

MOBILE CITY PLANNING COMMISSION MINUTES

MINUTES

MARCH 04, 2021 - 2:00 P.M.

Meeting streamed online

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| Members Present Libba Latham (PJ), Vice Chairman Cart Blackwell Shirley Sessions Allan Cameron Taylor Atchison Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC) Don Hembree (PJ) John W. "Jay" Stubbs, Jr. (S) | Members Absent Carlos Gant, Chairman Jennifer Denson, Secretary |
| Planning Staff Present Margaret Pappas, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning | Others Present Doug Anderson, Staff Attorney Lisa Watkins, Build Mobile 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.

ROLL CALL:

Libba Latham stated the number of members present constituted a quorum and called the meeting to order, advising all attending of the policies and procedures pertaining to the Planning Commission.

ADOPTION OF THE AGENDA:

Motion to adopt by Nick Amberger. Motion to Second by Don Hembree. Motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

- 1. 210 Houston Street and 1802 Old Government Street
(Northwest corner of Old Government Street and Houston Street).
Council District 2
SUB-001511-2021
Wells Place Subdivision, Resubdivision of Lots 1 & 2
Number of Lots / Acres: 2 Lots / 0.6± Acre
Engineer / Surveyor: Smith Clark & Associates**

No one was present to speak regarding the application, and no correspondence was received regarding the application.

A motion was made by Don Hembree for approval and seconded by Bess Rich. The motion carried unanimously.

After discussion, the Planning Commission waived Sections V.D.2. and V.D.9. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) Revision of the Final Plat to remove the 25' front yard setback and placement of a note stating that all setbacks shall be determined by the Historic District Overlay requirements of the Zoning Ordinance;
- 2) Retention of compliant right-of-way widths on the Final Plat;
- 3) Retention of the lot size in both square feet and acres, 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 structure may be constructed or placed within any easement without the permission of the easement holder, if applicable;
- 5) Compliance with 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 Surveyor's and Owner's (notarized) signatures. C. Revise NOTES #18 (left side of PLAT) and/or NOTES #5 (lower right side of PLAT) so that they do not conflict. 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.org prior to obtaining any signatures. No signatures are required on the drawing. E. 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: (Each lot is limited to one curb cut per street frontage, with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);

- 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.; and
- 9) Either submit evidence of an existing structure within the HDO to allow the reduced side yard setback or completion of the variance process for Lot 2A prior to signing the Final Plat.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS

2. 4464, 4474, 4480 and 4490 Halls Mill Road

(North side of Halls Mill Road at the Northern terminus of Laughlin Drive).

Council District 4

PUD-001512-2021

Persons Development & Construction Services, LLC

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on multiple building sites with shared access between multiple building sites and reduced landscaping requirements.

Staff stated that Planning & Zoning received confirmation from Rowe Engineering, the Agent for the Applicant, that they were agreeable with staff recommendations.

No one was present to speak regarding the application, and no correspondence was received regarding the application.

A motion was made for approval by Matt Anderson subject to staff recommendations with finding of facts a, b, and c. The motion was seconded by Cart Blackwell. Motion carried unanimously.

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 expansion of an existing development;
- 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 an existing development with multiple buildings, shared access and parking will be able to expand onto adjacent property, allow for continued business growth; and

- c. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the expansion will utilize existing public infrastructure.

The approval is subject to the following conditions:

- 1) Application for a sidewalk waiver or provision of a sidewalk along Halls Mill Road for the area undergoing new construction;
- 2) Placement of a note on the site plan stating that a buffer will be provided in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 3) Lighting for the proposed parking area to comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 4) Accommodation of 4 frontage trees in the area between the new parking lot and the 100-foot minimum building setback line, by retaining 4 existing overstory trees, or by planting 4 new overstory trees in this area;
- 5) Any new dumpsters placed on the overall PUD must be in compliance with the requirements of Section 64-4.D.9. of the Zoning Ordinance.
- 6) Compliance with Engineering comments: (1. Add a Vicinity Map to the PUD plan. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. 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 (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. 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. c. 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. d. 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. e. 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. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 7) Compliance with Traffic Engineering comments, and placement of the comments as a note on the site plan: (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.

- 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.);
- 8) 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.);
 - 9) Compliance with Fire 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.);
 - 10) Provision of a revised PUD site plan prior to any submittals for construction of the proposed parking area; and
 - 11) Completion of the Subdivision process prior to any request for final inspections of new construction.

3. 755 Monroe Street

(Southeast corner of Monroe Street and South Bayou Street)

Council District 2

PA-001500-2021

Rata Investments LLC

Planning Approval to allow a bar with an occupancy load of over 100 people in a T5.1 Sub-District of the Downtown Development District.

Commissioner Taylor Atchison recused himself from this application.

Stoney Boatman, representative for the applicant, and David Shumer, Barton & Shumer Engineering, were present for the application. They discussed the following items:

- the site has been designed to accommodate 28 parking spaces to address parking concerns;
- they wish to be good neighbors and attempt to quickly respond to and address complaints from neighbors;
- the property is checked daily in the morning to remove litter to keep the property clean;
- dogs are prohibited from the site until they can resolve the issues with dogs and dog waste;
- have worked with adjacent property owners regarding fence issues, to address the concerns of the adjacent property owners;
- they sometimes have food trucks on site serving food; and
- they are still working on measures to mitigate concerns regarding sound transmission off of the property.

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Belinda Bonner, an abutting neighbor, was present in opposition. She stated that her concern regarded noise from the site, including from patrons, especially at night when she is trying to sleep.

Staff noted that correspondence in support of the application was received from West and Alecia Sellers, Daphne Walters and Bryan Booker. Correspondence in opposition was received from Paulette Walsh, Belinda Bonner, and Patricia Pettway.

Commissioners discussed the parking situation around the site and the noise issue after hours.

Planning and Zoning staff requested a holdover to have the applicant submit their plan for mitigating the noise and parking issues.

A motion to holdover application was made by Libba Latham and seconded by Bess Rich. Motion carried unanimously.

The application was heldover to the Planning Commission's April 1st meeting, with revisions due by March 18, 2021, to address the following:

- 1) Address parking and outdoor play yard concerns.

GROUP APPLICATIONS:

Shirley Sessions joined the meeting.

4. 3968 Wimbledon Park

(North side of Wimbledon Park, 460'+ West of South McGregor Avenue).

Council District 5

a. SUB-001505-2021 (Subdivision)

Wimbledon Park Subdivision, Resubdivision of Lot 20

Number of Lots / Acres: 1 Lot / 0.1± Acre

Engineer / Surveyor: Speaks & Associates

Phillip Russel, Applicant, was present regarding the application.

Staff noted that a letter in support of the application had been received from Larry Wettermark.

No one else was present regarding the applications.

A motion to approve the Subdivision was made by Don Hembree and seconded by Matt Anderson. Approved.

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After discussion, the Planning Commission waived Sections V.D.2. and V.D.9. 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) Depiction of the right-of-way along Wimbledon Park on the Final Plat;
- 3) Provision of the size of the lot in square feet and acres on the Final Plat, or provision of a table on the Plat with the same information;
- 4) 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. Provide and label the monument set or found at each subdivision corner. C. Provide a vicinity map. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's and Owner's (notarized) signatures. F. 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. G. 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. H. 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. I. 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. J. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. 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. 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.);
- 5) Placement of a note on the plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.)
- 6) 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.);

- 7) 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.);
- 8) Provision of a revised PUD site plan, as appropriate, prior to signing of the Final Plat; and,
- 9) Full compliance with all other municipal codes and ordinances.

b. PUD-001501-2021 (Planned Unit Development)

Wimbledon Park Subdivision, Resubdivision of Lot 20

Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow reduced setbacks and increased site coverage.

See the discussion under the Subdivision application.

Motion by Don Hembree, to approve the Planned Unit Development subject to findings of facts of a, b, c, and d. Motion was seconded by Matt Anderson. Motion carried unanimously.

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) in that it maintains the concept of the innovative subdivision of the overall site;
- 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), which is achieved by allowing a smaller lot size with reduced setbacks and greater site coverage;
- 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) by limiting the impact of further development of the site to a use whose impact on the land is less demanding of resources than denser multi-family developments;
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the development is already served by public services and utilities and should not increase the need for such services beyond what the site has required.

The Approval is subject to the following conditions:

- 1) Depiction of the right-of-way along Wimbledon Park on a revised site plan;
- 2) Provision of the size of the lot in square feet and acres on the site plan, or provision of a table on the site plan with the same information;

- 3) Depiction of all applicable setbacks on the site plan, or provision of a table with the same information;
- 4) Depiction of the increased site coverage on the site plan, or provision of a table with the same information;
- 5) Revision of the site plan to illustrate all structures on site, or obtain an after-the-fact demolition permit;
- 6) Compliance with Engineering comments (1. Label the PUD Site Plan. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. 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 (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. 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. c. 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. d. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. e. 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. f. 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. g. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 7) Placement of a note on the site plan stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 8) 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.);

- 9) 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.);
- 10) Provision of a revised PUD site plan, as appropriate, prior to signing of the Final Plat;
- 11) Completion of the Subdivision process prior to the approval of any permits for land disturbing or construction; and,
- 12) Full compliance with all other municipal codes and ordinances.

**5. 3905 Dauphin Street and 220 and 226 South McGregor Avenue
(Southeast corner of South McGregor Avenue and Dauphin Street).
Council District 5**

- a. **SUB-001509-2021 (Subdivision)**
Feeder Springs Subdivision
Number of Lots / Acres: 1 Lot / 10.8+ Acres
Engineer / Surveyor: Wattier Surveying, Inc.
- b. **PUD-001506-2021 (Planned Unit Development)**
Feeder Springs Senior Living
Planned Unit Development Approval to allow multiple buildings on a single building site.
- c. **PA-001507-2021 (Planning Approval)**
Feeder Springs Senior Living – Senior Housing Facility
Planning Approval to allow a domiciliary care facility and nursing home in an R-3, Multi-Family Residential District.
- d. **ZON-001508-2021 (Rezoning)**
Big River Partners (Casey Pipes, Agent)
Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.
- e. **SUB-SW-001510-2021 (Sidewalk Waiver) Withdrawn March 2, 2021**
Big River Partners (Casey Pipes, Agent)
Request to waive construction of a sidewalk along South McGregor Avenue.

The Planning Commission took no actions on these applications, as a request to holdover the Subdivision, Planned Unit Development, Planning Approval and Zoning applications was received prior to the Planning Commission meeting. These applications were rescheduled to the April 1st meeting. It was noted that the Sidewalk Waiver request was withdrawn.

**6. 6130 and 6138 Pherin Woods Court
(North side of Pherin Woods Court, 90'+ East of West Drive).
Council District 6**

- a. SUB-001502-2021 (Subdivision)
Pherin Woods Subdivision, Resubdivision of Lots 2A and 4A
Number of Lots / Acres: 2 Lots / 0.6± Acre
Engineer / Surveyor: Polysurveying Engineering – Land Surveying.**

Brett Orrell, Polysurveying, and William Parnell, Applicant, were present for the application.

Staff stated that correspondence opposing the application was received from Aldo and MaryAnne Trevado.

Mr. Orrell, after learning of the opposition, stated that he spoke to Mr. and Mrs. Trevado, and they understood and agreed to the application. Mr. Parnell stated he also spoke with Mr. and Mrs. Trevado after learning of their opposition, and they understood the application and agreed with it.

No one else was present regarding the application.

Commissioners stated that they could not take into any consideration any kind of covenants or agreements for a particular subdivision or HOA in the deliberation for either approving or denying a request.

A motion was made by Bess Rich to approve the application, seconded by Shirley Sessions.

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

- 1) retention of the 20' minimum front building setback on the Final Plat;
- 2) retention of the lot size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 3) placement of a typical lot diagram on the Final Plat indicating a minimum eight-foot side yard setback on one side, a minimum five-foot side yard setback on the other side, and eight-foot rear yard setback, and the 20-foot minimum front building setback line;
- 4) placement of a note on the Final Plat beside the typical lot diagram stating “ 8'-0” SIDE YARD TO BE MAINTAINED AS INDICTAED, OPPOSITE SIDE YARD MAY BE 5'-0”. WINDOW WALLS SHALL NOT BE LESS THAN 8'-0” FROM SIDE YARD PROPERTY LINE”;
- 5) placement of a note on the Final Plat beside the typical lot diagram stating, “ADDITIONAL REAR YARD SETBACK FOR NON-HABITABLE DETACHED STRUCTURES MIN. 8'-0” FROM REAR PROERTY LINE BE OBSERVED IN CONJUNCTION WITH REQUIRED SIDE YARD SETBACKS”;

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- 6) placement of a note on the Final Plat stating that the maximum site coverage by all structures on all lots shall not exceed 35% of the lot area;
- 7) 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;
- 8) 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 Surveyor's and Owner's (notarized) signatures. 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. I. 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.);
- 9) placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 10) subject to 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.);
- 11) subject to 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.);
- 12) placement of a note on the Final Plat stating that the site is limited to an approved Planned Unit Development; and

13) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan prior to the signing of the Final Plat.

b. PUD-001527-2021 (Planned Unit Development)

Pherin Woods Subdivision, Resubdivision of Lots 2A and 4A

Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow reduced setbacks in a single-family residential subdivision.

Refer to the Subdivision discussion for associated comments.

Motion by Don Hembree, to approve the Planned Unit Development and seconded by Matt Anderson. Motion carried unanimously.

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

- 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 simple relocation of a common interior lot line;
- 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 building setbacks can be reduced and still retain standard site coverage allowances and setbacks from properties outside the PUD;
- 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 proposed site plan is very similar to that of the previously approved Panned Unit Development;
- d) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because no new public infrastructure must be constructed to develop the site as planned.

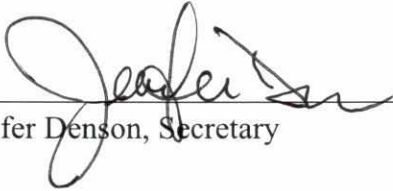
The Approval is subject to the following conditions:

- 1) retention of the 20' minimum front building setback on the site plan;
- 2) retention of the lot size labels in both square feet and acres on the site plan, or the furnishing of a table on the site plan providing the same information;
- 3) placement of a typical lot diagram on the site plan indicating a minimum eight-foot side yard setback on one side, a minimum five-foot side yard setback on the other side, and eight-foot rear yard setback, and the 20-foot minimum front building setback line;
- 4) placement of a note on the site plan beside the typical lot diagram stating “ 8'-0” SIDE YARD TO BE MAINTAINED AS INDICTAED, OPPOSITE SIDE YARD MAY BE 5'-0”. WINDOW WALLS SHALL NOT BE LESS THAN 8'-0” FROM SIDE YARD PROPERTY LINE”;

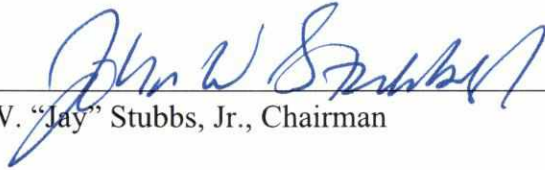
- 5) placement of a note on the site plan beside the typical lot diagram stating, “ADDITIONAL REAR YARD SETBACK FOR NON-HABITABLE DETACHED STRUCTURES MIN. 8’-0” FROM REAR PROERTY LINE BE OBSERVED IN CONJUNCTION WITH REQUIRED SIDE YARD SETBACKS”;
- 6) placement of a note on the site plan stating that the maximum site coverage by all structures on all lots shall not exceed 35% of the lot area;
- 7) 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;
- 8) subject to the Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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 (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. 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 9) placement of a note on the site plan stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 10) subject to 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.);
- 11) subject to 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.); and
- 12) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan prior to the signing of the Final Plat for the associated Subdivision; and
- 13) full compliance with all other municipal codes and ordinance.

OTHER BUSINESS:

Minutes approved: July 18, 2024



Jennifer Denson, Secretary



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