

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**JANUARY 20, 2022 - 2:00 P.M.**

AUDITORIUM, GOVERNMENT PLAZA

ROLL CALL:

<b>Members Present</b>	<b>Members Absent</b>
John W. "Jay" Stubbs, Jr. Chairman Allan Cameron, Vice Chairman Jennifer Denson, Secretary Shirley Sessions Matt Anderson, (MD) Scott Jones (CC) Susan Carley (S) Kirk Mattei (S)	Carlos Gant Taylor Atchison Nick Amberger (AO)
<b>Planning Staff Present</b>	<b>Others Present</b>
Margaret Pappas, Planning & Zoning Logan Anderson, Planning & Zoning Bert Hoffman, Long Range Planning Shayla Beaco, Build Mobile	Doug Anderson, Staff Attorney George Davis, City Engineering

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

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 to adopt by Scott Jones. Second by Matt Anderson. Adopted

### **HOLDOVERS:**

#### **1. 2908 Old Shell Road**

**(North side of Old Shell Road, 120'± West of Union Avenue, extending to the Southeast corner of Yew Street and Hemley Avenue).**

**Council District 1**

**SUB-001838-2021**

**Valelore Plaza Subdivision**

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**Number of Lots / Acres: 1 Lot / 0.4± Acre**  
**Engineer / Surveyor: John F. Crenshaw**

Applicant, Lorenzo Martin, 2908 Old Shell Road, was present and requested a holdover until March 17, 2022 to allow his request to the Board of Adjustment to be heard before the Commission considers his request.

No one else was present regarding the application.

Motion to Holdover by Jennifer Denson. Second by Matt Anderson. Heldover.

After discussion, the Planning Commission heldover the application to the March 17th meeting, as requested by the applicant.

**2. Southwest corner of Zeigler Boulevard and North University Boulevard  
Council District 7**

**a. SUB-001874-2021 (Subdivision)**  
**Zeigler-University Subdivision**  
**Number of Lots / Acres: 1 Lot / 2.6± Acres**  
**Engineer / Surveyor: Byrd Surveying, Inc.**

Gerry Byrd, Byrd Surveying, and Kenny Nichols, Vallas Realty, were present representing the applications. They agreed with the proposed conditions.

Commissioners discussed with the representatives the possibility of providing a block wall along the west property line, as well as noise issues, the location of the dumpster and hours of operation of the proposed development.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Allan Cameron. Approved.

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

- 1) either dedication to provide 50' from the centerline of Zeigler Boulevard, or revision of the plat to depict it currently exists;
- 2) retention of the lot sizes in square feet and acres, adjusted for dedication, if required;
- 3) depiction of the 25' minimum building setback line, adjusted for any dedication, if required;
- 4) 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

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- (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 a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. D. Provide the Surveyor's Certificate. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos 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. 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](mailto: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.);
- 5) placement of a note on the site plan stating the following Traffic Engineering comments: (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. 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.)
  - 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 [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
  - 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

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(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-001875-2021 (Rezoning)**

**Omar & Williams (Gerald Byrd, Agent)**

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

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson. Second by Scott Jones. Approved.

After discussion, the Planning Commission determined that the following condition prevails to support the rezoning request:

- 1) there is a need to increase the number of sites available to business or industry.

The rezoning should be subject to the following condition:

- 1) completion of the Subdivision process;
- 2) provision of a six (6)-foot high, concrete masonry wall on the west property line, dropping down to three (3) feet within the required 25-foot front yard setback along both Zeigler and University Boulevards; and,
- 3) full compliance with all municipal codes and ordinances.

**3. 1172 Elmira Street**

**(Northeast corner of Elmira Street and Rapier Avenue).**

**Council District 2**

**SUB-001860-2021**

**Rapier Avenue Subdivision**

**Number of Lots / Acres: 3 Lots / 0.3± Acres**

**Engineer / Surveyor: Smith Clark & Associates**

Trey Lee was present to represent the application. He agreed to all conditions except number five (5), which limited site coverage to 50%.

Staff explained that the site coverage limit is part of the zoning ordinance.

Commissioners and the representative discussed the curb cut on the property and surrounding properties.

No one else was present regarding the application.

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Motion to approve by Matt Anderson. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission Tentatively Approved the application, with waivers of Section V.D.2. and V.D.9. of the Subdivision Regulations, subject to the following:

- 1) retention of the right-of-way widths of Rapier Avenue and Elmira Street on the Final Plat;
- 2) revision of the plat to provide a 25-foot corner radius at the intersection of Rapier Avenue and Elmira Street if determined necessary by the Engineering Department;
- 3) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required radius 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 all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 5) placement of a note on the Final Plat stating that each lot is limited to 50% maximum site coverage;
- 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. Review and revise the last distance call-out on the south boundary of the proposed subdivision. C. Provide the Surveyor's and Owner's (notarized) signatures. 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](mailto: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.);
- 7) compliance with 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.).

**4. 1867 Prichard Avenue West and 100-110 Joel Court (a private street)**

**(South side of Prichard Avenue, 310'± West of St. Stephens Road).**

**Council District 1**

**PUD-001894-2021**

**Nakia Isaac**

**Planned Unit Development Approval to allow multiple buildings on a single building site.**

Gene Stacey, Driven Engineering, and Nakia Isaac, applicant, were present to represent the application. They agreed to the Findings of Fact and proposed conditions and asked to add one condition based on the outcome of the community meeting they had on the 18<sup>th</sup> of January. That condition would be to have an eight (8) foot high CMU wall constructed around the perimeter, excluding the front of the site.

Commissioners inquired with staff about sight visibility, to which staff responded that condition four (4) be modified to include the applicant suggested eight (8) foot CMU wall that would be reduced to three (3) feet within the front setback.

Staff noted that email comments listing concerns and phone calls in support (Michael Pettaway) and opposition (Joycie Brown and Peggy Summerall) to this application were received by staff.

The following people spoke in support of the application:

- Mary Miller;
- Lou Isaac;
- Keris Dillard; and
- Leah Court.

The speakers in support made the following points:

- New homes will be beneficial to the neighborhood;
- The site has become a dumping ground, so the proposed development will be an improvement; and
- The applicant will do a good job with the development.

The following people spoke in opposition to the application:

- Gwendolyn Smith
- Melanie Dean

The speakers in opposition made the following points:

- The proposed development is too dense for the neighborhood;
- The proposed two-story buildings should be moved away from the property lines abutting single-family homes;
- The development should provide a play area;
- Concerned that the homes will be subsidized and not market rate;
- Worried that there will be safety and security issues if there isn't on-site security;

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- Should consider making it a gated community;
- Concerned about generation of more litter in the area;
- Worried about drugs and crime issues.

Commissioners and the applicant discussed the following issues:

- total investment cost for all five (5) phases for this development;
- the timeline and the budget for the development;
- building something safe for the community;
- the eight (8) foot brick wall around the site;
- the rent and if it would be subsidized, including Section 8 vouchers;
- the zoning of the property;
- staffing the facility;
- background checks on possible tenants; and
- the need for housing in the area.

Legal counsel noted for the Commission that the subsidized versus market rent issue could not be considered by the Commission in its decision-making process.

Motion to approve by Matt Anderson. Second by Scott Jones. Approved. Shirley Sessions was opposed.

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 multiple buildings on a single building 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), because the applicant is requesting reduced front landscaping area, but is proposing to provide almost five times the total minimum required landscape area;
- 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 property was previously developed as multi-family housing;
- 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 subject site was previously developed in a similar manner;
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the proposed layout will result in a significant amount of landscape area to be provided over what the Zoning Ordinance requires for the overall site; and
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because no new utilities or public services will be required to service the development.

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With a waiver of the 60% front landscape area requirement of Section 64-4.E.3.a. to allow the landscape area as proposed, the Approval is subject to the following conditions:

- 1) annual renewal of the PUD until such time permits for the last phase have been issued;
- 2) revision of the site plan to correctly indicate a 10-foot minimum building setback where the site abuts R-1 property;
- 3) revision of the site plan to illustrate all buildings and the dumpster to be located outside of any required setbacks and easements, and retention of the note stating an enclosure and connection to sanitary sewer will be provided;
- 4) revision of the site plan to provide an 8-foot high masonry wall around the perimeter of the development, reduced to three (3) feet high within the front setback ;
- 5) full compliance with the frontage, perimeter and parking area tree requirements of the Zoning Ordinance, to be coordinated with staff;
- 6) compliance with site and parking area lighting;
- 7) compliance with Engineering Comments (ADD THE FOLLOWING NOTE TO THE PUD SITE PLAN: 1. 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. 2. Retain NOTES #4 - #8, as shown on the PUD SITE PLAN drawing # X01, revision A dated 3-16-2020.);
- 8) 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. 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.);
- 9) 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
- 10) 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.).
- 11) submittal of a revised PUD site plan (hard copy and .pdf) prior to the issuance of building permits; and
- 12) compliance with all applicable codes and ordinances.



**NEW SUBDIVISION APPLICATIONS:**

**5. 754 and 758 Government Street**

**(North side of Government Street, 56'± East of South Bayou Street, extending to Conti Street).**

**Council District 2**

**SUB-001909-2021**

**JSMM, LLC Subdivision, Resubdivision of**

**Number of Lots / Acres: 2 Lots/ 0.3± Acre**

**Engineer / Surveyor: Erdman Surveying, LLC**

The applicant was present and in agreement with the proposed conditions.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Shirley Sessions. Approved.

After discussion, the Planning Commission Tentatively Approved the application, with waivers of Section V.D.2., V.D.3. and V.D.9. of the Subdivision Regulations, subject to the following:

- 1) retention of the right-of-way widths of Government Street, South Bayou Street and Conti Street on the Final Plat;
- 2) revision of the plat to label the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 3) placement of a note on the Final Plat stating that there is no minimum building setback line, with a 12-foot maximum building setback line allowed, but the setbacks may match setbacks of adjacent buildings (along the same street frontage) where they differ from the standard;
- 4) placement of a note on the Final Plat stating that any future development of the site will require Consolidated Review Committee (CRC) approval prior to the issuance of permits;
- 5) placement of a note on the Final Plat stating that any exterior modifications are subject to approval by the Architectural Review Board;
- 6) placement of a note on the Final Plat stating that the driveway for Lot 1 shall be accessed via Bayou Street;
- 7) placement of a note on the Final Plat stating that driveways shall not be wider than 25 feet within the front setback;
- 8) placement of a note on the Final Plat stating that each lot is limited to one (1) curb cut per street frontage, to be approved by Traffic Engineering (and ALDOT along Government Street only);
- 9) 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

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Board of Licensure for Professional Engineers and Land Surveyors. B. Show and label all flood zones. New maps went into effect on June 5, 2020. C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. BFE = 11.0. D. Provide the Surveyor's and Owner's (notarized) signatures. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #71) 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 – 8,000 sf and LOT 2 –NONE. F. 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. G. 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.).

- 10) 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. 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.);
- 11) 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
- 12) 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. 163 Schillinger Road South**

**(Southeast corner of Schillinger Road South and Highland Avenue).**

**Council District 7**

**SUB-001914-2021**

**Schillingers Commerce Place Subdivision, Resubdivision of Lot 1**

**Number of Lots / Acres: 2 Lots / 10.8± Acres**

**Engineer / Surveyor: Thompson Engineering**

The applicant was present and in agreement with the proposed conditions.

No one else was present regarding the application.

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Motion to approve by Matt Anderson. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission Tentatively Approved the application, with a waiver of Section V.D.1., subject to the following:

- 1) retention of the right-of-way width, and distance to the centerline of Schillinger Road South on the Final Plat;
- 2) retention of the right-of-way width, and provision of the distance to the centerline of Highland Avenue on the Final Plat;
- 3) retention of the 25-foot minimum building setback line along all frontages on the Final Plat;
- 4) 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;
- 5) removal of the note stating that the width and location of the 30' drainage easement is to be determined at the time of development of Lot 1A;
- 6) placement of a note on the Final Plat stating that no structures are allowed in any easement without the permission of the easement holder;
- 7) placement of a note on the Final Plat stating that a buffer, in compliance with Section V.A.8. of the Subdivision Regulations must be provided where the site adjoins any residential use;
- 8) 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. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos LOTS 1A and 1B 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 1A – NONE and LOT 1B –NONE. 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](mailto: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.);
- 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. 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.);
- 10) 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

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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

- 11) 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.).

**7. 2751 and 2755 Clubhouse Road**

**(Southwest corner of Clubhouse Road and Keeling Road).**

**Council District 3**

**SUB-001913-2021**

**Gaines Subdivision**

**Number of Lots / Acres: 3 Lots /1.0± Acre**

**Engineer / Surveyor: Byrd Surveying, Inc.**

Gerry Byrd, Byrd Surveying, was present for the application and in agreement with all proposed conditions.

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Matt Anderson. Approved.

After discussion, the Planning Commission Tentatively Approved the application, with a waiver of Section V.D.3., subject to the following:

- 1) retention of the right-of-way widths of Clubhouse Road and Keeling Road on the Final Plat;
- 2) retention of the 25-foot corner radius dedication at the intersection of Clubhouse Road and Keeling Road on the Final Plat;
- 3) retention of the 25' minimum building setback line along Clubhouse Road and Keeling Road on the Final Plat;
- 4) 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;
- 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 reference, on the map and the description, to a monumented corner. C. Provide and label the

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monument set or found at each subdivision corner. D. Add a graphic scale. E. Provide a written description for the subdivision boundary. F. Revise the note for the ROW Dedication from “ROW to be dedicated...” to “ROW hereby dedicated...”. G. Provide the amount of acreage (sf) being dedicated. H. Show and label all flood zones. New maps went into effect on June 5, 2020. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Provide the Surveyor’s Certificate. K. Provide the Surveyor’s and Owner’s (notarized) signatures. L. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #90) LOTS 1, 2 and 3 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 – 1,800 sf, LOT 2 –NONE, and LOT 3 – 2,200 sf. M. 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. N. 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. O. 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. P. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. Q. 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. R. 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.).

**NEW REZONING APPLICATIONS:**

**8. 1451 Cedar Crescent Drive**

**(East side of Cedar Crescent Drive, 250'± South of South Drive).**

**Council District 3**

**ZON-001915-2021**

**Sea Pines Mobile Home Park (Gerald Byrd, Agent)**

**Rezoning from R-3, Multi-Family Residential District, to R-3, Multi-Family Residential District to remove conditions of the existing zoning amendment stating that the entire area be fenced with storm fence and that the site have a ten foot buffer zone.**

Gerry Byrd, Byrd Surveying, was present regarding the application. He expressed concern regarding condition #2 regarding the 1970 rezoning requirements. He stated that there was thirty-two hundred (3200) feet of privacy fence that needed repairing or a vegetative buffer.

Staff stated that the condition was copied directly from the Board of Zoning Adjustment approval that was granted to the property at the January 10, 2022 meeting the prior week, and the Planning Commission condition could not be different from that approved by the Board.

After the explanation, Mr. Byrd then agreed to all the conditions.

Staff noted that there was opposition from the property owner who lived next door regarding the fence.

Motion to approve by Matt Anderson. Second by Shirley Sessions. Approved.

After discussion, the Planning Commission determined that the following conditions prevail to support the rezoning request:

- 1) changing conditions in a particular area make a change in the Ordinance necessary and desirable as the Board of Zoning Adjustment's Special Exception/Variance decision, along with a reduced number of mobile home dwellings, may have created a change in the conditions of the site.

The Approval should be subject to the following conditions:

- 1) provision of a privacy fence 8' in height along the East property line, parallel to Bay Front Road;
- 2) compliance with the remaining conditions of approval of the 1970 Rezoning (the provision of a storm fence and the planting of a compliant vegetative buffer around the remaining property lines, with the exception of the South property line);
- 3) a limit on the number of mobile dwellings as stipulated in the application (133 mobile homes); and,
- 4) compliance with all other codes and ordinances.

**GROUP APPLICATIONS:**

**9. 4230 Halls Mill Road**

**(West side of Halls Mill Road, 135'± North of the West terminus of Alden Drive).  
Council District 4**

**a. SUB-001923-2022 (Subdivision)**

**United Rentals – 2 Subdivision**

**Number of Lots / Acres: 1 Lot / 1.4± Acres**

**Engineer / Surveyor: Gulf States Engineering, Inc.**

Brent Johnson, United Rentals, was present to represent the application. He asked about the Fire-Rescue Department conditions as they related to the fire hydrant requirement.

Staff discussed the dedication requirement for the property and suggested a holdover to the February meeting.

Mr. Johnson agreed to the holdover.

No one else was present regarding the application.

Motion to Holdover by Jennifer Denson. Second by Matt Anderson. Heldover to the February 3rd meeting.

After discussion, the Planning Commission heldover the application to the February 3rd meeting.

**b. PUD-001922-2022 (Planned Unit Development)**

**United Rentals – 2 Subdivision**

**Planned Unit Development Approval to allow multiple buildings on a single building site.**

See the discussion under the Subdivision application.

Motion to Holdover by Jennifer Denson. Second by Matt Anderson. Heldover to the February 3rd meeting.

After discussion, the Planning Commission heldover the application to the February 3rd meeting.

**c. ZON-001910-2021 (Rezoning)**

**United Rentals (Brent Johnson, Agent)**

**Rezoning from B-3, Community Business District, to I-1, Light Industry District.**

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See the discussion under the Subdivision application.

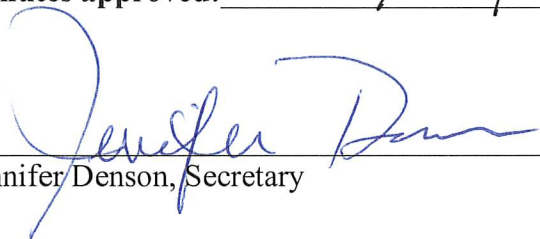
Motion to Holdover by Jennifer Denson. Second by Matt Anderson. Heldover to the February 3rd meeting.

After discussion, the Planning Commission heldover the application to the February 3rd meeting.

**OTHER BUSINESS:**

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Minutes approved: 12/19/2024

  
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Jennifer Denson, Secretary

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