

**MOBILE CITY PLANNING COMMISSION**  
**RESULTS AGENDA**

**MAY 21, 2020 - 2:00 P.M.**

**Streamed via Zoom / YouTube**

**ROLL CALL:**

	Mr. Carlos Gant, <i>Chairman</i>
<u>x</u>	Ms. Libba Latham (PJ), <i>Vice Chairman</i>
<u>x</u>	Ms. Jennifer Denson, <i>Secretary</i>
<u>x</u>	Mr. Cart Blackwell
<u>x</u>	Ms. Shirley Sessions
<u>x</u>	Mr. Allan Cameron
	Mr. Taylor Atchison
<u>x</u>	Mr. Matt Anderson, (MD) arrived at Agenda item 2
	Mr. Nick Amberger (AO)
<u>x</u>	Ms. Bess Rich (CC)
<u>x</u>	Mr. Don Hembree (PJ)
<u>x</u>	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, Doug Anderson, Bert Hoffman, Emily Maskey

**ADOPTION OF THE AGENDA:**

**Motion by Shirley Sessions. Second by Cart Blackwell. Approved**

**HOLDOVERS:**

- 1500 Government Street** **Withdrawn by applicant prior to meeting.**  
(North side of Government Street, 300'± East of South Catherine Street, extending to the East side of Catherine Street, 175'± North of Government Street).  
Council District 2  
**ZON-001191-2020**  
**Casey Pipes**

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Rezoning from LB-2, Limited-Neighborhood Business District, to B-2, Neighborhood Business District.

Withdrawal request submitted by applicant on May 20, 2020.

**2. 3250 Airport Boulevard and 325 East I-65 Service Road South**

(Northeast corner of Airport Boulevard and East I-65 Service Road South).

Council District 5

**PUD-001233-2020**

**Casey Pipes**

Planned Unit Development to amend a previously approved Planned Unit Development to allow shared access and parking between multiple building sites and allow a unique sign package for the development.

Motion by Don Hembree, citing Findings of Fact A, B, C, D and F. Second by Cart Blackwell. **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 building form and site development), because greater flexibility is required due to the scope and scale of the size, and due to existing conditions and constraints;
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the applicant is repurposing portions of a large existing site developed in multi-phases under different standards over the years;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the applicant is endeavoring to maintain the economic viability of an existing developed shopping center;
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because redevelopment will occur within an existing site, and will reduce impervious area;
- ~~e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because additional greenspace will be provided within the development;~~
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the development is already served by public services and utilities, and should not increase the need for such services beyond what the site has historically required.

The Approval is subject to the following conditions:

- 1) Revision of the site plan to include all properties party to the Planned Unit Development (sharing access and parking);
- 2) Revision of the site plan to indicate which of the properties are subject to compliance with the sign package;
- 3) Revision of the site plan to provide at least five overstory trees along the I-65 frontage, with the species and location to be coordinated with and approved by staff;
- 4) Revision of the site plan to remove the two proposed live oaks along the Airport Boulevard frontage, that will be located underneath the Alabama Power easement;
- 5) Revision of the site plan to provide overstory trees in new landscape areas that are being created by the proposed site modifications, ensuring that new trees will be at least 50 feet from any existing or proposed freestanding signage, and spaced to comply with Right Tree Right Place spacing and planting area recommendations, in coordination with staff;
- 6) Compliance with Engineering comments (*1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your PUD Site Plan. Also, you will need to list the Minimum Finished Floor Elevation (MFFE). 2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing Public ROW (right-ofway or drainage easement) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-ofWay Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. e. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and*

- floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all other necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) **Compliance with Traffic Engineering comments:** *(Applicant has performed a Traffic Impact Study (TIS) and has arrived at several recommendations that are acceptable to Traffic Engineering and have been included in the PUD site plan. Site is limited to the curb cuts as illustrated in the approved PUD with any changes in size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
  - 8) **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.);*
  - 9) **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
  - 10) **Full compliance with all other municipal codes and ordinances**

**NEW SUBDIVISION APPLICATIONS:**

**3. 3526 Spanish Alley**

(West side of Spanish Alley, 154'± North of Riviere Du Chien Court).

Council District 4

**SUB-001269-2020**

**You Should Be Here Subdivision**

**Number of Lots / Acres:** 1 Lot / 2.1± Acres

**Engineer / Surveyor:** Barton & Shumer Engineering, LLC

**Motion by Allan Cameron. Second by Shirley Sessions. Approved.**

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

- 1) revision of the Final Plat to illustrate dedication to provide 25 feet from the centerline of Spanish Alley;
- 2) revision of the Final Plat to illustrate a 25-foot minimum building setback along Spanish Alley (setback to be from any required dedication);

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- 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, adjusted for dedication;
- 4) placement of a note on the Final Plat stating that no structure may be placed or constructed within any easement, if applicable;
- 5) compliance with the Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):* A. Provide all of the required information on the *SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances)* that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner, including any reference monuments. C. Provide a vicinity map. 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. E. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. F. Show and label all flood zones. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. Add a note to the *SUBDIVISION PLAT* stating that as shown on the 1984 aerial photo (FLIGHT 25 - #86) 1 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 – 4,500 sf. K. 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. L. 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. M. 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. N. 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. O. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. P. 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

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*PLAT Review sign-in sheet. Q. 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.);*

- 6) **placement of a note on the Final Plat stating the Traffic Engineering comments:** *(Lot is limited to one curb cut to Spanish Alley with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) **compliance with the Urban Forestry comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (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*
- 8) **compliance with the Fire Department comments:** *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code)).*

**4. 119 Batre Lane**

(Southwest corner of Batre Lane and Devendel Lane).

Council District 7

**SUB-001267-2020**

**Cox Estates Subdivision**

**Number of Lots / Acres:** 2 Lot / 1.3± Acres

**Engineer / Surveyor:** Byrd Surveying

**Motion by Libba Latham, adjusting item 2 to be 20 feet. Second by Shirley Sessions. Approved.**

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

- 1) **retention of right-of-way width labels for Batre Lane and Devendel Lane;**
- 2) **retention of the 20-foot minimum building setback line along Devendel Lane for Lot A;**
- 3) **retention of the previously dedicated right-of-way illustrating 30 feet from the center line of Batre Lane 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) **placement of a note on the Final Plat stating that no structure may be placed or constructed within any easement, if applicable;**
- 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. Add street names 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 and Signature. F. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. List the recording information for the previously dedicated ROW on BATRE LN. H. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #74) 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 – 3800 sf, LOT 2 –NONE. I. 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. J. 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. K. 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. L. 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. M. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. N. 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. O. 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.);*
- 7) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, 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 (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*

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*Mobile Tree Commission. Removal of heritage trees from a commercial site 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)).*

5. **1001 and 1001 Bristol Court**

(South terminus of Bristol Court, extending to the West terminus of Denson Court).

Council District 7

SUB-001264-2020

**Partridge – Wood Subdivision**

**Number of Lots / Acres:** 2 Lots / 2.3± Acres

**Engineer / Surveyor:** Byrd Surveying

**Motion by Jennifer Denson. Second by Bess Rich. Heldover until June 4 meeting to allow applicant to submit proposed revisions.**

**After discussion, the Planning Commission heldover the request until the June 4<sup>th</sup> meeting, to allow the applicant to submit the proposed revisions.**

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

6. **1867 Prichard Avenue West and 100-110 Joel Court (a private street)**

(South side of Prichard Avenue, 310'± West of St. Stephens Road).

Council District 1

PUD-001238-2020

**Jay Broughton**

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

**Motion by Don Hembree, citing Findings of Fact A, B and C. Second by Cart Blackwell. Approved.**

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

- a. **the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it allows for multiple buildings on a single building site;**
- b. **the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the applicant is requesting reduced front landscaping area, but is proposing to provide almost five times the total minimum required landscape area;**



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- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the property was previously developed as multi-family housing;**

**The Approval waives the 60% front landscape area requirement of Section 64-4.E.3.a. to allow the landscape area as proposed, and is subject to the following conditions:**

- 1) annual renewal of the PUD to be required until such time as permits for the last phase have been issued;**
- 2) revision of the site plan to illustrate all buildings and the dumpster located outside of any required setbacks, and retention of the note stating an enclosure and connection to sanitary sewer will be provided;**
- 3) revision of the site plan to note that the 6' high privacy fence will be reduced to 3' high within the front setback;**
- 4) full compliance with the frontage, perimeter and parking area tree requirements of the Zoning Ordinance, to be coordinated with staff;**
- 5) compliance with site and parking area lighting;**
- 6) compliance with Engineering Comments (*1. Due to the proposed subdivision, the existing addresses may need to be assigned a different 911 address. Please contact the Engineering Department (Anthony Morris 208-6216, or Steve Smith 208-7135) to discuss the options. 2. Add the following notes to the PUD site plan - 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. 3. Retain NOTES #4 - #8, as shown on the PUD SITE PLAN SHEET X01.*);**
- 7) compliance with Traffic Engineering comments (*Lot is limited to one curb cut to Prichard Avenue 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.*);**
- 8) 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).*);**
- 9) compliance with 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).*);**
- 10) submittal of a revised PUD site plan prior to the issuance of building permits; and**
- 11) compliance with all applicable codes and ordinances.**

**NEW ZONING APPLICATIONS:**

**7. 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 Jennifer Denson. Second by Don Hembree. Heldover until the June 18<sup>th</sup> meeting.**

After discussion, the Planning Commission heldover the request to the June 18th meeting, with revisions due by June 3<sup>rd</sup>, to allow the applicant to address the following items:

- 1) revision of the parking calculations to account for the actual proposed total square footage of 4,250 square feet of combined building area instead of the 3,850 square feet as listed on the provided calculations;
- 2) revision of the site plan to provide additional parking spaces as required;
- 3) revision of the site plan to either provide a dumpster, in compliance with Section 64- 4.D.9.c. of the Zoning Ordinance, or the placement of a note on the site plan stating that no dumpster will be utilized and that refuse collection will be either by curbside pickup or commercial can service;
- 4) placement of a note on the site plan stating that the 10' residential buffer will be in compliance with Section 64-4.D.1.b. of the Zoning Ordinance; and
- 5) presentation of a pre-1952 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 completion of the Rezoning process.

**GROUP APPLICATIONS:**

**8. 1073 Bernice Hudson Drive**

(South side of Bernice Hudson Drive, 194'± West of Quigley Street).

Council District 3

**a. SUB-001260-2020 (Subdivision)**

**Taleton Subdivision**

**Number of Lots / Acres:** 1 Lot / 0.3± Acres

**Engineer / Surveyor:** John Farris Crenshaw, PLS

**Motion by Shirley Sessions. Second by Libba Latham. Approved.**

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

- 1) revision of the plat to label the area to be dedicated and retention of the legal description of that area on the Final Plat;
- 2) retention of the 25' minimum building setback line on the Final Plat as measured from the existing right-of-way line of the Eastern-most lot, and the future right-of-way line of the Western-most lot;
- 3) retention of the lot size label 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 access to Boyd's Lane is denied;
- 5) compliance with the Engineering comments: *[FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide reference markers for the subdivision corner located in an existing tree along the south boundary line. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #79) LOTS 1 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 – 2000 sf. E. 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. F. 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 # 8 SUB-0Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.];*
- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Lot is limited to one curb cut to Bernice Hudson Drive with size, location and design to be approved by Traffic Engineering and conform to AASHTO standard.);*
- 7) removal of the note on the plat limiting the site to two curb cuts;
- 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). 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.];*

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- 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)]; and*
- 10) completion of the Rezoning process prior to signing the Final Plat

**b. ZON-001261-2020 (Rezoning)**

**Taleton Subdivision**

Rezoning from R-1, Single-Family Residential District and R-2, Two-Family Residential District to R-1, Single-Family Residential District.

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

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

- i. the subdivision of land into building sites makes reclassification of the land necessary and desirable.

**The Planning Commission recommends to the City Council approval of the rezoning request to R-1, Single-Family Residential District, subject to the following conditions:**

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances

**9. 830 Cochrane Causeway**

(East side of Cochrane Causeway, 1.0± mile North of Bankhead Tunnel).  
Council District 2

**a. PA-001266-2020 (Planning Approval)**

**Zenith Energy Dredge Spoil Site**

Planning Approval to allow a dredge spoil site in an I-2, Heavy Industry District.

**Motion by Don Hembree, citing all Findings of Fact. Second by Libba Latham. Approved. Bess Rich abstained.**

**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 those services are already in place;

- b. the proposal will cause undue traffic congestion or create a traffic hazard, because the proposed project will not generate large quantities of traffic; 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 proposed use will help support other existing industrial sites in the area.

The Approval is subject to the following conditions:

- 1) All vehicles and containers used to either bring material to the site or remove material from the site will be stored at the location the associated dredging will occur;
- 2) Full compliance with tree plantings and landscape area, with tree plantings to be coordinated with staff;
- 3) Compliance with Engineering comments: *(1. Any work performed in the existing ROW (right-of-way) such as driveways, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from ALDOT. 2. Any new sidewalk work performed in the existing ROW (right-of-way) will require a ROW permit from City of Mobile Engineering 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). 3. 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. 4. 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. 5. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. 6. 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. 7. 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. 8. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 4) Any change in the scope of operations or to the site plan will require new Planning Approval from the Planning Commission; and

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**5) Full compliance with all municipal codes and ordinances.**

**b. SUB-SW-001268-2020 (Sidewalk Waiver)**

**Zenith Energy Dredge Spoil Site**

**Motion by Don Hembree. Second by Allan Cameron. Approved.**

**After discussion, the Planning Commission approved the sidewalk waiver request.**

**OTHER BUSINESS:**

**Meeting adjourned 2.32 pm**