

## MOBILE CITY PLANNING COMMISSION

### MINUTES

**MAY 6, 2021 – 2:00 PM**

AUDITORIUM, MOBILE GOVERNMENT PLAZA

<b>Members Present</b>	<b>Members Absent</b>
Carlos Gant, Chairman Libba Latham (PJ), Vice Chairman John W. “Jay” Stubbs, Jr. Allan Cameron Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC)	Jennifer Denson, Secretary Shirley Sessions Taylor Atchison Don Hembree (PJ)
<b>Planning Staff Present</b>	<b>Others Present</b>
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning 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.

### ROLL CALL

Carlos Grant called roll and stated that the Commission had a quorum.

### ADOPTION OF THE AGENDA:

Motion made by Libba Latham. Second by Bess Rich. Motion carried unanimously. Agenda adopted.

**HOLDOVERS:****1. 508 & 518 Dauphin Street**

**(North side of Dauphin Street, 47'± West of North Lawrence Street).**

**Council District 2**

**PA-001535-2021**

**Matthew LeMond**

**Planning Approval to allow a bar and restaurant with an occupancy load of over 100 people in a T-5.1 Sub-District of the Downtown Development District**

Applicant, Matthew LeMonde, 10 Houston Street, Mobile, AL 36606, was present. He discussed the following issues:

- other bar/restaurant properties he owns or operates;
- meeting with neighbors regarding the proposed use;
- how the business would operate – restaurant and separate bar;
- the noise ordinance;
- parking; and
- other concerns.

Commission members and staff discussed the following with Mr. LeMonde:

- the separation of the restaurant and bar and number of people allowed in each area;
- hours of operation;
- the floor plan and the occupancy load based on the building code;
- amplified sound from the speakers and a limit of 50 decibels until 11pm;
- the stalls on the floor plans and how they were similar to food truck stations or mini food stations, and how they were permanent so it will be a food hall (court) with five different types of food;
- restaurant versus liquor license;
- the number of people who would be involved with any special events at the venue; and
- how the food service and bar service would work together.

Jake Peavy, 4118 Yellow Heron Lane, spoke in favor of the application.

Mr. Arthur Madden spoke in opposition to the application, noting these concerns:

- compatibility;
- use of adjacent areas not specifically noted in the application; and
- the anticipated greater impact to the abutting properties than being acknowledged in the application.

Staff noted for the Commission the online comments in support and opposition to the application.

During deliberation, Commissioners and staff discussed findings of fact and noise restrictions, to which legal counsel stated that the Commission could not place additional noise restrictions greater than those of the City of Mobile; the occupant load; and access with the abutting Cedar Street Social Club.

Motion to approve was made by Matt Anderson. Second by Jay Stubbs. Approved.

Bess Rich and Libba Latham opposed.

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those infrastructures are already in place;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because an improved parking area will be provided on-site; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located.

The Approval is subject to the following conditions:

1. No organized outdoor activities after midnight.

**2. 2621 Ralston Road**

**(South side of Ralston Road, 240'± West of South Florida Street).  
Council District 5**

**a. PUD-001531-2021 (Planned Unit Development)**

**St. John's Deliverance Temple**

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

Jerry Byrd, applicant, was present. He stated that the building was a multipurpose building for the church. He discussed the buffer fence requirement and requested that the rezoning and PUD to be held over until July 15<sup>th</sup>, after the Board of Zoning Adjustment meeting.

Commission and staff discussed the rezoning and PUD processes. It was noted that the rezoning could proceed, but that the PUD should be heldover due to parking issues which are before the Board of Zoning Adjustment (BOA).

Motion to holdover by Carlos Gant. Second by Matt Anderson. Heldover.

After discussion, the Commission voted to holdover the application until the July 15th meeting.

- b. ZON-001530-2021 (Rezoning)**  
**St. John’s Deliverance Temple**  
**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 PUD.

Motion to holdover by Carlos Gant. Second by Matt Anderson. Heldover.

After discussion, the Commission voted to holdover the application until the July 15th meeting.

**EXTENSIONS:**

- 3. 6050 & 6086 Whitebark Drive**  
**(North side of Girby Road, 125’± East of Bristlecone Drive [private street], extending to the East terminus of Whitebark Drive).**  
**Council District 6**

- a. SUB-000894-2019 (Subdivision)**  
**Longleaf Gates Subdivision, Phase Two**  
**Number of Lots / Acres: 42 Lots / 42.2± Acres**  
**Engineer / Surveyor: Dewberry (Jason N. Estes)**

Motion to approve by Libba Latham. Second by Bess Rich. Approved.

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

- b. PUD-000895-2019 (Planned Unit Development)**  
**Longleaf Gates Subdivision, Phase Two**  
**Planned Unit Development to allow a private street subdivision.**

Motion to approve by Libba Latham. Second by Bess Rich. Approved.

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

**NEW SUBDIVISION APPLICATIONS:**

**4. 1864 Staples Road**

**(North side of Staples Road, 360'± West of River Place).**

**Council District 3**

**SUB-001554-2021**

**Dog River Park Subdivision, First Addition to, Block C, Resubdivision of Lot 8**

**Number of Lots / Acres: 2 Lots / 5.2± Acres**

**Engineer / Surveyor: Polysurveying**

Applicant was present and in agreement with staff recommendations. No one was present to speak for or against the application.

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

After discussion, the Commission Tentatively Approved the request with a waiver of Section V.D.3. of the Subdivision Regulations, subject to the following conditions:

- 1) retention of the right-of-way width of Staples Road on the Final Plat;
- 2) retention of the 25' minimum building setback line on the Final Plat;
- 3) 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;
- 4) either illustration of the existing dwelling in compliance with setback requirements on the Final Plat, or obtaining of a demolition permit and removal of the dwelling prior to signing the Final Plat;
- 5) compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e., signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Add street names to the vicinity map. D. Provide the Surveyor's and Owner's (notarized) signatures. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 27 - #87) LOTS 8-A and 8-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 8-A – 5,500 sf and LOT 8-B - 4,500 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

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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.);

- 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).

**5. 33 Kingsway****(Southeast side of Kingsway, ¼-mile± South of Wimbledon Drive West).****Council District 5****SUB-001571-2021****Moore Subdivision****Number of Lots / Acres: 3 Lots / 2.2± Acres****Engineer / Surveyor: Polysurveying**

Applicant, Brett Orrell, was present and stated that the plat needed to be revised before being considered by the Commission. He requested a holdover of the application.

Commissioners and staff discussed drainage and easement issues, lot sizes, and the need for accurate information before proceeding. It was noted that three (3) residents had submitted comments in opposition to the application prior to the meeting.

No one else was present to speak for or against the application.

Motion to holdover by Carlos Gant. Second by Matt Anderson. Heldover to May 20.

After discussion, the Commission voted to holdover the application until the May 20th meeting.

**6. Southwest corner of North Jackson Street and State Street**  
**Council District 2**  
**SUB-001572-2021**  
**Detonti Place Subdivision**  
**Number of Lots / Acres: 7 Lots / 0.4± Acre**  
**Engineer / Surveyor: D. Scott Carrier P.L.S.**

Libba Latham was recused regarding this matter.

Applicant, Trey Corte, representing the property owner, Wendy Garvis, was present and stated the following:

- the property was ready for development but they were waiting on the Historic Board's approval;
- the proposed development, will include seven (7) residential homes on the property; and
- the height, floor plans and courtyards of the homes.

Kurt Wilson, 4109 Ursaline Drive, was present and representing the Mobile Bar Pilots. He stated the following:

- the Bar Pilots wanted to discuss the application with the developer;
- there are restrictive covenants which apply to both the Bar Pilots lot and the applicant's lot; and
- the application should be heldover to allow for a private meeting with the developer.

Commissioners and staff discussed the covenants issues. It was noted that the covenants are a private civil matter over which the Commission has no authority.

Commissioners also inquired about the proposed number of driveways for the development.

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

Libba Latham recused from voting.

After discussion, the Commission Tentatively Approved the request with waivers of Sections V.D.2. and V.D.9. of the Subdivision Regulations, subject to the following conditions:

- 1) retention of the right-of-way widths of North Jackson Street and State Street on the Final Plat;
- 2) revision of the plat to depict or label a maximum building setback line of twelve feet along both street frontages;
- 3) retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that site coverage by all structures shall not exceed 75 percent of the net property area;
- 5) placement of a note on the Final Plat stating that driveway width is limited to ten feet within the front setback;
- 6) placement of a note on the Final Plat stating that the maintenance of the Common Area is the responsibility of the property owners;
- 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. Check that the deed reference in the written description is the latest. Check Instrument #2004053516 for potential additional information. C. Provide and label the monument set or found at each subdivision corner. D. Show and label all flood zones. New maps went into effect on June 5, 2020. E. Update SURVEYOR'S NOTES #2 to reference the latest FEMA FIRM information (June 5, 2020). F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. BFE is 11.0 ft. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1-7 and the COMMON AREA will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1-7 and the COMMON AREA – NONE. I. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. J. Add a note that the approval of all applicable federal, state, and local agencies (including



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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: (Each lot is limited to no more than one curb cut per street frontage with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Other zoning restriction may exist that may further reduce the number of allowable curb cuts per lot.);
- 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).

**NEW PLANNING APPROVAL APPLICATIONS:**

7. **60 North Ann Street**  
(Southeast corner of North Ann Street and Old Shell Road).  
Council District 2  
PA-001556-2021  
Mobile SDA Church

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

The applicant was present and in agreement with staff recommendations.

No one was present to speak for or against the application.

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

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those infrastructures are already in place;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because an improved parking area will be provided on-site; 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 site has been used as a church for over 50 years.

The Approval is subject to the following conditions:

- 1) Full compliance with tree planting and landscape area requirements;
- 2) Revision of the site plan to state how many seats will be in the sanctuary;
- 3) Revision of the site plan to correctly state how many parking spaces are required and the provision thereof;
- 4) Revision of the site plan to clearly indicate the 12' wide driveway to North Ann Street is one-way only;
- 5) Revision of the site plan to depict a protection buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 6) Revision of the site plan to depict parking screening in compliance with Section 64-6.A.3.i. of the Zoning Ordinance.
- 7) Obtaining of all tree removal permits prior to the removal of any existing trees on-site;
- 8) Revision of the site plan to either depict a fully compliant dumpster, or state that curbside trash pickup will be utilized;
- 9) Clarification on if there will be a daycare in operation on the site, and if so, how many teachers, how many children, and the hours of operation; and
- 10) Full compliance with all other municipal codes and ordinances.

**NEW SIDEWALK WAIVER APPLICATIONS:**

**8. 1503 and 1529 Wolf Ridge Road  
(West side of Wolf Ridge Road, 490'± North of Moffett Road).  
Council District 1  
SUB-SW-001570-2021  
Bradford Roy  
Request to waive construction of a sidewalk along Wolf Ridge Road.**

Applicant C.J. Small, 951 Marine Street, was present and stated the sidewalk would be on an incline, and it would not be safe. It was noted that the waiver request was only for a portion of the frontage, and that there was not much pedestrian traffic along the street.

Commission members and staff discussed if there was evidence of a footpath along Wolf Ridge Road, and if the sidewalk could be constructed on private property with a sidewalk easement.

No one else was present to speak for or against the application.

Motion to holdover by Nick Amberger. Second by Matt Anderson. Heldover to May 20.

After discussion, the Commission voted to holdover the application until the May 20th meeting.

**GROUP APPLICATIONS:**

**9. 808 Magnolia Road  
(West side of Magnolia Road, 540'± North of Pleasant Valley Road).  
Council District 5**

**a. SUB-001566-2021 (Subdivision)  
Redemption Place Subdivision  
Number of Lots / Acres: 1 Lot / 2.6± Acres  
Engineer / Surveyor: McCrory & Williams, Inc.**

Applicant was present and in agreement with staff recommendation.

George Catranis, property owner, spoke in favor of the application stating the following:

- his family had the property for thirty-five (35) years;
- fifteen (15) years ago he tried to market the property and was trying to market the property now;
- the lot is not large enough for a subdivision but too large for one house and
- the church is wanting to purchase the land.

Nakia Brown, 8121 Carrolton Drive, wife of the pastor for the church made the following comments in favor of the application:

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- they wanted to put their church on this property;
- they were familiar with this location and community;
- they do outreach by feeding the homeless but had no intent to house anyone; and
- they want to re-subdivide the two (2) lots to make one (1) lot.

Amanda and Mark Prine, 800 Magnolia Road, spoke against the application, expressing the following concerns:

- there is an excessive number of churches in the area;
- increasing foot traffic;
- a church potentially attracting homeless people or drug abusers; and
- if a house would also be placed on the property, or just the church.

The Commission noted that the property is vacant.

Motion to approve by Libba Latham. Second by Bess Rich. Approved

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

- 1) dedication to provide 30-feet from the centerline of Magnolia Road;
- 2) retention of the lot size in square feet and acres;
- 3) retention of the 25' minimum building setback line, 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. Show and label the POC and POB. C. Provide and label the monument set or found at each subdivision corner. D. Provide a written description for the subdivision boundary. E. Provide the Surveyor's and Owner's (notarized) signatures. F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #77) 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 – 3,600 sf. G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. H. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be

- required prior to the issuance of a Land Disturbance permit. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. 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. M. 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: (Site is limited to no more than two curb cuts with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
  - 7) 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. PA-001565-2021 (Planning Approval)**  
**House of Rescue Ministry-Redemption Place**  
**Planning Approval to allow a church in an R-1, Single-Family Residential District.**

See the discussion under the Subdivision application.

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those infrastructures are already in place;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because an improved parking area will be provided on-site; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because there are several existing churches in the vicinity.

The Approval is subject to the following conditions:

- 1) full compliance with tree planting and landscape area requirements;
- 2) revision of the site plan to depict arrows directing traffic on the North and South of the sanctuary;
- 3) revision of the site plan to include a note stating that curb-side pickup will be utilized;
- 4) revision of the site plan to depict a protection buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance as well as parking screening per Section 64-6.A.3.i. of the Zoning Ordinance;
- 5) obtain tree removal permits prior to the removal of any existing trees on-site, as appropriate;
- 6) placement of a note on the site plan stating that any changes to the site plan or services offered by the church will require a new Planning Approval application;
- 7) full compliance with Engineering comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the

- detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.); and
- 8) full compliance with all other municipal codes and ordinances.

**10. Area bounded by Rangeline Road, Todd Boulevard and Todd Acres Drive  
 Council District 4**

- a. SUB-001568-2021 (Subdivision)  
 Beaver Creek Subdivision  
 Number of Lots / Acres: 8 Lots / 6.1± Acres  
 Engineer / Surveyor: Byrd Surveying, Inc.**

Jerry Byrd was present to represent the application and discussed the following:

- the proposal is to build a shop to work on eighteen (18) wheelers;
- the businesses on Hamilton Blvd and Rangeline Road;
- the lack of I-1 zoning in the area except for one area;
- that the truck maintenance work would occur inside the proposed building;
- that the business would be constructed within all Federal and local regulations regarding oil and fuel containment.

The following people spoke in opposition to the application:

- Melissa Dickinson, resident of Todd Acres and River Oaks Landing, and Home Owners Association president;
- Debi Foster, Dog River Clear Water Revival;
- Lee Ailers, Todd Acres resident; and
- Cecilia Kane, 4128 Todd Boulevard. She presented a petition signed by over 98% of the residents against the petition.

The opposition speakers made the following points:

- The request is for spot zoning;
- The development would be detrimental to the neighborhood;
- The existing neighborhood access would be impacted by the proposed commercial development;
- Would negatively impact home values by up to 25%;

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- Request does not meet the rezoning criteria;
- The proposed truck maintenance facility may negatively impact water quality due to diesel fuel leaks;
- The development would result in a loss of trees and wetlands;
- Proximity of site to Rattlesnake Bayou, as well as flooding and rain potential were of concern;
- Residents had concerns about noise, traffic and pollution;
- Existing drainage cannot handle additional land development;
- Site is in a floodzone;
- Todd Acres residents voted to be annexed into the City in order to have protection from unwanted commercial uses;
- Traffic access at Rangeline Road is already a problem.

Staff advised the Commission of additional information submitted by concerned residents.

Commission and staff discussed the linkage between the subdivision and zoning requests. It was noted that the subdivision request could be approved even if the zoning request was denied.

Commissioners noted that requested rezoning did not seem appropriate for the neighborhood.

Motion to approve by Libba Latham Second by Matt Anderson. Approved.  
Bess Rich opposed.

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

- 1) retention of the lot sizes in square feet and acres;
- 2) retention of the 25' minimum building setback lines along all frontages, adjusted for dedication;
- 3) placement of a note on the Final Plat stating that maintenance of the common area is the responsibility of the property owners;
- 4) vacation of the right-of-way along Todd Acres Drive 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. Provide and label the monument set or found at each subdivision corner. C. Add



- legible street names to the vicinity map. D. Provide a written description for the subdivision boundary. E. Show and label all flood zones. New maps went into effect on June 5, 2020. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H. Provide the Surveyor's Certificate. I. Provide the Surveyor's and Owner's (notarized) signatures. J. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #92) LOTS 1 and 8 and the COMMON AREA DETENTION 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 thru 8 – NONE and COMMON AREA DETENTION - 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. 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: (Rangeline Service Road (State Route 163) is an ALDOT maintained roadway. Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT (where applicable) and conform to AASHTO standards. 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 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-001569-2021 (Rezoning)**

**Byrd Surveying, Inc.**

**Rezoning proposed Lot 8 from R-1, Single-Family Residential District, to I-1, Light Industry District.**

See the discussion under the Subdivision application.

Motion to Deny by Nick Amberger. Second by Bess Rich. Denied.

After discussion, the Commission found that the applicant had not shown that any of the following conditions prevailed to support the rezoning request:

- 1) Error. There is a manifest error in the chapter;
- 2) Change in conditions. Changed or changing conditions in a particular area, or in the planning region generally, make a change in the chapter necessary and desirable;
- 3) Increase in need for sites for business or industry. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district; or
- 4) Subdivision of land. The subdivision or imminent subdivision of land into urban building sites makes reclassification necessary and desirable.

As such, the Planning Commission voted to recommend Denial of the rezoning request.

**11. 1600 Yeend Street**

**(South side of Yeend Street, extending to the North and South sides of Yeend Street South).**

**Council District 3**

**a. PUD-001562-2021 (Planned Unit Development)**

**MAWSS CC Williams Dewatering Plant**

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

The applicant was present and in agreement with staff recommendations.

No one else was present to speak for or against the application.

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

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

- a. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because it is providing new processing resources beyond those already in place;
- b. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because a relatively small amount of space in relation to the over-all site will actually be required for the proposed project;
- c. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), as a large area of the site will remain undisturbed;
- d. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets, and community facilities), because it is utilizing a site that is already served with public infrastructure.

The approval is subject to the following conditions:

- 1) correction of the zoning classification on the site plan from I-1 to I-2;
- 2) compliance with Engineering comments: (1. Provide a drawing labeled as PUD SITE PLAN. 2. ADD THE FOLLOWING NOTE TO THE PUD SITE PLAN - 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. 3. Retain ITEMS 1) – 5) listed under PLANNING APPROVAL NOTES, 2. ENGINEERING COMMENTS as shown on a drawing labeled PLANNING APPROVAL SHEET 1 of 1);

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- 3) placement of a note on the site plan stating the Traffic Engineering comments: (Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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
- 4) 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.);
- 5) 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.); and
- 6) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan (hard copy and pdf) prior to the submittal for development permits.

**b. PA-001563-2021 (Planning Approval)**

MAWSS CC Williams Dewatering Plant

Planning Approval to amend a previously approved Planning Approval to allow the expansion of an existing waste water treatment facility in an I-2, Heavy Industry District.

See the discussion under the PUD.

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

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

- 1) The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, due to the limited scope of the project, and because the site is located within a developed area with public water and sewer services and with nearby fire and police stations;
- 2) The proposal will not cause undue traffic congestion or create a traffic hazard, because the proposed facilities are located out of any traffic lanes; and
- 3) The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because it will be of minimal size in relation to the

over-all site and will be associated with the established functioning of the site as waste water treatment facility.

The approval is subject to the following conditions:

- 1) correction of the zoning classification on the site plan from I-1 to I-2;
- 2) compliance with Engineering comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 3) placement of a note on the site plan stating the Traffic Engineering comments: (Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);
- 4) 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.);
- 5) 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.); and
  - 6) submittal to and approval by Planning and Zoning of two (2) copies of a revised Planning Approval site plan (hard copy and pdf) prior to the submittal for development permits.

**12. 2785 and 2789 Macmae Drive  
 (South terminus of Macmae Drive).  
 Council District 3**

**a. PUD-001560-2021 (Planned Unit Development)**

**Thomas LLC**

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

The applicant was present and in agreement with staff recommendations.

No one else was present to speak for or against the application.

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

The Commission determined the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in site development), because it will allow additional support facilities within a developed 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 it is providing new processing resources beyond those already existing;

- 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 a relatively small amount of space in relation to the over-all site will actually be required for the proposed project;
- d. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the new structure will be small compared to the over-all site;

The approval is subject to the following conditions:

- 1) placement of a note on a revised site plan stating that the site is denied access to Belvedere Circle East;
- 2) compliance with the Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 3) placement of a note on a revised site plan stating the Traffic Engineering comments: (Site is limited to the driveway as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);
- 4) 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.);
- 5) 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.); and
- 6) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan (hard copy and pdf) prior to the request of building or site development permits.

**b. PA-001578-2021 (Planning Approval)**

**Thomas LLC**

**Planning Approval to amend a previously approved Planning Approval to allow light warehousing in excess of 40,000 square feet in a B-3, Community Business District.**

See the discussion under the PUD.

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

The Commission determined the following Findings of Fact for Approval for the Planning Approval:

- 1) The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, due to the limited scope of the project, and because the site is located within a developed area with public water and sewer services and with nearby fire and police stations;



- 2) The proposal will not cause undue traffic congestion or create a traffic hazard, because the proposed facilities are located out of any traffic lanes; and
- 3) The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located because it will be of minimal size in relation to the over-all site and will be associated with the established functioning of the site as an office/warehouse development.

The approval is subject to the following conditions:

- 1) placement of a note on a revised site plan stating that the site is denied access to Belvedere Circle East.;
- 2) compliance with the Engineering comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 3) placement of a note on a revised site plan stating the Traffic Engineering comments: (Site is limited to the driveway as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to

AASHTO standards. 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.)

- 4) 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.);
- 5) 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.); and
- 6) submittal to and approval by Planning and Zoning of two (2) copies of a revised Planning Approval site plan (hard copy and pdf) prior to the request of building or site development permits.

**OTHER BUSINESS:**

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**Minutes approved:** \_\_\_\_\_

\_\_\_\_\_  
Jennifer Denson, Secretary

\_\_\_\_\_  
John W. “Jay” Stubbs, Jr., Chairman

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**MAY 20, 2021 - 2:00 PM**

AUDITORIUM, MOBILE GOVERNMENT PLAZA

### ROLL CALL:

<b>Members Present</b>	<b>Members Absent</b>
Carlos Gant, Chairman Libba Latham (PJ), Vice Chairman Jennifer Denson, Secretary John W. "Jay" Stubbs, Jr. Allan Cameron Taylor Atchison Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC) Don Hembree (PJ)	Shirley Sessions
<b>Planning Staff Present</b>	<b>Others Present</b>
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning Shayla Beaco, Build Mobile	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 Jennifer Denson. Second by Libba Latham. Adopted.

### **HOLDOVERS:**

- 1. 33 Kingsway**  
(Southeast side of Kingsway, ¼-mile± South of Wimbledon Drive West).  
Council District 5

**SUB-001571-2021**

**Moore Subdivision**

**Number of Lots / Acres: 3 Lots / 2.2± Acres**

**Engineer / Surveyor: Polysurveying**

Brett Orrell, representing the applicant, was present and discussed the resubmitted packet with lot sizes and where they were located.

Commissioners, the applicant and staff discussed the size of the proposed lots, the history of the site, the number of proposed lots and if only two lots would be acceptable, driveway access relating to the street curve, and setbacks.

No one else was present to speak for or against the application.

Staff alerted the Commission of information regarding opposition and support for the application.

Motion to deny by Matt Anderson. Second by Taylor Atchison. Denied.

After discussion, this application was Denied due to the following:

- 1) The proposed lots exceed the maximum width-to-depth ratio of Section V.D.3. of the Subdivision Regulations.

**2. 1503 and 1529 Wolf Ridge Road**

**(West side of Wolf Ridge Road, 490'± North of Moffett Road).**

**Council District 1**

**SUB-SW-001570-2021**

**Bradford Roy**

**Request to waive construction of a sidewalk along Wolf Ridge Road.**

The applicant was not present.

The Commission discussed the application. The City Engineer noted that he had spoken with the applicant prior to the meeting and stated that the applicant was not opposed to a sidewalk, just not one on the hill.

No one else was present to speak for or against the application.

Motion to deny the waiver for most of the Wolf Ridge Road frontage by Matt Anderson. Second by Nick Amberger. Waiver denied for the majority of the frontage.

After discussion, the Commission denied this application for waiver of a sidewalk along Wolf Ridge Road with the following exception:

- 1) The South side of the existing guardrail, to be coordinated with Engineering.

**NEW SUBDIVISION APPLICATIONS:**

- 3. 31 Hillwood Road**  
**(Northwest corner of Hillwood Road and Vicker Place).**  
**Council District 5**  
**SUB-001583-2021**  
**Vickers Place Subdivision, Resubdivision of Lot 3**  
**Number of Lots / Acres: 1 Lot / 0.6+ Acre**  
**Engineer / Surveyor: Erdman Surveying LLC**

Joe Courtney, Applicant, was present and discussed the application. The applicant was in agreement with all staff recommendations.

Dr. William Hayes spoke in support of the application.

No one else was present to speak regarding the application.

Motion to approve by Libba Latham. Second by Nick Amberger. Approved.

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

- 1) retention of the right-of-way widths of all adjacent streets on the Final Plat;
- 2) retention of the 25-foot minimum building setback line along both street frontages on the Final Plat;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder.
- 5) compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide a different line weight for the new subdivision boundary. C. Show and label the POC of the easement. D. Provide a written description for the proposed subdivision boundary. E. Check the written legal description and the bearing and distance labels for the easement. Revise as necessary. F. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. G. Provide the Surveyor's and Owner's (notarized) signatures. H. This area has been designated by the City Engineer

as an area prone to localized flooding. Add a note to the SUBDIVISION PLAT stating that LOT must provide stormwater detention for the 100 year (post-development) frequency storm event and limit the release rate to the 2 year (predevelopment) frequency storm event. I. 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 – 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.);

- 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 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. 3836 Gordon John Drive**

**(North side of Gordon John Drive, 450'+ West of Lees Lane).**

**Council District 4**

**SUB-001596-2021**

**S & L Industrial Park Subdivision, Resubdivision of Lots 3, 4 and 5**

**Number of Lots / Acres: 1 Lot / 1.7+ Acres**

**Engineer / Surveyor: Speaks & Associates, Consulting Engineers, Inc.**

Commissioners Cameron recused from the application.

The applicant was present and in agreement with staff recommendations.

No one else was present to speak for or against the application.

Motion to approve by Taylor Atchison. Second by Bess Rich. Approved.

Allan Cameron recused from voting.

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

- 1) retention of the right-of-way width of Gordon John Drive on the Final Plat;
- 2) retention of the 25' minimum building setback line on the Final Plat;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 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. Provide the Surveyor's and Owner's (notarized) signatures. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #84) 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. D. 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. 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. I. 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. J. 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 Traffic Engineering comments: (Site is limited to two curb cuts with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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-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).

**5. 700 and 720 Museum Drive**

**(Northwest corner of North McGregor Avenue and Museum Drive).**

**Council District 7**

**SUB-001581-2021**

**Fort Hardeman Subdivision**

**Number of Lots / Acres: 3 Lots / 6.1± Acres**

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

Commissioner Latham recused from the application.

The applicant was present and in agreement with staff recommendations.

No one else was present to speak for or against the application.

Motion to approve by Nick Amberger. Second by Taylor Atchison. Approved.  
Libba Latham recused from voting.



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After discussion, the Commission Tentatively Approved the request with a waiver of Section V.D.2. and V.D.3. of the Subdivision Regulations, subject to the following conditions:

- 1) Depiction of the 25-foot minimum building setback line along all lots;
- 2) Revision of the Final Plat to depict the currently existing minimum right-of-way for North McGregor Avenue;
- 3) Retention of the lot size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 4) Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if applicable;
- 5) Compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide the Surveyor's and Owner's (notarized) signatures. C. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. D. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. F. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. G. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. H. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. I. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 6) Placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.)

**6. 7232 Old Military Road**

**(South side of Old Military Road, 150'+ West of the South terminus of Jones Road).**

**Council District 4**

**SUB-001586-2021**

**Williams Family Subdivision**

**Number of Lots / Acres: 2 Lots / 7.0± Acres**

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

The applicant was present and in agreement with staff recommendations.

No one else was present to speak either for or against the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

After discussion, the Commission Tentatively Approved the request with a waiver of Section V.D.1. of the Subdivision Regulations, subject to the following conditions:

- 1) retention of the right-of-way width of Old Military Road on the Final Plat;
- 2) 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;
- 3) placement of a note on the Final Plat stating that that there shall be no further subdivision of Lots 1 and 2 until additional public street frontage is provided for those lots;
- 4) retention of the 25-foot minimum building setback lines for each lot as depicted on the preliminary plat;
- 5) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 6) 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 additional street names to the vicinity map. C. Add a graphic scale. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #98) 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 – NONE and

LOT 2 –NONE. H. 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. I. 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. J. 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. K. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

- 7) placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 8) compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and
- 9) compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.)

## **NEW PLANNING APPROVAL APPLICATIONS**

7. **4610 Spring Hill Avenue**  
(Northeast corner of Spring Hill Avenue and Carondolet Court).  
Council District 7  
PA-001591-2021  
Spring Hill Animal Clinic

**Planning Approval to allow outdoor sitting and walking areas for a veterinary hospital in a B-2, Neighborhood Business District.**

Mr. Allan Williams, Element 3 Engineering, was present and in agreement with all Findings of Fact and special conditions. Mr. Williams stated that the animal clinic would like to include in their request Friday operation, closing at 5:30 PM.

Mary Edmonds spoke in support of the application. She noted that the dog area in the back would include an attendant to leash walk the dogs, thus no dogs would be left alone.

No one else was present to speak regarding the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

After discussion, the 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 the site is an existing commercial development;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because the site is an existing commercial development; 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 hours of operation are such that it will have limited impacts on nearby residents.

The Approval is subject to the following conditions:

- 1) Hours of operation are limited to Monday thru Friday, 8:00 AM to 5:30 PM; and
- 2) Full compliance with all municipal codes and ordinances.

**NEW SIDEWALK WAIVER APPLICATIONS**

**8. 4800 Moffett Road**

**(Northwest corner of Moffett Road and Shelton Beach Road Extension)**

**Council District 1**

**SUB-SW-001593-2021**

**Board of Water and Sewer Commissioners of the City of Mobile**

**Request to waive construction of a sidewalk along Shelton Beach Road Extension and Moffett Road.**

The applicant was present and agreed with staff recommendations of approval.

No one else was present to speak regarding the application.

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

After discussion, the Commission approved the waiver of a sidewalk along Shelton Beach Road and Moffett Road.

**GROUP APPLICATIONS:**

**9. 7858, 7860 and 7900 Zeigler Boulevard  
(North side of Zeigler Boulevard, 420'+ West of Schillinger Road North).  
Council District 7**

- a. SUB-001587-2021 (Subdivision)  
Warren Adhesives Subdivision  
Number of Lots / Acres: 1 Lot / 3.4± Acres  
Engineer / Surveyor: Byrd Surveying, Inc.**

Jerry Byrd, Applicant, was present and expressed concern regarding proposed conditions relating to setbacks and parking surface requirements.

Commission, staff and the applicant further discussed the issues relating to the existing development, the existing awning and building façade, setback requirements, and parking surface requirements.

No one else was present to speak for or against the application.

Motion to approve by Don Hembree. Second by Nick Amberger. Approved.

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

- 1) Placement of a note on the Final Plat that new construction may occur in-line with the existing structures;
- 2) retention of the standard 25-foot minimum building setback line from the West face of the existing office building to the West boundary of the site;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 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 additional street names to the vicinity map. C. Add a graphic scale. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic

- Engineer, and City Engineer. E. Provide the Surveyor’s Certificate. F. Provide the Surveyor’s and Owner’s (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 16 - #71) 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 – 14,000 sf. H. 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. I. 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. J. 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. K. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 5) placement of a note on the Final Plat stating the Traffic Engineering comments: (Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within

- 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and
- 8) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan (hard copies and pdf) prior to signing the Final Plat.

**b. PUD-001588-2021 (Planned Unit Development)**

**Warren Adhesives Subdivision**

**Planned Unit Development approval to allow multiple buildings on a single building site with a reduced front minimum building setback.**

See the discussion under the Subdivision application.

Motion to approve by Nick Amberger. Second by Bess Rich. Approved.

After discussion, the 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 additional office facilities within a developed 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 it allows for a small office expansion without the need for a Variance;
- 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 a relatively small amount of space in relation to the over-all site will actually be required for the proposed project;
- d. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the new structure will be small compared to the over-all site;
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because it is utilizing a site that is already served with public infrastructure.

The Approval is subject to the following conditions:

- 1) Placement of a note on the Final Plat that new construction may occur in-line with the existing structures;
- 2) retention of the standard 25-foot minimum building setback line from the West face of the existing office building to the West boundary of the site;
- 3) revision of the site plan to label the site in both square feet and acres, or the furnishing of a table on the site plan providing the same information;

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- 4) revision of the site plan to provide driveways and parking areas for required on-site standard vehicle parking to be surfaced in asphalt, concrete or an approved alternative paving surface;
- 5) revision of the site plan to provide designated parking stalls for required parking with curbing or bumper stops;
- 6) revision of the site plan to provide a City-standard public sidewalk along Zeigler Boulevard, or the submittal of a Sidewalk Waiver application;
- 7) retention of the note on the site plan stating that the proposed 40-foot rolling gate along the front property line is to remain open during business hours;
- 8) retention of the note on the site plan stating that the double gates on the West side of the existing office building will remain open during business hours;
- 9) revision of the site plan to indicate the dumpster will be in compliance with Section 64-4.D.9.c. of the Zoning Ordinance, if new;
- 10) compliance with the Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 11) placement of a note on the site plan stating the Traffic Engineering comments: (Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);



- 12) 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.);
- 13) 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.); and
- 14) submittal to and approval by Planning and Zoning of two (2) copies of a revised PUD site plan (hard copies and pdf) prior to signing the Final Plat for the subdivision.

**10. 161 Dogwood Lane**

**(Area bounded by Old Shell Road, Dogwood Lane, Loyola Lane and Provident Lane).  
Council District 7**

**a. SUB-001592-2021 (Subdivision)**

**St. Paul's Episcopal School Subdivision**

**Number of Lots / Acres: 1 Lot / 4.5+ Acres**

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

The applicant was present and in agreement with all staff recommendations for the Subdivision, Planned Unit Development and Planning Approval Applications.

No one was present to speak for or against the application.

Motion to approve by Nick Amberger. Second by Don Hembree. Approved.

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

- 1) dedication to provide 25' to the centerline of Provident Lane;
- 2) either dedication to provide 25' to the centerline of Old Shell Road, or depiction of existing sufficient right-of-way;
- 3) dedication of the corner radii of Old Shell Road and Dogwood Lane, Old Shell Road and Provident Lane, Provident Lane and Loyola Lane, and Loyola Lane and Dogwood Lane per Section V.D.6. of the Subdivision Regulations;
- 4) provision of the lot sizes in square feet and acre, adjusted for dedication;

- 5) depiction of the 25' minimum building setback line along all street frontages, adjusted for dedication;
- 6) compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Review and revise the written legal description to include "Subdivision" after "MONTANOSA". C. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the four (4) corners of proposed LOT 1 to the City of Mobile and list the amount of dedicated acreage. D. Provide the Surveyor's and Owner's (notarized) signatures. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #72) 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 – 32,000 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. L. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 7) placement of a note on the plat stating the following Traffic Engineering comments: (With the addition of the driveway on Loyola Lane for the proposed parking lot, the site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);

- 8) compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 9) compliance with the Fire Department comments: All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.).

**b. PUD-001589-2021 (Planned Unit Development)**

**St. Paul's Episcopal School**

**Planned Unit Development approval to amend the Master Plan for an existing church school in an R-1, Single-Family Residential District, to allow a parking lot expansion and multiple buildings on a single building site.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree. Second by Nick Amberger. Approved.

After discussion, the 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 allows for an existing school to utilize a currently unimproved area for a compliant parking area;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the applicant is proposing to utilize an unimproved portion of the existing campus to provide compliant parking;
- 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 within the existing school campus;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the project does not eliminate any existing urban amenities or natural features, and the existing urban fabric is retained;
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because no new public infrastructure must be constructed to meet the applicant's needs.

The Approval is subject to the following conditions:

- 1) dedication to provide 25' to the centerline of Provident Lane;
- 2) either dedication to provide 25' to the centerline of Old Shell Road, or depiction of existing sufficient right-of-way;
- 3) dedication of the corner radii of Old Shell Road and Dogwood Lane, Old Shell Road and Provident Lane, Provident Lane and Loyola Lane, and Loyola Lane and Dogwood Lane per Section V.D.6. of the Subdivision Regulations;
- 4) provision of the lot sizes in square feet and acre, adjusted for dedication;
- 5) depiction of the 25' minimum building setback line along all street frontages, adjusted for dedication;
- 6) placement of a note on the site plan stating that any future changes to the site plan will require a new Planned Unit Development and Planning Approval;
- 7) compliance with Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 8) placement of a note on the plat stating the following Traffic Engineering comments: (With the addition of the driveway on Loyola Lane for the proposed parking lot, the site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 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.).

**c. PA-001590-2021 (Planning Approval)**

**St. Paul’s Episcopal School**

**Planning Approval to amend a previous Planning Approval to allow a parking lot expansion for an existing church school in an R-1, Single-Family Residential District.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree. Second by Taylor Atchison. Approved.

After discussion, the 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 the proposed parking lot will be serving teachers at the existing school;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because the area to be improved is already being used as a makeshift parking lot; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, as it will provide compliant parking for an existing school.

The Approval is subject to the following conditions:

- 1) compliance with Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57,

Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 2) placement of a note on the plat stating the following Traffic Engineering comments: (With the addition of the driveway on Loyola Lane for the proposed parking lot, the site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);
- 3) 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 4) 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.); and
- 5) full compliance with all municipal codes and ordinances.

**OTHER BUSINESS:**

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- **Action Plan update for the Map for Mobile –**

Staff announced that the Action Plan update presentation was scheduled for the June 17th Planning Commission meeting.

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**Minutes approved:** \_\_\_\_\_

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Jennifer Denson, Secretary

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John W. “Jay” Stubbs, Jr., Chairman

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**June 3, 2021 - 2:00 P.M.**

AUDITORIUM, MOBILE GOVERNMENT PLAZA

ROLL CALL:

<b>Members Present</b>	<b>Members Absent</b>
Libba Latham (PJ), Vice Chairman Shirley Sessions Allan Cameron Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC)	Carlos Gant, Chairman Jennifer Denson, Secretary John W. “Jay” Stubbs, Jr. Taylor Atchison Don Hembree (PJ)
<b>Planning Staff Present</b>	<b>Others Present</b>
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning	Doug Anderson, Staff Attorney Marybeth Bergin, Traffic Engineering George Davis, City Engineering

(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official  
 (CC) City Council Representative (PJ) Planning Jurisdiction

The notation motion carried unanimously indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

### **ADOPTION OF THE AGENDA:**

Motion made by Shirley Sessions. Second by Matt Anderson. Adopted.

### **NEW PLANNING APPROVAL APPLICATIONS:**

- 7400 Sixth Street West**  
**(Northwest corner of Sixth Street West and Perry Avenue)**  
**Council District 7**  
**PA-001618-2021**  
**Lionel Phillips I**  
**Planning Approval to allow a mobile home in an R-1, Single-Family Residential District.**



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The Applicant/Owner was not present.

Staff discussed an email, in opposition, received from Henry Lee Pugh.

Motion to Deny by Nick Amberger. Second by Matt Anderson. Application was Denied.

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

- a) A mobile home at this location would not be in harmony with the orderly and appropriate development of the district.

**GROUP APPLICATIONS:****2. 2820 Spring Hill Avenue**

**(North side of Spring Hill Avenue, extending from Burton Avenue to Hosfelt Lane).**

**Council District 1**

**a. SUB-001598-2021 (Subdivision)**

**Burtons Subdivision**

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

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

Applicant was present and in agreement with all Staff recommendations.

No one else was present for or against the applications.

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

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

- 1) submittal of a Final Plat is compliance with Section III. of the Subdivision Regulations;
- 2) labeling of the lot with its size in both square feet and acres on the Final Plat, revised for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 3) dedication of a 25-foot corner radius at the intersection of Spring Hill Avenue and Burton Avenue, and at the intersection of Spring Hill Avenue and Hosfelt Lane;
- 4) retention of the right-of-way widths of all streets on the Final Plat;
- 5) illustration of a 25-foot minimum building setback line along all street frontages on the Final Plat;
- 6) illustration of any recorded easements on the Final Plat and inclusion of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without the permission of the easement holder;

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- 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. Dedicate the corner radius (15' minimum or as approved by the City Engineer and Traffic Engineer) at the southeast and southwest corner of the LOT to the City of Mobile, and list the amount of dedicated acreage. C. Show and label all flood zones. New maps went into effect on June 5, 2020. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #71) the LOT 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). Applicant will need to coordinate with the City Engineering Permitting Department staff to establish the exact amount that the Lot will receive prior to the submittal of the Final Plat for FINAL PLAT review. H. 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. I. 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. J. 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. K. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);
- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: (Spring Hill Avenue (US Highway 98) is an ALDOT maintained roadway. Site is limited to no more than its existing driveways to Hosfelt Lane and Burton Avenue, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap

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- spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 9) compliance with Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);
  - 10) compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and
  - 11) completion of the Rezoning process prior to signing the Final Plat.

**b. ZON-001597-2021 (Rezoning)****Novo MAL, LLC****Rezoning from B-2, Neighborhood Business District, and B-3, Community Business District, to B-3, Community Business District.**

Applicant was present and in agreement with all Staff recommendations.

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

After discussion, the Commission Approved this application for the following reason:

- 1) The applicant has illustrated that the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The approval is subject to the following conditions:

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

**3. 5451 Halls Mill Road**

**(East side of Halls Mill Road, extending from the South side of Noble Drive North, to the West side of Noble Drive West, and to the North side of Wiley Orr Road).**

**Council District 4**

**a. SUB-001612-2021 (Subdivision)****Cloverleaf Plaza Subdivision****Number of Lots / Acres: 2 Lots / 25.9± Acres****Engineer / Surveyor: McCrory & Williams, Inc.**

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Kenny Nichols, 2600 Dauphin Street, was present regarding the application. He discussed the following issues:

- interior lot lines and how they were incorrect;
- the applicant was not leasing but purchasing the property; and
- shifting around the property line would be a burden and requested that the condition associated with this requirement be removed.

Staff stated that if the parking spaces were not being leased by the shopping center, staff would be agreeable with eliminating the condition.

No one else was present in favor or opposition.

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

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

- 1) dedication to provide 30' from the centerline along Noble Drive West;
- 2) dedication to provide 30' from the centerline along Noble Drive North;
- 3) either dedication to provide 35' from the centerline along Halls Mill Road, or depiction of sufficient existing right-of-way;
- 4) either dedication to provide 125' from the centerline along U.S. Highway 90 West, or depiction of sufficient existing right-of-way;
- 5) dedication to provide 25' from the centerline along Wiley Orr Road;
- 6) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information, adjusted for dedication;
- 7) depiction of the 25' minimum building setback along all public rights-of-way, adjusted for dedication;
- 8) compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Show and label each and every Right-Of-Way and easement. Include Noble Dr. W. D. Revise the label for the POC and POB to be legible within the drawing boundary. E. Provide the Surveyor's and Owner's (notarized) signatures. 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

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- 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.)
- 9) placement of a note on the Final Plat stating the following Traffic Engineering comments: (Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
  - 10) compliance with 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.);
  - 11) 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.);
  - 12) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 13) full compliance with all municipal codes and ordinances.

**b. PUD-001610-2021 (Planned Unit Development)****Wendelta Property Holdings****Planned Unit Development Approval to allow multiple buildings on a single building site and shared access between multiple building sites.**

See the discussion associated with the Subdivision application.

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

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The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it will allow the applicant to reconfigure the site so as to better accommodate a new tenant;
- 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 continued shared access and parking between sites;
- 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 a new tenant to occupy an existing vacant building;
- d. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because the proposed development will not require any additional infrastructure.

The approval is subject to the following conditions:

- 1) dedication to provide 30' from the centerline along Noble Drive West;
- 2) dedication to provide 30' from the centerline along Noble Drive North;
- 3) either dedication to provide 35' from the centerline along Halls Mill Road, or depiction of sufficient existing right-of-way;
- 4) either dedication to provide 125' from the centerline along U.S. Highway 90 West, or depiction of sufficient existing right-of-way;
- 5) dedication to provide 25' from the centerline along Wiley Orr Road;
- 6) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information, adjusted for dedication;
- 7) depiction of the 25' minimum building setback along all public rights-of-way, adjusted for dedication;
- 8) provision of tenant space (size and business type) information for Lot 1;
- 9) placement of a note on the site plan stating that any new dumpsters will comply with sanitary sewer and enclosure requirements;
- 10) compliance with Engineering comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all*

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- 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.);*
- 11) placement of a note on the Final Plat stating the following Traffic Engineering comments: *(Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
  - 12) 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.);*
  - 13) 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.);*
  - 14) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 15) full compliance with all municipal codes and ordinances.

**4. 6101 & 6301 Grelot Road and 1401 Hillcrest Road  
(Southeast corner of Grelot Road and Hillcrest Road).  
Council District 6**

**a. SUB-001616-2021 (Subdivision)**

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**Christ United Methodist Church Subdivision, Resubdivision of Lots 2 and 3,  
Resubdivision of Lot 2A****Number of Lot / Acres: 3 Lots / 22.5± Acres****Engineer / Surveyor: McCrory and Williams, Inc.**

The applicant, Merrill Thomas, 6 Drury Lane, Mobile, was present and in agreement with all conditions. He discussed the following issues:

- parking and site coverage;
- site access;
- building materials;
- signage; and
- that there would be a hardship if they had to relocate parking and reduce building size.

Staff noted the minimum parking requirement for storage facilities and discussed access to the site.

Steve Campbell, 7021 Charleston Oaks, Mobile owner of the proposed car wash addressed the following items:

- plans for the carwash and landscaping;
- hours of operation would be 7am –7pm Monday through Saturday;
- noise level of the car wash;
- buffers;
- parking; and
- signage for the car wash.

No one else was present for or against the applications.

During deliberation, Commission members discussed limiting signage type, building materials and hours of operation as part of the Planned Unit Development.

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

After discussion, the Commission Tentatively Approved the request, 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' minimum building setback along all public rights-of-way;
- 3) compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Show and label the POB. C. Provide and label the monument set or found at each



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- subdivision corner. D. Review and revise the written bearing and distance labels for LOT 2, LOT 3, and the northern property line of LOT 1. Distances should be accurate, not labeled as “+/-“. E. Provide the Surveyor’s and Owner’s (notarized) signatures. F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #88) 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 – NONE. If the applicant submits a copy of an approved Mobile County Site Plan for the improvements shown on the plat then historical credit may be approved by the City Engineer. LOT 2 –NONE. G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. H. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. M. 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 the following Traffic Engineering comments: (Two separate traffic impact studies were prepared for the additions to this site. The reports submitted are not considered final, accepted studies as issues within each of study were identified that need to be addressed. A revised study (or studies) must be submitted to the City prior to the Traffic Engineering Department approving building permits for either of the proposed developments. The proposed parking for the self-storage facility should be relocated south of the shared access driveway as a condition of approval of the PUD. Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.);
  - 5) compliance with Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature

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- (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);
- 6) compliance with Fire comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);
  - 7) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 8) full compliance with all municipal codes and ordinances.

**b. PUD-001615-2021 (Planned Unit Development)****Christ United Methodist Church Subdivision, Resubdivision of Lots 2 and 3, Resubdivision of Lot 2A****Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites, and multiple buildings on a single building site.**

See the discussion under the Subdivision application.

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

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

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it will allow the applicant to reconfigure the site so as to accommodate two new businesses, with access provided by private service roads;
- 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 increased shared access between sites;
- c. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the proposed development will not require any additional infrastructure.

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) depiction of the 25' minimum building setback along all public rights-of-way;
- 3) placement of a note on the site plan stating how waste will be removed from both Lot 2 and 3;

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- 4) placement of a note stating that all new dumpsters will comply with sanitary sewer connection and enclosure requirements;
- 5) revision of the site plan to clearly indicate vacuum islands for the car wash;
- 6) coordination with Traffic Engineering regarding the location of the proposed parking spaces for the self-storage facility to be located on the South of the Service Road;
- 7) the proposed self-storage building on Lot 2 is limited to masonry and stucco materials for the façade fronting Grelot Road;
- 8) the proposed developments for Lots 2 and 3 are limited to monument freestanding signs;
- 9) the proposed car wash on Lot 3 is limited to the hours of operation of: 7 AM to 7 PM Monday through Saturday;
- 10) compliance with Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 11) placement of a note on the Final Plat stating the following Traffic Engineering comments: (Two separate traffic impact studies were prepared for the additions to this site. The reports submitted are not considered final, accepted studies as issues within each of study were identified that need to be addressed. A revised study (or studies) must be submitted to the City prior to the Traffic Engineering Department approving building permits for either of the proposed developments. The proposed parking for the self-storage facility should be relocated south of the shared access driveway as a

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- condition of approval of the PUD. Site is limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);
- 12) 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.);
  - 13) 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.);
  - 14) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 15) full compliance with all municipal codes and ordinances.

**5. West side of Providence Park Drive East, 800'± South of Airport Boulevard.  
Council District 6**

**a. SUB-001492-2021 (Subdivision)**

**Providence Park POB West Subdivision, North Addition, Resubdivision of Lot 3A**

**Number of Lots / Acres: 7 Lots / 8.2± Acres**

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

Commissioner Latham, Vice Chair, announced her recusal for the applications. With no other officers present, Nick Amberger took the chair for the applications.

William Latta, 3901 Springhill Avenue, was present to represent the application.

The Commission discussed signage, drainage and development issues with the applicant's representative.

Due to the recusal of Ms. Latham, there was no quorum and the Commission was not able to consider the application. Thus the application was heldover to the June 17th meeting.

**b. PUD-001496-2021 (Planned Unit Development)**

**Providence Park POB West Subdivision, North Addition, Resubdivision of Lot 3A**

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**Planned Unit Development approval to amend a previously approved Planned Unit Development Master Plan for Providence Park to allow shared access and parking between multiple building sites.**

See the discussion under the Subdivision application.

Due to the recusal of Ms. Latham, there was no quorum and the Commission was not able to consider the application. Thus the application was heldover to the June 17th meeting.

**OTHER BUSINESS:**

- **Adoption of the 2021-2022 meeting and deadline schedule**

Motion to approve by Libba Latham. Second by Matt Anderson. Approved.  
Bess Rich abstained

- **116 Myrtlewood Lane**

(East side of Myrtlewood Lane, at the East terminus of Stein Avenue).  
Council District 7

**SUB-001310-2020**

**Roe Property Subdivision, Resubdivision of Lot 1**

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

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

The application was brought back before the Commission to clarify the side yard setback requirements.

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

After discussion, the Commission administratively approved the side yard setback to be 20-feet, instead of 25-feet.

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**Minutes approved:** \_\_\_\_\_

\_\_\_\_\_  
Jennifer Denson, Secretary

\_\_\_\_\_  
John W. “Jay” Stubbs, Jr., Chairman

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**JUNE 17, 2021 - 2:00 P.M.**

AUDITORIUM, MOBILE GOVERNMENT PLAZA

### ROLL CALL:

<b>Members Present</b>	<b>Members Absent</b>
Libba Latham (PJ), Vice Chairman Jennifer Denson, Secretary John W. “Jay” Stubbs, Jr. Allan Cameron Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC) Don Hembree (PJ)	Carlos Gant, Chairman Shirley Sessions Taylor Atchison
<b>Planning Staff Present</b>	<b>Others Present</b>
Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning Shayla Beaco, Build Mobile	Doug Anderson, Staff Attorney Marybeth Bergin, Traffic Engineering George Davis, City Engineering

(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official  
 (CC) City Council Representative (PJ) Planning Jurisdiction

The notation motion carried unanimously indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

### ADOPTION OF THE AGENDA:

Motion made by Jennifer Denson. Second by Bess Rich. Adopted.

### HOLDOVERS:

1. **West side of Providence Park Drive East, 800’± South of Airport Boulevard.  
Council District 6**
  - a. **SUB-001492-2021 (Subdivision)  
Providence Park POB West Subdivision, North Addition, Resubdivision of Lot 3A  
Number of Lots / Acres: 7 Lots / 8.2± Acres**

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

Commissioner Latham, Vice Chair, announced her recusal for the applications. Jennifer Denson, Secretary, took the chair for the applications.

The Applicant was present and in agreement with all conditions.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Don Hembree. Approved. Libba Latham recused from voting.

After discussion, the Commission Tentatively Approved the request, 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' minimum building setback along all public rights-of-way;
- 3) placement of a note on the Final Plat stating that no structures are allowed in any easements, without the approval of the easement holder;
- 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. Add street names to the vicinity map. C. The two (2) areas listed as "Future Street" need to be renamed as COMMON AREA FOR FUTURE STREET, PRIVATE STREETS, or given a Proposed Public Street Name. Addresses for each LOT will not be able to be assigned until Street names are established. D. Provide the Surveyor's and Owner's (notarized) signatures. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #76) LOTS 4 and 6-11 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 4 – NONE, LOT 6 – NONE, LOT 7 – NONE, LOT 8 – NONE, LOT 9 – NONE, LOT 10 – NONE, LOT 11 – 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

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- 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 the following Traffic Engineering comments: (Street access for the proposed lots, in terms of number, size, location, and design, are to be approved by Traffic Engineering and conform to AASHTO standards. Existing developed sites are limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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-001496-2021 (Planned Unit Development)  
Providence Park POB West Subdivision, North Addition, Resubdivision of Lot 3A  
Planned Unit Development approval to amend a previously approved Planned Unit Development Master Plan for Providence Park to allow shared access and parking between multiple building sites.**

See the discussion under the Subdivision application.



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Motion to approve by Matt Anderson. Second by Don Hembree. Approved. Libba Latham recused.

The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it 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 medical offices 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' minimum building setback along all public rights-of-way;
- 3) placement of a note on the site plan stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) placement of a note on the site plan stating that all lots will be developed in full compliance with Zoning Ordinance requirements;
- 5) compliance with Engineering comments: *(1. Due to the proposed subdivision, each LOT will need to be assigned a separate 911 address. Please contact the Engineering Department (Anthony Morris 208-6216, or Steve Smith 208-7135) to discuss the options. 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*

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- 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.);
- 6) placement of a note on the site plan stating the following Traffic Engineering comments: *(Street access for the proposed lots, in terms of number, size, location, and design, are to be approved by Traffic Engineering and conform to AASHTO standards. Existing developed sites are limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 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) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 10) full compliance with all municipal codes and ordinances.

**NEW SUBDIVISION APPLICATIONS:****2. 1230 Montlimar Drive****(West side of Montlimar Drive 450'± North of Michael Boulevard).****Council District 5****SUB-001632-2021**

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**Montlimar Office Park Subdivision, Resubdivision of Lots 6 and 7****Number of Lots / Acres: 1 Lot / 1.4± Acres****Engineer / Surveyor: Stewart Surveying, Inc.**

The Applicant was present and in agreement with all conditions.

No one else was present for or against the application.

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

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

- 1) Retention of the lot sizes in square feet and acres on the Final Plat;
- 2) Retention of the 25' minimum building setback line along Montlimar Drive;
- 3) Placement of a note on the Final Plat stating no structure shall be constructed or placed within any easement without permission of the easement holder;
- 4) Compliance with Traffic Engineering comments: *(Site is limited to one curb cut with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A) Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B) Provide the Surveyor's and Owner's (notarized) signatures. C) Revise the labels for existing lot 6 & 7. The lettering is not legible. D) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #79) 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. 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*

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

**3. 61 Marston Lane**

**(West side of Marston Lane, 200'± South of Bexley Lane, extending to the East side of Ridgelawn Drive East, 225'± South of Bexley Lane).**

**Council District 7**

**SUB-001638-2021**

**Marston Court Subdivision**

**Number of Lots / Acres: 1 Lot / 0.5± Acre**

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

The Applicant was present and in agreement with all recommendations.

The Commission's legal counsel discussed the proposed condition regarding a private easement, confirmed by City Engineering, and noted that the condition should be removed.

No one else was present to speak for or against the application.

Motion to approve by Don Hembree. Second by Jennifer Denson. Approved.

After discussion, the Commission Tentatively Approved the request, with waivers of Sections V.D.3. and V.D.8. of the Subdivision Regulations subject to the following conditions:

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- 1) Revision of the plat to illustrate the previously required 7.5' right-of-way dedication along Marston Lane;
- 2) Revision of the plat to illustrate the 25' minimum building setback line along each street front;
- 3) Compliance with Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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) Provide a written description for the proposed subdivision boundary. C) Provide the Surveyor's and Owner's (notarized) signatures. D) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #79) 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. E) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. 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.*);
- 5) Compliance with Urban Forestry comments: (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.*);
- 6) Compliance with Fire Department comments and placement of a note: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*); and,
- 7) Full compliance with all other Codes and Ordinances.

**4. 2408 and 2208 Hillwood Drive East**

**(West side of Hillwood Drive East, 150'± South of Hillwood Drive South, extending to the North side of Hillwood Drive East, 10'± East of the terminus of Hillwood Drive East).**

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**Council District 3****SUB-001640-2021****Fuchsia at Hillwood East Subdivision****Number of Lots / Acres: 1 Lot / 0.6± Acre****Engineer / Surveyor: Haidt Land Surveying**

The Applicant was present and in agreement with all conditions.

No one else was present regarding the application.

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

After discussion, the Commission Tentatively Approved the request, with waivers of Sections V.D.1., V.D.8., and V.B.14. of the Subdivision Regulations subject to the following conditions:

- 1) If two (2) dwelling units exist on the proposed lot, removal of one of the units (with proper demolition permits) is required prior to signing the Final Plat;
- 2) Retention of the lot size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 3) Retention of the 25' minimum building setback along both frontages on the Final Plat;
- 4) Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if applicable;
- 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. Provide and label the monument set or found at each subdivision corner. D. Use a thicker line weight for the proposed subdivision boundary. E. Provide a written description for the proposed subdivision boundary. F. Add a note referencing the FEMA flood maps (June 5, 2020). G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Provide the Surveyor's and Owner's (notarized) signatures. I. Revise NOTE #10 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." 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*

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*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.);*

- 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 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.).*

**5. 500 St. Francis Street****(Northwest corner of St. Francis Street and North Lawrence Street).****Council District 2****SUB-001634-2021****500 C St. Francis Street Subdivision****Number of Lots / Acres: 2 Lots / 0.4± Acre****Engineer / Surveyor: Byrd Surveying, Inc.**

The Applicant was present and in agreement with all conditions.

No one else was present to speak for or against the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

After discussion, the Commission Tentatively Approved the request, with waivers of Sections V.D.2. and V.B.14. of the Subdivision Regulations subject to the following conditions:

- 1) Revision of the plat to illustrate the correct right-of-way along North Lawrence Street;
- 2) Revision of the plat to depict the 12' maximum building setback line along all street frontages and provision of a note stating a 0' minimum building setback is allowed;

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- 3) Revision of the plat to comply with Section IV.C. of the Subdivision Regulations regarding the general form, information to be shown, or attendant items required on the Final Plat;
- 4) Compliance with Traffic Engineering comments: *(Each lot is limited to no more than one curb cut per street frontage with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any 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 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 all flood zones. New maps went into effect on June 5, 2020. C) Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. D) Provide the Surveyor's Certificate. E) Provide the Surveyor's and Owner's (notarized) signatures. F) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #88) 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 – 12,100 sf, LOT 2 – 2,200 sf. G) Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. H) Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. I) Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J) Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. 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. M) 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) 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*



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

**6. 121 Provident Lane****(West side of Provident Lane, 65'± South of Stein Avenue).****Council District 7****SUB-001639-2021****Haas at the Hill Subdivision****Number of Lots / Acres: 2 Lots / 0.6± Acre****Engineer / Surveyor: Erdman Surveying, LLC**

Commissioner Latham, Vice Chair, announced her recusal for the applications. Jennifer Denson, Secretary, took the chair for the application.

Applicant Blakley Haas Davis, 121 Provident Lane, spoke in favor of the application. She stated that she the sideyard setback to be 5.5' and not 8'.

Abbie Head spoke in favor of the applicant and application.

Staff noted that the sideyard setback could not be changed by the Planning Commission through the Subdivision process, but that the Board of Adjustment could consider the setback request.

Motion to approve by Nick Amberger. Second by Matt Anderson. Approved. Libba Latham recused from voting.

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

- 1) retention of the dedication to provide 25 feet from the centerline of Provident Lane on the Final Plat;
- 2) retention of the 25-foot minimum building setback line on the Final Plat;
- 3) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) either revision of the plat to indicate at least an eight-foot side yard setback along the South property line for walls and/or columns on the existing dwelling on proposed Lot 1, and at

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least a six-foot setback for eaves/overhangs, in compliance with Section 64-3.C.1.e. of the Zoning Ordinance or obtain approval for a Side Yard Setback variance from the Board of Zoning Adjustment;

- 5) compliance with the Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide the Surveyor's and Owner's (notarized) signatures. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #72) 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 – 4,500 sf and LOT 2 – NONE. D. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. 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.*);
- 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 Department comments: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*)

**7. 3925 Michael Boulevard**

**(South side of Michael Boulevard, 305'± East of Azalea Road, extending to the East side of Azalea Road, 285'± South of Michael Boulevard).**

**Council District 5**

**SUB-001641-2021**

**Mobile County-Michael Square Subdivision**

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**Number of Lots / Acres: 2 Lots / 18.1± Acres****Engineer / Surveyor: Clark Geer Latham & Associates**

Commissioner Latham, Vice Chair, announced her recusal for the application. Jennifer Denson, Secretary, took the chair for the applications.

The Applicant was present and in agreement with all recommendations.

No one else present to speak for or against the application.

Motion to approve by Don Hembree. Second by Jay Stubbs. Approved. Libba Latham recused from voting for this application.

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

- 1) retention of the right-of-way widths of Michael Boulevard and Azalea Road on the Final Plat;
- 2) 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;
- 3) retention of the 25-foot minimum building setback line along both street frontages on the Final Plat;
- 4) placement of a note on the Final Plat stating that no structure may be constructed or placed with any easement without the permission of the easement holder;
- 5) compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):  
*A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Add legible street names to the vicinity map. Text is too small. D. Add a note referencing the FEMA flood maps (June 5, 2020). E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note referencing the FEMA flood maps (June 5, 2020). I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #84) 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 – NONE and LOT 2 –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*

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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](mailto: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.);

- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: (*Site is limited to its existing curb cuts with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. On-site parking, including ADA handicap spaces, should 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.*)

**8. 455, 457 and 459 Marine Street****(East side of Marine Street, 104'+ South of Elmira Street).****Council District 2****SUB-001635-2021****Bernoudy Tract Subdivision, Square 149, Resubdivision of Lots 6 and 7****Number of Lots / Acres: 3 Lots / 0.3± Acre****Engineer / Surveyor: Byrd Surveying, Inc.**

The Applicant was present and agreed to all conditions.

No one else was present for or against the application.

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Motion to approve by Matt Anderson. Second by Bess Rich. Approved.

After discussion, the Commission Tentatively Approved the request, with waivers of Sections V.D.2., V.D.3., and V.D.9. of the Subdivision Regulations subject to the following conditions:

- 1) retention of the right-of-way widths for Marine Street on the Final Plat;
- 2) placement of a note on the Final Plat stating that Historic District Overlay standards apply for front, side, and rear setbacks;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 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. Provide and label the monument set or found at each subdivision corner. C. Add a note referencing the FEMA flood maps (June 5, 2020). D. Show and label all flood zones (X-shaded BFE = 12.0) E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate. H. Provide the Surveyor's and Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #77) LOTS 1, 2 and 3 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 1,650 sf, LOT 2 – 1,650 sf, LOT 3 – 1,650 sf. J. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. K. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. L. Add a note that sidewalk is required to be constructed, and/or repaired, along the 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](mailto: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

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*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 Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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.)*

**9. South side of Halls Mill Road at the South terminus of Industrial Park Drive, extending to the West side of Lees Lane, 810'± South of Halls Mill Road.**

**Council District 4**

**SUB-001636-2021**

**Rowe Plumbing Subdivision**

**Number of Lots / Acres: 3 Lots / 5.5± Acres**

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

The Applicant was present and in agreement with all recommendations.

No one else was present to speak for or against the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

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

- 1) retention of the 25-foot minimum building setback line along Halls Mill Road and Lees Lane;
- 2) retention of the right-of-way widths of both streets on the Final Plat;
- 3) 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;
- 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*

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- 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 legible street names to the vicinity map. C. Add a graphic scale. D. Add a note referencing the FEMA flood maps (June 5, 2020). E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #84) LOTS 1, 2, and 3 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE, LOT 2 – NONE, and LOT 3 - NONE. I. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. J. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. L. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. M. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. N. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. O. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*
- 5) *placement of a note on the Final Plat stating the Traffic Engineering comments: (Each lot is limited to one curb cut with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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*

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

**10. 151 North Cedar Street, 554 St. Louis Street, 505, 507 and 515 St. Louis Street, 510 St. Michael Street, and 507 St. Michael Street.**

**(Northwest corner of St. Louis Street and North Cedar Street, and Southeast corner of St. Louis Street and North Cedar Street, extending to the Northeast corner of St. Michael Street and North Cedar Street, and the Southeast corner of St. Michael Street and North Warren Street).**

**Council District 2**

**SUB-001647-2021**

**Cedar & Saint Subdivision**

**Number of Lots / Acres: 3 Lots / 2.0± Acres**

**Engineer / Surveyor: Hargrove and Associates, Inc.**

The Applicant was present and in agreement with all recommendations.

No one else was present to speak for or against the application.

Motion to approve by Matt Anderson. Second by Bess Rich. Approved.

After discussion, the Commission Tentatively Approved the request, with waivers of Sections V.B.14. and V.B.16. of the Subdivision Regulations subject to the following conditions:

- 1) retention of the notes stating the minimum and maximum setbacks for all lots;
- 2) 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;
- 3) addition of a note to the Final Plat designating St. Louis Street as the primary frontage for Lots 1 and 3;
- 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 legible street names to the vicinity map. C. Label the LOTS 1, 2, and 3 on the Vicinity Map. D. Show and label all flood zones – X(shaded) and X(unshaded). E. Revise SURVEY NOTE #3 to reference the current FEMA maps. New maps went into effect on June 5, 2020. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. Current BFE = 11.0 G. Provide a thicker line weight for the proposed boundary of each LOT. H. Provide and label the monument set or found at the northwest subdivision corner of LOT 3. I. The VICINITY MAP, LEGEND, SURVEY NOTES, SURVEYOR'S CERTIFICATE, ZONING INFORMATION, OWNER INFORMATION, OWNER'S SIGNATURE BLOCK AND NOTARY are duplicated on*



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*SHEET 2 OF 3. It is recommended that the duplicate information be deleted. J. The VICINITY MAP, LEGEND, SURVEY NOTES, SURVEYOR'S CERTIFICATE, ZONING INFORMATION, OWNER INFORMATION, SITE DATA, OWNER'S SIGNATURE BLOCK AND NOTARY are duplicated on SHEET 3 OF 3. It is recommended that the duplicate information be deleted. K. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #70) LOTS 1, 2, and 3 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 45,000 sf, LOT 2 – 2,200 sf, and LOT 3 – 16,000 sf. 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. M. 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 Traffic Engineering comments: *(Each lot is limited to one curb cut per street frontage with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 6) compliance 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.)*

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:****11. 5001 Rangeline Crossing Drive****(Northwest corner of Halls Mill Road and Rangeline Crossing Drive).****Council District 4****PUD-001643-2021****Kimley-Horn and Associates****Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites in a private street subdivision.**

The Applicant was not present, but submitted a Holdover request prior to the meeting, requesting the application be heldover until the July 15 meeting.

Motion to holdover by Libba Latham. Second by Matt Anderson. Heldover.

After discussion, the Commission heldover the application to the July 15<sup>th</sup> meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6<sup>th</sup>.

## GROUP APPLICATIONS:

### **12. 6636, 6638, 6640, 6666, 6680 and 6692 Old Shell Road (North side of Old Shell Road, 520'± West of the North terminus of Dickens Ferry Road). Council District 7**

#### **a. SUB-001644-2021 (Subdivision)**

**Creed Subdivision**

**Number of Lots / Acres: 1 Lot / 5.7± Acres**

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

Gregory Griffith, Creed Development Group, was present to represent the application. He stated that the project was ready for development and requested that the applications not be heldover. He stated that the development needed to be completed in time to house students.

Harry Brislin, University of South Alabama Real Estate Services, was present to express the University's concerns regarding the application. He stated that the University would like to meet with the applicant to discuss the impact of the development and surrounding area, and requested that the Commission consider a 30-day holdover.

Staff noted that one email in opposition to the project had been received.

Commission members discussed the development with the applicant, and their communication with the University. The applicant stated that they had reached out to the University but not received feedback.

Commissioners discussed the merits of holding over the applications. Two Commissioners noted their opposition to holding the applications over.

Motion to holdover by Jennifer Denson. Second by Bess Rich. Heldover.  
Jay Stubbs and Allan Cameron opposed.

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After discussion, the Commission heldover this application to the July 15<sup>th</sup> meeting to allow the applicant time to meet with neighbors.

**b. PUD-001646-2021 (Planned Unit Development)****Creed Cottages****Planned Unit Development approval to allow multiple buildings on a single building site.**

See the discussion under the Subdivision application.

Motion to holdover by Jennifer Denson. Second by Bess Rich. Heldover.  
Jay Stubbs and Allan Cameron opposed.

After discussion, the Commission heldover this application to the July 15<sup>th</sup> meeting to allow the applicant time to meet with neighbors.

**c. ZON-001645-2021 (Rezoning)****Creed Group****Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.**

See the discussion under the Subdivision application.

Motion to holdover by Jennifer Denson. Second by Bess Rich. Heldover.  
Jay Stubbs and Allan Cameron opposed.

After discussion, the Commission heldover this application to the July 15<sup>th</sup> meeting to allow the applicant time to meet with neighbors.

**13. 500 Broadcast Drive****(North terminus of Broadcast Drive).****Council District 5****a. SUB-001628-2021 (Subdivision)****isam Addition to Bel Air Boulevard Subdivision, Resubdivision of Lot 1****Number of Lots / Acres: 2 Lots / 4.8± Acres****Engineer / Surveyor: McCrory & Williams, Inc.**

Juergen Hellmich, the Applicant was present, and explained that he did not understand why the applications were recommended for holdover. He stated that he is not from here and does not understand the process. He also stated that he had notified all interested parties, but that he didn't know how this process works and thought he had done what he needed to do. He asked for help from staff to understand what needed to be done to get this approved.

Commissioners and legal staff advised the application to read the staff report, then meet with the staff to get some direction.

Motion to holdover by Libba Latham. Second by Matt Anderson. Heldover.

After discussion, the Commission heldover the application to the meeting of August 19<sup>th</sup> to allow the applicant to address the following items:

- 1) submittal of a preliminary plat for the proposed subdivision, to include adjacent lots which may need to be re-subdivided, as well as real property frontage on a street for the second lot;
- 2) revision of the mailing labels and fees to include any further property owners who may be adjacent to or across streets from expanded boundaries of the subdivision;
- 3) authorization of inclusion into the subdivision by any adjacent property owners whose properties must be included.

Revisions should be submitted to Planning and Zoning no later than July 19<sup>th</sup>.

**b. PUD-001631-2021 (Planned Unit Development)**

**Juergen Hellmich**

**Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between two building sites.**

See the discussion under the Subdivision application.

Motion to holdover by Libba Latham. Second by Matt Anderson. Heldover.

After discussion, the Commission heldover the application to the meeting of August 19<sup>th</sup> to allow the applicant to address the following items:

- 1) submittal of a site plan to include the property on the West side of Broadcast Drive (Lot 1A, D.E.C. Subdivision, Resubdivision and Addition to Lot 1), which was included in the 2014 PUD, and inclusion of the properties to the North which are to be included in the subdivision;
- 2) revision of the mailing labels and fees to include any further property owners who may be within 300 feet of all boundaries of the PUD; and
- 3) authorization of inclusion into the PUD by the owners of Lot 1A, D.E.C. Subdivision, Resubdivision and Addition to Lot 1, and all owners of properties included in the subdivision.

Revisions should be submitted to Planning and Zoning no later than July 19<sup>th</sup>.

**14. Northeast corner of Schillinger Road South and Hitt Road.**

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**Council District 6****a. SUB-001649-2021 (Subdivision)****Brewer Center Subdivision, Resubdivision of Lot 3****Number of Lots / Acres: 3 Lots / 12.8± Acres****Engineer / Surveyor: Anchor Engineering Associates, Inc.**

Dwayne Smith, Anchor Engineering, for the Applicant, was present and did not agree to the proposed holdover. He spoke about the confusion of the holdover and stated that he didn't know that owner authorization letters were needed. He asked for conditional approval, and he would have the one letter back that he is missing.

The Commission's legal counsel stated that consent of all owners was required before considering this application.

Motion to holdover by Libba Latham. Second by Matt Anderson. Heldover.

After discussion, the Commission heldover the application to the July 15<sup>th</sup> meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6<sup>th</sup>.

**b. PUD-001648-2021 (Planned Unit Development)****Brewer Center Subdivision, Resubdivision of Lot 3****Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites.**

See the discussion under the Subdivision application.

Motion to holdover by Libba Latham. Second by Matt Anderson. Heldover.

After discussion, the Commission heldover the application to the July 15<sup>th</sup> meeting to allow the applicant to obtain written consent to amend the PUD from all property owners within the PUD. Documentation of authorization should be provided to Planning & Zoning by July 6<sup>th</sup>.

**OTHER BUSINESS:****• Action Plan update for the Map for Mobile**

Shayla Beaco discussed the Action Plan update for the Map for Mobile. She noted that the Action Plan update represented City initiatives moving forward.

Motion to adopt the Action Plan update by Matt Anderson. Second by Jay Stubbs. Adopted.

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**Minutes approved:** \_\_\_\_\_

\_\_\_\_\_  
Jennifer Denson, Secretary

\_\_\_\_\_  
John W. “Jay” Stubbs, Jr., Chairman

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**JULY 15, 2021 - 2:00 P.M.**

AUDITORIUM, MOBILE GOVERNMENT PLAZA

Roll Call:

<b>Members Present</b>	<b>Members Absent</b>
Carlos Gant, Chairman Libba Latham (PJ), Vice Chairman Jennifer Denson, Secretary John W. “Jay” Stubbs, Jr. Matt Anderson, (MD) Nick Amberger (AO) Bess Rich (CC) Don Hembree (PJ) Mr. Kirk Mattei (S)	Shirley Sessions Allan Cameron Taylor Atchison Susan Carley (S)
<b>Planning Staff Present</b>	<b>Others Present</b>
Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning Shayla Beaco, Build Mobile	Doug Anderson, Staff Attorney Marybeth Bergin, Traffic Engineering George Davis, City Engineering

(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official  
 (CC) City Council Representative (PJ) Planning Jurisdiction

The notation motion carried unanimously indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

### **ADOPTION OF THE AGENDA:**

Motion made by Libba Latham. Second by Matt Anderson Adopted.

### **HOLDOVERS:**

- 1. 5001 Rangeline Crossing Drive  
 (Northwest corner of Halls Mill Road and Rangeline Crossing Drive).**

**PLANNING COMMISSION – Minutes****July 15, 2021****PAGE 2****Council District 4****PUD-001643-2021****Kimley-Horn and Associates****Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between multiple building sites in a private street subdivision.**

Applicant's representative Chris Rogers, 13455 Noel Road, Dallas, TX., was present and asked for a postponement due to not having all of the neighboring property owner signatures for the PUD application.

Staff stated there were three (3) missing signatures of the property members. A holdover until the August 19<sup>th</sup> meeting would allow the applicant to obtain the required signatures.

No one else was present for or against the application.

Motion to holdover by Carlos Gant. Second by Libba Latham. Heldover.

The Commission decided to holdover the application to the August 19<sup>th</sup> meeting, at the applicant's request, to allow more time to obtain written consent of all property owners within the PUD.

**2. 6636, 6638, 6640, 6666, 6680 and 6692 Old Shell Road  
(North side of Old Shell Road, 520'± West of the North terminus of Dickens Ferry Road).  
Council District 7**

**a. SUB-001644-2021 (Subdivision)**

**Creed Subdivision**

**Number of Lots / Acres: 1 Lot / 5.7± Acres**

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

Applicant was present and in agreement with staff recommendations.

No one else was present to speak for or against the application.

Commission members and staff discussed the total number of parking spaces slated for the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

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



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- 1) revision of the Final Plat to either show that Old Shell Road has an existing compliant right-of-way, or dedication should be made to provide 50' from the centerline;
- 2) retention of the 25-foot minimum building setback line, adjusted for dedication, if necessary;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information, adjusted for dedication, if necessary;
- 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. Provide the Surveyor's and Owner's (notarized) signatures. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #71) 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 – 17,000 sf. 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.*);
- 5) placement of a note on the Final Plat stating the Traffic Engineering comments: (*Lot is limited to one curb cut as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 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) provision of two Planned Unit Development site plans (hard copy and .pdf) prior to the signing of the Final Plat.

**b. PUD-001646-2021 (Planned Unit Development)**

**Creed Cottages**

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

See the discussion under the Subdivision application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.  
Bess Rich opposed.

The Commission found 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);
- 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);
- 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);
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land);
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design); and
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities).

The Approval is subject to the following conditions:

- 1) revision of the Final Plat to either show that Old Shell Road has an existing compliant right-of-way, or dedication should be made to provide 50' from the centerline
- 2) retention of the 25-foot minimum building setback line, adjusted for dedication, if necessary;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information, adjusted for dedication, if necessary;
- 4) coordination with staff regarding tree plantings and compliance at the time of permitting;
- 5) provision of a photometric site plan at the time of permitting;
- 6) revision of the site plan to correctly indicate the number of parking spaces;

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- 7) revision of the site plan to state that all dumpsters on site will comply with Section 64-4.D.9. of the Zoning Ordinance;
- 8) obtaining private property tree permits prior to removing any existing trees on-site;
- 9) obtaining demolition permits for each existing building on the subject site to be removed;
- 10) revision of the site plan to either indicate that the gate will be electronically controlled, or provide sufficient queuing spaces on private property;
- 11) compliance with the Engineering comments: *(Retain SITE NOTES #3 - #8, as shown on the PLANNED UNIT DEVELOPMENT drawing SHEET 1 of 1.);*
- 12) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Lot is limited to one curb cut as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
- 13) 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.);*
- 14) 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.);and*
- 15) provision of two Planned Unit Development site plans (hard copy and .pdf) prior to the signing of the Final Plat.

c. **ZON-001645-2021 (Rezoning)****Creed Group****Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

Bess Rich opposed

The Commission recommended this application for Approval for the following reasons:

- a) changing conditions in a particular area make a change in the Ordinance necessary and desirable; and

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

The approval is subject to the following conditions:

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

**3. Northeast corner of Schillinger Road South and Hitt Road.  
Council District 6**

**a. SUB-001649-2021 (Subdivision)**

**Brewer Center Subdivision, Resubdivision of Lot 3**

**Number of Lots / Acres: 3 Lots / 12.8± Acres**

**Engineer / Surveyor: Anchor Engineering Associates, Inc.**

Staff discussed the revised recommendations for the application.

The applicant was present and in agreement with the revised staff recommendations.

No one else was present for or against the application.

Motion to approve by Libba Latham. Second by Matt Anderson. Approved.

After discussion, the Commission Tentatively Approved the request, 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 and labeling of the 25' minimum building setback along all public rights-of-way;
- 3) placement of a note on the Final Plat stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) placement of a note on the Final Plat stating that maintenance of the common areas is for the property owners and not the City of Mobile;
- 5) compliance with Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Provide a vicinity map. D. Provide a legal description for the subdivision boundary. E. Revise NOTE 1 referencing the FEMA flood maps to the current maps -June 5, 2020. F. Provide the contact information for the surveyor, as required. G. Label the COMMON*)

*AREA as “COMMON AREA – DETENTION”. H. Show and label each and every proposed DRAINAGE EASEMENT as “PRIVATE”, or provide a note that states that the proposed drainage easements are PRIVATE and will not be maintained by the City of Mobile. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Provide the Surveyor’s and Owner’s (notarized) signatures. K. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 17 - #79) LOTS 3A, 3B, and 3C 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 3A – 20,000 sf, LOT 3B – 9,000 sf, and LOT 3C – 7,000 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. R. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.)*

- 6) placement of a note on the Final Plat stating the following Traffic Engineering comments: *(A traffic impact study was previously prepared for this site with known and unknown proposed development. Retail buildings, restaurant, grocery, and gas station were all amount the uses previously studied. The study included off-site improvements along Schillinger Road adjacent to the development and those improvements were completed with the development of the housing site. In the previous traffic study, a traffic signal was recommended at the shared access road that was constructed with the housing site. The development still lacks the internal circulation that the overall site may provide with development on Lot 3A. Additional impact studies or updates to the original study will be required as the development changes or defined uses are presented to the City that may warrant additional improvements, beyond what has already been constructed. The proposed site shifts a shared driveway on Schillinger Road north from its previously approved driveway and adds a right-in/right-out driveway as well. Driveway number, size, location, and design are subject to the*

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- approved PUD for this site, shall be approved by Traffic Engineering and conform to AASHTO standards. 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 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) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 10) full compliance with all municipal codes and ordinances.

**b. PUD-001648-2021 (Planned Unit Development)****Brewer Center Subdivision, Resubdivision of Lot 3****Planned Unit Development approval to amend a previously approved Planned Unit development to allow shared access between multiple building sites.**

See the discussion under the Subdivision application.

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

The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because it will allow further development of an existing PUD;
- 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 greater connectivity between building sites;
- 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 further development of an existing PUD;

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- 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' minimum building setback along all public rights-of-way;
- 3) placement of a note on the site plan stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) Placement of a note on the site plan stating that the maintenance of the Common Area is the responsibility of the property owners and not the City of Mobile;
- 5) Placement of a note on the site plan stating that Planned Unit Developments are site plan specific, and as such, any changes to the alter access to the Common Area Access Easement or any substantial changes to an individual lot will require that particular lot to submit an Administrative PUD;
- 6) placement of a note on the site plan stating that all lots will be developed in full compliance with Zoning Ordinance requirements;
- 7) compliance with Engineering comments: (1. Update the Vicinity Map to show adjacent streets, etc. 2. Label the COMMON AREA as “COMMON AREA – DETENTION” 3. Check and update the GENERAL NOTE #3 to include LOTS 3A, 3B, and 3C. It references LOT 3 which is being removed from the PUD. 4. Update GENERAL NOTE #5. The Common Area shown (proposed detention area adjacent to LOT 3A) will not receive access to Hitt Rd. 5. ADD THE FOLLOWING NOTE TO THE PUD SITE PLAN – “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.” 6. Retain ENGINEERING NOTES #1 - #5, as shown on the PUD EXHIBIT W/ UTILITIES drawing SHEET PUD-1.);
- 8) placement of a note on the Final Plat stating the following Traffic Engineering comments: (*A traffic impact study was previously prepared for this site with known and unknown proposed development. Retail buildings, restaurant, grocery, and gas station were all amount the uses previously studied. The study included off-site improvements along Schillinger Road adjacent to the development and those improvements were completed with the development of the housing site. In the previous traffic study, a traffic signal was recommended at the shared access road that was constructed with the housing site. The development still lacks the internal circulation that the overall site may provide with development on Lot 3A. Additional impact studies or updates to the original study will be required as the development changes or defined uses are presented to the City that may warrant additional improvements, beyond what has already been constructed. The proposed site shifts a shared driveway on Schillinger*

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- Road north from its previously approved driveway and adds a right-in/right-out driveway as well. Driveway number, size, location, and design are subject to the approved PUD for this site, shall be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 9) compliance with Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
  - 10) compliance with Fire comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.);*
  - 11) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
  - 12) full compliance with all municipal codes and ordinances.

**NEW SUBDIVISION APPLICATIONS:****4. 204 and 206 Furr Street****(East side of Furr Street, 535'± North of Old Shell Road).****Council District 1****SUB-001658-2021****Ingate Place Subdivision, Block 3, Resubdivision of Lots 15 & 16****Number of Lots / Acres: 1 Lot / 0.4± Acre****Engineer / Surveyor: Byrd Surveying, Inc.**

Applicant was present and in agreement with staff recommendations.

No one else was present for or against the application.

Motion to approve by Nick Amberger. Second by Bess Rich. Approved.

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

- 1) retention of the right-of-way width of Furr Street on the Final Plat;
- 2) retention of the 25-foot minimum building setback line on the Final Plat;



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- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 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. Provide and label the monument set or found at each subdivision corner. C. Add a graphic scale. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #74) 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 – 6,000 sf. H. 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. I. 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. J. 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. K. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*
- 5) 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.);*
- 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,*

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- 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.)*

**5. 6771 Graham Road South**  
**(South terminus of Nicklaus Drive East).**  
**Council District 7**  
**SUB-001655-2021**  
**Newberry Subdivision**  
**Number of Lots / Acres: 2 Lots / 5.0± Acres**  
**Engineer / Surveyor: Byrd Surveying, Inc.**

Applicant was present and in agreement with staff recommendations.

No one else was present for or against the application.

Motion to approve by Bess Rich. Second by Matt Anderson. Approved.

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

- 1) retention of the 25-foot minimum building setback line on the Final Plat as blocked-out from the South terminus of Nicklaus Drive East;
- 2) 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;
- 3) 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. Show/label the Common Area listed in the legal description. C. Provide a graphic scale. D. Provide and label the monument set or found at each subdivision corner. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #66) 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 – NONE, LOT 2 – 3800 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*

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*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.);*

- 4) 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.*);
- 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.*)

**6. 196 Stillwood Lane**

**(South terminus of Stillwood Lane, extending to the North side of Batre Lane, 212'± East of Avalon Street).**

**Council District 7**

**SUB-001669-2021**

**Watts-Slaughter Subdivision, Resubdivision of Lot 2**

**Number of Lots / Acres: 2 Lots / 1.9± Acres**

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

Applicant was present and in agreement with staff recommendations.

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No one else was present for or against the application.

Staff noted that a resident had submitted concerns online regarding the subdivision.

Commissioners and staff discussed the note on the plat denying access to Batre Lane, and how it was a condition on a previous plat. Based on Traffic Engineering comments, staff did not see a reason to deny access.

Motion to approve by Matt Anderson. Second by Don Hembree. Approved.

With waivers of Sections V.B.14. and V.D.1. of the Subdivision Regulations, the Commission Tentatively Approved the request, subject to the following conditions:

- 1) Retention of the lot size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 2) Retention of the 25' minimum building setback along both frontages on the Final Plat;
- 3) Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if applicable;
- 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. Provide the Surveyor's and Owner's (notarized) signatures. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #73) LOTS 2A & 2B 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 2A – 1,200 sf and LOT 2B –NONE. D. 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. 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. I. 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. J. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all*

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*signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*

- 5) 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.);*
- 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.).*

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS****7. 3673 and 3679 Airport Boulevard**

**(South side of Airport Boulevard, 355'± East of Montlimar Drive, extending to the West side of Montlimar Creek Drainage Canal).**

**Council District 5**

**PUD-001671-2021**

**Airport Boulevard Storage, LLC**

**Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple building sites.**

Applicant was present and in agreement with staff recommendations.

No one else was present for or against the application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development) because it because it will allow shared parking and access between two properties;

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- 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 two properties to share access and parking;
- 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 a portion of the over-all site will be re-purposed with access to the existing developed portion;
- d. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the new structure will be small compared to the over-all site;
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the site has access to existing infrastructure.

The approval is subject to the following:

- 1) revision of the legal description on the site plan to include both Lots A and B, Kola Mobile Subdivision;
- 2) revision of the site plan to provide the size of the existing restaurant building;
- 3) revision of the site plan to provide parking calculations for the existing restaurant;
- 4) placement of a note on the site plan stating that landscaping and tree plantings shall comply with the 2019 PUD site plan, to be coordinated with Planning and Zoning staff;
- 5) revision of the site plan to either illustrate compliant dumpsters, or placement of a note on the site plan stating that dumpsters will not be utilized and refuse collection will be via curbside service or private can collection;
- 6) revision of the site plan to identify the water and sewer easements along the Airport Boulevard frontage and at the South end of Lot B;
- 7) retention of the note on the site plan stating that no structure shall be constructed or placed within any easement without permission of the easement holder;
- 8) compliance with the Engineering comments: *(Retain NOTES #3 - #8, as shown on the PUD Site Plan drawing SHEET 1 of 1.)*;
- 9) placement of a note on the site plan stating the Traffic Engineering comments: *(Site is limited to its existing curb cuts with any changes to size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. On-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.)*;
- 10) compliance with the Urban Forestry comments: *[Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and 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.]*;
- 11) 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*

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(2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings./;

- 12) submittal to and approval by Planning and Zoning of a revised site plan prior to the submittal for building or land disturbance permits; and
- 13) full compliance with all municipal codes and ordinances.

**NEW PLANNING APPROVAL APPLICATIONS**

**8. 1260 and 1262 Dauphin Street, and 4 North Ann Street  
(Northeast corner of Dauphin Street and North Ann Street).**

**Council District 2****PA-001665-2021****Central Presbyterian Church**

**Planning Approval to amend a previously approved Planning Approval to allow a photography studio in a B-1, Buffer Business District.**

Applicant was present and in agreement with staff recommendations.

No one else was present for or against the application.

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

The Commission found the following Findings of Fact for Approval for the Planning Approval:

- a. The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, due to the limited scope of the project, and because the site is located within a developed area with public water and sewer services and with nearby fire and police stations; and
- b. The proposal will be in harmony with the orderly an appropriate development of the district in which the use is located, because it will have limited impact on nearby residents.

The approval is subject to the following conditions:

- 1) obtaining of the appropriate City of Mobile business license for the operation; and
- 2) full compliance with all municipal codes and ordinances.

**9. 105 North Jackson Street**

**(West side of North Jackson Street, 84'+ North of St. Michael Street).**

**Council District 2****PA-001680-2021****Kawauna Gill**

**Planning Approval to allow an occupancy load of more than 100 persons for a lounge in a T5.1 Sub-District of the Downtown Development District.**

Applicant, Kawauna Gill, was present, and stated she brought a floor plan for the meeting in order to address the recommendation for holdover.

Staff stated they received the plan from Ms. Gill right before the meeting, and now needed a holdover to allow time for staff to review the plan.

Commissioners and staff discussed the online comments expressing concern with the application.

Commissioners asked if the Applicant had met with the residents and neighbors. The Applicant stated she was not aware of the opposition letters.

The Applicant stated that she was agreeable to hold over until August 5<sup>th</sup> meeting.

Staff asked the Applicant if she would have time to meet with the neighbors before the August 5<sup>th</sup> meeting, to which Ms. Gill stated yes.

Motion to holdover by Bess Rich. Second by Matt Anderson. Heldover.

The Commission heldover this application to the meeting of August 5<sup>th</sup> meeting to allow staff to review the site plan submitted at the meeting and to allow the Applicant to meet with neighbors.

**GROUP APPLICATIONS:**

**10. 56 Beauregard Street**

**(Northwest corner of Beauregard Street and Dekle Road).**

**Council District 2**

**a. PUD-001673-2021 (Planned Unit Development)**

**Ray-Mont Logistics Mobile Incorporated**

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

Applicant, David Franseen, Duluth, Minnesota, was present and agreed to staff recommendations.

Staff discussed the online comments, which expressed concerns regarding if the property were to be leased.



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Staff noted that revised conditions recommended approval of the PUD subject to the conditions, and that the sidewalk be required.

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

The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because 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 allowing expansion of an existing development;
- 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 applicant is endeavoring to maintain the economic viability of an existing development within an industrial corridor of the city;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the development is limited to only a portion of the site thus maintaining a majority of existing environmental conditions while also providing additional landscape area and tree plantings;
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because additional greenspace will be preserved within the development; 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 is already served by public services and utilities, and should not increase the need for such services beyond what the site has historically required.

The Approval is subject to the following conditions:

- 1) Revision of the site plan to show the entire PUD site and depict all existing and proposed site improvements;
- 2) Revision of the site plan to depict the size of the proposed office building;
- 3) Provision of a table depicting off-street parking calculations, in compliance with Section 64-6.A.6. of the Zoning Ordinance;
- 4) Revision of the site plan to designate van-accessible/handicap parking spaces in compliance with International Building Code standards;
- 5) Revision of the site plan to depict compliance with the minimum parking stall and access aisle dimensions of Section 64-6.A.2. of the Zoning Ordinance;
- 6) Provision of a photometric plan in compliance with parking lot lighting requirements of Section 64-6.A.8. of the Zoning Ordinance;

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- 7) Placement of a note on the revised site plan stating the site shall comply with the tree planting and landscape area requirements of Section 64-4.E.3. of the Zoning Ordinance and that a compliant tree planting and landscape area plan shall be submitted for review at the time of permitting;
- 8) Compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules for Erosion and Sedimentation Control and Storm Water Runoff Control. 4) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6) The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 9) Placement of a note on the site plan stating Traffic Engineering comments: (*Driveway number, size, location, and design are subject to the approved PUD for this site, shall be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 10) Compliance with 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.);*

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- 11) 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,
- 12) Full compliance with all other municipal codes and ordinances.

**b. SUB-SW-001674-2021 (Sidewalk Waiver)  
Ray-Mont Logistics Mobile Incorporated  
Request to waive construction of a sidewalk along Beauregard Street.**

See the discussion under the PUD application.

Motion to deny by Don Hembree. Second by Matt Anderson. Denied.

The Commission denied the waiver of the sidewalk along Beauregard Street.

**11. 3950 Wimbledon Park**

**(Northwest corner of South McGregor Avenue and Wimbledon Park).**

**Council District 5**

**a. SUB-001683-2021 (Subdivision)  
Crane Subdivision  
Number of Lots / Acres: 1 Lot / 0.2± Acre  
Engineer / Surveyor: Bethel Engineering of Mobile**

Staff informed the Commission that the applicant had submitted a Planned Unit Development (PUD) site plan as the subdivision preliminary plat, but that staff worked with City Engineering to ensure that the subdivision plat was compliant. Thus staff were able to prepare approval conditions for the subdivision and PUD.

Staff noted that there was a letter in support from the neighborhood.

The Applicant was present and in agreement with the revised staff recommendations.

No one else was present to speak for or against the application.

Motion to approve by Jay Stubbs. Second by Matt Anderson. Approved.

With a waiver of Section V.D.9. of the Subdivision regulations, the Commission Tentatively Approved the subdivision request subject to the following conditions:

- 1) Provision of a subdivision plat compliant with the Subdivision Regulations;

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- 2) Depiction of the right-of-way along Wimbledon Park on the Final Plat;
- 3) Provision of the size of the lot in square feet and acres on the Final Plat, or provision of a table on the Plat with the same information;
- 4) Compliance with Engineering comments: (A. *Provide all of the required information on the FINAL SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide the Surveyor's and Owner's (notarized) signatures. C. 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. D. 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 plat stating Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*)
- 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 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) Provision of a revised PUD site plan, as appropriate, prior to signing of the Final Plat; and,
- 9) Full compliance with all other municipal codes and ordinances.

**b. PUD-001682-2021 (Planned Unit Development)****Crane Subdivision****Planned Unit Development to amend a previously approved Planned Unit Development to allow reduced setbacks and increased site coverage.**

See the discussion under the Subdivision application.

Motion to approve by Don Hembree. Second by Matt Anderson. Approved.

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The Commission found the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development) in that it maintains the concept of the innovative subdivision of the overall 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), which is achieved by allowing reduced setbacks and increased site coverage;
- 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 limiting the impact of further development of the site to a use whose impact on the land is less demanding of resources than denser multi-family developments;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land) by limiting impact of the development to existing, developed land where no additional clearing or alteration of the landscape is required;

The Approval is subject to the following conditions:

- 1) Depiction of the right-of-way along Wimbledon Park on a revised site plan;
- 2) Provision of the size of the lot in square feet and acres on the site plan, or provision of a table on the site plan with the same information;
- 3) Depiction of all applicable setbacks on the site plan, or provision of a table with the same information;
- 4) Depiction of the increased site coverage on the site plan, or provision of a table with the same information;
- 5) Compliance with Engineering comments (*1. Rename "SITE GRADING AND DRAINAGE NOTES:" heading to "PUD NOTES". 2. Retain PUD NOTES #A - #F as shown on the PUD SITE PLAN SHEET 1.*);
- 6) Placement of a note on the site plan stating Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to 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 Department comments: (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance*

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*(2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.).*

- 9) Provision of a revised PUD site plan, as appropriate, prior to signing of the Final Plat;
- 10) Completion of the Subdivision process prior to the approval of any permits for land disturbing or construction; and,
- 11) Full compliance with all other municipal codes and ordinances.

**OTHER BUSINESS:**

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**Minutes approved:** \_\_\_\_\_

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Jennifer Denson, Secretary

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John W. “Jay” Stubbs, Jr., Chairman