

MOBILE CITY PLANNING COMMISSION

RESULTS AGENDA

NOVEMBER 4, 2021 - 2:00 P.M.

MULTI-PURPOSE ROOM, GOVERNMENT PLAZA

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

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

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

ADOPTION OF THE AGENDA:

Motion by Nick Amberger. Second by Matt Anderson. **Adopted.**

HOLDOVERS:

1. 664 Shelby Street

(North side of Shelby Street, at the North terminus of Tin Top Alley, extending to the East terminus of East Street and the East terminus of Susie Ansley Street).
Council District 2

- a. PUD-001812-2021 (Planned Unit Development)**
First Hopewell Missionary Baptist Church

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

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

After discussion, the Planning 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 facilities than is generally possible under district regulations), because it will allow the existing church to expand in its current location;
- 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 the proposed additions to the site are in keeping with the existing character;
- c) the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the 60” live oak tree will be preserved;
- d) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because existing utilities, streets and public utilities will be utilized.

The approval is subject to the following conditions:

- 1) placement of a note on the site plan stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 2) submission of a document recording an easement on the adjacent property that the existing fence encroaches onto;
- 3) retention of the note on the site plan stating the 60” live oak is granted preservation status;
- 4) retention of the 40’ buffer around the preserved tree;
- 5) revision of the site plan to provide either curbing or bumper stops for all parking spaces;
- 6) retention of the note on the site plan stating that curbside pickup will be utilized;
- 7) revision of the site plan to provide a compliant residential buffer;
- 8) revision of the note on the site plan stating that landscaping and tree planting will be coordinated with staff to include the provision of frontage trees;
- 9) compliance with the Engineering comments: *(Retain NOTES #1 - #5 and #11 as shown on the PUD – SITE PLAN drawing SHEET C1.0 dated 9-15-2021.);*
- 10) *placement of a note on the site plan stating the Traffic Engineering comments: (Site is limited to its existing two curb cuts with any changes in 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);*

- 11) **Compliance with Urban Forestry comments:** *(Preservation status is to be given to the 60" Live Oak Tree located on the South West side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. 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 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.);*
- 13) **submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to the issuance of permits; and**
- 14) **full compliance with all municipal codes and ordinances.**

b. PA-001813-2021 (Planning Approval)

First Hopewell Missionary Baptist Church

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

Motion to approve by Matt Anderson. Second by Carlos Gant. **Approved.**

After discussion, the Planning Commission determined 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, because the existing infrastructure is sufficient to service the proposed addition;**
- b) **the proposal will not cause undue traffic congestion or create a traffic hazard, because little increased traffic is anticipated; and**
- c) **the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because it will be associated with the functioning of the existing church.**

The approval is subject to the following conditions:

- 1) **placement of a note on the site plan stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;**

- 2) retention of the note on the site plan stating the 60” live oak is granted preservation status;
- 3) retention of the 40’ buffer around the preserved tree;
- 4) revision of the site plan to provide either curbing or bumper stops for all parking spaces;
- 5) retention of the note on the site plan stating that curbside pickup will be utilized;
- 6) revision of the site plan to provide a compliant residential buffer;
- 7) revision of the note on the site plan stating that landscaping and tree planting will be coordinated with staff to include the provision of frontage trees;
- 8) 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.);*
- 9) placement of a note on the site plan stating the Traffic Engineering comments: *(Site is limited to its existing two curb cuts with any changes in 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);*
- 10) Compliance with Urban Forestry comments: *(Preservation status is to be given to the 60” Live Oak Tree located on the South West side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. 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 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.);**
- 12) **submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to the issuance of permits; and**
- 13) **full compliance with all municipal codes and ordinances.**

NEW SUBDIVISION APPLICATIONS:

2. 2465 Wimbush Street

(Southwest corner of Wimbush Street and Whitley Street, extending through to the east side of Green Street).

Council District 2

SUB-001853-2021

Africatown Heritage House Subdivision

Number of Lots / Acres: 1 Lot / 2.8± Acres

Engineer / Surveyor: Goodwyn Mills Cawood

Motion to holdover by Carlos Gant. Second by Matt Anderson. **Heldover to the December 2nd meeting.**

Shirley Sessions recused.

After discussion, the Planning Commission Heldover the request to the December 2nd meeting at the applicant's request.

3. 550 St. Michael Street, 105 North Cedar Street and 102 North Warren Street

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

Council District 2

SUB-001822-2021

550 St. Michael Street Subdivision

Number of Lots / Acres: 2 Lots / 0.6± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

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

After discussion, the Planning 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 St. Michael Street, North Cedar Street and North Warren Street on the Final Plat;
- 2) placement of a note on the Final Plat stating that a ten-foot (10') maximum building setback is allowed on the primary street frontage, and setbacks along secondary street frontages are unrestricted if fire rating requirements are met;
- 3) retention of the lot size labels 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 there are no site coverage limits within an SD-WH Sub-district;
- 5) placement of a note on the Final Plat stating that any future development of the site will require Consolidated Review Committee (CRC) approval;
- 6) placement of a note on the Final Plat stating that the driveway width is limited to 25 feet within the front setback;
- 7) placement of a note on the Final Plat stating that each lot is limited to one curb cut per street frontage;
- 8) 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. D. Revise the plat to show a different line size/type for the Subdivision Boundary and for the interior lot line(s). E. Revise the plat to show a different line size/type for the buildings, etc. that are NOT part of the Subdivision Boundary or interior LOT line. F. Provide a graphic scale. G. Show and label all flood zones. New maps went into effect on June 5, 2020. H. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Provide the Surveyor's Certificate. K. Provide the Surveyor's and Owner's (notarized) signatures. L. 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: Coordinate with ENG Permitting Dept. staff to clarify the amount of credit assigned to each LOT. M. 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. ***N.*** 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. ***O.*** 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. ***P.*** 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. ***Q.*** Add a note that all easements shall remain in effect until vacated through the proper Vacation process. ***R.*** 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. ***S.*** 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 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.);
- 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.); and
- 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 (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:

4. **4707 Airport Boulevard**
(South side of Airport Boulevard, at the South terminus of General Bullard Avenue).
Council District 6
PUD-001832-2021
Hill Foley Rossi, LLC (Casey Durden, Agent)

Planned Unit Development Approval to amend a previously approved Administrative Planned Unit Development to allow shared access and parking between multiple building sites, and to allow a reduced front yard setback in a B-2, Neighborhood Business District.

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

After discussion, the Planning 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 is a developed lot that will be able to afford additional customer service amenities;**
- 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 the applicant to amend a previously approved Planned Unit Development allowing shared access 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 the site already contains an existing building and is located within a developed area.**
- 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 additional green space will be added to the site.**

Based upon the preceding, this application is recommended for approval subject to the following conditions:

- 1) placement of a note on the site plan stating that any changes to the approved site plan will require an amended PUD to the Planning Commission;**
- 2) compliance with the Engineering comments: (*Label the PLAN as PUD SITE PLAN. 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. 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. e. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 3) 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.);
- 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.); ;
- 6) submittal to and approval by Planning and Zoning of a revised site plan (hard copy and pdf) incorporating all conditions of approval prior to the submittal of revised site plans for development permits on the site; and
- 7) full compliance with all other municipal codes and ordinances.

GROUP APPLICATIONS

5. 93, 95 and 97 North Sage Avenue

(Southwest corner of North Sage Avenue and Old Shell Road).

Council District 1

a. SUB-001827-2021 (Subdivision)

Bob Williams Subdivision, Third Resubdivision of a Portion of Lot 1

Number of Lots / Acres: 3 Lots / 1.3± Acres

Engineer / Surveyor: McCrory & Williams, Inc.

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 North Sage Avenue and Old Shell Road on the Final Plat;
- 2) dedication to provide a 25-foot radius curve at the intersection of North Sage Avenue and Old Shell Road;
- 3) retention of the 25-foot minimum building setback line on the Final Plat, adjusted for any required dedication;
- 4) retention of the lot size labels in both square feet and acres on the Final Plat, with the size of Lot 1 adjusted for any required corner radius dedication, or the furnishing of a table on the Final Plat providing the same information;
- 5) compliance with the Engineering comments: (**FINAL PLAT COMMENTS** *(should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer)*): A. 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. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northeast corner of 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 25 - #72) 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**. Applicant will need to coordinate with the City Engineering Permitting Department staff to establish the exact amount that each Lot will receive prior to the submittal of the Final Plat from review and 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 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 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.);**
- 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.); and**
- 9) **provision of two copies of a revised PUD site plan (hard copy and .pdf) prior to the signing of the Final Plat.**

b. PUD-001828-2021 (Planned Unit Development)

Bob Williams Subdivision, Third Resubdivision of a Portion of Lot 1

Planned Unit Development Approval to allow shared access and parking between multiple building sites.

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

After discussion, the Planning 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) as it will allow shared access and parking between multiple building sites;**
- 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 three 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 to provide compliant access and parking not currently provided;

- d. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design) as no new structures are proposed within the subject site; and
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities) as no new public services or infrastructure are required.

The Approval is subject to the following conditions:

- 1) dedication to provide a 25-radius corner at the intersection of North Sage Avenue and Old Shell Road;
- 2) revision of the site plan to provide additional compliant paved parking spaces within the interior of the site, with compliant access aisles, and with parking calculations based upon building sizes and uses;
- 3) revision of the site plan to provide parking and access barriers from proposed Lot 3 to the adjacent and vacant property to the South not included in the PUD;
- 4) coordination with staff on a frontage tree planting plan for the site, with donations to the Mobile Tree Commission Tree Bank for any shortages which may be imposed by site constraints;
- 5) revision of the site plan to provide a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, or placement of a note on the site plan stating that no dumpster will be utilized and that refuse collection will be either by curbside pick-up or by a commercial can service;
- 6) revision of the site plan to provide a residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance in areas where the site abuts residentially zoned properties;
- 7) retention of the 25-foot minimum building setback line on the site plan, adjusted for any required dedication;
- 8) retention of the lot size labels in both square feet and acres on the site plan, with the size of Lot 1 adjusted for any required corner radius dedication, or the furnishing of a table on the site plan providing the same information;
- 9) 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.);

- 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. 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.);**
- 11) **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.);**
- 12) **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**
- 13) **provision of two (2) copies of a revised Planned Unit Development site plan (hard copy and .pdf) prior to the signing of the Final Plat.**

c. ZON-001829-2021 (Rezoning)

McCrorry & Williams, Inc.

Rezoning from R-1, Single-Family Residential District, B-2, Neighborhood Business District, and B-3, Community Business District, to B-2, Neighborhood Business District.

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

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

- a) there appears to be a manifest error in the Ordinance; and
- b) the subdivision of land 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.

6. 3321 Sollie Road

(East side of Sollie Road, ¼ mile± South of Falling Leaf Avenue).
Council District 6

a. PA-001825-2021 (Planning Approval)

Oak Park Church of God (Harold Davis, Agent)

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.

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

After discussion, the Planning Commission determined 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, because the existing infrastructure is sufficient to service the proposed addition;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard, because no increased traffic is anticipated with the new addition; and
- c) 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 associated with the functioning of the existing church.

The approval is subject to the following conditions:

- 1) placement of a note on the site plan stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 2) revision of the site plan to accurately depict two 24' wide driveways, with 24' wide drive aisles for two-way traffic;
- 3) remove the "phase 2" structure from the site plan;
- 4) provision of a compliant tree and landscaping plan at the time of permitting;
- 5) obtaining a private property tree permit for the removal of any existing trees on-site;

- 6) revision of the site plan to include a note stating that the dumpster will have a compliant enclosure and sanitary sewer connection;
- 7) revision of the site plan to provide a compliant residential buffer along the North property line;
- 8) 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.);*
- 9) 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. 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);*
- 10) Compliance with Urban Forestry comments: *(Preservation status is to be given to the 60" Live Oak Tree located on the South West side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. 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 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.);*
- 12) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to the issuance of permits; and
- 13) full compliance with all municipal codes and ordinances.

b. PUD-001839-2021 (Planned Unit Development)

Oak Park Church of God (Harold Davis, Agent)

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

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

After discussion, the Planning 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 facilities than is generally possible under district regulations), because it will allow the existing church to expand in its current location;
- 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 the proposed additions to the site are in keeping with the existing character;
- c) the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because a large portion 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 existing utilities, streets and public utilities will be utilized.

The approval is subject to the following conditions:

- 1) placement of a note on the site plan stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 2) revision of the site plan to accurately depict two 24' wide driveways, with 24' wide drive aisles for two-way traffic;
- 3) remove the "phase 2" structure from the site plan;
- 4) provision of a compliant tree and landscaping plan at the time of permitting;
- 5) obtaining a private property tree permit for the removal of any existing trees on-site;

- 6) revision of the site plan to include a note stating that the dumpster will have a compliant enclosure and sanitary sewer connection;
- 7) revision of the site plan to provide a compliant residential buffer along the North property line;
- 8) compliance with the Engineering comments: *(1. Label the PLAN as PUD SITE PLAN. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 9) 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. 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);*
- 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 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.);

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

7. **3201 Airport Boulevard, 410 and 450 Bel Air Boulevard**

(South side of Airport Boulevard Service Road, 300'± West of Bel Air Boulevard, extending to the West side of Bel Air Boulevard, 255'± South of Airport Boulevard, and extending to the North side of International Drive, 150'± West of Bel Air Boulevard).

Council District 5

a. **SUB-001842-2021 (Subdivision)**

Bel Air Mall Subdivision, Resubdivision of Lot 2

Number of Lots / Acres: 3 Lots / 53.9± Acres

Engineer / Surveyor: Speaks & Associates

Motion to approve by Shirley Sessions. Second by Carlos Gant. **Approved.**

After discussion, the Planning Commission Tentatively Approved the request, with waivers of Sections V.D.1. of the Subdivision Regulations, 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. Show and label the MFFE (Minimum Finished Floor Elevation) for LOT 1. 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 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.)

- 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 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-001843-2021 (Planned Unit Development)

Bel Air Mall Subdivision, Resubdivision of Lot 2

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

Motion to approve by Matt Anderson. Second by Carlos Gant. **Approved.**

After discussion, the Planning 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 will allow the alteration of existing property lines;
- b. 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) inclusion of Lots 3 and 4, Bel Air Mall Subdivision (parcel #s: R022909302000022.001 and R022909302000027);
- 3) retention of the 25' minimum building setback along all public rights-of-way;
- 4) placement of a note on the site plan stating that no structures are allowed in any easements, without the approval of the easement holder;
- 5) compliance with Engineering comments: (*1. Label the PLAN as PUD SITE PLAN. 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 6) placement of a note on the Final Plat stating Traffic Engineering comments: (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap*

spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);

- 7) **compliance with 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.**

OTHER BUSINESS: