

MOBILE CITY PLANNING COMMISSION

MINUTES

AUGUST 19, 2021 - 2:00 P.M.

MEETING HELD ONLINE

Roll Call:

Members Present	Members Absent
Carlos Gant, <i>Chairman</i> Jennifer Denson, <i>Secretary</i> John W. Stubbs, Jr. Shirley Sessions Allan Cameron Nick Amberger (AO) Bess Rich, (CC) Susan Carley (S) Kirk Mattei (S)	Taylor Atchison Matt Anderson, MD
Planning Staff Present	Others Present
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning Shayla Beaco, Build Mobile	Doug Anderson, Staff Attorney Marybeth Bergin, Traffic Engineering George Davis, City Engineering Christine Dawson, Historic Development

(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.

ADOPTION OF THE AGENDA:

Motion made by Jennifer Denson. Second by Nick Amberger. Adopted.

HOLDOVERS:

- 1. 5001 Rangeline Crossing Drive**
(Northwest corner of Halls Mill Road and Rangeline Crossing Drive).
Council District 4

PUD-001643-2021

Kimley-Horn and Associates

Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites in a private street subdivision.

Chris Rogers, Applicant, was present and agreed to all staff recommendations.

No one else was present to speak for or against the application.

Motion to approve by Nick Amberger. Second by Jennifer Denson. Approved.

The Commission found the following Findings of Fact for Approval for 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 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 which is in the process of upgrading.

The approval is subject to the following conditions:

- 1) revision of the site plan to calculate the required parking spaces based upon the area of the office space and the number of service area employees, with the provision of additional parking spaces if the number in the revised calculations is insufficient;
- 2) coordination with staff on the revision of the site plan for the location of heritage trees and the possibility of reducing the number of required trees with contributions to the Mobile Tree Commission for any reduction in required plantings prior to the submittal of any site plans for land disturbance and building permits;
- 3) placement of a note on the site plan stating that the dumpster will be in compliance with the requirements of Section 64-4.D.9. of the Zoning Ordinance;
- 4) completion of the off-site infrastructure improvements as required by the November 5, 2020 PUD approval, and approval by the City and ALDOT prior to the issuance of temporary or permanent Certificates of Occupancy for the proposed development on this site;
- 5) compliance with 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. 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.);

- 6) placement of a note on the site plan stating the Traffic Engineering comments: *(Traffic impact studies have been previously prepared for this overall site based on existing and some proposed developments. Although the most recent study does not include this proposed addition to the site, estimated peak hour trip generation for this site does not warrant as revised or additional study. The Rangeline Crossing PUD includes significant areas reserved for future development. PUD approval is for the development shown on this specific site plan. Additional future development which significantly increases trips per day will require a revised Traffic Impact Study and, as appropriate, additional off-site improvements. The adjacent public roadways are estimated to have adequate levels of service however the private street (Rangeline Crossing Dr) is estimated to have failing levels of service in the peak hour. As development plans continue to evolve with this site, additional controlled access points to public streets will help distribute the traffic to the street network. The private street of Rangeline Crossing Dr will continue to exhibit failing levels of service if development continues to only be concentrated primarily to this street. The original study is the basis for the offsite improvements that are currently under construction under City of Mobile right of way permit ROW-032640-2019. The permit is still open as the traffic signal improvements have not yet been completed. Traffic Engineering approval is contingent upon the completion of off-site improvements as required by the City of Mobile in permit ROW-032640-2019. Any improvements within the Service Road right-of-way or the Rangeline Road right-of-way are subject to ALDOT approval and permitting. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and*

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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.);

- 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 [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.);*
- 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) provision of a revised PUD site plan prior to any submittals for construction of the proposed development.

EXTENSIONS:

2. **871 South Washington Avenue & 759 and 763 Pillans Avenue**
(East side of South Washington Avenue, 135'± South of Pillans Avenue, extending to the South side of Pillans Avenue, 137'± East of South Washington Avenue).
Council District 3
SUB-001304-2020
Washington Pillans Subdivision
Number of Lots / Acres: 1 Lot / 1.9± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying

Brett Orrell, Polysurveying, was present and agreed to the staff recommendations.

No one else was present for or against the application.

Motion to approve by Jennifer Denson. Second by Bess Rich. Approved.

After discussion, the Commission approved the request for a one-year extension of the Subdivision. The applicant should be advised that any future extensions will be unlikely.

3. **5456 and 5468 Cottage Hill Road**
(North side of Cottage Hill Road, at the North terminus of Able Court).
Council District 4
SUB-001309-2020
Knodel Subdivision, Resubdivision of Lots 1-3

Number of Lots / Acres: 2 Lots / 1.5± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

Brett Orrell was present and agreed to the staff recommendations.

No one else was present for or against the application.

Motion to approve by Nick Amberger. Second by Jennifer Denson. Approved.

After discussion, the Commission approved the request for a one-year extension of the Subdivision. The applicant should be advised that any future extensions will be unlikely.

NEW SUBDIVISION APPLICATIONS:

4. 6595 Red Maple Drive

(Southeast corner of Red Maple Drive and Magnolia Grande Drive).

Council District 7

SUB-001714-2021

Haifa Estates Subdivision

Number of Lots / Acres: 1 Lot / 0.7± Acre

Engineer / Surveyor: Erdman Surveying LLC

Mr. Haifa, Applicant, was present and agreed to staff recommendations.

No one else was present for or against the application.

Motion to approve by Nick Amberger. Second by Shirley Sessions. Approved.

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

- 1) retention of the right-of-way widths of both streets on the Final Plat;
- 2) retention of the 25' minimum building setback line along both street frontages on the Final Plat;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, 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 placed or constructed within any easement without the permission of the easement holder;
- 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. Indicate the site location in the vicinity map. C. Provide the Surveyor's and Owner's (notarized)

signatures. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #63) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE. E. 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. F. 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 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 [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.*); and
- 8) compliance with the Fire-Rescue 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. 3725 Halls Mill Road
(Northwest corner of I-65 and I-10).
Council District 4
SUB-001715-2021
Lees Lane Subdivision, Phase Two
Number of Lots / Acres: 1 Lot / 61.4± Acres
Engineer / Surveyor: Wattier Surveying, Inc.

Staff submitted revised recommendations to the Commission and the applicant. This was done because the applicant provided a revised drawing indicating access to the property, thus staff is now recommending the application for approval.

Mark Wattier, applicant, was present and asked to change the proposed Traffic Engineering conditions in order to allow two curb-cuts.

Timothy Wicker, Mobile County Engineering, was also present.

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Planning staff discussed the issues regarding the rights-of-way to the property.

Traffic Engineering staff stated that they were OK with changing to the conditions.

No one else was present for or against the application.

Motion to approve by Nick Amberger. Second by Bess Rich. Approved.

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

- 1) Either dedication to provide 150 feet from the centerline of Interstate 65, or illustration that there is sufficient existing right-of-way;
- 2) Depiction of 25' minimum building setback line along all frontages;
- 3) Retention of the lot sizes information in both square and in acres on the Final Plat;
- 4) Acceptance of Sportsplex Drive right-of-way by the City of Mobile prior to the signing of the Final Plat;
- 5) 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 a drainage easement for McCullough Bayou that flows across a portion of LOT A. The extents of the easement will need to be established in conjunction with the City Engineer prior to submitting the Final Plat for review or signature. C. 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. D. Provide and label the monument set or found at each subdivision corner. E. Add a signature block for the Owner and Notary Public. F. Provide the Surveyor's and Owner's (notarized) signatures. G. 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. H. 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) Compliance with Traffic Engineering comments: (*Site is limited to two curb cuts to Sportsplex Drive.*);
- 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 [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.*); and

- 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.)*

6. 7068, 7070, and 7084 Smith Street

(West side of Smith Street, 50'± South of the West terminus of Stegall Street).

Council District 4

SUB-001718-2021

Jasper Johnson Subdivision

Number of Lots / Acres: 2 Lots / 2.2± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Jerry Byrd, applicant, was present and had concerns with proposed condition number three (3) regarding right-of-way dedication for Lot 2. Mr. Byrd stated that a thirty (30) foot setback for Lot 2 was not necessary as twenty-five (25) feet would be sufficient. Mr. Byrd agreed to all other staff conditions.

Nick Amberger, City Engineer, and City Engineering staff did not object to a twenty-five (25) foot setback.

Motion to approve by Nick Amberger. Second by Shirley Sessions. Approved.

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

- 1) dedication sufficient to provide 25 feet from the centerline of Smith Street along the front of Lot 1;
- 2) illustration of the 25-foot minimum building setback line along Lot 1 as measured from any required dedication, with a note stating that the existing structure may remain, but any new construction must comply with the 25-foot minimum building setback;
- 3) dedication sufficient to provide 25 feet from the centerline of Smith Street along the front of Lot 2;
- 4) illustration of a 25-foot minimum building setback line along the front of Lot 2 as measured from any required dedication;
- 5) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 6) 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 and label the monument set or found at each subdivision corner. C. Add streets to the vicinity map. D. Provide a graphic scale. E. Change "...TO BE..." to "...HEREBY..." in the ROW Dedication notes. Also, include the amount of area being dedicated (in square feet). F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate. H. Provide the Surveyor's and Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #95) LOTS 1 and 2 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 3,200 sf and LOT 2 –1,600 sf. J. 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. K. 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. L. 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. M. 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. N. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. O. 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. P. 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.);

- 7) 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.*);
- 8) 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 [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.*); and
- 9) compliance with the Fire-Rescue 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.*)

NEW PLANNING APPROVAL APPLICATIONS:

7. 2662 Fillingim Street

(North side of Fillingim Street, 100'± West of Mobile Street).

Council District 1

PA-001677-2021

Blood Covenant Evangelistic Church Ministries Inc.

Planning Approval to allow a church in an R-1, Single-Family Residential District.

Commissioner Gant recused from this application. Jennifer Denson assumed the chair.

Doris Bettis, applicant, was present.

Staff noted to the Commission that an email was received in opposition from Ruby Maulden, who lives next door to the proposed site.

The Commission discussed the associated parking variance that would be coming before the Board of Adjustment, and noted that the Board should render its decision before the Commission makes a decision on the Planning Approval application.

Motion to holdover by Jay Stubbs. Second by Bess Rich. Heldover.
Carlos Gant recused.

After discussion, the Commission decided to Holdover the application to the September 16, 2021 meeting to allow the Board of Adjustment to hear the associated parking variance before making a decision.

8. 213 Conti Street

(South side of Conti Street, 56'± East of South Joachim Street).

Council District 2

PA-001711-2021

Steve Stone

Planning Approval to allow an occupancy load of more than 100 persons for a bar in a T-5.2 Sub-District of the Downtown Development District.

Steve Stone, applicant, was present and agreed to all staff recommendations. He noted that the abutting business also had noise related issues.

Staff informed the Commission that comments had been received regarding the application, primarily in support, with the exception of those from Mrs. Chapman, who expressed concerns regarding noise and compliance with the noise ordinance.

Motion to approve by Nick Amberger. Second by Jay Stubbs. Approved.

The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because the site is located within the developed downtown area with public water and sewer services and with nearby fire and police stations;
- b. The proposal will not cause undue traffic congestion or create a traffic hazard, because the area contains available commercial off-site and on-street parking; and
- c. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because similar uses and approvals have been granted within this area, and the existing business has operated without complaints from neighbors.

The approval is subject to the following conditions:

- 1) obtaining of all necessary permits for the addition;
- 2) any increase in the occupancy load above 286 persons will require new Planning Approval to be obtained from the Planning Commission;
- 3) obtaining of approval from the Consolidated Review Committee prior to the permitting of any exterior alterations to the structure, including signage;
- 4) compliance with Engineering comments: (*1. 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. 2. 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. 3. 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) 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 [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.*); and
- 6) 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

7) full compliance with all municipal codes and ordinances.

9. 265 and 267 Dauphin Street

(South side of Dauphin Street, 43'± East of South Jackson Street).

Council District 2

PA-001720-2021

Box Owt, LLC (Artious Walker, Agent)

Planning Approval to allow an occupancy load of more than 100 persons for a food court and event space in a T-5.2 Sub-District of the Downtown Development District.

Commissioner Gant recused from this application. Jennifer Denson assumed the chair.

Artious Walker, applicant, was present and requested a holdover until September 2nd meeting to allow the advertising issue to be addressed appropriately.

Motion to holdover by Jennifer Denson. Second by Jay Stubbs. Holdover. Carlos Gant recused.

After discussion, the Commission decided to Holdover the application to the September 2, 2021 meeting to allow the application to be advertised with an appropriate description.

NEW REZONING APPLICATIONS:

10. South side of Overlook Road, 745'± East of the Illinois Central Gulf Railroad right-of-way.

Council District 7

ZON-001721-2021

Salt Line Development, LLC

Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.

Evan Burdette, applicant, was present and stated that they had not reviewed the staff report and didn't understand why the application was recommended for denial. The applicant explained their property search process and the proposed development.

Staff explained the staff recommendation and some of the issues with the application.

After discussion between staff, the applicant and Commissioners, the applicant requested that the application be heldover until the October 7, 2021 meeting.

Motion to holdover by Nick Amberger. Second by Jennifer Denson. Heldover.

After discussion, the Commission decided to Holdover the application to the October 7, 2021 meeting to allow the applicant time to submit a Planned Unit Development application, additional information regarding the rezoning request, and to reach out to area residents.

GROUP APPLICATIONS:

**11. East side of Hillcrest Road, 326'± South of Old Shell Road.
Council District 6**

a. SUB-001713-2021 (Subdivision)

Zoghby Subdivision

Number of Lots / Acres: 1 Lot / 0.9± Acre

Engineer / Surveyor: McFadden Engineering

Evan Bedwell, representative for the application, was present and agreed to all conditions recommended by staff.

No one else was present for or against the application.

Motion to approve by Nick Amberger. Second by Bess Rich. Approved.

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

- 1) retention of the lot sizes in square feet and acres;
- 2) retention of the 25' minimum building setback line;
- 3) 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. Provide the Owner's (notarized) signature. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #71) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 2,800 SF. D. 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. E. 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. 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 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. 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 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.)*
- 4) placement of a note on the site plan stating the following Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
 - 5) 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 [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.); and*
 - 6) 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.)*

b. ZON-001693-2021 (Rezoning)

McFadden Engineering (Brad Newton, Agent)

Rezoning from B-2, Neighborhood Business District, to R-1, Single-Family Residential District.

See the discussion under the Subdivision application.


Motion to approve by Shirley Sessions. Second by Nick Amberger. Approved.

The Commission recommended this application for Approval, subject to the following conditions:


- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

OTHER BUSINESS:

Minutes approved: September 19, 2024



Jennifer Denson, Secretary



Kirk Mattei, Vice Chairman