

MOBILE CITY PLANNING COMMISSION

MINUTES

FEBRUARY 3, 2022 - 2:00 P.M.

AUDITORIUM, GOVERNMENT PLAZA

ROLL CALL:

Members Present	Members Absent
John W. “Jay” Stubbs, Jr. Chairman Allan Cameron, Vice Chairman Jennifer Denson, Secretary Carlos Gant Shirley Sessions Taylor Atchison Nick Amberger (AO) Scott Jones (CC)	Matt Anderson, (MD) Susan Carley (S) Kirk Mattei (S)
Planning Staff Present	Others Present
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Victoria L. Burch, 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 (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 Scott Jones. Second by Jennifer Denson. Adopted.

HOLDOVERS:

- 1. 2465 Wimbush Street**
(Southwest corner of Wimbush Street and Whitley Street, extending through to the east side of Green Street).
Council District 2

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SUB-001853-2021

Africatown Heritage House Subdivision

Number of Lots / Acres: 1 Lot / 2.8± Acres

Engineer / Surveyor: Goodwyn Mills Cawood

Commissioner Sessions recused from this application.

John Adams and Kirk Grayson were present to represent the application and agreed with the recommendations.

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Allan Cameron. Approved. Shirley Sessions recused from voting.

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

- 1) dedication to provide 30 feet from the centerline of Whitely Street and Wimbush Street;
- 2) dedication to provide 25 feet from the centerline of Green Street;
- 3) dedication to provide a 25-foot radius curve at the intersection of Whitely Street and Wimbush Street;
- 4) illustration of the 25-foot minimum building setback line on the Final Plat as measured from any required dedication along all rights-of-way;
- 5) retention of the lot size labels on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 6) placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder;
- 7) 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. Include the immediate surrounding area for the vicinity map. The one provided covers too large of an area to be usable. Provide legible street names. C. Provide and label the monument set or found at each subdivision corner. D. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northeast corner of the proposed lease site (SE corner of Whitley St./Wimbush St. intersection. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #66) the LEASE AREA 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: LEASE*

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AREA – NONE. I. 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. J. 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. K. 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. L. 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. M. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. N. 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. O. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

- 8) *placement of a note on the Final Plat stating 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.).*

2. 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

United Rentals – 2 Subdivision

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

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Engineer / Surveyor: Gulf States Engineering, Inc.

Brent Johnson of United Rentals was present to represent the application and agreed with the recommendations.

No one else was present regarding the application.

Motion to approve by Carlos Gant. Second by Taylor Atchison. Approved.

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

- 1) illustrate the existing right-of-way along Halls Mill Road;
- 2) dedication to provide 35-feet from the centerline of Halls Mill Road;
- 3) provision of the lot sizes in square feet and acres, adjusted for dedication;
- 4) revision of the Final Plat to label the new lot as Lot 1;
- 5) 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. Clarify the corners marked CRF 5 or add it to the legend. C. Revise the vicinity map to delete the “photo” and only include roads and road names. D. Provide a written description for the subdivision boundary. E. Revise the two (2) different notes that reference the flood zones. New maps went into effect on June 5, 2020. F. Provide the Owner’s (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #87) LOT 5 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). Coordinate with the Engineering-Permitting Dept. during the design phase to establish the exact amount. 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.);*
- 6) placement of a note on the Final Plat stating 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..);*

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- 7) 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.);*
- 8) compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);* and
- 9) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.

b. PUD-001922-2022

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 approve by Nick Amberger. Second by Taylor Atchison. Approved.

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

- a. 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 it allows to existing structures to remain on site while the property becomes a legal lot of record;
- b. the proposal promotes the objective of Efficient land use *(to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment)*, because it will allow continued use of a developed site;
- c. the proposal promotes the objective of Environment *(to preserve and protect as urban amenities the natural features and characteristics of the land)*, because no new land disturbance activities are proposed;
- d. the proposal promotes the objective of Open space *(to encourage the provision of common open space through efficient site design)*, because there will no reduction in the amount of landscaped area provided;

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- e. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because all infrastructure is in place to serve the site.

The Approval is subject to the following conditions:

- 1) illustrate dedication to provide 35-feet from the centerline of Halls Mill Road;
- 2) provision of the lot sizes in square feet and acres, adjusted for dedication;
- 3) revision of the site plan to illustrate a compliant residential buffer along the West property line;
- 4) revision of the site plan to provide the amount of office space as well as warehouse employees so that staff can determine if compliant parking is available;
- 5) revision of the site plan to provide additional parking on site, if determined necessary;
- 6) full compliance with Engineering comments: (*1. Provide a PUD Site Plan showing and labeling the existing and proposed buildings and other site conditions. The plan sheets attached to the Application included the Subdivision Plat and Boundary & Topo Survey drawing. 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 provided in the subdivision detention design. e. The 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*

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- 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 Final Plat stating 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.);*
 - 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 [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.);*
 - 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.);* and
 - 10) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.

c. ZON-001910-2021

United Rentals (Brent Johnson, Agent)

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

See the discussion under the Subdivision application.

Motion to approve by Carlos Gant. Second by Scott Jones. Approved.

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

- 1) there is a need to increase the number of sites available to business or industry which makes reclassification of the land necessary and desirable

As such, the Planning Commission voted to recommend Approval of the rezoning request to the City Council, subject to the following conditions:

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

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EXTENSIONS:

- 3. 3158 and 3160 Old Shell Road, and 110 and 116 Abrams Street
(Northeast corner of Old Shell Road and Abrams Street).
Council District 1
SUB-001479-2020
Gulf Coast Underground Subdivision
Number of Lots / Acres: 1 Lot / 2.3± Acres
Surveyor/ Engineer: Wattier Surveying, Inc**

Mark Wattier was present to represent the application and requested a one (1) year extension.

No one else was present regarding the application.

Motion to approve by Taylor Atchison. Second by Carlos Gant. Approved.

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

NEW PLANNING APPROVAL APPLICATIONS:

- 4. 3107 Halls Mill Road
(East side of Halls Mill Road, 290'± North of Fleetwood Drive North).
Council District 3
PA-001921-2022
FGP Manufacturing, LLC
Planning Approval to allow a popsicle manufacturing facility in a building larger than
40,000 square feet in a B-3, Community Business District.**

Cliff Kennedy and Mark Wattier were present to represent the application and agreed with the recommendations.

No one else was present regarding the application.

Motion to approve by Scott Jones. Second by Shirley Sessions. Approved.

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

- a) the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard; and

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- c) the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located.

The Approval is subject to the following conditions:

- 1) completion of a one lot Subdivision prior to the approval of a final building inspection;
- 2) revision of the site plan to either depict a dumpster with compliant enclosure and sanitary sewer connection, or include a note stating that curbside pickup will be utilized;
- 3) revision of the site plan to correctly depict the diameter of the formerly identified 68” and 74” live oak trees, and placement of a note stating that they have protection status;
- 4) compliance with Engineering comments: *(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.);*
- 5) placement of a note on the Final Plat stating 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.);*
- 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]. On the previous rezoning, preservation status was given to two existing Live Oaks, 68” and 74” DBH located west of the Halls Mill Rd entrance. We would like to continue this preservation*

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status on the oak trees each measured to have a 67" DBH. (Preservation status requires Mobile Planning Commission approval to remove.) All work under the canopy of these two trees is to be permitted and coordinated with Urban Forestry.);

- 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.);* and
- 8) submittal of a revised site plan (.pdf and hard copy) to Planning & Zoning prior to the issuance of a business license; and
- 9) full compliance with all municipal codes and ordinances.

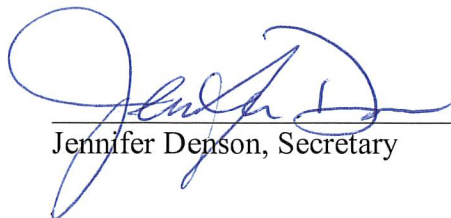
OTHER BUSINESS:

- **Call for Public Hearing**

Call for public hearing to take public comment on whether the Commission should recommend to the Mobile City Council that the Unified Development Code be adopted to replace the current Zoning Ordinance, Chapter 64 of the Mobile City Code. Scheduled for March 10, 2022.

Motion made my Jennifer Denson. Second by Scott Jones. Approved.

Minutes approved: 12 / 19 / 2024



Jennifer Denson, Secretary



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