

MOBILE CITY PLANNING COMMISSION AGENDA

RESULTS AGENDA

APRIL 15, 2021 - 2:00 P.M.

AUDITORIUM, MOBILE GOVERNMENT PLAZA

	Mr. Carlos Gant, <i>Chairman</i>
	Ms. Libba Latham (PJ), <i>Vice Chairman</i>
	Ms. Jennifer Denson, <i>Secretary</i>
X	Mr. Cart Blackwell
	Ms. Shirley Sessions
	Mr. Allan Cameron
X	Mr. Taylor Atchison
X	Mr. Matt Anderson, (MD) - <i>Acting Chairman for the meeting</i>
X	Mr. Nick Amberger (AO)
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. Margaret Pappas, Shayla Beaco, Doug Anderson, Victoria Burch, Bert Hoffman, Marybeth Bergin, George Davis.

ADOPTION OF THE AGENDA:

Motion to adopt by Don Hembree. Second by Taylor Atchison. **Adopted.**

HOLDOVERS:

1. **755 Monroe Street**
(Southeast corner of Monroe Street and South Bayou Street).
Council District 2
PA-001500-2021 (Planning Approval)

Rata Investments LLC

Planning Approval to allow a bar with an occupancy load of over 100 people in a T5.1 Sub-District of the Downtown Development District.

Motion to approve by Cart Blackwell, citing Findings of Fact a and b. Second by Don Hembree. **Approved**. Taylor Atchison recused from voting.

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because no new infrastructure will be required; and
- b. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the applicant will endeavor to keep the area litter free and with reduced sound at night.

The Approval is subject to the following conditions:

- 1) Approval of both the Architectural Review Board and Consolidated Review Committee for the revised plan;
- 2) Perimeter litter pick-up on Friday, Saturday and Sunday mornings as outlined the applicant's narrative, with additional pick up by the applicant, as needed;
- 3) No use of outside speakers or any outdoor amplified sound after 10:00 pm;
- 4) Compliance with the City of Mobile Noise Ordinance, unless a waiver of such is granted by the City Council;
- 5) new Planning Approval required for any increase in occupant load;
- 6) compliance with parking lot screening in Section 64-3.I.11.(b) (3) of the Zoning Ordinance;
- 7) provision of a 10-foot high fence as depicted in the application where the site adjoins residential properties and if granted a variance by the Board of Zoning Adjustment, if a 10-foot fence is not approved by the Board, then the provision of an 8-foot fence, as well as the provision of all other fencing included in the application to reduce sound carry;
- 8) that the applicant continue to pursue a parking agreement with the Ben May Library or any other nearby parking owners to address the parking concerns; and
- 9) full compliance with all municipal codes and ordinances.

2. 3905 Dauphin Street and 220 and 226 South McGregor Avenue

(Southeast corner of South McGregor Avenue and Dauphin Street).
Council District 5

All applications were withdrawn at the meeting.

a. SUB-001509-2021 (Subdivision)

Feeder Springs Subdivision

Number of Lots / Acres: 1 Lot / 10.8± Acres

Engineer / Surveyor: Wattier Surveying, Inc.

b. PUD-001506-2021 (Planned Unit Development)

Feeder Springs Senior Living

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

c. PA-001507-2021 (Planning Approval)

Feeder Springs Senior Living – Senior Housing Facility

Planning Approval to allow a domiciliary care facility and nursing home in an R-3, Multi-Family Residential District.

d. ZON-001508-2021 (Rezoning)

Big River Partners (Casey Pipes, Agent)

Rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District.

EXTENSIONS:

3. 3703 Old Shell Road

(Southwest corner of Old Shell Road and Wacker Lane South).

Council District 7

PUD-001216-2020 (Planned Unit Development)

BRPC Holdings, LLC

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

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

After discussion, the Planning Commission Approved the request, and advised that future extensions are unlikely.

NEW SUBDIVISION APPLICATIONS:

4. 156 & 158 South Jefferson Street

(West side of South Jefferson Street, 112'± South of Church Street).

Council District 2

SUB-001546-2021

Lewis Homeplace Subdivision

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

Engineer / Surveyor: Byrd Surveying, Inc.

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

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

- 1) retention of the right-of-way width of South Jefferson Street on the Final Plat;
- 2) revision of the plat to depict or label a minimum setback of ten feet and an 18-foot maximum building setback along South Jefferson Street;
- 3) retention of the lots size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the Final Plat stating that site coverage by all structures shall not exceed 75 percent of the net property area;
- 5) placement of a note on the Final Plat stating that driveway width is limited to ten feet within the front setback;
- 6) 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. Show and label all flood zones. D. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. H. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. L. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1)

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

- 7) **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.);**
- 8) **Compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and**
- 9) **Compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings).**

5. **1931 Wildwood Place**

(East side of Wildwood Place, 175'± South of Fairfield Place).

Council District 4

SUB-001545-2021

Wildwood Glen Subdivision, Resubdivision of Lot 1

Number of Lots / Acres: 7 Lots / 8.2± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Motion to approve by Don Hembree. Second by Cart Blackwell. **Approved.**

After discussion, the Planning Commission waived Section V.D.1. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) **retention of the right-of-way width of Wildwood Place on the Final Plat;**
- 2) **revision of the plat to indicate the unopened street stub of Panorama Drive, with its current right-of-way width, on the Final Plat;**
- 3) **retention of the lot size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **placement of a note on the Final Plat stating that no structures shall be constructed or placed within the common non-exclusive easement for ingress and egress for Lots 3, 4 and 7;**
- 5) **placement of a note on the Final Plat stating that that there shall be no further subdivision of Lots 3 and 4 until additional public street frontage is provided for those lots;**

- 6) placement of a note on the Final Plat stating that there shall be no further subdivision of Lot 7 until the unopened portion of Panorama Drive is developed to City street standards;
- 7) retention of the 25-foot minimum building setback line for Lots 1, 2, 5 and 6 along Wildwood Place on the Final Plat;
- 8) revision of the plat to illustrate the 25-foot minimum building setback line for Lot 7 blocked-out at the North terminus of Panorama Drive;
- 9) revision of the plat to indicate a 25-foot minimum building setback line for Lot 7 spanning the width of the lot as measured from the rear of Lots 3 and 4;
- 10) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 11) 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. Show and label all flood zones. D. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's and Owner's (notarized) signatures. 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.);*
- 12) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Lots 3, 4 and 7 are limited to one shared curb cut; Lots 1, 2, 5 and 6 are limited to one curb*

cut each. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);

13) **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*

14) **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 ZONING APPLICATIONS:

6. **2339 Dauphin Island Parkway**

(North side of Dauphin Island Parkway, 118'± West of Rosedale Road)

Council District 3

ZON-001550-2021

Henry Hamilton

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

Motion to approve as **B-2, Neighborhood Business** by Don Hembree. Second by Jay Stubbs.

Approved.

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

1) there is a manifest error in the Ordinance.

As such, the Planning Commission voted to recommend Approval of rezoning the property to a B-2, Neighborhood Business District to the City Council, subject to the following conditions:

- 1) Full compliance with the tree requirements of the Zoning Ordinance;
- 2) Full compliance with the landscape requirements of the Zoning Ordinance;
- 3) Full compliance with the buffer requirements of the Zoning Ordinance;
- 4) Full compliance with the sign requirements of the Zoning Ordinance; and
- 5) Full compliance with all municipal codes and ordinances.

GROUP APPLICATIONS:

7. 5300 Coca Cola Road

(East terminus of Coca Cola Road).

Council District 4

a. SUB-001548-2021 (Subdivision)

Coca Cola Mobile Subdivision

Number of Lots / Acres: 1 Lot / 40.0± Acres

Engineer / Surveyor: Kimley-Horn and Associates, 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) revision of the plat to either clearly label the centerline of Interstate 10, or depict dedication to provide 175' from the centerline;
- 2) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 3) depiction of the 25' minimum building setback along all public rights-of-way;
- 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 reference, on the map and the description, to a monumented corner. C. Add street names to the vicinity map. D. Revise the written legal description or the bearing and distance labels for the proposed subdivision. The labels list both "ACTUAL" and "RECORD" but neither matches the written legal description. E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Provide the Surveyor's and Owner's (notarized) signatures. 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 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.)

- 5) placement of a note on the Final Plat stating the following Traffic Engineering comments: *(Driveway number, size, location, and design are subject to an approved PUD for this site and shall 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 (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.);*
- 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-001551-2021 (Planned Unit Development)

Coca Cola Mobile Subdivision

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

Motion to approve by Nick Amberger, citing Findings of Fact a, b and c. Second by Taylor Atchison. **Approved.**

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

- 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 applicant to continue to use the existing site as the business demands change and grow;
- 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 an existing business to expand in its current location;
 - c. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets, and community facilities*), because the proposed development will not require any additional infrastructure

The Approval is subject to the following conditions:

- 1) revision of the site plan to either clearly label the centerline of Interstate 10, or depict dedication to provide 175' from the centerline;
- 2) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 3) depiction of the 25' minimum building setback along all public rights-of-way;
- 4) compliance with Engineering comments: (Retain CITY OF MOBILE PUD NOTES a - f, as shown on the MASTER SITE PLAN drawing SHEET C201 dated 3-15-21.);
- 5) placement of a note on the site plan stating the following Traffic Engineering comments: (*Driveway number, size, location, and design are subject to an approved PUD for this site and shall 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 (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.*);
- 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.*); and
- 8) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planned Unit Development Approval prior to the issuance of any permits;
- 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.

PLANNING COMMISSION - Results

April 15, 2021

PAGE 11

OTHER BUSINESS: