

MOBILE CITY PLANNING COMMISSION

RESULTS AGENDA

OCTOBER 21, 2021 - 2:00 P.M.

MEETING TO BE ONLINE

ROLL CALL:

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

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

Staff present: Margaret Pappas, Bert Hoffman, Marie York, Victoria Burch, Marybeth Bergin, Peter Toler

ADOPTION OF THE AGENDA:

Motion by Matt Anderson. Second by Bess Rich. **Adopted.**

HOLDOVERS:

1. 1653 Spring Hill Avenue

(South side of Spring Hill Avenue, 385'± East of Gilbert Street).
Council District 2

- a. SUB-001763-2021 (Subdivision)**
Anytime Storage Subdivision

PLANNING COMMISSION

October 21, 2021

PAGE 2

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

Engineer / Surveyor: McCrory & Williams, Inc.

The applicant requested to withdraw the applications. **Withdrawn.**

b. PA-001768-2021 (Planning Approval)

Les Robinson, LLC (James Hughes, Agent)

Planning Approval to allow a self-storage facility in a B-2, Neighborhood Business District.

The applicant requested to withdraw the applications. **Withdrawn.**

c. ZON-001764-2021 (Rezoning)

Les Robinson, LLC (James Hughes, Agent)

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

The applicant requested to withdraw the applications. **Withdrawn.**

EXTENSIONS:

2. 1721 & 1725 Spring Hill Avenue

(South side of Spring Hill Avenue, 140'± West of Gilbert Street).

Council District 2

PUD-001325-2020 (Planned Unit Development)

IHS Medical Park Subdivision, Phase 2

Planned Unit Development approval to amend a previous Administrative Planned Unit Development to allow shared access and parking between building sites.

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

Kirk Mattei recused.

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

NEW SUBDIVISION APPLICATIONS:

3. Northeast corner of Halls Mill Road and Riviere du Chien Road, extending to the Northwest corner of Mackinnon Industrial Parkway and Sheldon Way).

Council District 4

SUB-001815-2021

Sheldon Place Subdivision, First Unit, Resubdivision of Lots 1, 2, 6 and 7

Number of Lots / Acres: 2 Lots / 2.6± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

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

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

- 1) retention of the dedication to provide 35 feet from the centerline of Halls Mill Road on the Final Plat;
- 2) retention of the dedication to provide a 25-foot radius curve at the intersection of Halls Mill Road and Riviere du Chien Road on the Final Plat;
- 3) retention of the right-of-way widths of all streets on the Final Plat, adjusted for any required dedication along Halls Mill Road;
- 4) correction of the spelling of Mackinnon Industrial Parkway (from McKinnon Industrial Parkway) on the Final Plat;
- 5) retention of the 25-foot minimum building setback line on the Final Plat as measured from any required dedication;
- 6) retention of the lot size labels on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 7) 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;
- 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. Provide a graphic scale. D. Provide curve data for the various curves. E. Review and revise the drawing and/or the written legal description for the last bearing callout. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate H. Provide the Surveyor's and Owner's (notarized) signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #86) LOTS A and B will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT A – 4,000 sf and LOT B - 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.);*
- 9) *placement of a note on the Final Plat stating Traffic Engineering comments: (Each lot is limited to no more than one curb cut per street frontage with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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-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.).*

NEW REZONING APPLICATIONS

4. 4459 Government Boulevard

(Southeast corner of Government Boulevard and Demetropolis Road).

Council District 4

ZON-001814-2021

James Devery

Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District.

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

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

- 1) **there have been changing conditions within the area which would make 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) **dedication of any necessary right-of-way along Government Boulevard to bring the street into compliance with the Major Street Plan; and**
- 2) **full compliance with all municipal codes and ordinances.**

5. 1250 Woodland Avenue

(North side of Woodland Avenue, 360'± East of Telegraph Road)

Council District 2

ZON-001817-2021

Casey Pipes

Rezoning from R-1, Single-Family Residential District, to I-2, Heavy Industry District.

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

Allan Cameron and Kirk Mattei recused.

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

- 1) **the applicant has demonstrated that there may have been changing conditions within the area since the adoption of the Ordinance which make a change in the Ordinance necessary and desirable; and**
- 2) **the applicant has demonstrated that there may be a need to increase the number of sites available to business or industry.**

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

- 1) **presentation of a pre-1962 legal description for the site, or the completion of a one-lot subdivision to make the site a legal lot of record prior to the issuance of any building permits or business licenses; and**
- 2) **full compliance with all municipal codes and ordinances.**

NEW SIDEWALK WAIVER APPLICATIONS

6. 5805 US Highway 90 West

(Southeast corner of US Highway 90 West and Fore Road (private road).

Council District 4

Don Carlos, Inc.

SUB-SW-001811-2021

Request to waive construction of a sidewalk along US Highway 90 West.

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

After discussion, the Planning Commission Approved the request to waive the sidewalk requirement for this site along US Highway 90 West.

GROUP APPLICATIONS

7. 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 holdover by Matt Anderson. Second by Bess Rich. **Heldover to the November 4th meeting.**

After discussion, the Planning Commission Heldover the request to the November 4th meeting to allow staff to review the submitted revisions.

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 holdover by Matt Anderson. Second by Bess Rich. **Heldover to the November 4th meeting.**

After discussion, the Planning Commission Heldover the request to the November 4th meeting to allow staff to review the submitted revisions.

8. 600 Providence Park Drive East

(West side of Providence Park Drive East, 1,070'± South of Airport Boulevard).
Council District 6

a. SUB-001801-2021 (Subdivision)

Providence Park Resubdivision

Number of Lots / Acres: 2 Lots / 4.1± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Motion to approve by Bess Rich. Second by Nick Amberger. **Approved.**
Kirk Mattei recused.

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

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25' minimum building setback along all 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. Provide and label the monument set or found at each subdivision corner. C. Add Airport Blvd. to the vicinity map. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #76) LOTS A & B will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT A – NONE, LOT B – NONE. H. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. I. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. K. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property

Owner(s), and not the responsibility of the City of Mobile. L. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. M. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. N. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.)

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

b. PUD-001826-2021 (Planned Unit Development)

Providence Park Circle

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

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

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 an existing medical complex to expand;
- 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 it will allow new medical offices in the vicinity of an existing hospital;
- c. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because the area is already served by public services.

The Approval is subject to the following conditions:

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25' minimum building setback along all rights-of-way;
- 3) placement of a note on the site plan stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) placement of a note on the site plan stating that all lots will be developed in full compliance with Zoning Ordinance requirements;
- 5) compliance with Engineering comments: **(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.);*
- 6) **placement of a note on the Final Plat stating the following Traffic Engineering comments: (*Street access for the proposed lots, in terms of number, size, location, and design, are to be approved by Traffic Engineering and conform to AASHTO standards. Existing developed sites are limited to the driveways as illustrated on the approved PUD, with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);**
 - 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 tree 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:

- Next meeting will be on November 4th at 2:00 PM. The meeting will be held in person at Government Plaza.