

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**AUGUST 18, 2022 - 2:00 P.M.**

AUDITORIUM, GOVERNMENT PLAZA

Roll Call:

<b>Members Present</b>	<b>Members Absent</b>
John W. "Jay" Stubbs, Jr. Chairman Allan Cameron, Vice Chairman Jennifer Denson, Secretary Shirley Sessions Taylor Atchison Matt Anderson, (MD) Nick Amberger (AO) Scott Jones (CC) Susan Carley (S)	Carlos Gant Kirk Mattei (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 to approve by Jennifer Denson. Second by Scott Jones. Adopted.

### **EXTENSIONS:**

- 1. 4464, 4474, 4480 and 4490 Halls Mill Road  
(North side of Halls Mill Road at the Northern terminus of Laughlin Drive).  
Council District 4**

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 2**

**PUD-001512-2021**

**Persons Development & Construction Services, LLC**

**Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on multiple building sites with shared access between multiple building sites and reduced landscaping requirements.**

The applicant was not present.

No one else was present regarding the application.

Motion to approve by Scott Jones. Second by Jennifer Denson/Matt Anderson. Approved.

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

**NEW SUBDIVISION APPLICATIONS:**

**2. 1315 Creekway Drive**

**(Northwest corner of Creekway Drive and Pinehaven Drive).**

**Council District 3**

**SUB-002125-2022**

**Driftwood Acres Subdivision, Block B, First Addition, Resubdivision of Lots 10A and 10B**

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

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

The applicant was present and agreed with the recommendations.

No one else was present regarding the application.

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

After discussion, the Planning Commission Tentatively Approved the request with a waiver of Section V.D.2. of the Subdivision Regulations, subject to the following conditions:

- 1) Retention of the right-of-way width of Pinehaven Drive and Creekway Drive on the Final Plat;
- 2) Retention of the 25-foot minimum building setback lines along Pinehaven Drive and Creekway Drive on the Final Plat;
- 3) Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat providing the same information;
- 4) Placement of a note on the Final Plat stating that no structure is allowed in any easement, without the approval of the easement holder, if applicable;

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 3**

- 5) Compliance with the Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e., signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a graphic scale. C. Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. D. Remove the title "Surveyor's Certificate" located on the right side of the plat. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #88) LOTS 10-A and 10-B will share the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). The lots will be allowed to add the following amount of impervious area before storm water detention is required: LOT 10-A – 1,000 sf, LOT 10-B – 1,300 sf. 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.);*
- 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.)*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 4**

**3. 5837 Three Notch Road**

**(South side of Three Notch Road, 44'± West of the South terminus of General Road).**

**Council District 4**

**SUB-002126-2022**

**Dees Commercial Park Subdivision, Resubdivision of Lots 2-3**

**Number of Lots / Acres: 1 Lot / 2.5± Acres**

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

The applicant was present and agreed with the recommendations.

No one else was present regarding the application.

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

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

- 1) Revision of the plat to illustrate dedication sufficient to provide 50 feet from the centerline of Three Notch Road;
- 2) Revision of the plat to depict the 25-foot minimum building setback line, after dedication;
- 3) Retention of the lot size in square feet and acres on the Final Plat;
- 4) 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) Add a graphic scale. C) Add street names (i.e., Halls Mill Rd.) to the vicinity map. D) Review and revise the written PROPERTY DESCRIPTION to include the correct lots from the 1997 reference. E) Label all lines shown on the interior of proposed LOT 1 or include them in the LEGEND. F) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #88) 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 – 3000 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*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 5**

*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. K) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. L) 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.);*

- 5) Placement of a note on the Final Plat stating the Traffic Engineering comments: *(Site is limited to one driveway Three Notch Rd with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 6) Compliance with 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.);*
- 7) 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.);* and,
- 8) Compliance with all other codes and ordinances.

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

**4. 2421 Anton Street**

**(West side of Anton Street, 549'± South of Hand Extension Avenue).**

**Council District 1**

**PUD-002134-2022**

**Dalton J. Mabien, Sr.**

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

The applicant was not present.

No one else was present regarding the 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

AUGUST 18, 2022

PAGE 6

- 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 multiple buildings on a single building site;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the proposal retains large areas of the overall site as undeveloped;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the site is large enough to allow the proposed development and uses;
- d. 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 it retains large areas of the overall site as undeveloped;
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because it retains large areas of the overall site as undeveloped; and
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the development will utilize existing public infrastructure.

The Approval is subject to the following conditions:

- 1) Retention of the 25' minimum building setback line along all street frontages;
- 2) Revision of the site plan to illustrate and label a compliant City-standard sidewalk;
- 3) Provision of a note on the site plan stating that the site will comply with Section 64-4.E.3 of the Zoning Ordinance and that the Owner should coordinate with Staff on the location and planting of trees in compliance with Right Tree Right Place standards;
- 4) Provision of a note on the site plan and depiction of a residential buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 5) Compliance with Engineering comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Retain GENERAL NOTES #8 - #12, as shown on the SITE LAYOUT PLAN C-103 dated 05/01/2022 that was submitted as the PUD SITE PLAN for this application. 2. The pdf submitted contains a few "seams" that have made many words and symbols illegible. Please provide a clear and legible pdf. 3. Many of the SITE LAYOUT NOTES refer to other plan sheets. Either revise the notes, delete the notes, provide the sheets in the PUD SITE PLAN, or add it to the plan sheet that was submitted. 4. Provide a Vicinity Map on the Site Plan. 5. ADD THE FOLLOWING NOTE TO THE PUD SITE PLAN: a. 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.);*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 7**

- 6) Placement of a note on the site plan stating Traffic Engineering comments: *(Site is limited to one driveway to Anton Street with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 7) Compliance with Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
- 8) Compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and,*
- 9) 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.

**GROUP APPLICATIONS:**

**5. 712, 716, and 718 Dauphin Island Parkway**

**(Northwest corner of Dauphin Island Parkway and Halls Mill Road, extending to the Southeast corner of Johnston Avenue and Gosson Street).**

**Council District 2**

**a. SUB-002115-2022 (Subdivision)**

**Carmelite Nuns Discalced Subdivision**

**Number of Lots / Acres: 1 Lot / 7.0± Acres**

**Engineer / Surveyor: Cowles, Murphy, Glover and Associates**

The applicant was present and agreed with the recommendations.

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Shirley Sessions. Approved.

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

- 1) Retention of the rights-of-way depicted for each street;
- 2) Retention of the 25-foot corner radii at the intersections of Halls Mill Road and Gosson street, and Gosson Street and Johnston Avenue;

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 8**

- 3) Retention of the lot size in square feet and acres on the Final Plat, or provision of a table on the plat with the same information;
- 4) Revision of the plat to illustrate the 25-foot minimum building setback line along all frontages;
- 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) Include the "delta" symbol in the curve data on Dauphin Island Parkway. C) Remove the County Engineer's signature block from the plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. D) Revise SUBDIVISION NOTE #1 to read – "A Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. E) Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. F) Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. G) Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. H) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. 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.);*
- 6) Placement of a note on the plat stating Traffic Engineering comments: (*Dauphin Island Parkway (State Highway 163) is an ALDOT maintained roadway. Site is limited to the number of driveways as reflected on the approved PUD with any changes in size, location, and design to be approved by ALDOT (Dauphin Island Pkwy) and Traffic Engineering and conform to AASHTO standards. Any new 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 (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.);*
- 8) Compliance with Fire Department comments: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of*



**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 9**

- 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) Completion of the rezoning process prior to signing of the Final Plat; and,
  - 10) Full compliance with all other municipal codes and ordinances.

**b. PUD-002152-2022 (Planned Unit Development)**

**Carmelite Nuns Discalced Subdivision**

**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 Scott Jones. 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) by utilizing a single building site for multiple buildings, thus facilitating site development that is diverse from traditional site development, which is limited to one building per building site, and because greater flexibility is required due to the scope and scale of the site;
- b) the proposal promotes the objective of flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations) by permitting more buildings on a single building site than is generally possible under district regulations, thus accommodating existing conditions of the site;
- 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) by facilitating minor changes to a site whose impact on the use of the land may be considered less demanding of resources than denser commercial developments within the neighborhood;
- d) the proposal promotes the objective of environment (to preserve and protect as urban amenities the natural features and characteristics of the land) with tree plantings and landscaping to break up the expanse of existing pavement, protect soil erosion, reduce the hazards of flooding, and promote the pleasant appearance and character of the neighborhood; and,
- e) the proposal promotes the objective of open space (to encourage the provision of common open space through efficient site design) by not exceeding the maximum building site coverage of the underlying district, and by maintaining landscaping and tree plantings on the site.

The Approval is subject to the following conditions:

- 1) Retention of the rights-of-way depicted for each street;

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 10**

- 2) Retention of the 25-foot corner radii at the intersections of Halls Mill Road and Gosson street, and Gosson Street and Johnston Avenue;
- 3) Revision of the site plan to illustrate the 25-foot minimum building setback line along all frontages;
- 4) Compliance with Engineering comments: *(1) Label one of the drawings submitted for PUD review as the PUD SITE PLAN. 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 ((251) 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.);*
- 5) Placement of a note on the site plan stating Traffic Engineering comments: *(Dauphin Island Parkway (State Highway 163) is an ALDOT maintained roadway. Site is limited to the number of driveways as reflected on the approved PUD with any changes in size, location, and design to be approved by ALDOT (Dauphin Island Pkwy) and Traffic Engineering and conform to AASHTO standards. Any new 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 (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.);*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 11**

- 7) Compliance with Fire Department comments: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*);
- 8) Completion of the subdivision process prior to the approval of any land disturbing or building activities;
- 9) Approval of the Planned Unit Development;
- 10) Approval of the Planning Approval;
- 11) Approval of the Rezoning;
- 12) Provision of four (4) revised PUD site plans to the Planning & Zoning Department prior to signing of the Final Plat; and,
- 13) Compliance with all other municipal codes and ordinances.

**c. PA-002166-2022 (Planning Approval)**

**Cowles, Murphy, Glover and Associates**

**Planning Approval to amend a previously approved Planning Approval to allow an expansion of an existing monastery in an R-3, Multi-Family Residential District.**

See the discussion under the Subdivision application.

Motion to approve by Shirley Sessions. Second by Matt Anderson. 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 because it should have no impact on these items due to the limited scope of the request;
- b. The proposal will not cause undue traffic congestion or create a traffic hazard because the request will not cause an increase in traffic; and,
- c. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because of the length of time the site has been developed and because of existing conditions.

The Approval is subject to the following conditions:

- 1) Retention of the rights-of-way depicted for each street;
- 2) Retention of the 25-foot corner radii at the intersections of Halls Mill Road and Gosson street, and Gosson Street and Johnston Avenue;
- 3) Revision of the site plan to illustrate the 25-foot minimum building setback line along all frontages;
- 4) Compliance with Engineering comments: (*No comments.*);
- 5) Placement of a note on the site plan stating Traffic Engineering comments: (*Dauphin Island Parkway (State Highway 163) is an ALDOT maintained roadway. Site is limited*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 12**

- to the number of driveways as reflected on the approved PUD with any changes in size, location, and design to be approved by ALDOT (Dauphin Island Pkwy) and Traffic Engineering and conform to AASHTO standards. Any new 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 (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.);*
  - 7) Compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
  - 8) Completion of the subdivision process prior to the approval of any land disturbing or building activities;
  - 9) Provision of four (4) revised Planning Approval site plans to the Planning & Zoning Department prior to signing of the Final Plat; and,
  - 10) Compliance with all other municipal codes and ordinances.

**d. ZON-002116-2022 (Rezoning)**

**Cowles, Murphy, Glover and Associates**

**Rezoning from R-3, Multi-Family Residential District and B-3, Community Business District to R-3, Multi-Family Residential District.**

See the discussion under the Subdivision application.

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

The Commission recommends this application Approval for the following reason:

- a) 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;
- 2) Compliance with all other codes and ordinances.

**6. 850 Marion Street**

**(North side of Marion Street, at the north termini of North Cedar Street and Fishers Alley).**

**Council District 2**

- a. SUB-002124-2022 (Subdivision)**  
**One Mile D.S. Substation Subdivision**  
**Number of Lots / Acres: 1 Lot / 10.5± Acres**  
**Engineer / Surveyor: Gonzalez-Strength & Associates, Inc.**

Planning staff advised the Commission that the applicant had submitted information confirming that the Mobile County Revenue Commission and the City's GIS data were incorrect as it related to property lines and ownership. It was noted that the applicant's depiction of the property lines was correct. As such, the recommendation for holdover was no longer applicable, and proposed conditions for approval were provided to the Commission and the applicant.

The applicant was present and agreed with the revised recommendations.

No one else was present regarding the application.

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

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

- 1) Revision of the plat to illustrate the existing right-of-way along Lawrence Street;
- 2) Revision of the plat to illustrate dedication of a 20-foot right-of-way along Fisher Alley per Section V.B.14. of the Subdivision Regulations, or revision of the plat to illustrate the existing minimum right-of-way of Fisher Alley;
- 3) Revision of the plat to illustrate dedication to provide 25-foot corner radii at the intersections of Sullivan Street and Lawrence Street, and Lawrence Street and Marion Street, per Section V.B.16. of the Subdivision Regulations, and if determined to be necessary by the City Engineer;
- 4) Retention of the lot size label in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information, adjusted for any required dedication;
- 5) Revision of the plat to illustrate the 25-foot minimum building setback line along all street frontages, per Section V.D.9. of the Subdivision Regulations, adjusted for any required dedication;
- 6) Completion of the rezoning process, if necessary;
- 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) Provide reference, on the map and the description, to a monumented corner. C) Add*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 14**

- street names to the vicinity map (i.e. Marion St. and Lawrence St.). D) Show the edge or water on and adjacent to the property. E) Provide a written description for the subdivision boundary. E) 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. F) 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. G) Show and label all flood zones. H) Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. I) Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J) Provide the Surveyor's Certificate. K) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #73) 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 – 27,000 sf. L) 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. M) 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. N) 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. O) 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. P) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. Q) Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.);*
- 8) Placement of a note on the revised plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
  - 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 (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.);
  - 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'

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 15**

- of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*  
and,  
11) Full compliance with all other municipal codes and ordinances.

**b. PA-002123-2022 (Planning Approval)**

**Alabama Power Company**

**Planning Approval to allow an electrical substation in an R-2, Two-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:

- 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 these items due to the limited scope of the request;
- b. The proposal will be appropriate with regard to the use of public utilities and facilities because facilitating the request will ensure electricity continues to be provided to the community;
- c. The proposal will not cause undue traffic congestion or create a traffic hazard because the request will not cause an increase in traffic; and,
- d. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because existing woodlands will be retained, additional tree plantings and landscape area will be provided, and because a masonry wall will reduce the visibility of the facility.

The approval is subject to the following conditions:

- 1) Revision of the site plan to identify the location of the proposed fence and any associated gates;
- 2) Revision of the site plan to illustrate sidewalks along all improved street frontages, or submission of a Sidewalk Waiver application to the Planning and Zoning Department;
- 3) Compliance with tree plantings and landscape area requirements of Section 64-4.E. of the Zoning Ordinance shall be coordinated with staff;
- 4) Completion of the rezoning process, if necessary;
- 5) 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 ((251) 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*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 16**

*of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6) The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

- 6) Placement of a note on the revised site plan stating Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 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 (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.*);
- 8) Compliance with Fire Department comments: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*);
- 9) Completion of the subdivision process prior to the approval of any land disturbing or building activities;
- 10) Provision of two (2) revised Planning Approval site plans to the Planning & Zoning Department prior to signing of the Final Plat; and,
- 11) Compliance with all other municipal codes and ordinances.

- 7. 1710 Dauphin Island Parkway, 2005 & 2009 Douglas Lane, and 2008 Faye Street (Southwest corner of Dauphin Island Parkway and Douglas Lane, extending to the Northwest corner of Dauphin Island Parkway and Faye Street).  
Council District 3**



**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 17**

**a. SUB-002131-2022 (Subdivision)**

**Hakanson Subdivision, Block 2, Resubdivision of Lots 6, 7, 10, & 11 and Parcels A & B**

**Number of Lots / Acres: 1 Lot / 2.3± Acres**

**Engineer / Surveyor: Duplantis Design Group, PC**

The applicant was present and agreed with the recommendations.

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Shirley Sessions. Approved.

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

- 1) Either dedication to provide 50-feet from the centerline of Dauphin Island Parkway or revision of the plat to show sufficient right-of-way currently exists;
- 2) Dedication to provide 30-feet from the centerline of Faye Street;
- 3) Dedication to provide 25-feet from the centerline of Douglas Lane where it has curb and gutter;
- 4) Dedication to provide 30-feet from the centerline of Douglas Lane where it does not have curb and gutter;
- 5) Provision of the lot sizes in square feet and acres, adjusted for any dedication;
- 6) Illustration of the 25-foot minimum building setback lines along all street frontages, adjusted for any dedication;
- 7) 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. Add street names to the vicinity map (i.e., Dauphin Island Parkway, Faye Street). C. Show and label all flood zones. New maps went into effect on June 5, 2020. D. Provide a new Subdivision Title. E. Change the new lot designation from "PARCEL 1" TO "LOT 1". F. Show and label the BFE (Base Flood Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #80) 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 – 33,000 sf. 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.);*
- 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*

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 18**

- 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.).*

**b. ZON-002132-2022 (Rezoning)**

**Duplantis Design Group, PC**

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

See the discussion under the Subdivision application.

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

The Commission recommended this application to the City Council for Approval for the following reason:

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

The approval should be subject to the following condition:

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

- 8. 5015, 5017, 5019, 5021, 5029, 5033, 5039, 5043, 5049, 5051, 5055, 5121, & 5133 Cottage Hill Road, 2113 Demetropolis Road, and 2104 Garmons Lane (Southeast corner of Cottage Hill Road and Demetropolis Road, extending to the Northwest corner of North Demetropolis Road and Dinkins Drive). Council District 4**

**a. SUB-002129-2022 (Subdivision)**

**PLANNING COMMISSION - MINUTES**

**AUGUST 18, 2022**

**PAGE 19**

**Cottage Village Shopping Center Subdivision  
Number of Lots / Acres: 7 Lots / 14.0± Acres  
Engineer / Surveyor: McCrory & Williams, Inc.**

The applicant was present and agreed with the holdover recommendation.

No one else was present regarding the application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover to the September 1 meeting.

After discussion, the Commission decided to holdover the application to the September 1, 2022, meeting to allow the applicant time to obtain authorization from the owner of the adjacent land-locked parcel.

- b. PUD-002130-2022 (Planned Unit Development)**  
**Cottage Village Shopping Center Subdivision**  
**Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple lots with shared access and parking.**

See the discussion under the Subdivision application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover to the September 1 meeting.

After discussion, the Commission decided to holdover the application to the September 1, 2022, meeting to allow the applicant time to obtain authorization from the owner of the adjacent land-locked parcel.

- c. ZON-002133-2022 (Rezoning)**  
**White-Spinner Realty**  
**Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood Business District.**

See the discussion under the Subdivision application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover to the September 1 meeting.

After discussion, the Commission decided to holdover the application to the September 1, 2022, meeting to allow the applicant time to obtain authorization from the owner of the adjacent land-locked parcel.

**OTHER BUSINESS:**

- **Public Hearing**

**Hearing to amend Section 64-3.I. - Downtown development district of the current Zoning Ordinance, and Appendix A - Downtown Development District of Chapter 64, Unified Development Code, adopted by the City Council on July 12, 2022.**

The purpose of the amendment is to create a new Special District for the Civic Center site, establish development criteria and modify the Regulating Plan for the Downtown Development District.

The Chairman reminded meeting attendees of the time limits regarding comments.

James DeLapp, Executive Director of Public Works, gave an overview of the proposed development of the Civic Center site. He also discussed the required rezoning, the proposed zoning districts and height limits, and the proposed timeline for the project.

Commissioners discussed the proposed Corp of Engineers office building and the issues with the parking deck.

The following people were present to comment about the proposed amendments: Stephen Welford, Marie Dyson, Jim Backes, Barbara Caddell, Elizabeth Stephens, William Carroll and Jeremy Hill. They made the following points:

- The City should consult the Urban Planning Academic Departments about the site;
- The Church Street East neighborhood received short notice and did not have time for the neighbors to discuss and review the amendment;
- There was concern about building materials proposed for the residential district that will abut the existing T-3 district;
- There was concern about parking and a need for a parking study to ensure that overflow from the Civic Center site will not end up parking on-street in the neighborhood;
- Suggested that two parking spaces per dwelling be required instead of the proposed one parking space per dwelling unit;
- The proposed amendments support a suburban style of development rather than the finely tuned Downtown Development District code, which encourages an urban form of development;
- The proposed Civic Center districts would create a spot zone situation in the Downtown Development District;
- Some of the proposed development standards are arbitrary and not in keeping with intent of the Downtown Development District;
- The City should review the proposal very carefully before making any decisions, and the City needs to complete the master planning process before proposing any zoning changes;
- The proposed amendment should be heldover until all issues and proposals are thoroughly reviewed; and

**PLANNING COMMISSION - MINUTES**  
**AUGUST 18, 2022**  
**PAGE 21**

- The City should focus solely on the Civic Center and not propose any residential units on the site.

Commissioners, legal counsel and staff discussed the proposed amendments and the proposed development. Concern was expressed about the quick speed of the process, noting that the site was an important location for the city. It was stated that the site needed to be more urban and that more time was needed to discuss the facts and work out additional issues before being considered for a vote. There was additional discussion about proposed building heights and materials as well as parking concerns.

At the conclusion of the discussion, a motion to holdover was made by Taylor Atchison and seconded by Matt Anderson. All Commissioners voted to approve the holdover. The amendments were heldover to the September 1, 2022 meeting.

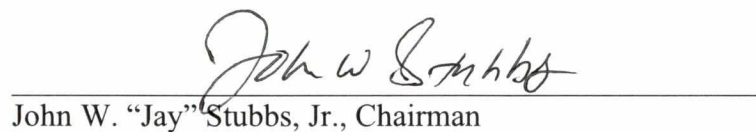
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**Minutes approved:** February 20, 2025



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Jennifer Denson, Secretary



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