

MOBILE CITY PLANNING COMMISSION AGENDA

MINUTES

FEBRUARY 3, 2021 - 2:00 P.M.

Meeting streamed online

ROLL CALL:

Members Present	Members Absent
Libba Latham (PJ), Vice Chair Jennifer Denson, Secretary Shirley Sessions Taylor Atchison Matt Anderson, (MD) Nick Amberger, (AO) Bess Rich, (CC) Don Hembree, (PJ) Jay Stubbs, (S)	Carlos Gant, Chairman Cart Blackwell Allan Cameron
Planning Staff Present	Others Present
Margaret Pappas, Planning & Zoning Bert Hoffman, Long Range Planning	Doug Anderson, Staff Attorney Marybeth Bergin, Traffic Engineering Peter Toler, Urban Forestry John Strope, Dogwood Productions

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

The notation motion carried unanimously indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

ADOPTION OF THE AGENDA:

Motion to adopt by Bess Rich. Second by Jennifer Denson. Agenda adopted.

HOLDOVERS:

1. 605 Texas Place

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

Council District 2

ZON-001432-2020

Casey Pipes

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

The Applicant, Casey Pipes, withdrew the request at the meeting, prior to consideration by the Planning Commission, thus no action was taken by the Commission.

NEW SUBDIVISION APPLICATIONS:

2. 2508 Riverside Drive

(North side of Riverside Drive, 143'+ West of Eloong Drive).

Council District 3

SUB-001475-2020

Mostellar Park Subdivision

Number of Lots / Acres: 3 Lots / 1.5+ Acres

Engineer / Surveyor: Byrd Surveying, Inc.

The Applicant, Gerry Byrd, was present and in agreement with the recommendations.

No one else was present to speak regarding the application.

Motion by Don Hembree. Second by Matt Anderson. 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) either revision of the plat to depict a compliant right-of-way along Riverside Drive, or dedication to provide 30' from the centerline of Riverside Drive;
- 2) retention of the 25' minimum building setback line where each lot is at least 60' wide, adjusted for any required dedication;
- 3) retention of the lot sizes in both square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
- 4) demolition of the structures on the site prior to the signing of the Final Plat;
- 5) compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. D. Provide the Surveyor's Certificate. E. Provide the Surveyor's and Owner's (notarized) signatures. F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984

aerial photo (FLIGHT 26 - #89) LOTS 1, 2, and 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 – 900 sf, LOT 2 - 1,100 sf, and LOT 3 – 2,500 sf. 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.);

- 6) compliance with Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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 (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.);
- 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.);
- 9) completion of the subdivision process prior to the approval of any land disturbing or building permits for new home construction; and,
- 10) compliance with all applicable Codes and Ordinances.

3. 4040 Audubon Drive East

(Northeast corner of Audubon Drive East and Cole Drive East).

Council District 4

SUB-001476-2020

R & G Place Subdivision, Resubdivision of Lot 2

Number of Lots / Acres: 3 Lots / 7.7+ Acres

Engineer / Surveyor: Byrd Surveying, Inc.

The Applicant, Jerry Byrd, was present and in agreement with all conditions.

No one else was present to speak regarding the application.

Motion by Matt Anderson. Second by Don Hembree. 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) retention of the 25' minimum building setback line along both street frontages on the Final Plat;
- 2) 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;
- 3) compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Show the streets on 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. F. Provide the Surveyor's and Owner's (notarized) signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #91) LOTS A, B, and C 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 A – NONE, LOT B – NONE, and LOT C - NONE. 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 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

PLANNING COMMISSION – Minutes

February 3, 2021

PAGE 5

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.);

- 4) 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.);
- 5) compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and
- 6) compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). 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.).

4. 350 St. Joseph Street

(Block bounded by St. Joseph Street, Adams Street and North Water Street).

Council District 2

SUB-001477-2021

The Gateway Subdivision

Number of Lots / Acres: 1 Lot / 1.5+ Acres

Engineer / Surveyor: Rowe Engineering & Surveying

Applicant, Zeke Hudson, Rowe Engineering, was present and in agreement with all conditions.

No one else was present to speak regarding the application.

Motion by Matt Anderson. Second by Don Hembree. 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) Application to the Board of Zoning Adjustment to request a waiver of Section 64-3.I.8.(b)(3) of the DDD section of the Zoning Ordinance regarding maximum property width along a primary frontage “A” street, and successful completion of this process prior to the signing of the Final Plat;

PLANNING COMMISSION – Minutes

February 3, 2021

PAGE 6

- 2) Revision of the plat to depict and label the minimum and maximum allowed setbacks (minimum setback of zero (0) feet and a maximum setback of twelve (12) feet);
- 3) Coordination with the City Engineer to determine if the dedication of a corner radius is required, in accordance with Sections V.B.16. and V.D.6. of the Subdivision Regulations;
- 4) Revision of the plat to reflect any changes to lot area required by corner radius dedication, if any;
- 5) Revision of the note on the Final Plat regarding easements to state that “no structure may be constructed or placed within any easement without the permission of the easement holder;”
- 6) Compliance with Traffic Engineering comments, and placement of the comments as a note on the final plat (Lot is limited to one curb cut per street frontage, with any changes to size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 7) 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
 - C. Provide the Surveyor’s and Owner’s (notarized) signatures.
 - D. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #70) LOT 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). Applicant will need to coordinate with the City Engineering Permitting Department staff to establish the exact amount that each Lot will receive prior to the submittal of the Final Plat from review and signatures. Engineering-Permitting Staff will provide a note that will need to be added to the SUBDIVISION PLAT before the submittal of the Final Plat from review and signatures.
 - E. 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.
 - F. 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.
 - G. 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.
 - H. 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.).

PLANNING COMMISSION – Minutes

February 3, 2021

PAGE 7

- 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.); and
- 9) Compliance with Fire comments, and revision of the associated notes on the Final Plat (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. 3158 and 3160 Old Shell Road, and 110 and 116 Abrams Street
(Northeast corner of Old Shell Road and Abrams Street).**

Council District 1

SUB-001479-2021

Gulf Coast Underground Subdivision

Number of Lots / Acres: 1 Lot / 2.3 + Acres

Surveyor/ Engineer: Wattier Surveying, Inc.

Commissioner Libba Latham recused from participation in this application. Jennifer Denson assumed chairman duties.

The Applicant, William Latta, was present and in agreement with all conditions.

Patrick Crabtree, owner of the abutting property at 118 Abrahams Street, was present and expressed concerns about the shared property boundary. He requested a buffer between the proposed parking lot and the associated new development and his property, to help protect from noise.

Staff discussed the buffering requirements of the Subdivision Regulations, and noted that there were also buffer requirements in the Zoning Ordinance.

Staff, Commissioners and the Applicant discussed the buffering requirements, as well as the proposed use and the possible need for a Planned Unit Development application.

Motion by Don Hembree. Second by Matt Anderson. Approved. Libba Latham recused from voting.

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

PLANNING COMMISSION – Minutes

February 3, 2021

PAGE 8

- 1) retention of the 25-foot minimum building setback along Old Shell Road and Abrams Street;
- 2) 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;
- 3) placement of a note on the Final Plat stating that no structure may be placed or constructed within any easement without permission from the easement holder, if applicable;
- 4) Obtain demolition permits so that no more than one building remains on site prior to signing the Final Plat;
- 5) compliance with the Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Revise the written legal description and/or the bearing and distance label for the north line of the proposed subdivision. C. Provide the Surveyor's and Owner's (notarized) signatures. D. As shown on the 1984 aerial photo (FLIGHT 24 - #74) the LOT 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). Applicant will need to coordinate with the City Engineering Permitting Department staff to establish the exact amount that each Lot will receive prior to the submittal of the Final Plat from review and signatures. E. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. F. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland, and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. G. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. H. Add a note that all 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. I. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. J. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. K. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.;
- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: (Lot is limited to one curb cut per street frontage, with any changes to size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site

parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);

- 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). 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 SIDEWALK WAIVER APPLICATIONS:

6. 1812 Old Shell Road

(North side of Old Shell Road, 200'+ West of Mobile Infirmary Boulevard)

Council District 1

SUB-SW-001478-2021

Clark Geer Latham and Associates

Request to waive construction of a sidewalk along a portion of Old Shell Road.

Commissioner Libba Latham recused from participation in this application. Jennifer Denson assumed chairman duties.

William Latta, Stephen Howle and Lewis Golden were present to represent the application.

Commissioners and staff, including Urban Forestry staff, discussed the issues regarding the provision of a sidewalk and the protection of the existing tree. It was agreed that a holdover would be appropriate so that additional information could be submitted.

Motion to holdover by Jennifer Denson. Second by Matt Anderson. Heldover until the February 18, 2021, meeting. Libba Latham recused from voting.

After discussion, the Planning Commission heldover the request until the February 18, 2021, meeting. Any revised information must be submitted by Friday, February 5, 2021.

OTHER BUSINESS:

- Staff and Commission members briefly discussed the upcoming public hearing regarding the proposed Unified Development Code (UDC), scheduled for February 25, 2021.

PLANNING COMMISSION – Minutes

February 3, 2021

PAGE 10

Minutes approved: July 18, 2024



Jennifer Denson, Secretary



John W. "Jay" Stubbs, Jr., Chairman