

MOBILE CITY PLANNING COMMISSION

RESULTS AGENDA

JANUARY 6, 2022 - 2:00 P.M.

AUDITORIUM, GOVERNMENT PLAZA

ROLL CALL:

X	Mr. John W. "Jay" Stubbs, Jr. <i>Chairman</i>
X	Mr. Allan Cameron, <i>Vice Chairman</i>
X	Ms. Jennifer Denson, <i>Secretary</i>
X	Mr. Carlos Gant
	Ms. Shirley Sessions
X	Mr. Taylor Atchison
	Mr. Matt Anderson, (MD)
X	Mr. Nick Amberger (AO)
X	Mr. Scott Jones (CC)
X	Ms. Susan Carley (S)
X	Mr. Kirk Mattei (S)

(S) Supernumerary (MD) Mayor's Designee (AO) Administrative Official
(CC) City Council Representative

Staff: Doug Anderson, Margaret Pappas, Marie York, Bert Hoffman, Shayla Beaco, Victoria Burch, George Davis, Marybeth Bergin

ADOPTION OF THE AGENDA:

Notion made by Scott Jones. Second by Kirk Mattei. **Adopted.**

HOLDOVERS:

- 1. 1172 Elmira Street**
(Northeast corner of Elmira Street and Rapier Avenue).
Council District 2
SUB-001860-2021

Rapier Avenue Subdivision

Number of Lots / Acres: 3 Lots / 0.3± Acres

Engineer / Surveyor: Smith Clark & Associates

Motion to Holdover by Jennifer Denson. Second by Taylor Atchison. **Heldover to the January 20th meeting.**

Avfter discussion, the Planning Commission heldover the application the the January 20th meeting to give staff time to review the revised plat submitted.

2. 1452 Government Street

(North side of Government Street, extending from South Lafayette Street to Etheridge Street).

Council District 2

a. SUB-001881-2021 (Subdivision)

Cindy Haber Center Subdivision

Number of Lots / Acres: 2 Lots / 1.1± Acres

Engineer / Surveyor: Cowles, Murphy, Glover & Associates

Motion to approve made by Nick Amberger. Second by Carlos Gant. **Approved.**

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

- 1) dedication to provide 25' from the centerline of Etheridge Street for Lot A only;
- 2) retention of the lot sizes in square feet and acres, adjusted for dedication;
- 3) placement of a note on the Final Plat stating that Historic District Overlay standards apply for front, side, and rear setbacks;
- 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. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the southeast corner of LOT A (Lafayette St.) to the City of Mobile, and list the amount of dedicated acreage. C. Dedicate the corner radius (15' minimum or as approved by the City Engineer and Traffic Engineer) at the southwest corner of LOT A (Etheridge St.) to the City of Mobile, and list the amount of dedicated acreage. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #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 – NONE. E. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, **Storm Water Management and Flood Control**); the **City of Mobile, Alabama Flood Plain Management Plan (1984)**); and, the

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

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

b. ZON-001882-2021 (Rezoning)

Cowles, Murphy, Glover & Associates (Bruce Smith, Agent)

Rezoning from R-3, Multi-Family Residential District, to B-1, Buffer Business District.

Motion to approve by Nick Amberger. Second by Carlos Gant. **Approved.**

Taylor Atchison opposed.

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

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

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

The rezoning should be subject to the following conditions:

- 1) Voluntary Conditions and Use Restrictions as submitted by the applicant;
- 2) completion of the Subdivision process; and
- 3) full compliance with all municipal codes and ordinances.

NEW SUBDIVISION APPLICATIONS:

3. 5148 Todd Acres Drive

(South side of Todd Acres Drive at its South terminus).

Council District 4

SUB-001901-2021

3RD Extension to Todd Acres Subdivision, Resubdivision of Lots 50, 51 and 52

Number of Lots / Acres: 1 Lot / 1.0± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying

Motion to approve by Carlos Gant. Second by Jennifer Denson. **Approved.**

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

- 1) retention of the right-of-way width of Todd Acres Drive on the Final Plat;
- 2) retention of the 25' minimum building setback line along Todd Acres Drive 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 and label the monument set or found at each subdivision corner. Provide reference monuments as needed. C. Check the accuracy of the graphic scale. D. Add legible street names to the vicinity map. E. Check the written boundary labels. Some of the boundary has more than one bearing and/or distance label. F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. G. Show and label the FLOODWAY. 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 23 - #92) 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.);

- 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) *placement of a note on the Final Plat stating that access to the unopened portion of Todd Acres Drive is denied;*
- 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.)*

4. **2443 River Forest Drive**

(West side of River Forest Drive, 890'± East of the South terminus of Alba Club Road).

Council District 3

SUB-001898-2021

Boone-Plash Estates Subdivision

Number of Lots / Acres: 2 Lots / 6.9± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
Motion to approve by Carlos Gant. Second by Taylor Atchison. **Approved.**

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

- 1) retention of the right-of-way width of River Forest Drive on the Final Plat;
- 2) retention of the 25-foot minimum building setback line along River Forest Drive 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 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 the various labels to the LEGEND. C. Add the recording data for the vacated Private Road. D. Add street names to the vicinity map. E. Provide legible street names in the vicinity map. F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. G. Provide the Surveyor's and Owner's (notarized) signatures. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #93) 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 – 2,800 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 prior to obtaining any signatures. No signatures are required on the drawing. P. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1)

copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

- 5) **placement of a note on the Final Plat stating the 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-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. 1513 Stewart Road

(Southeast corner of Dauphin Island Parkway and Stewart Road).

Council District 3

SUB-001899-2021

Gage Estates Subdivision

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

Engineer / Surveyor: Polysurveying Engineering-Land Surveying

Motion to approve by Carlos Gant. Second by Jennifer Denson. **Approved.**

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

- 1) **retention of the right-of-way widths of Dauphin Island Parkway and Stewart Road on the Final Plat;**
- 2) **dedication to provide a 25-foot radius curve at the intersection of Dauphin Island Parkway and Stewart Road;**
- 3) **retention of the 25-foot minimum building setback line along Dauphin Island Parkway for Lot 1, and along Stewart Road for Lot 2;**
- 4) **retention of the 20-foot minimum building setback line along Stewart Road for Lot 1 on the Final Plat;**
- 5) **retention of the lot size labels in both square feet and acres on the Final Plat, revised for any required dedication (radius), or the furnishing of a table on the Final Plat providing the same information;**
- 6) **illustration of the existing dwelling's Western extremities on Lot 2 to ensure setback compliance from the new interior property line;**

- 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 the POB reference and label. Is the POB a monument that was set as indicated by the LEGEND? C. Add the various labels to the LEGEND. D. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northwest corner of LOT 1 to the City of Mobile, and list the amount of dedicated acreage. 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 28 - #86) 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 – 1,400 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.);
- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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 PLANNED UNIT DEVELOPMENT APPLICATIONS:

6. **1867 Prichard Avenue West and 100-110 Joel Court (a private street)**

(South side of Prichard Avenue, 310'± West of St. Stephens Road).

Council District 1

PUD-001894-2021

Nakia Isaac

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

Motion to holdover by Scott Jones. Second by Nick Amberger. **Heldover to the January 20th meeting.**

After discussion, the Commission heldover the application to the January 20th meeting at the request of the City Council representative.

GROUP APPLICATIONS:

7. **4251 Bit and Spur Road**

(South side of Bit and Spur Road at the South terminus of Horloesther Courth East).

Council District 5

a. **SUB-001890-2021 (Subdivision)**

High Pointe Subdivision

Number of Lots / Acres: 12 Lots / 2.7± Acres

Engineer / Surveyor: Cowles, Murphy, Glover & Associates

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

After discussion, the Commission Tentatively Approved the application, with a waiver of Sections V.D.2. and VIII.E.2.c. of the Subdivision Regulations, subject to the following:

- 1) **revision of the Final Plat to show the existing right-of-way along Bit and Spur Road, with dedication to provide a minimum of 25-feet from the centerline or more, as determined by the City Engineer;**
- 2) **revision of the plat to include utility easements acceptable to the appropriate provider of utility services within the Subdivision;**

- 3) placement of a note stating that if the street is not constructed and maintained to City standards that 100% of the cost of the improvements will be assessed to the property owners, if dedicated to the City;
- 4) revision to accommodate any other requirements of Section VIII.E.2. of the Subdivision Regulations;
- 5) retention of the front, rear and side yard setbacks on the Final Plat;
- 6) placement if a note stating that site coverage is limited to a maximum of 40 percent;
- 7) retention of the lot sizes in square feet and acres, adjusted for dedication;
- 8) placement of a note on the Final Plat stating that maintenance of the detention area is the responsibility of the property owners;
- 9) 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 reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner. D. Add a graphic scale. E. Add a legend or label everything. F. Add street names to the vicinity map. G. Provide a written legal description and matching bearing and distance labels for the proposed subdivision boundary. H. Redraw the proposed subdivision boundary to be a thicker/heavier line so that it is easily differentiated from the other lines on the Plat. I. Rename the Detention Area between LOT 6 and 7 to "Common Area (DETENTION). J. Show and label the proposed roadway parcel as Private Road or Common Area. K. The proposed ROW along Bit and Spur Rd should be a constant width. Do not dedicate additional ROW as shown around the entrance. That area can be part of the Private Roadway. L. Provide the amount of right-of-way dedication (square feet). M. Delete all of the proposed work from the Plat. N. Show and label the existing storm drainage pipe that runs south from Bit and Spur Road. This pipe will require a Public Drainage Easement. The width and alignment of the easement shall be coordinated with, and approved by, the Engineering Dept. (attn. G. Davis) prior to submitting the Plat for signatures. The width will required to allow vehicular and equipment access. O. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. P. Provide the Surveyor's Certificate. Q. Provide the Surveyor's and Owner's (notarized) signatures. R. 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 the development 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. S. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #80) the Subdivision 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: 6,000 sf for the entire development. T. 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. U. 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. V. 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. W. 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. X. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. Y. 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. Z. 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.);

- 10) placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 11) 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 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 a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.

b. PUD-001891-2021 (Planned Unit Development)

High Pointe Subdivision

Planned Unit Development Approval to allow reduced front, side and rear yard setbacks, reduced lot sizes and increased site coverage for a proposed subdivision.

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

Scott Jones abstained.

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

- a. 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 of utilizing infill development practices; and
- b. 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 develop the site as planned.

The Approval is subject to the following conditions:

- 1) revision of the Final Plat to show the existing right-of-way along Bit and Spur Road, with dedication to provide a minimum of 25-feet from the centerline or more, as determined by the City Engineer;
- 2) revision of the site plan to include utility easements acceptable to the appropriate provider of utility services within the Subdivision;
- 3) placement of a note stating that if the street is not constructed and maintained to City standards that 100% of the cost of the improvements will be assessed to the property owners, if dedicated to the City;
- 4) revision to accommodate any other requirements of Section VIII.E.2. of the Subdivision Regulations;
- 5) retention of the front, rear and side yard setbacks on the site plan;
- 6) placement of a note stating that site coverage is limited to a maximum of 40 percent;
- 7) retention of the lot sizes in square feet and acres, adjusted for dedication;
- 8) placement of a note on the site plan stating that maintenance of the detention area is the responsibility of the property owners;
- 9) full compliance with Engineering comments: *(1. Provide a thicker solid line for the outline of the development contained in the PUD. 2. Show and label the existing storm drainage pipe system that runs along the western property line and the proposed drainage easement. 3. Label the roadway as Common Area or Private ROW or Common Area (Private Road). 4. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Each Lot*

Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area provided in the subdivision detention design. e. The proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. f. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. g. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 10) placement of a note on the Final Plat stating Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 11) 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.);*
- 12) 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
- 13) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.

c. ZON-001892-2021 (Rezoning)

John Dorland (Cowles, Murphy, Glover & Associates, Agent)

Rezoning from R-1, Single-Family Residential District, to R-2, Two-Family Residential District.

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

Scott Jones abstained.

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

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

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

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

8. **162 & 186 East Drive**

(West side of East Drive, 130'± North of Sussex Drive extending to the East side of Center Drive).

Council District 6

a. **SUB-001896-2021 (Subdivision)**

Villas at Springhill Subdivision

Number of Lots / Acres: 23 Lots / 4.2± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying

Motion to approve by Nick Amberger. Second by Carlos Gant. **Approved.**

Scott Jones recused

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

- 1) verification of the right-of-way width of Center Drive and dedication of right-of-way sufficient to provide 25-feet from the centerline of Center Drive if currently less than 25-feet;
- 2) retention of the lot and common area sizes in both square feet and acres on the Final Plat, adjusted for any required dedication;
- 3) placement of a note on the Final Plat stating that all lots are limited to a maximum site coverage of 50 percent;
- 4) placement of a note on the Final Plat stating that the site is limited to one curb cut to East Drive for the proposed street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the Final Plat stating that Lots 10 through 14 are denied direct access to Center Drive;
- 6) placement of a note on the Final Plat stating that all lots and the Common Areas are limited to one curb cut each, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 7) placement of a note on the Final Plat stating that the Common Areas are denied direct access to East Drive;
- 8) retention of the minimum building setback line along all street frontages on the Final Plat;
- 9) removal of all existing structures on the site after obtaining all necessary demolition permits prior to signing the Final Plat;

- 10) 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;
- 11) placement of a note on the Final Plat stating that the maintenance of the Common Areas is the responsibility of the property owners;
- 12) placement of a note on the Final Plat stating that the development is limited to 23 detached, single-family residences;
- 13) placement of a note on the Final Plat stating that each residence shall be constructed of brick, with an enclosed, attached garage;
- 14) placement of a note on the Final Plat stating that each structure or building sought to be erected shall comply with the building laws of the City of Mobile;
- 15) placement of a note on the Final Plat stating that the 50' hammerhead right-of-way shall not be connected to the North
- 16) placement of a note on the Final Plat stating that no additional stormwater runoff is to go to Center Drive;
- 17) 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. Label the proposed roadway with a name(s). D. Label the proposed ROW as either PRIVATE or PUBLIC. E. Label the 10' drainage easement along the south property line as "PRIVATE". 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 20 - #73) The subdivision 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: 6,000 sf. H. Add a note to the SUBDIVISION PLAT stating 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 to the Plat stating 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 to the plat stating that all 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. Add a note to the plat stating 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.);

- 18) 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.);*
- 19) 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.);*
- 20) 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
- 20) submittal to and approval by Planning and Zoning of a revised PUD site plan, prior to signing the Final Plat.

b. PUD-001895-2021 (Planned Unit Development)

Villas at Springhill Subdivision

Planned Unit Development Approval to allow reduced front, side and rear yard setbacks, reduced lot sizes and increased site coverage for a proposed subdivision.

Motion to approve by Nick Amberger. Second by Carlos Gant. **Approved.**

Scott Jones recused

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

- a. 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 of utilizing infill development practices;
- b. 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 develop the site as planned.

The Approval is subject to the following conditions:

- 1) verification of the right-of-way width of Center Drive and dedication of right-of-way sufficient to provide 25' from the centerline of Center Drive if currently less than 25';

- 2) retention of the lot and common area sizes in both square feet and acres on the Final Plat, adjusted for any required dedication;
- 3) placement of a note on the site plan stating that all lots are limited to a maximum site coverage of 50%;
- 4) placement of a note on the site plan stating that the site is limited to one curb cut to East Drive for the proposed street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the site plan stating that Lots 10 through 14 are denied direct access to Center Drive;
- 6) placement of a note on the site plan stating that all lots and the Common Areas are limited to one curb cut each, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 7) placement of a note on the site plan stating that the Common Areas are denied direct access to East Drive;
- 8) retention of the minimum building setback line along all street frontages on the site plan;
- 9) removal of all existing structures on the site after obtaining all necessary demolition permits prior to signing the site plan;
- 10) placement of a note on the site plan stating that no structure may be constructed or placed within any easement, without the permission of the easement holder;
- 11) placement of a note on the site plan stating that the maintenance of the Common Areas is the responsibility of the property owners;
- 12) placement of a note on the site plan stating that the development is limited to 23 detached, single-family residences;
- 13) placement of a note on the site plan stating that each residence shall be constructed of brick, with an enclosed, attached garage;
- 14) placement of a note on the site plan stating that each structure or building sought to be erected shall comply with the building laws of the City of Mobile;
- 15) placement of a note on the site plan stating that the 50' hammerhead right-of-way shall not be connected to the North
- 16) revision of the site plan to provide a public sidewalk along all street frontages, or the approval of a Sidewalk Waiver;
- 17) placement of a note on the site plan stating that no additional stormwater runoff is to go to Center Drive;
- 18) compliance with the Engineering comments: *(1. Provide a PUD Site Plan that shows the entire PUD development including roads, detention areas, common areas, easement, etc. The only thing submitted was for LOT 20. 2. Label the proposed roadways with names and list as Private or Public. 3. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited*

to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area provided in the subdivision detention design. e. The proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. f. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. g. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 18) placement of a note on the site plan stating the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 19) 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.);*
- 20) 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
- 21) submittal to and approval by Planning and Zoning of a revised PUD site plan, prior to signing the Final Plat.

OTHER BUSINESS:

- Election of officers

PLANNING COMMISSION RESULTS AGENDA

January 6, 2022

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**Motion to nominate Jay Stubbs as Chairman, Allan Cameron as Vice Chairman, and Jennifer Denson as Secretary by Nick Amberger. Second by Kirk Mattei.
Approved unanimously.**