



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 7, 2022

Melissa Currie  
Goodwyn Mills & Cawood, Inc.  
2039 Main Street  
Daphne, Alabama 36526

**Re: South side of Zeigler Boulevard, 390'± West of Cody Road, extending to the West side of Cody Road, 575'± South of Zeigler Boulevard.**  
Council District 7  
**SUB-002227-2022 (Subdivision)**  
**Zeigler Boulevard Apartments Subdivision**  
**Number of Lots / Acres:** 3 Lots / 32.0± Acres  
**Engineer / Surveyor:** Goodwyn Mills Cawood LLC

Dear Applicant(s)/ Property Owner (s):

At its meeting on November 3, 2022, the Planning Commission considered the above referenced Subdivision application.

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

- 1) **either depict that there is a minimum of 50-foot right-of-way to the centerline of both streets existing, or provide dedication of such;**
- 2) **revision of the Final Plat to provide the size in square feet and acres of each lot, adjusted for dedication;**
- 3) **retention of the 25-foot setback along both street frontages from any required dedication;**
- 4) **depict all easements on the Final Plat, with a note on the Final Plat stating that no structures are allowed in any easement without the easement holder's permission;**
- 5) **full 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. Provide**

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*and label the monument set or found at each subdivision corner. D. Label the POC. E. Provide the information in GENERAL SURVEYOR'S NOTES #3. F. Check and clarify GENERAL SURVEYOR'S NOTES #4. G. Remove the Mobile City Engineering Department note. This note is mislabeled as Mobile City Engineering note – it was a COUNTY note that is no longer required for subdivision plats within the City limits. The County Engineer/Engineering Dept. no longer reviews/comments on subdivision plats within the municipal limits of the City of Mobile. H. The proposed subdivision contains drainage way for Three Mile Creek and from a public street. The existing drainageways will require a PUBLIC (Dedicated to the City of Mobile) drainage easement; the width and alignment of the easement shall be coordinated with, and approved by, the City Engineer prior to submitting the Plat for review and signatures. I. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1, 2, & 3 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. J. Add a note 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 that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. L. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. M. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. N. 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.);*

- 6) placement of a note on the Final Plat stating Traffic Engineering comments: (A traffic impact study (TIS) has been submitted and reviewed for this site. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits, including turn lane improvements on Cody Road at the site driveway south to Felhorn Road. The site is limited to driveways as shown on the approved PUD plan with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. If the development is intended to be gated, gates should be illustrated on the PUD site plan.);*
- 7) compliance with Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of 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.);*

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**November 7, 2022**

- 8) 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). 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. The Fire Department will require fire wall separation for each structure with the reported fire flow.); and*
- 9) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.**

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, **five** copies of the recorded plat (including instrument number) must be submitted to the Planning and Zoning Department office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

Please also submit a CAD compatible (DXF) digital copy of the final plat to the Planning and Zoning Department office once the plat has been submitted to Probate for recording. This may be submitted on disk, flash drive, memory stick, or via e-mail to [planning@cityofmobile.org](mailto:planning@cityofmobile.org).

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Ms. Jennifer Denson, Secretary

By: \_\_\_\_\_



Margaret Pappas

Deputy Director of Planning and Zoning



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 7, 2022

Melissa Currie  
2039 Main Street  
Daphne, Alabama 36526

**Re: South side of Zeigler Boulevard, 390'± West of Cody Road, extending to the West side of Cody Road, 575'± South of Zeigler Boulevard.**  
Council District 7  
**PUD-002199-2022 (Planned Unit Development)**  
**Zeigler Boulevard Apartments**  
Planned Unit Development approval to allow multiple buildings on a single building site.

Dear Applicant(s)/ Property Owner (s):

At its meeting on November 3, 2022, the Planning Commission considered the above referenced Subdivision application.

**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 the proposed development will allow 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 typical development standards limit building sites to one (1) building each by-right;
- 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 it will result in infill development within the City of Mobile;
- d. the proposal promotes the objective of *Environment (to preserve and protect as urban amenities the natural features and characteristics of the land)*, because the site will comply with tree planting and landscape area requirements;
- e. the proposal promotes the objective of *Open space (to encourage the provision of common open space through efficient site design)*, because the site will have sufficient open space for a multi-family development;

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- f. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because these services are already available in the area.

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

- 1) either depict that there is a minimum of 50-foot right-of-way to the centerline of both streets existing, or provide dedication of such;
- 2) retention of the 25-foot setback along both street frontages from any required dedication;
- 3) depict all easements on the site plan, with a note on the site plan stating that no structures are allowed in any easement without the easement holder's permission;
- 4) revision of the site plan to provide a central mailbox location for Phase One;
- 5) retention of the note on the site plan stating that all trash compactors will be connected to sanitary sewer and have a compliant enclosure;
- 6) placement of a note stating that preservation of existing trees will be coordinated with Urban Forestry to insure their continued survival;
- 7) placement of a note on the site plan that new tree plantings will be coordinated with staff at the time of permitting;
- 8) retention of the sidewalks along both street frontages;
- 9) depiction of all gates at entrances, to comply with Fire Department requirements;
- 10) either placement of a note on the site plan stating that the gate is to be electronic, with a minimum of one (1) queuing space (9-feet x 20-feet) provided, or placement of a note on the site plan stating the gate will be manual, with a minimum of three (3) queuing spaces provided;
- 11) submittal of a compliant photometric site plan at the time of permitting;
- 12) revision of the site plan to insure adequate parking is provided;
- 13) depiction of all proposed structures located outside of required setbacks;
- 14) full compliance with Engineering comments: *1. 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 (251-208-6070) 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. 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*

**PUD-002199-2022 ZEIGLER BOULEVARD APARTMENTS**

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*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 of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

- 15) placement of a note on the Final Plat stating Traffic Engineering comments:** *(A traffic impact study (TIS) has been submitted and reviewed for this site. Owner/Developer is responsible for any improvements that may be necessary to mitigate the increase in traffic within the TIS study limits, including turn lane improvements on Cody Road at the site driveway south to Felhorn Road. The site is limited to driveways as shown on the approved PUD plan with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. If the development is intended to be gated, gates should be illustrated on the PUD site plan.);*
- 16) compliance with Urban Forestry comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.);*
- 17) 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). 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. The Fire Department will require fire wall separation for each structure with the reported fire flow.); and*
- 18) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), prior to signing the Final Plat.**

Please note that a Planned Unit Development approval by the Planning Commission **expires after one year** if no permits are obtained.

If you have any questions regarding this action, please call this office at 251-208-5895.

Sincerely,

**PUD-002199-2022 ZEIGLER BOULEVARD APARTMENTS**  
**November 7, 2022**

**MOBILE CITY PLANNING COMMISSION**  
Ms. Jennifer Denson, Secretary

By:   
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Margaret Pappas  
Deputy Director of Planning and Zoning