

MOBILE CITY PLANNING COMMISSION

MINUTES

MARCH 18, 2021 - 2:00 P.M.

Meeting was streamed online

Members Present	Members Absent
Libba Latham (PJ), Vice Chairman Jennifer Denson, Secretary Cart Blackwell Taylor Atchison Matt Anderson, (MD) Nick Amberger (AO) Don Hembree (PJ)	Carlos Gant, Chairman Shirley Sessions Allan Cameron Bess Rich (CC) John W. "Jay" Stubbs, Jr. (S)
Planning Staff Present	Others Present
Margaret Pappas, Planning & Zoning Bert Hoffman, Long Range Planning Victoria L. Burch, Planning & Zoning	Doug Anderson, Staff Attorney Mary Beth Bergin, Traffic Engineering 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.

ROLL CALL:

Libba Latham stated the number of members present constituted a quorum and called the meeting to order, advising all attending of the policies and procedures pertaining to the Planning Commission.

ADOPTION OF THE AGENDA:

Motion to adopt by Nick Amberger. Second by Matt Anderson. Agenda adopted.

EXTENSIONS:

- 1. 5805 U.S. Highway 90 West
(East side of Government Boulevard, 50'± South of Fore Road (private road)).**

Council District 4
PUD-001140-2019
Don Carlos, Inc.
Planned Unit Development Approval to allow multiple buildings on a single building site.

Steven Fisher was present to represent the application.

No one else was present regarding the application.

Motion to approve by Libba Latham. Second by Jennifer Denson. Extension approved.

After discussion, the Planning Commission approved the extension request, and advised the applicant that future extensions will be unlikely.

NEW SUBDIVISION APPLICATIONS:

- 2. 4538 and 4550 Cypress Park Drive**
(North side of Cypress Park Drive, 3/10 mile± West of Shipyard Road).
Council District 4
SUB-001520-2021
Bluffs at Cypress Creek Subdivision, Phase One, Resub of Lots 13 and 14
Number of Lots / Acres: 1 Lot / 2.4± Acres
Engineer / Surveyor: Rowe Surveying & Engineering, Inc.

Cecil Hudson, Applicant, was present and in agreement with all conditions.

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Matt Anderson. Approved.

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

- 1) submittal to Planning and Zoning of seven copies of the recorded Final Plat of Cypress Creek Subdivision, Phase One, prior to signing the Final Plat;
- 2) correction of the street name on the Final Plat to Cypress Park Drive;
- 3) retention of the right-of-way width of Cypress Park Drive on the Final Plat;
- 4) retention of the 25-foot minimum building setback line within the buildable area at the North end of the lot “fingers”;
- 5) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information.
- 6) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder.

- 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 11 should be revised to include the new LOT (LOT A) since it will replace existing lots 12 & 13. C. 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. D. 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. E. 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. F. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. G. Provide the Surveyor's and Owner's (notarized) signatures. H. 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. I. 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.];
- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: (Lot A is limited to shared curb cuts with Lots 12 and 15 along their common lot lines, with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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).]; 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). 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.].

3. Ridgelawn Drive East

(Northwest corner of Ridgelawn Drive East and Old Shell Road).

Council District 7

SUB-001515-2021

Ridgelawn Subdivision, Resubdivision of Lot 1

Number of Lots / Acres: 2 Lots / 0.9± Acre

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

Commissioner Latham recused herself from the application. Jennifer Denson acted as chair.

Brett Orrell was present and requested approval based on staff recommendation.

Staff noted that written opposition to the request was submitted by Frank Lott.

There was extensive discussion between the Commissioners, the applicant and staff regarding driveway location, setbacks and the proposed wall.

Motion to approve 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:

- 1) retention of the right-of-way widths of all adjacent streets on the Final Plat;
- 2) dedication to provide a 25-foot corner radius at the intersection of Old Shell Road and Ridgelawn Drive East;
- 3) retention of the 25-foot minimum building setback line along Ridgelawn Drive East and Ridgelawn Drive on the Final Plat;
- 4) retention of the ten-foot minimum building setback line along Old Shell Road, or whatever reduced setback is approved by the Board of Zoning Adjustment, or revision of the plat to indicate a 25-foot minimum building setback line along Old Shell Road if the Setback Variance request is not approved;
- 5) assuming the Setback Variance is approved by the Board of Zoning Adjustment, the Final Plat cannot be signed until the automatic 15-calendar-day waiting period has expired following the Board's decision, assuming no appeal has been filed in Circuit Court;
- 6) retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 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. Provide the Surveyor's and Owner's (notarized) signatures. C. 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. D. 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. E. 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. F. 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. G. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. H. 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. I. 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.];

- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: (Lot 1-B is denied access to Old Shell Road and limited to one curb cut to Ridgelawn Drive East. Lot 1-A is limited to no more than one curb cut per street frontage. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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).]; 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). 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. 5936 US Highway 90 West

(West side of US Highway 90 West, 355'± South of Swedetown Road).

Council District 4

SUB-001517-2021

Sunset Acres on Highway 90 Subdivision

Number of Lots / Acres: 2 Lots / 6.1± Acres

Engineer / Surveyor: Erdman Surveying, LLC

Commissioner Latham resumed chair duties.

Applicant, Craig Erdman, was present and agreed to all conditions and recommendations.

No one else was present regarding the application.

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

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

- 1) Revision of the Final Plat to depict the 25-foot minimum building setback line along U.S. Highway 90 West;
- 2) Retention of compliant right-of-way width on the Final Plat;
- 3) 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;
- 4) Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, 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. Review and revise the written legal description or plan between the POC and POB. C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. D. Provide the Surveyor's and Owner's (notarized) signatures. E. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. F. 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. G. 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: (US Highway 90 is an ALDOT maintained roadway. Each lot is limited to no more than one curb cut with size, location, and design to be approved by ALDOT and 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). 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.).

GROUP APPLICATIONS:

5. **7230, 7260 and 7280 Sellers Lane and 630 Zeigler Circle East (Northeast corner of Sellers Lane and Zeigler Circle East).**

Council District 7

a. SUB-001521-2021 (Subdivision)

Altapointe Sellers Subdivision

Number of Lots / Acres: 1 Lot / 5.1± Acres

Engineer / Surveyor: S.E. Civil Engineering & Surveying

Larry Smith was present representing the applications. He agreed with the Subdivision recommendations but had questions regarding the PUD recommendations regarding the existing temporary building that is already on-site.

Staff advised Mr. Smith that the PUD condition could be revised to require that the temporary building be depicted on the site plan to allow it to remain on-site for a longer time frame.

No one else was present regarding the application.

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

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

- 1) Provision of the lot size in both square feet and acres on the Final Plat or the furnishing of a table providing the same information;
- 2) Retention of the 25-foot minimum building setback line;
- 3) 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. Show and label the existing drainage easement(s) along the western and northern property lines that are on or adjacent to the proposed LOT. C. Provide the Owner's (notarized) signatures. D. 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. E. 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 site plan stating the following Traffic Engineering comments: (Site is limited the driveways as illustrated on the approved PUD, with any changes in number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA

- handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 5) 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.);
 - 6) 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.);
 - 7) Provision of two (2) revised PUD Site Plans to the Planning & Zoning Department prior to signing of the Final Plat; and
 - 8) Compliance with all other applicable municipal Codes and Ordinances.

b. PUD-001522 -2021 (Planned Unit Development)

Altapointe Sellers Subdivision

Planned Unit Development Approval to allow multiple buildings on single building sites, and multiple building sites with shared access and parking.

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson, modifying the temporary building requirement. Second by Don Hembree. 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 is allowing an existing development to utilize an adjacent property;
- b) the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because it is allowing an existing development to utilize an adjacent property;
- c) the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because full tree planting and landscape area requirements will be met; and
- d) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets, and community facilities), because it is utilizing a site that is already developed that is already served with public infrastructure.

The Approval is subject to the following conditions:

- 1) Revision of the site plan to illustrate all parking spaces are compliant dimensions of 9' x 18';
- 2) Full compliance with tree planting and landscape area requirements for the lot to be developed with the new parking lot, and to be coordinated with staff;
- 3) Revision of the site plan to depict the temporary modular office building approved under Administrative Planned Unit Development PUD-001317-2020;
- 4) Full compliance with Engineering comments: (Retain NOTES #5 - #10, as shown on the submitted PUD SITE PLAN APPLICATION dated 2-17-21.);
- 5) Placement of a note on the site plan stating the following Traffic Engineering comments: (Site is limited the driveways as illustrated on the approved PUD, with any changes in number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 6) Compliance with Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);
- 7) Compliance with Fire 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.);
- 8) Provision of two (2) revised PUD Site Plans to the Planning & Zoning Department prior to signing of the Final Plat; and
- 9) Compliance with all other applicable municipal Codes and Ordinances.

OTHER BUSINESS:

- **4800 Moffett Road**
(Northwest corner of Moffett Road and Shelton Beach Road Extension)
MAWSS Stickney Plant Subdivision
Council District 1
SUB-001488-2021 (Subdivision)
Number of Lots / Acres: 1 Lot / 42.2± Acres
Engineer / Surveyor: McCrory & Williams, Inc.

Reconsideration of the following condition from the February 18, 2021, approval due to an existing widened right-of-way condition:

- 2) Revision of the plat to label dedication of the corner radius at the intersection of Moffett Road and Shelton Beach Road Extension, or dedication of the corner radius in compliance with Section V.B.16.

The applicant requested that the Commission allow existing right-of-way condition to satisfy the corner radius requirement.

Motion to approve by Matt Anderson. Second by Don Hembree. Approved.

After discussion the Planning Commission approved the request to allow existing right-of-way condition to satisfy the corner radius requirement.

Minutes approved: July 18, 2024



Jennifer Denson, Secretary



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