

MOBILE CITY PLANNING COMMISSION AGENDA

JUNE 18, 2020 - 2:00 P.M.

Meeting Results

ROLL CALL:

	Mr. Carlos Gant, <i>Chairman</i>
	Ms. Libba Latham (PJ), <i>Vice Chairman</i>
x	Ms. Jennifer Denson, <i>Secretary</i>
	Mr. Cart Blackwell
	Ms. Shirley Sessions
	Mr. Allan Cameron
x	Mr. Taylor Atchison
x	Mr. Matt Anderson, (MD)
x	Mr. Nick Amberger (AO)
	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, Bert Hoffman, Emily Maskey and John Strope (Dogwood Productions)

ADOPTION OF THE AGENDA:

Motion by Jennifer Denson. Second by Nick Amberger. Approved.

HOLDOVERS:

1. 3154 Cottage Hill Road

(North side of Cottage Hill Road, 100’± East of Wyoming Drive West).

Council District 5

ZON-001263-2020

Broussard’s Pianos

Rezoning from B-1, Buffer Business District to B-2, Neighborhood Business District.

Motion by Don Hembree. Second by Nick Amberger. Approved.

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After discussion, 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

NEW SUBDIVISION APPLICATIONS:

2. 952 Elmira Street and 408 Marine Street

(North side of Elmira Street, 50'± West of Marine Street extending to West side of Marine Street, 62'± North of Elmira Street).

Council District 2

SUB-001279-2020

Dixon and Hughey Subdivision

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

Engineer / Surveyor: Stewart Surveying, Inc.

Motion by Nick Amberger. Second by Don Hembree. 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. placement of a note on the Final Plat stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
2. 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, adjusted for dedication;
3. placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement, if applicable;
4. 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 reference, on the map and the description, to a monumented corner. C. Show and label the POC and POB. D. Label all lines shown on the drawing, or add them to the legend. E. Show and label all flood zones. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Correct the names of the Owners listed in the Owner's signature block. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #77) LOTS 1 and 2 will receive historical credit

of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 1,200 sf and LOT 2 – 1,200 sf. J. Add a note to the SUBDIVISION PLAT stating 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 to the Plat stating 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 to the plat stating 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. N. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. O. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. P. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.);

5. placement of a note on the Final Plat stating the Traffic Engineering comments: (Each lot is limited to one curb cut with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards);
6. compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (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
7. 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).].

3. 111 Canal Street

(Southwest corner Canal Street and South Royal Street, extending to the Southeast corner of Canal Street and St. Emanuel Street and the Northeast corner of St. Emanuel Street and Palmetto Street).

Council District 2

SUB-001281-2020

Mobile Community Corrections Subdivision

Number of Lots / Acres: 1 Lot / 2.0± Acres

Engineer / Surveyor: Wattier Surveying, Inc.

Motion by Matt Anderson. Second by Nick Amberger. Approved.

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

1. revision of the plat to indicate the minimum building setback line along South Royal Street and Canal Street as being along the proposed building facade lines;
2. retention of the standard 25' minimum building setback line along St. Emanuel Street and Palmetto Street;
3. retention of the 25' corner radius dedication at the intersections of Canal Street and South Royal Street, Canal Street and St. Emanuel Street, and St. Emanuel Street and Palmetto Street;
4. revision of the plat to indicate that the 5' alley has been vacated, and reference the resolution adopted;
5. installation of a sidewalk along all street frontages if not present, or the submission and approval of a Sidewalk Waiver application;
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 a written description for the subdivision boundary. C. Correct the YEAR shown in the Notary Public signature block. D. Provide recording information for the Vacated Alley. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. G. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.*);
7. compliance with the Traffic Engineering comments: (*Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);
8. compliance with the Urban Forestry comments: [*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64).*]; 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).*)

GROUP APPLICATIONS:

4. 2100 North University Boulevard

(East side of North University Boulevard, at the East terminus of Mickey Drive, and the East terminus of Lebaron Drive South)

Council District 1

Engineer / Surveyor: Austin Engineering Company

a. SUB-001253-2020 (Subdivision) (HOLDOVER)

Rightway Christian Center Subdivision

Number of Lots / Acres: 4 Lots / 140± Acres

Engineer / Surveyor: Austin Engineering Company

Motion by Don Hembree. Second by Nick Amberger. Approved.

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

- 1) provision of seven (7) copies of the recorded plat for Rightway Place Subdivision to Planning and Zoning prior to signing the Final Plat;
- 2) retention of the right-of-way width of North University Boulevard on the Final Plat;
- 3) retention of the 25' minimum building setback line on the Final Plat;
- 4) 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;
- 5) retention of the note on the Final Plat stating that no structures may be placed or constructed within any easement;
- 6) retention of the minimum building setbacks from wetlands and severe terrain within the three areas of the site associated with the meanderings of Eight Mile Creek;
- 7) 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. Note #5 needs to be revised to include all of the flood zones present within the subdivision boundary. C. Notes #5 and #7 need to be revised. It lists "PARCEL 1" which is not shown or labeled on the Plat. D. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. The note on the Plat erroneously indicates that the NWI mapping is a wetlands delineation; it only shows the POTENTIAL for wetlands. 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, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 -*

#72) LOTS 1, 2, 3, and 4 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE, LOT 2 –NONE, LOT 3 – NONE, LOT 4 – NONE. H. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. I. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.);

- 8) *placement of a note on the Final Plat stating the Traffic Engineering comments: (Lot 1 is limited to 2 curb cuts and Lots 2-4 are limited to one curb cut each, with 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. The future school exceeds the minimum thresholds that would require a traffic impact study. The TIS is not required for Phase 1 should it only include the construction of the church, however a study will be required prior to Traffic Engineering's approval for the addition of the school.);*
- 9) *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*
- 10) *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)].*

b. PUD-001284-2020 (Planned Unit Development)

Right Way Christian Center

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

Motion by Nick Amberger, citing Findings of Fact A, B, D and E. Second by Jay Stubbs. Approved.

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

- a) the proposal promotes the objective of Creative design (to encourage innovative and diversified design in site development), because the site is located along a major street and is large enough to allow the proposed development and uses;

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- b) 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 the proposal retains large areas of the overall site as undeveloped;
- ~~e) 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 is located along a major street and is large enough to allow the proposed development and uses;~~
- d) the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because it retains large areas of the overall site as undeveloped;
- e) the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the project proposes large areas for outdoor venues; and
- ~~f) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the site has access to existing infrastructure.~~

The Approval is subject to the following conditions:

- 1) retention of the 25' minimum building setback line along all street frontages;
- 2) retention of the lot size label in both square feet and acres on the site plan, or the furnishing of a table on the site plan providing the same information;
- 3) approval of an amended PUD for each phase of proposed future expansion;
- 4) revision of the site plan to provide parking calculations based upon one space per four sanctuary seats;
- 5) revision of the site plan to provide a compliant City-standard sidewalk within the public right-of-way along the church site frontage;
- 6) revision of the site plan to indicate 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 refuse collection will be via curbside service or private can collection service;
- 7) revision of the site plan to illustrate tree and landscape compliance, to be coordinated with staff using the Right Tree Right Place criteria;
- 8) compliance with the Engineering comments: *(1. Label Sheet C5.0 as the 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. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. e. 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. f. 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. g. 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: *(Lot 1 is limited to 2 curb cuts and Lots 2-4 are limited to one curb cut each, with 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. The future school exceeds the minimum thresholds that would require a traffic impact study. The TIS is not required for Phase 1 should it only include the construction of the church, however a study will be required prior to Traffic Engineering's approval for the addition of the school.);*
- 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 (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.);*
- 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).);*
- 12) submittal to and approval by Planning and Zoning of two (2) copies of a revised site plan prior to the submittal for development permits; and
- 13) subject to the Rezoning of the site to a classification which would allow the church by right.

c. PA-001285-2020 (Planning Approval)

Right Way Christian Center

Planning Approval to allow a church and associated school in a B-1, Business Buffer District.

Motion by Don Hembree, citing Findings of Fact A and B. Second by Nick Amberger.
Approved.

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

- a) the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it should have no impact on any of those items due to the fact that all are readily available within the immediate area;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard, because the site is along a major street and only one curb cut is proposed; and
- ~~c) the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the use would be appropriate for the area.~~

The approval is subject to the following conditions:

- 1) 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.);*
- 2) placement of a note on the site plan stating the Traffic Engineering comments: *(Lot 1 is limited to 2 curb cuts and Lots 2-4 are limited to one curb cut each, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*

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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. The future school exceeds the minimum thresholds that would require a traffic impact study. The TIS is not required for Phase 1 should it only include the construction of the church, however a study will be required prior to Traffic Engineering's approval for the addition of the school.);

- 3) 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.);*
- 4) 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).);and*
- 5) submission of an amended Planning Approval Master plan and amended Planned Unit Development Master Plan at the time of proposed development for the school.

d. ZON-001277-2020 (Rezoning)

Right Way Christian Center

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

Motion by Don Hembree. Second by Nick Amberger. Approved.

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

- 1) full compliance with all municipal codes and ordinances.

OTHER BUSINESS:

Schedule for 20-21. **Motion by Jennifer Denson. Second by Nick Amberger. Approved.**

Meeting adjourned 2.23 PM.