

**MOBILE CITY PLANNING COMMISSION**

**RESULTS AGENDA**

**DECEMBER 3, 2020 - 2:00 P.M.**

**Meeting streamed online.**

Meeting called to order at 2:07 PM.

**ROLL CALL:**

	Mr. Carlos Gant, <i>Chairman</i>
x	Ms. Libba Latham (PJ), <i>Vice Chairman</i>
x	Ms. Jennifer Denson, <i>Secretary</i> [joined meeting at 2:09 PM]
x	Mr. Cart Blackwell
x	Ms. Shirley Sessions
x	Mr. Allan Cameron
	Mr. Taylor Atchison
	Mr. Matt Anderson, (MD)
x	Mr. Nick Amberger (AO) [joined meeting at 2:36 PM]
x	Ms. Bess Rich (CC)
x	Mr. Don Hembree (PJ)
x	Mr. John W. "Jay" Stubbs, Jr. (S)

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

**Staff.** Shayla Beaco, Margaret Pappas, Bert Hoffman, Doug Anderson, Shameika Lee, Peter Toler, Marybeth Bergin, John Strobe, George Davis

**ADOPTION OF THE AGENDA:**

Motion to adopt the agenda by Bess Rich. Second by Libba Latham. **Agenda adopted.**

**HOLDOVERS:**

**NEW SUBDIVISION APPLICATIONS:**

1. **2614, 2616 and 2618 Dauphin Street, and 6 and 8 Tacon Street**

(Northeast corner of Dauphin Street and Tacon Street).

Council District 1

**SUB-001431-2020**

**Williams Financial Subdivision**

**Number of Lots / Acres:** 1 Lot / 0.6 ± Acre

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

Motion to holdover by Don Hembree. Second by Bess Rich. **Heldover** until the December 17<sup>th</sup> meeting.

**After discussion, the Planning Commission heldover the application until the December 17<sup>th</sup> meeting so that staff and the applicant could verify the status of Boyles Lane.**

2. **960 and 962 Dauphin Street**

(North side of Dauphin Street, 280' ± West of Lebaron Street).

Council District 2

**SUB-001428-2020**

**Donlons Subdivision, Re-Subdivision of Lots 1 & 2,**

**Number of Lots / Acres:** 2 Lots / 0.8 ± Acre

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

Motion to approve by Shirley Sessions. Second by Jay Stubbs. **Approved.**

**After discussion, the Planning Commission waived Sections V.D.3. and V.D.9. of the Subdivision Regulations, and Tentatively Approved the request, subject to the following conditions:**

- 1) Retention of the lot size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 2) Placement of a note on the Final Plat stating any new construction will comply with the minimum setback requirements of the Historic District Overlay requirements of the Zoning Ordinance;
- 3) Compliance with the Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide the Surveyor's Certificate. 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 29 - #76) LOTS 1A and 2A 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 1A – 4,300 sf and LOT 2A – 6,400 sf. E. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. F. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. G. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. H. Add a note that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. I. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. J. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](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.);
- 4) Placement of a note on the Final Plat stating the Traffic Engineering comments: (Each lot is limited to one curb cut with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, should 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
  - 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).).

**NEW ZONING APPLICATIONS:**

**3. 605 Texas Place**

(East terminus of Texas Place, extending along the North side of Texas Place to the east side of Texas Street and to the West side of South Claiborne Street).

Council District 2

**ZON-001432-2020**

**Casey Pipes**

Rezoning from R-1, Single-Family Residential District to B-5, Office-Distribution District

Motion to holdover until January 7<sup>th</sup> by Libba Latham. Second by Don Hembree.

**Heldover** until January 7, 2021.

**After discussion, the Planning Commission heldover the request until the January 7, 2021 meeting.**

**GROUP APPLICATIONS:**

**4. 107 North Lafayette Street and 106 Providence Street**

(North side of Old Shell Road, extending to the East side of Providence Street and the West side of North Lafayette Street).

Council District 2

**a. SUB-001429-2020**

**St. Mary Catholic School Subdivision**

**Number of Lots / Acres:** 1 Lot/ 2.9 ± Acres

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

Motion to holdover by Libba Latham. Second by Jennifer Denson. **Heldover** until January 7, 2021.

**After discussion, the Planning Commission heldover the request to the meeting of January 7, 2021, with all revisions due by December 11th, to allow the applicant to address the following items:**

- 1) revision of the plat to indicate dedication to provide 25' from the centerline of Providence Street at the existing lot on the North side of the site;
- 2) revision of the plat to indicate dedication to provide a 25' radius curve at the intersection of North Lafayette Street and Old Shell Road, and at the intersection of Providence Street and Old Shell Road;
- 3) revision of the lot size label to reflect any required dedications, or the furnishing of a table on the plat providing the same information;
- 4) placement of a note on the plat stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance; and
- 5) submission of a Rezoning application for the entire site of the subdivision to rezone from R-1 and B-1, to R-1.

**b. PUD-001430-2020**

**St. Mary Catholic School**

Planned Unit Development Approval to amend a previously approved Planned Unit Development to expand the site boundary and construct a covered, open-air multi-use facility, including volleyball and basketball courts, on the existing playground.

Motion to holdover by Libba Latham. Second by Jennifer Denson. **Heldover** until January 7, 2021.

**After discussion, the Planning Commission heldover the request to the meeting of January 7, 2021, with all revisions due by December 11th, to allow the applicant to address the following items:**

- 1) revision of the site plan to provide parking calculations for all buildings and proposed uses on the over-all site;
- 2) revision of the site plan to indicate the site configuration after all dedications required by the Subdivision;
- 3) revision of the lot size label to reflect any required dedications, or the furnishing of a table on the site plan providing the same information;
- 4) placement of a note on the site plan stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 5) revision of the site plan to indicate the pavilion would meet the ten-foot setback requirement off the R-1 property to the North;
- 6) revision of the site plan to provide a residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential properties;
- 7) placement of a note on the site plan stating that the driveway gates along Old Shell Road and Providence Street are to remain open during the hours of operation of all school-related activities; and
- 8) submission of a Rezoning application for the entire site of the PUD to rezone from R-1 and B-1, to R-1.

**c. PA-001433-2020**

**St. Mary Catholic School**

Planning Approval to amend a previously approved Planning Approval to expand the site boundary and construct a covered, open-air multi-use facility, including volleyball and basketball courts, on the existing playground.

Motion to holdover by Libba Latham. Second by Jennifer Denson. **Heldover** until January 7, 2021.

**After discussion, the Planning Commission heldover the request to the meeting of January 7, 2021, with all revisions due by December 11th, to allow the applicant to address the following items:**

- 1) submission of a revised narrative addressing the proposed uses of the two dwelling buildings;

- 2) revision of the site plan to provide parking calculations for all buildings and proposed uses on the over-all site;
- 3) revision of the site plan to indicate the site configuration after all dedications required by the Subdivision;
- 4) revision of the lot size label to reflect any required dedications, or the furnishing of a table on the site plan providing the same information;
- 5) placement of a note on the site plan stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 6) revision of the site plan to indicate the pavilion would meet the ten-foot setback requirement off the R-1 property to the North;
- 7) revision of the site plan to provide a residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential properties;
- 8) placement of a note on the site plan stating that the driveway gates along Old Shell Road and Providence Street are to remain open during the hours of operation of all school-related activities; and
- 9) submission of a Rezoning application for the entire site of the Planning Approval to rezone from R-1 and B-1, to R-1.

5. **(North side of Rangeline Crossing Drive extending to the East side of Halls Mill Road and to the West side of Demetropolis Road ).**

Council District 4

a. **SUB-001424-2020**

**Rangeline Crossing, Phase Four**

**Number of Lots / Acres:** 11 Lots/ 52.8 ± Acres

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

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

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

- 1) Compliance with Traffic Engineering comments (*A traffic impact study has been previously prepared for this overall site and included the existing (built) development and a proposed 11,000 SF retail. The report submitted was not considered a final, accepted study as issues within it were identified that need to be addressed. A revised study is to be submitted to the City prior to the Traffic Engineering Department approving building permits for the proposed development. The Rangeline Crossing PUD includes significant areas reserved for future development. PUD approval is for the development shown on this specific site plan. Additional future development which significantly increases trips per day will require a revised Traffic Impact Study and, as appropriate, additional off-site improvements. Although the current study does not include this proposed addition to the site, the original study did assume a grocery retail site among the proposed land*)

uses. The original study is the basis for the offsite improvements that are currently under construction under City of Mobile right of way permit ROW-032640-2019. The revised study (currently in draft form) removed the grocery as a proposed use, yet still confirmed the off-site improvements along Halls Mill Road are needed to mitigate the development of the site. The adjacent public roadways are estimated to have adequate levels of service however the private street (Rangeline Crossing Dr) is estimated to have failing levels of service in the peak hour. As development plans continue to evolve with this site, additional controlled access points to public streets will help distribute the traffic to the street network. The private street of Rangeline Crossing Dr will continue to exhibit failing levels of service if development continues to only be concentrated primarily to this street. Traffic Engineering approval is contingent upon the completion of off-site improvements as required by the City of Mobile in permit ROW-032640-2019. Any improvements within the Service Road right-of-way or the Rangeline Road right-of-way are subject to ALDOT approval and permitting. Driveway number, size, location and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and 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.);

- 2) 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 a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. D. Provide the Surveyor's Certificate. E. Provide the Surveyor's and Owner's (notarized) signatures. F. Add a note to the *SUBDIVISION PLAT* stating that as shown on the 1984 aerial photo (*FLIGHT 21 - #88* and *FLIGHT 22- #94*) *LOTS 1 thru 10, Private Roadways, and Common Areas WILL NOT receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control*). G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with *Mobile City Code, Chapter 17, Storm Water Management and Flood Control*); the *City of Mobile, Alabama Flood Plain Management Plan (1984)*; and, the *Rules For Erosion and Sedimentation Control and Storm Water Runoff Control*. H. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. L. Email a pdf copy of the *FINAL SUBDIVISION PLAT* and *LETTER OF DECISION* to the

*Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing. M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);*

- 3) *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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);*
- 4) *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)); and*
- 5) *Completion of the Subdivision process prior to any request for Certificates of Occupancy.*

**b. PUD-001425-2020**

**ALDI At Rangeline Crossing**

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between multiple lots.

Motion to approve by Don Hembree, citing Findings of Fact a-f. Second by Nick Amberger. **Approved.**

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

- a. the proposal promotes the objective of Creative design, because the site development is part of an overall Planned Unit Development;
- b. the proposal promotes the objective of Flexibility, because access will only be via a private street;
- c. the proposal promotes the objective of Efficient land use, because the overall Planned Unit Development will utilize a relatively compact area;
- d. the proposal promotes the objective of Environment, because it utilizes a disturbed site rather than a greenfield area;
- e. the proposal promotes the objective of Open space, because landscape and common areas will be provided throughout the development;
- f. the proposal promotes the objective of Public services, because off-site improvements will be completed that will benefit the overall development and immediate vicinity.

**The Approval is subject to the following conditions:**



- 1) The approval is for the proposed 19,200 square foot development shown on the site plan, and the creation of 11 lots. Additional future development within the overall Planned Unit Development will require a new PUD application, and any future development which significantly increases trips per day will require a revised Traffic Impact Study and, as appropriate, additional off-site improvements;
- 2) The off-site improvements required as part of the November 2020 Planned Unit Development approval must be completed and approved by the City and ALDOT prior to the issuance of temporary or permanent Certificates of Occupancy for the proposed development on this site.
- 3) Compliance with Traffic Engineering comments (*A traffic impact study has been previously prepared for this overall site and included the existing (built) development and a proposed 11,000 SF retail. The report submitted was not considered a final, accepted study as issues within it were identified that need to be addressed. A revised study is to be submitted to the City prior to the Traffic Engineering Department approving building permits for the proposed development. The Rangeline Crossing PUD includes significant areas reserved for future development. PUD approval is for the development shown on this specific site plan. Additional future development which significantly increases trips per day will require a revised Traffic Impact Study and, as appropriate, additional off-site improvements. Although the current study does not include this proposed addition to the site, the original study did assume a grocery retail site among the proposed land uses. The original study is the basis for the offsite improvements that are currently under construction under City of Mobile right of way permit ROW-032640-2019. The revised study (currently in draft form) removed the grocery as a proposed use, yet still confirmed the off-site improvements along Halls Mill Road are needed to mitigate the development of the site. The adjacent public roadways are estimated to have adequate levels of service however the private street (Rangeline Crossing Dr) is estimated to have failing levels of service in the peak hour. As development plans continue to evolve with this site, additional controlled access points to public streets will help distribute the traffic to the street network. The private street of Rangeline Crossing Dr will continue to exhibit failing levels of service if development continues to only be concentrated primarily to this street. Traffic Engineering approval is contingent upon the completion of off-site improvements as required by the City of Mobile in permit ROW-032640-2019. Any improvements within the Service Road right-of-way or the Rangeline Road right-of-way are subject to ALDOT approval and permitting. Driveway number, size, location and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 4) Compliance with Engineering comments (*Retain NOTES #1 - #6, as shown on the PUD FOR ALDI AT RANGELINE CROSSING by Byrd Surveying, Inc. dated October 21, 2020.);*

**PLANNING COMMISSION - RESULTS**

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- 5) Compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.*);
- 6) Compliance with Fire comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)*);
- 7) Depiction of compliance with lighting, dumpster, tree and landscape requirements of the Zoning Ordinance at time of application for land disturbance;
- 8) Provision of a revised PUD site plan reflecting any conditions of approval;
- 9) Completion of the Subdivision process prior to any request for Certificates of Occupancy; and
- 10) Full compliance with all other municipal codes and ordinances.

**CALL FOR PUBLIC HEARING:**

Call for public hearing to take public comment on whether the Commission should recommend to the Mobile City Council that the Zoning Ordinance, Chapter 64 of the Mobile City Code, be amended by deleting therefrom section 64-4.H, Tree Protection Requirements, and whether the Commission should also recommend that the City Council create a new City Code Chapter for Tree Protection and Management. Scheduled for January 7, 2021.

Motion to Call by Jennifer Denson. Second by Don Hembree. **Approved.**