

**MOBILE CITY PLANNING COMMISSION**

**RESULTS AGENDA**

**NOVEMBER 18, 2021 - 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>
	Ms. Jennifer Denson, <i>Secretary</i>
	Mr. Carlos Gant
	Ms. Shirley Sessions
x	Mr. Taylor Atchison
x	Mr. Matt Anderson, (MD)
x	Mr. Nick Amberger (AO)
x	Mr. Scott Jones (CC)
	Ms. Susan Carley (S)
x	Mr. Kirk Mattei (S)

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

**Staff.** Margaret Pappas, Marie York, Doug Anderson, Victoria Burch, George Davis, Bert Hoffman

**ADOPTION OF THE AGENDA:**

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

**EXTENSIONS:**

1. **Northeast corner of Cody Road South and Somerby Drive**  
Council District 6
  - a. **SUB-000717-2018 (Subdivision)**  
**The Arbors at Somerby Park Subdivision, Addition to**

**Number of Lots / Acres:** 1 Lot /1.9± Acre  
**Engineer / Surveyor:** McCrory & Williams, Inc.

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

**After discussion, the Planning Commission Approved the request, and advised the applicant that future extensions will be unlikely.**

**b. ZON-000716-2018 (Rezoning)**

**RJG Real Estate & Development**

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

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

**After discussion, the Planning Commission Approved the request, and advised the applicant that future extensions will be unlikely.**

**2. North and East sides of Somerby Drive, 365'± East of Cody Road South**  
Council District 6

**a. SUB-000719-2018 (Subdivision)**

**The Arbors at Somerby Park Subdivision**

**Number of Lots / Acres:** 74 Lots /22.4± Acres

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

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

**After discussion, the Planning Commission Approved the request, and advised the applicant that future extensions will be unlikely.**

**b. PUD-000720-2018 (Planned Unit Development)**

**The Arbors at Somerby Park Subdivision**

Planned Unit Development Approval to allow reduced front, rear and side yard setbacks, to include A/C units taller than 3' within 18" of a side property line, and increased site coverage in a proposed subdivision

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

**After discussion, the Planning Commission Approved the request, and advised the applicant that future extensions will be unlikely.**

**NEW SUBDIVISION APPLICATIONS:**

**3. 2908 Old Shell Road**

(North side of Old Shell Road, 120'± West of Union Avenue, extending to the Southeast corner of Yew Street and Hemley Avenue).

Council District 1

**SUB-001838-2021**

**Valelore Plaza Subdivision**

**Number of Lots / Acres:** 1 Lot / 0.4± Acre

**Engineer / Surveyor:** John F. Crenshaw

Motion to Holdover by Scott Jones. Second by Matt Anderson. **Heldover until the January 20, 2022 meeting.**

After discussion, the Planning Commission heldover the application until the January 20, 2022 meeting, as requested by the applicant.

**4. South side of Grelot Road, 150'± East of Knollwood Drive, extending to the East side of Knollwood Drive, 250'± South of Grelot Road**

Council District 4

**SUB-001840-2021**

**Grelot/Knollwood Subdivision**

**Number of Lots / Acres:** 2 Lots / 5.1± Acres

**Engineer / Surveyor:** Thompson Engineering

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

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

- 1) retention of the right-of-way widths of Grelot Road and Knollwood Drive on the Final Plat;
- 2) revision of the plat to indicate a 25-foot minimum building setback line along both street frontages;
- 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) 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;
- 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. Include

*a written description for the new subdivision boundary. C. Provide the record distance in each of the legs of the subdivision boundary. D. Label the POB. E. Clarify which points along the eastern property line coincide with which written distance. F. Delete "...County and..." from NOTES #6. G. Is Basin, LLC Engineering & Surveying the Surveying Company for the Plat, or is it Thompson Engineering? 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 20 - #77) 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. 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. K. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*

- 6) *placement of a note on the Final Plat stating the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 7) *compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and*
- 8) *compliance with the Fire-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. **55 North Warren Street**

(West side of North Warren Street, extending from St. Francis Street to St. Michael Street).

Council District 2

**SUB-001847-2021**

**Creole Corner Subdivision**

**Number of Lots / Acres:** 2 Lots / 0.2± Acre

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

Motion to approve by Nick Amberger. Second by Kirk Mattei. **Approved.**  
Allan Cameron recused.

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

- 1) retention of the right-of-way widths of St. Francis Street, St. Michael Street and North Warren Street on the Final Plat;
- 2) dedication to provide a 25-foot radius curve at the intersection of St. Francis Street and North Warren Street, if determined necessary by the Engineering Department;
- 3) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the placement of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that there are no site coverage restrictions within a T5-1 Sub-District of the Downtown Development District;
- 5) placement of a note on the Final Plat stating that there is no minimum building setback line, with a 12-foot maximum building setback line allowed, but the setbacks may match setbacks of adjacent buildings (along the same street frontage) where they differ from the standard;
- 6) placement of a note on the Final Plat stating that any future development of the site will require Consolidated Review Committee (CRC) approval prior to the issuance of permits;
- 7) placement of a note on the Final Plat stating that driveways shall be accessed from the secondary street frontage;
- 8) placement of a note on the Final Plat stating that driveways shall not be wider than 25 feet within the front setback;
- 9) placement of a note on the Final Plat stating that Lot 1 is limited to its existing curb-cuts, and that Lot 2 is limited to one (1) curb cut to St. Francis Street;
- 10) 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 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). 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 30 - #70) 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. 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](mailto: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.);*

- 11) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning*
- 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.); and*
- 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.).*

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

**6. 2614, 2616 and 2618 Dauphin Street and 6 and 8 Tacon Street**

*(Northeast corner of Dauphin Street and Tacon Street).*

Council District 1

PUD-001844-2021

**Williams Financial**

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

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

Jay Stubbs recused.

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

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it will allow for more than one building on 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), because it will allow for two structures on a single building site;
- c. the proposal promotes the objective of Efficient land use (*to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment*), because a property within an existing developed area will be put into compliant use;
- d. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because public utilities and services are already in place.

The Approval is subject to the following conditions:

- 1) remove the note that states: “landscaping compliance to be maintained at existing levels”;
- 2) full compliance with tree planting and landscape area requirements, with tree plantings to be coordinated with staff;
- 3) relocation of the generator pad to be a minimum of 5’ from the side property line if the generator will exceed 36” in height;
- 4) retention of the note stating that curbside pick-up will be utilized;
- 5) provision of a compliant photometric site plan at the time of permitting;
- 6) compliance with the Engineering comments: *(1. 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. 2. Retain NOTES #1 - #5, as shown on the PUD SITE PLAN dated 10-15-20213.);*
- 7) 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.);*
- 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.);*

- 10) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to the issuance of permits; and
- 11) full compliance with all municipal codes and ordinances.

**NEW PLANNING APPROVAL APPLICATIONS**

**7. 7050 Pope Court**

(West side of Pope Court, 255'± South of Washington Boulevard).

Council District 4

**PA-001841-2021**

**Rhoda White**

Planning Approval to allow a mobile home as the primary dwelling in an R-1, Single-Family Residential District.

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

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it will allow an existing lot to be utilized residentially;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because it will only the approval will not result in additional traffic to the site versus a traditional built home; 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 already several mobile homes on Pope Court and other streets in the area.

The Approval is subject to the following conditions:

- 1) either approval of the setback variance, or relocation of the mobile home to be outside of all required setbacks;
- 2) clarification if the "old RV" on site is to be used as a dwelling, and revision of the variance application to allow a second dwelling, as appropriate;
- 3) obtain all necessary after-the-fact permits;
- 4) 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. 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. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. 5. 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.);*

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

**GROUP APPLICATIONS**

**8. 5527 Todd Acres Drive**

(South side of Todd Acres Drive, 500'± West of Commerce Boulevard West).  
Council District 4

**a. SUB-001845-2021 (Subdivision)**

**McKinley Sparks Subdivision**

**Number of Lots / Acres:** 1 Lot / 4.1± Acres

**Engineer / Surveyor:** Smith Clark & Associates

Motion to approve by Matt Anderson. Second by Nick Amberger. **Approved.**  
Allan Cameron recused.

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

- 1) retention of the lot sizes in square feet and acres;
- 2) retention of the 25-foot minimum building setback along Todd Acres Drive;
- 3) 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 the Surveyor's Certificate. C. Provide the Surveyor's and Owner's (notarized) signatures. D. Revise NOTES #4. It contains two (2) separate notes. Delete the second sentence. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #98) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, **Storm Water Management and Flood Control**) as follows: LOT 1 – 6,000 sf. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. G. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.)
- 4) placement of a note on the site plan stating the following Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);

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

**b. ZON-001846-2021 (Rezoning)**

**David Shumer, Agent**

Rezoning from B-5, Office-Distribution District, to I-1, Light Industry District.

Motion to approve by Matt Anderson. Second by Taylor Atchison. **Approved.**  
Allan Cameron recused.

**After discussion, the Planning Commission determined that the following condition prevails to support the rezoning request:**

- a) **there are changing conditions in the area.**

**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.**

**OTHER BUSINESS:**