

MOBILE CITY PLANNING COMMISSION

MINUTES

APRIL 21, 2022 - 2:00 P.M.

AUDITORIUM, GOVERNMENT PLAZA

ROLL CALL:

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

HOLDOVERS:

- 1. 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.

Applicant Shaundretta Porter was present regarding her applications. She noted the following:

- the application was for B-4 zoning, not B-3 zoning;
- the church complex being developed to the north justifies the request based upon a need to increase the places available for businesses and industry; and
- requested an explanation of the denial recommendation regarding the rezoning request.

Planning staff explained the differences between B-4 and B-3 zoning, that the applicant had actually requested B-3 on the application, and the reasons why staff initially recommended denial.

The Commissioners, the applicant and staff discussed B-2 as an option since the proposed use would be allowed, we well as the what would be allowed in a B-3 district by-right.

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, subject to the following conditions:

- 1) retention of the lot size in both square feet and acres, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 2) revision of the plat to provide the current right-of-way width along North University Boulevard, and, if less than 50 feet from the centerline to the property frontage, dedication to provide 50 feet from the centerline is required;
- 3) revision of the plat to indicate a 25-foot minimum building setback line along North University Boulevard, adjusted as to be measured from any required dedication;
- 4) 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;
- 5) full 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 Subdivision Name – SANDALWOOD SUBDIVISION on the Plat. C. Label the PROPOSED LOT as a lot not a Parcel. It should be LOT A or LOT 1. D. Add a graphic scale. E. Add a vicinity map and include street names. F. Show and label the adjoining parcel data. G. Show and label the distance from the property line to the existing centerline of the ROW. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor’s Certificate. J. Add a note to the SUBDIVISION PLAT stating that as shown*

- on the 1984 aerial photo (FLIGHT 21 - #68) 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: PROPOSED LOT 1 (or 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 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 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.);*
 - 7) compliance with the Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and*
 - 8) compliance with the Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*

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.

The Commission and staff additionally discussed the option of considering a B-2 classification instead of the requested B-3 classification. It was noted that a B-2 classification would allow the proposed use. Additional discussion regarding buffering of the site resulted in the Commission considering holding over the request.

Motion to Holdover by Matt Anderson. Second by Nick Amberger. Heldover to the May 5th meeting.

After discussion, the Commission heldover the application to the May 5, 2022 meeting to allow the applicant to revise their request for consideration of B-2 zoning and their site plan to show the following items:

- 1) Depiction of a 200-foot wooded buffer along the East and West property lines; and
- 2) Depiction of a 50-foot wooded buffer along the North and South property lines.

NEW SUBDIVISION APPLICATIONS:

2. 186 Oklahoma Drive

(East side of Oklahoma Drive, 695'± North of Cross Road Drive).

Council District 7

SUB-001994-2022

Rahman Estates Subdivision

Number of Lots / Acres: 2 Lots / 1.4± Acres

Engineer / Surveyor: Gerald A. Smith, PLS

The applicant was present and in agreement with the 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, subject to the following conditions:

- 1) correction of the title block and legal description to identify the current legal description as Lots 26 and 27, Tulsa Park Estates Subdivision;
- 2) retention of the right-of-way width of Oklahoma Drive on the Final Plat;

PLANNING COMMISSION – Minutes

April 21, 2022

PAGE 5

- 3) retention of the 50-foot minimum building setback line along Oklahoma Drive 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. Clarify and revise the listed LOT numbers in this application. Some of the information (PLAT Title Block and Surveyor Certificate, Application Form) lists LOT 27 & 28 and some information (legal description, GIS) indicates that it is LOT 26 & 27. B. 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. C. Add a graphic scale. D. Check and revise the Notary Public signature blocks. The names do not match the listed Owners. E. REVISE NOTE #8 to read as follows- “As shown on the 1984 aerial photo (FLIGHT 18 - #74) 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 – 1,800 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.*);
- 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.*).

3. 504 Western Drive

(South side of Mill Street, extending from Western Drive to Josephine Street).

Council District 1

SUB-001993-2022

Holmes Subdivision

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

Engineer / Surveyor: Byrd Surveying, Inc.

Jerry Byrd of Byrd Surveying was present to represent the application and in agreement with the recommendations.

No one else was present regarding the application.

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

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

- 1) retention of the right-of-way widths of all streets on the Final Plat;
- 2) retention of the ten-foot radius curve dedication at the intersection of Western Drive and Mill Street, and at the intersection of Mill Street and Josephine Street on the Final Plat, or a greater radius dedication should be provided, if required by City Engineering;
- 3) retention of the 25-foot minimum building setback line along Western Drive and Josephine Street on the Final Plat;
- 4) retention of the 20-foot minimum building setback line along Mill Street on the Final Plat;
- 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) approval of an Administrative Planned Unit Development if shared access and/or parking is proposed between any of the lots;
- 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 and label the monument set or found at each subdivision corner. C. Add a graphic scale. D. List the amount of ROW being dedicated (square feet and acres) for each of the corner dedications. E. Revise "...TO BE DEDICATED..." to "...HEREBY DEDICATED..." for each radius dedication. F. Add a signature block for the Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #69) LOTS 1, 2, & 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 – NONE, LOT 2 – 5,800 sf, and LOT 3 – 5,000 sf. 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 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 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. 3923 Patricia Drive

(Southeast corner of Patricia Drive and Benson Road).

Council District 4

SUB-001996-2022

Meeks Addition to Patricia Drive Subdivision

Number of Lots / Acres: 3 Lots / 0.6± Acre

Engineer / Surveyor: McCrory & Williams, Inc.

The applicant was not present.

Planning staff discussed the holdover recommendation and noted that during a telephone call with the applicant, they were under the belief that their request had been removed from the agenda rather than just recommended for holdover. Staff advised the applicant that they needed to be present at the meeting.

Staff also reminded the Commission of the comments received online or by email regarding the application.

The following people were present and spoke in opposition to the application: William Coggin, William Givens, Melanie and Donald Moore, and Robert Doutt. They made the following points regarding the application:

- there are drainage issues that affect their properties, and they are worried that more flooding of their properties would occur if the site is developed;
- they have environmental concerns if the property is developed;
- the proposed lot sizes are not harmonious with the area;
- the proposal will lower their property values;
- was under the belief that the current property owner was going to build one house on the property for themselves, not divide it into three lots;
- the property is at a very low elevation; and
- are opposed even if the request is only to make two lots instead of three lots.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover.

After discussion, the Commission heldover the application to the meeting of May 19th to allow the applicant to submit a revised application which includes all of Lot 1, and a revised notification list for all adjacent and directly across the street property owners. Additional information and fees should be submitted no later than April 29th.

GROUP APPLICATIONS:

**5. 1248 Montlimar Drive and 3500 Michael Boulevard
(North side of Michael Boulevard, 316'± West of Montlimar Drive, extending to the West side of Montlimar Drive, 245'± North of Michael Boulevard).
Council District 5**

- a. SUB-001998-2022 (Subdivision)
Johnstone Supply Subdivision
Number of Lots / Acres: 1 Lot / 1.5± Acres
Engineer / Surveyor: Erdman Surveying, LLC**

The applicant was present and in agreement with all conditions.

No one else was present regarding the application.

Motion to approve by Taylor Atchison. Second by Matt Anderson. Approved.

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

- 1) dedication to provide 50-feet from the centerline of Michael Boulevard;
- 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) 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. The pdf submitted for the Subdivision PLAT was in color. ALL of the yellow text (graphic scale, legend, General Notes, boundary bearing & distance labels, etc.) are ILLEGIBLE on the screen and when printed. Also, they will not be legible when scanned at Probate. C. Provide and label the monument set or found at each subdivision corner. D. Provide a written description for the subdivision boundary. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #76) 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 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 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-001999-2022 (Rezoning)

CCAЕ, LLC

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

See the discussion under the Subdivision application.

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

After discussion, the Planning Commission recommended to the City Council that the site be rezoned for the following reason:

- 1) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

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.

**6. 107, 111 and 113 North Lafayette Street, and 106 and 114 Providence Street
(North side of Old Shell Road, extending from North Lafayette Street to Providence Street).**

Council District 2

a. SUB-002001-2022 (Subdivision)

St. Mary Catholic School Subdivision, Revision and Addition

Number of Lots / Acres: 2 Lots / 3.2± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Jerry Byrd of Byrd Surveying 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. Second by Jennifer Denson. Approved.

After discussion, the Planning Commission waived Section V.D.9. of the Subdivision Regulations and Tentatively approved the application subject to the following conditions:

- 1) retention of the lot size labels, or the furnishing of a table on the Final Plat providing the same information;
- 2) retention of the 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;
- 3) subject to the Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a graphic scale. C. Add the written bearing and distance for the fifth leg listed in the legal description. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. F. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.*);
- 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 the Urban Forestry comments: (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the*

Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and

- 6) compliance with the Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.).*

b. PUD-002002-2022 (Planned Unit Development)

St. Mary Catholic School Subdivision, Revision and Addition

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site.

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson. Second by Taylor Atchison. Approved.

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

- a. the proposal promotes the objective of Creative design *(to encourage innovative and diversified design in site development)*, because it will allow an expanded playground on the site;
- b. the proposal promotes the objective of Flexibility *(to permit greater flexibility in the location and arrangement of facilities than is generally possible under district regulations)*, because it will allow for an expanded playground for the existing school;
- 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 an existing school will be allowed to increase the amount of area available to students;
- d. the proposal promotes the objective of Environment *(to preserve and protect as urban amenities the natural features and characteristics of the land)*, because no trees will be removed on the site;
- e. the proposal promotes the objective of Open space *(to encourage the provision of common open space through efficient site design)*, because no new structures are proposed;
- f. the proposal promotes the objective of Public services *(to encourage optimum use of available public utilities, streets and community facilities)*, because existing utilities, streets and public utilities will be utilized.

The approval is subject to the following conditions:

- 1) retention of the lot size labels, or the furnishing of a table on the Final Plat providing the same information;
- 2) retention of the note on the site plan stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 3) retention of the residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential properties, as indicated on the site plan;
- 4) remove “proposed” from the pavilion label;
- 5) compliance with Engineering comments: *(Retain NOTES #1 - #6, as shown on the PUD drawing dated March 8, 2022.)*;
- 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 the Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.)*; and
- 8) compliance with the Fire Department comments: *All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.)*;
- 9) submittal of two copies of the revised site plan (.pdf and hard copy) prior to the signing of the Final Plat; and
- 10) full compliance with all municipal codes and ordinances.

c. PA-002003-2022 (Planning Approval)

St. Mary Catholic School

Planning Approval to amend a previously approved Planning approval to allow the expansion of a church school in an R-1, Single-Family Residential District.

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson. Second by Nick Amberger. Approved.

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

PLANNING COMMISSION – Minutes

April 21, 2022

PAGE 14

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it should have no impact on any of those items due to the limited scope of the project;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because no additional structure is proposed and no increased traffic is anticipated; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the school is only slightly increasing its size.

The approval is subject to the following conditions:

- 1) retention of the lot size labels, or the furnishing of a table on the Final Plat providing the same information;
 - 2) retention of the note on the site plan stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
 - 3) retention of the residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential properties, as indicated on the site plan;
 - 4) remove “proposed” from the pavilion label;
 - 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.*);
 - 8) submittal of two copies of the revised site plan (.pdf and hard copy) prior to the signing of the Final Plat; and
 - 9) full compliance with all municipal codes and ordinances.
- 7. West side of Providence Park Drive, 595'± South of Airport Boulevard, extending to the East side of Cody Road South, 885'± South of Airport Boulevard.
Council District 6**

a. SUB-001995-2022 (Subdivision)

Providence Park Northwest Development Parcel Resubdivision

Number of Lots / Acres: 2 Lots / 13.8± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Planning staff stated that in a telephone discussion with the applicant's representative it was noted that the Engineering comment, item (d), was of concern regarding a proposed street. After review it was determined by staff that the condition could be removed.

The applicant, who was present, agreed to the modification of the Engineering comments and agreed with the other recommendations.

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

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

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25-foot minimum building setback along Providence Park Drive East and Cody Road South;
- 3) retention of the 20-foot setback along the future private street;
- 4) compliance with Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. The written legal description is not legible in either the pdf or printed. C. The street names are listed but the streets are not depicted in the vicinity map. D. Provide the required curve data. E. Provide and label the monument set or found at each subdivision corner. F. Add a graphic scale. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H. Provide the Surveyor's Certificate. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #75) LOTS A and B 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 and LOT B - NONE. J. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. K. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of*

- a Land Disturbance permit. L. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. M. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. N. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. O. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. P. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.)*
- 5) placement of a note on the Final Plat stating the following 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]. 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.);*
 - 7) compliance with Fire comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
 - 8) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
 - 9) full compliance with all municipal codes and ordinances.

b. PUD-002005-2022 (Planned Unit Development)

Providence Park Northwest Development Parcel Resubdivision

Planned Unit Development Approval to amend a previously approved Planned Unit Development Master Plan.

See the discussion under the Subdivision application.

Motion to approve by Nick Amberger. Second by Matt Anderson. Approved.

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

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it will allow further development of a private street development;
- b. the proposal promotes the objective of Flexibility (*to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations*), because it will allow an existing medical complex to expand;
- 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 it will allow new businesses in the vicinity of an existing hospital;
- d. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because the area is already served by public services.

The approval is subject to the following conditions:

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25-foot minimum building setback along Providence Park Drive East and Cody Road South;
- 3) retention of the 20-foot setback along the future private street;
- 4) placement of a note on the site plan stating that all lots will be developed in full compliance with Zoning Ordinance requirements;
- 5) placement of a note on the site plan stating that Administrative Planned Unit Developments are required at the time of development of the lots;
- 6) compliance with Engineering comments: (*1. A PUD SITE PLAN was not submitted for review. Additional comments may be made with subsequent review. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Any existing or proposed*

- detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) placement of a note on the Final Plat stating the following 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 comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
 - 10) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
 - 11) full compliance with all municipal codes and ordinances.

**8. Northwest corner of Cochrane Causeway and Dunlap Drive
Council District 2**

- a. **SUB-002011-2022 (Subdivision)**
Blakely Island Subdivision
Number of Lots / Acres: 1 Lot / 2.2+ Acres
Engineer / Surveyor: JADE Consulting, LLC

Paul Marcinko of Jade Consulting was present to represent the application and had concerns regarding condition #4 regarding the Administrative PUD requirement.

Planning staff explained the Administrative PUD process to the applicant.

Staff also noted for the applicant and Commission that one comment of concern was received regarding the applications.

Commissioners and the applicant discussed the proposed use of the site.

No one else was present regarding the application.

Commissioners and legal counsel discussed the possibility of restricting the uses allowed on the property through the rezoning process. Legal counsel stated that the applicant could submit self-imposed restrictions for consideration, but the Commission could not otherwise restrict uses.

Motion to approve by Matt Anderson. Second by Taylor Atchison. Approved.

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

- 1) Either dedication to provide 50-feet from the centerline of Cochran Causeway or revision of the plat to show sufficient right-of-way currently exists;
- 2) retention of the lot sizes in square feet and acres, adjusted for any dedication;
- 3) illustration of the 25-foot minimum building setback lines along both street frontages, adjusted for any dedication;
- 4) either submittal of an Administrative Planned Unit Development to allow the shared access to 115 Cochran Causeway to remain, or removal of the shared access prior to the signing of the Final Plat;
- 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. Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, VE, or X (shaded) flood zone designation (BFE = 15'). C. Provide an access easement for the concrete drive located on the north end of LOT A. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 31 - #68) 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. E. 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. F.*

- 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. G. 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. H. 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. I. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. J. 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. K. 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 the Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and*
 - 8) compliance with the Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*

b. ZON-002006-2022 (Rezoning)

Pilot Thomas Logistics

Rezoning from R-1, Single-Family Residential District, and I-2, Heavy Industry District, to I-2, Heavy Industry District.

See the discussion under the Subdivision application.

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

PLANNING COMMISSION – Minutes

April 21, 2022

PAGE 21

After discussion, the Planning Commission recommended to the City Council that the site be rezoned for the following reason:

- 1) the subdivision of land into building sites makes reclassification of the land necessary and desirable

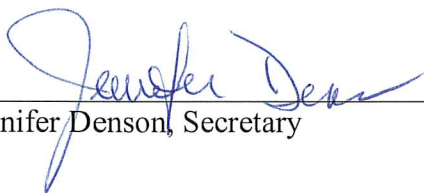
The rezoning should be subject to the following condition:

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

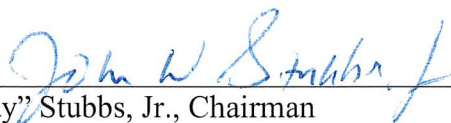
OTHER BUSINESS:

Minutes approved: _____

1/16/2025



Jennifer Denson, Secretary



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