Engineering comments: (With the vacation of right-of-way within the subject property, the site is limited to one curb cut to Carondelet Court, with any changes to size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 3) Compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
- 4) Compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
- 5) Provision of two (2) revised PUD Site Plans to the Planning & Zoning Department prior to signing of the Final Plat;
- 6) Submittal and approval of an Admin PUD application for the proposed future gate and leasing office; and
- 7) Compliance with all other applicable municipal Codes and Ordinances.

**OTHER BUSINESS:**

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Minutes approved: June 20, 2024

  
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Jennifer Denson, Secretary

  
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John W. "Jay" Stubbs, Jr., Chairman