

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**MARCH 17, 2022 - 2:00 P.M.**

AUDITORIUM, GOVERNMENT PLAZA

ROLL CALL:

<b>Members Present</b>	<b>Members Absent</b>
John W. “Jay” Stubbs, Jr. Chairman Jennifer Denson, Secretary Carlos Gant Shirley Sessions Matt Anderson, (MD) Nick Amberger (AO) Scott Jones (CC) Kirk Mattei (S)	Allan Cameron, Vice Chairman Taylor Atchison Susan Carley (S)
<b>Planning Staff Present</b>	<b>Others Present</b>
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 Marybeth Bergin, Traffic Engineering 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, seconded by Matt Anderson; approved.

### **HOLDOVERS:**

- 1. 254 and 256 State Street**  
(North side of State Street, 50’± East of North Jackson Street).  
Council District 2  
SUB-001955-2022

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**Rolston / Frazer Subdivision**

**Number of Lots / Acres: 2 Lots/ 0.4± Acre**

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

Planning staff noted for the Commission that the Mobile Historic Development Commission's Properties Committee approved the proposed lot line adjustment. Staff also noted that the Engineering comments needed to be revised, and that the right-of-way dedication issue is no longer necessary, as the surveyor has shown that the existing right-of-way is compliant.

The applicant was present and agreed to the proposed changes noted by Planning staff.

Elizabeth Stephens was present regarding the application and commented on the right-of-way dedication requirements for projects located within the downtown area.

No one else was present regarding the application.

Motion to approve by Matt Anderson, seconded by Nick Amberger. Approved

With the approval of the Mobile Historic Development Commission, and waivers of Sections V.D.2. and V.D.9. of the Subdivision Regulations, the Planning Commission Tentatively approved the plat subject to the following conditions:

- 1) Placement of a note on the Final Plat stating that a twelve-foot (12') maximum building setback is required on the primary street frontage;
- 2) Revision of the plat to label the lots with their 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 75% maximum site coverage within a T4 Sub-district;
- 4) Placement of a note on the Final Plat stating that any future development of the site will require Consolidated Review Committee (CRC) approval and Architectural Review Board (ARB) approval;
- 5) Placement of a note on the Final Plat stating that the driveway width is limited to 25 feet within the front setback;
- 6) Placement of a note on the Final Plat stating that each lot is limited to one curb cut per street frontage;
- 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. Provide information on the handwritten "A" and "B" shown on the map. C. Add a graphic scale. D. Add a Vicinity Map with street names. E. Provide a Subdivision Name. F. Provide a written description for the subdivision boundary. G. Provide written bearings and distances for the PROPOSED interior lot line. H. Provide and label the monument set or*)

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*found at each subdivision corner. I. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. J. Show and label all flood zones. K. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. L. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. M. Provide the Surveyor's Certificate. N. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #70) the two (2) PROPOSED LOTS 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: PROPOSED LOT (parcel 1) – 2,600 sf and PROPOSED LOT (parcel 2&3) – 5,200 sf. O. 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. P. 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. Q. 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. R. 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. S. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. T. 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. U. 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 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.);*
- 10) 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*

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*commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and*

11) Subject to approval by the by the Mobile Historic Development Commission.

**2. 355 North Ann Street**

**(West side of North Ann Street, 53'± North of Basil Street).**

**Council District 2**

**PA-001965-2022**

**Mott MacDonald Architects, Inc.**

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

Applicant was present and in agreement with conditions and Findings of Fact.

No one else was present regarding the application.

Motion to approve by Nick Amberger, seconded by Shirley Sessions. Approved

After discussion, the Planning Commission determined the following Findings of Fact for 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, as those services are already in place; and
- b. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, as the use brings to light the history of the neighborhood in a residential scale.

The approval is subject to the following conditions:

- 1) Submission of additional information regarding the square footage and/or seating of the proposed use areas (breakdown of office, display and public outreach areas), and if necessary, the obtaining of a variance from the Board of Zoning Adjustment;
- 2) Provision of a six-foot wooden privacy fence, reduced to three-feet in the required front setback, along the perimeter of the property;
- 3) Coordination with Urban Forestry to obtain any required Tree Removal permits;
- 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*

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*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. 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. 5. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. 6. 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. 7. 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. 8. The proposed development must comply with all Engineering Department design requirements and Policy Letters.*

- 5) *Compliance with the Traffic Engineering Comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance);*
- 6) *Compliance Urban Forestry Comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit); and*
- 7) *Full 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).*

**3. 4119, 4161, 4173 and 4175 Halls Mill Road  
(East side of Halls Mill Road, 210'± South of Moore Creek drainage canal).  
Council District 4**

- a. **SUB-001961-2022 (Subdivision)  
Ramshead Subdivision**

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**Number of Lots / Acres: 3 Lots / 51.0± Acres**

**Engineer / Surveyor: Rowe Engineering & Surveying**

The applicant was present to represent the application and in agreement with the recommendations.

No one else was present regarding the application.

Motion to approve by Matt Anderson, seconded by Scott Jones. Approved

After discussion, the Planning Commission waived Section V.D.1. of the Subdivision Regulations and Tentatively approved the application subject to the following conditions:

- 1) Either vacation of the unnamed road, or provision of a 50-foot setback from the unnamed road;
- 2) Retention of the lot sizes in square feet and acres;
- 3) retention of the 25-foot minimum building setback lines along Halls Mill Road and Interstate 10;
- 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 (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 distance labels for the east and west property lines to verify the distance to the reference monument on the east and west property lines. 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. Show and label all flood zones. New maps went into effect on June 5, 2020. E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. BFE = 20'. 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 25 - #78) 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 – 6,400 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*

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*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.);*

- 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 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*
- 7) 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-001962-2022 (Rezoning)**

**Ramshead LLC (Mason Head, Agent)**

**Rezoning from R-1, Single-Family Residential District, B-3, Community Business District, and I-1, Light Industry District, to I-2, Heavy Industry District.**

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson, seconded by Nick Amberger. Approved

After discussion, the Planning Commission recommended to the City Council that the site be rezoned to I-1, Light Industry for the following reason:

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

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The rezoning should be subject to the following conditions:

- 1) Completion of the Subdivision process; and
- 2) Full compliance with all municipal codes and ordinances

**NEW SUBDIVISION APPLICATIONS:**

**4. 2600 Fairway Drive**

**(North side of Fairway Drive, 248'± East of Merwina Avenue).**

**Council District 5**

**SUB-001969-2022**

**Stephanie and Lawrence Estates Subdivision**

**Number of Lots / Acres: 1 Lot / 0.6± Acre**

**Engineer / Surveyor: Polysurveying Engineering-Land Surveying**

The applicant was present to represent the application and in agreement with the recommendations.

No one else was present regarding the application.

Motion to approve by Scott Jones, seconded by Shirley Sessions. Approved

After discussion, the Planning Commission tentatively approved the application, subject to the following conditions:

- 1) Revision of the plat to illustrate dedication sufficient to provide 30 feet from the centerline of Fairway Drive;
- 2) Retention of the lot's size in acres and square feet on the Final Plat, or provision of a table on the Final Plat providing the same information, adjusted for dedication;
- 3) Retention of the 25-foot minimum building setback line along Fairway Drive, in compliance with Section V.D.9. of the Subdivision Regulations, adjusted for dedication;
- 4) Obtainment of either demolition permits for the accessory structures, or submit a letter stating that Building Permits will be obtained within 30 days of the plat being recorded in Mobile County Probate Court, prior to 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) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #82) 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*



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- Flood Control) as follows: LOT 1 – 3,400 sf. C) Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. D) Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E) Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. F) Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. G) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. H) Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. I) After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*
- 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.);*
  - 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 and placement of a note: *(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) Full compliance with all other Codes and Ordinances.

**5. North side of Abigail Drive at its East terminus**

**Council District 4**

**SUB-001983-2022**

**Rangeline Business Park Subdivision, Unit Two, Resubdivision of Lots 10 & 11**

**Number of Lots / Acres: 1 Lot / 1.9± Acres**

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

Planning staff advised the Commission that the proposed condition regarding a minimum building setback line from Riverwood Cove was not required, as the applicant had provided additional information showing that the property did not have frontage on the street.

The applicant was present to represent the application and in agreement with the revised recommendations.

Motion to approve by Matt Anderson, seconded by Nick Amberger. Approved

After discussion, the Planning Commission tentatively approved the application, subject to the following conditions:

- 1) Revision of the Final Plat to change the label for “Karen Place” to “Riverwood Cove”;
- 2) Retention of the lot’s size in acres and square feet on the Final Plat, or provision of a table on the Final Plat providing the same information;
- 3) Retention of the 25-foot minimum building setback line along Abigail Drive, in compliance with Section V.D.9. of the Subdivision Regulations;
- 4) Inclusion 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;
- 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 and label the monument set or found at each subdivision corner. C) Add a graphic scale. D) The vicinity map is not legible except for the street names. E) Show and label all flood zones. New maps went into effect on June 5, 2020. F) Provide NOTE 1 that is referenced in the Common Area. The existing DRAINAGE EASEMENT also referenced a NOTE 1 on the original Plat. G) Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H) Provide the Surveyor’s Certificate. I) The Drainage Easement along the SE side of LOT A shall be marked as “PRIVATE DRAINAGE EASEMENT”. J) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photos LOT A 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 A – NONE. K) 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. L) 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. M) Add a note that sidewalk is required to be constructed, and/or*

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*repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. N) 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. O) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. P) 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. Q) 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.);*
- 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 and placement of a note: *(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) Full compliance with all other Codes and Ordinances.

**6. 1017 Smith Avenue**

**(South side of Smith Avenue, 312'± West of Bay Front Road).**

**Council District 3**

**SUB-001973-2022**

**Reed Estates Subdivision**

**Number of Lots / Acres: 2 Lots / 0.5± Acre**

**Engineer / Surveyor: Gerald A. Smith, P.L.S.**

The applicant was present to represent the application and in agreement with the recommendations.

No one else was present regarding the application.

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Motion to approve by Shirley Sessions, seconded by Matt Anderson. Approved

After discussion, the Planning Commission waived Section V.B.14. of the Subdivision Regulations and tentatively approved the application, subject to the following conditions:

- 1) Retention of the lot sizes in acres and square feet on the Final Plat, or provision of a table on the Final Plat providing the same information;
- 2) Retention of the 25-foot minimum building setback line along Smith Avenue, in compliance with Section V.D.9. of the Subdivision Regulations;
- 3) Compliance with Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A) Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B) Add a graphic scale. C) Show and label all flood zones. New maps went into effect on June 5, 2020. D) Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. E) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #91) 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 – 3,050 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.);*
- 4) 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.);*
- 5) 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.);*
- 6) Compliance with Fire Department comments and placement of a note: (*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*

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*within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and,*

- 7) Full compliance with all other Codes and Ordinances.

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

**7. 186 Stanton Road**

**(Southeast corner of Stanton Road and Oak Knoll Drive).**

**Council District 1**

**PUD-001935-2022**

**RGH Development (Charles D. Tisher, Jr. P.E., Agent)**

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

Commissioner Sessions recused from the application.

Charles Tisher with Clark, Geer, Latham & Associates was present to represent the application and in agreement with the recommendations.

Mike Horton was present to speak against the application. He cited concerns regarding traffic, emergency access, parking, waste disposal, site lighting, building appearance, noise, buffers and tree preservation.

Mr. Tisher, in response to the expressed concerns, addressed traffic, emergency access, mail delivery, dumpster placement, trees, fence buffer, lighting, building design and the detention facilities. He also noted the number of units proposed versus the number allowed by the zoning ordinance.

Commissioners, legal counsel and staff discussed the criteria for triggering a traffic impact study (TIS), and it was noted that the proposed development did not meet the Traffic Engineering threshold to require a TIS.

Motion to approve by Matt Anderson, seconded by Carlos Gant. Approved. Shirley Sessions recused from voting.

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

- 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), by allowing multiple buildings on a single building site;
- 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 the applicant is proposing infill development in an existing urban area;

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- c. The proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land) and Open space to encourage the provision of common open space through efficient site design), because the development is providing landscape area and open space above the minimum required standards;

The Approval is subject to the following conditions:

- 1) Correction of parking data information on the site plan;
- 2) Revision of the site plan to indicate the dumpster will meet the enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance;
- 3) Retention of the residential buffer on the site plan, revised to be no taller than three-feet within the required front 25-foot setbacks;
- 4) Retention of the complaint queuing spaces for the entry gate;
- 5) Provision of a compliant photometric plan at the time of permitting;
- 6) Retention of the sidewalk along both Stanton Road and Oak Knoll Road;
- 7) Compliance with 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.);*
- 8) Placement of a note on the site plan stating Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to*

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- 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 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.);*
  - 10) Compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and,*
  - 11) Provision of a copy of the revised PUD site plan for review by the Planning and Zoning Department prior to the approval of any permits.

**NEW SIDEWALK WAIVER APPLICATIONS:**

8. **6480, 6485 and 6490 Dockside Drive**  
**(West terminus of Dockside Drive).**  
**Council District 4**  
**SUB-SW-001971-2022**  
**Hunter Development (Gerald Byrd, Agent)**  
**Request to waive construction of a sidewalk along Dockside Drive.**

Gerald Byrd of Byrd Surveying was present to represent the application. He noted that adjacent properties did not have sidewalks and that the proposed use would be an office warehouse with storage, thus there would be very few pedestrians.

Commissioners and staff discussed the waiver request and the reasoning behind staff's recommendation, as well as previous sidewalk waivers approved by the Commission.

Matt Anderson made a motion to approve the waiver, however, there was no second and thus the motion failed.

A motion to deny the sidewalk waiver request was made by Scott Jones and seconded by Nick Amberger. The motion passed with Matt Anderson opposed.

After discussion, the Planning Commission denied the request for a waiver of construction of a sidewalk along Dockside Drive.

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**GROUP APPLICATIONS:**

**9. East side of North University Boulevard at the East terminus of Lebaron Drive South.  
Council District 1**

**a. SUB-001982-2022 (Subdivision)**

**Sandalwood Subdivision**

**Number of Lots / Acres: 1 Lot / 9.0± Acres**

**Engineer / Surveyor: Austin Engineering Co, Inc.**

Shaundretta Porter was present to represent the application and agreement with the proposed subdivision approval conditions but had concerns regarding the denial recommendation regarding the zoning request. She stated that a site plan was being prepared to address one of the issues, and that she did have a specific use for the property.

Planning staff discussed the reasons for the denial recommendation, to which the applicant responded that she could submit revisions as well as additional information regarding the proposed use.

No one else was present regarding the application.

A motion to holdover to the request until the April 21<sup>st</sup> meeting was made by Scott Jones and seconded by Jennifer Denson. Approved

After discussion, the Planning Commission moved to holdover the request until the April 21, 2022 meeting.

**b. ZON-001981-2022 (Rezoning)**

**Shaundretta Porter**

**Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District.**

See the discussion under the Subdivision application.

A motion to holdover to the request until the April 21<sup>st</sup> meeting was made by Scott Jones and seconded by Jennifer Denson. Approved

After discussion, the Planning Commission moved to holdover the request until the April 21, 2022, meeting.

**10. 2100 North University Boulevard**

**(East side of North University Boulevard at the East terminus of Mickey Drive).**

**Council District 1**



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- a. SUB-001966-2022 (Subdivision)**  
**The Locale Subdivision, Phase Two**  
**Number of Lots / Acres: 2 Lots / 55.2± Acres**  
**Engineer / Surveyor: Gulf States Engineering**

The applicant was present and in agreement with the recommendations.

No one else was present regarding the application.

Motion to approve made by Matt Anderson and seconded by Nick Amberger. Approved.

After discussion, the Planning Commission tentatively approved the application, subject to the following conditions:

- 1) Submittal to Planning and Zoning of five (5) copies of the recorded Final Plat for The Local Subdivision prior to signing the Final Plat;
- 2) Retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 3) Retention of the right-of-way width of North University Boulevard on the Final Plat;
- 4) Retention of the 25-foot minimum building setback line along North University Boulevard;
- 5) Placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 6) Placement of a note on the Final Plat stating that access to the Gulf South Pipeline Company right-of-way adjacent to the East side of the site is denied;
- 7) Compliance with Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a graphic scale. C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. D. Check and revise PLAT NOTES #15 and #17 as they seem to be duplicates of PLAT NOTES #10 and #11. E. Revise PLAT NOTE #15 to read "As shown on the 1984 aerial photo (FLIGHT 21 - #67) LOTS 1 & 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 – NONE 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*

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- 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. H. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. I. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.);*
- 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, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.*); and
- 10) 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-001967-2022 (Rezoning)**

**Matthew Roberts**

**Rezoning from R-1, Single-Family Residential District, to B-2, Neighborhood Business District, for Lot 2 of a proposed subdivision.**

See the discussion under the Subdivision application.

Motion to approve made by Nick Amberger and seconded by Matt Anderson. Approved.

After discussion, the Planning Commission moved to recommend approval of the rezoning to the City Council for the following reasons:

- 1) There is a need to increase the number of sites available to business or industry; and
- 2) The subdivision of land into building sites makes reclassification of the land necessary and desirable.

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The rezoning is subject to the following conditions:

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

**11. 62, 88, 100 and 116 Hillcrest Road**

**(Northwest corner of Hillcrest Road and Cedar Bend Court).**

**Council District 7**

**a. SUB-001979-2022 (Subdivision)**

**Hillcrest – Cedar Bend Subdivision**

**Number of Lots / Acres: 3 Lots / 3.3± Acres**

**Engineer / Surveyor: McCrory & Williams, Inc.**

The applicant was present and in agreement with the recommendations.

No one else was present regarding the application.

Motion to approve made by Matt Anderson, and seconded by Nick Amberger. Approved.

After discussion, the Planning Commission tentatively approved the application, subject to the following conditions:

- 1) Dedication of the corner radius in compliance with Section V.D.6. of the Subdivision Regulations;
- 2) Retention of the lot sizes in square feet and acres, adjusted for dedication;
- 3) Retention of the 25-foot minimum building setback lines along both street frontages, adjusted for dedication;
- 4) Obtain demolition permits for all existing structures prior to the signing of the Final Plat, if the rezoning is approved;
- 5) Placement of a note on the Final Plat stating that Lot 3 is denied access to Cedar Bend Court;
- 6) 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 and label the monument set or found at each subdivision corner. C. Provide a written description for the subdivision boundary. D. Show and label all flood zones. New maps went into effect on June 5, 2020. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo*

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- (FLIGHT 19 - #71) 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 – 5,500 sf, LOT 2 – 2,000 sf, and LOT 3 – 3,800 sf. G. 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. H. 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. I. 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. J. 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. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. 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. N. 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 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 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 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-001980-2022 (Rezoning)**

**Vallas Realty, Inc (Kenny Nichols, Agent)**

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

See the discussion under the Subdivision application.

Motion to approve made by Matt Anderson and seconded by Scott Jones. Approved.

After discussion, the Planning Commission moved to recommend approval of the rezoning request to the City Council for the following reason:

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

The rezoning is subject to the following conditions:

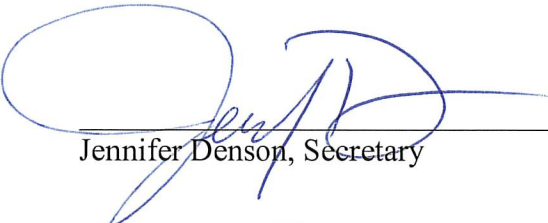
- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

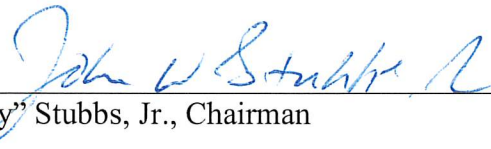
**OTHER BUSINESS:**

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**Minutes approved:**

12 / 19 / 2024

  
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Jennifer Denson, Secretary

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