

MOBILE CITY PLANNING COMMISSION

MINUTES

JULY 21, 2022 - 2:00 P.M.

AUDITORIUM, GOVERNMENT PLAZA

Roll Call:

| Members Present | Members Absent |
|--|--|
| Allan Cameron, Vice Chairman Jennifer Denson, Secretary Matt Anderson, (MD) Nick Amberger (AO) Scott Jones (CC) Susan Carley (S) Kirk Mattei (S) | John W. “Jay” Stubbs, Jr. Chairman Carlos Gant Shirley Sessions Taylor Atchison |
| Planning Staff Present | Others Present |
| Margaret Pappas, Planning & Zoning Marie York, Planning & Zoning Victoria L. Burch, Planning & Zoning Bert Hoffman, Long Range Planning Shayla Beaco, Build Mobile | Doug Anderson, Staff Attorney Jennifer White, Traffic Engineering George Davis, City Engineering |

(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.

HOLDOVERS:

- 1. 5340 Halls Mill Road and 4370 Rangeline Road**
(North side of Halls Mill Road, 690’± West of Rangeline Service Road South, extending to the East side of U.S. Highway 90 West).
Council District 4
SUB-002045-2022
Lyle Machinery Co. Subdivision
Number of Lots / Acres: 1 Lots / 5.5± Acres
Engineer / Surveyor: Sawgrass Consulting, LLC

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Planning staff advised the Commission that the applicant needed another holdover to allow more time for title research.

The applicant agreed with staff's statement.

No one else was present regarding the application.

Motion to holdover by Allan Cameron. Second by Matt Anderson. Heldover until August 4, 2022.

After discussion, the Planning Commission heldover the application until the August 4, 2022 meeting, at the request of the applicant.

2. 16, 18, 20, and 22 South Florida Street (West side of South Florida Street, 325'± South of Dauphin Street). Council District 1

a. SUB-002061-2022 (Subdivision) Florida Street Flats Subdivision Number of Lots / Acres: 4 Lots / 0.7± Acres Engineer / Surveyor: Byrd Surveying, Inc.

Planning staff advised the Commission that the Traffic Engineering comments about a driveway width issue was no longer relevant due to the revised plan eliminating the driveway. Staff recommended that the driveway comments be stricken from both the Subdivision and PUD Traffic Engineering comments.

Jerry Byrd of Byrd Surveying was present and agreed with the revised recommendations.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Kirk Mattei. Approved.

After discussion, the Planning Commission waived Section V.D.2. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) either depiction of an existing compliant right-of-way along South Florida Street, or dedication to provide 30-feet to the centerline;
- 2) provision of the lot size(s) in square feet and acres, adjusted for any dedication;
- 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*

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- Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a graphic scale. 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 a private drainage easement for the detention pond outfall pipe located on LOT 5 and approved under the Land Disturbance Permit ENG-085448-2021 (16 S. Florida St.) that was issued 5-11-22. F. Provide an easement or Common Area for the Detention Pond system that is being constructed under the Land Disturbance Permit ENG-085448-2021 (16 S. Florida St.) that was issued 5-11-22. 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.);*
- 4) *placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, 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. Site plan does not reflect any accessible parking or where a dumpster would be located on site. Improvements in the right of way cannot extend beyond the extension of the property line without written consent from the adjacent property owner. In similar cases where maneuvering in the right-of-way has been required, a right-of-way use agreement has also been required. The backing in the right-of-way that exists can mostly be done outside the travel lane with minimal impacts to traffic on S Florida St. The increase of units does not warrant the need for a traffic impact study.);*
 - 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 [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.);*
 - 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*

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(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.); and

7) full compliance with all municipal codes and ordinances.

b. PUD-002063-2022 (Planned Unit Development)

Florida Street Flats Subdivision

Planned Unit Development approval to allow shared access and parking between multiple building sites.

See the discussion under the Subdivision application.

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

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

- a. 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 flexible parking, maneuvering, and tree plantings will be accommodated;
- 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 the proposed project will result in infill development;
- c. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because services already exist in the area.

The Approval is subject to the following conditions:

- 1) either depiction of an existing compliant right-of-way along South Florida Street, or dedication to provide 30-feet to the centerline;
- 2) provision of the lot size(s) in square feet and acres, adjusted for any dedication;
- 3) provision of a compliant photometric site plan at the time of permitting;
- 4) revision of the site plan to either depict a dumpster with a compliant enclosure and sanitary sewer connection, or a note should be placed on the site plan stating that curb side pickup will be utilized;
- 5) full compliance with Engineering comments: *(1. Due to the proposed subdivision, the existing City 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: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will*

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- require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. 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 of the necessary permits and approvals. f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 6) *placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, 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. Site plan does not reflect any accessible parking or where a dumpster would be located on site. Improvements in the right of way cannot extend beyond the extension of the property line without written consent from the adjacent property owner. In similar cases where maneuvering in the right-of-way has been required, a right-of-way use agreement has also been required. The backing in the right-of-way that exists can mostly be done outside the travel lane with minimal impacts to traffic on S Florida St. The increase of units does not warrant the need for a traffic impact study.);*
- 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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- 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.);* and
- 9) full compliance with all municipal codes and ordinances.

NEW SUBDIVISION APPLICATIONS:

3. 7030 Cottage Hill Road

(North side of Cottage Hill Road, 200'± East of Cody Road South).

Council District 4

SUB-002060-2022

Shova Palms Subdivision

Number of Lots / Acres: 2 Lots / 2.7± Acres

Engineer / Surveyor: Byrd Surveying

Jerry Byrd of Byrd Surveying was present and agreed with staff recommendations.

No one else was present regarding the application.

Commissioners, the applicant and Engineering staff discussed issues relating to storm water runoff, wetlands and possible impacts to an adjacent lake. The applicant stated that a wetland study had been completed and that development was intended to avoid impacts.

Commissioners, the applicant and Traffic Engineering staff discussed traffic congestion and the potential for wrecks due to the site's location near the Sollie Road intersection. The applicant acknowledged the traffic challenges in the area.

Planning staff and legal counsel advised the Commission that some of the concerns expressed regarding traffic issues could not be addressed through the Subdivision process. Instead, the concerns would have to be addressed through the City's infrastructure improvement process.

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

After discussion, the Planning Commission waived Section V.D.2. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

- 1) illustration of the right-of-way widths of Cottage Hill Road and Cody Road on the Final Plat;
- 2) retention of the 25-foot minimum building setback lines along Cottage Hill Road and Cody Road on the Final Plat;

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- 3) placement of a note should be placed on the Final Plat stating that no structure is allowed in any easement, without the approval of the easement holder;
- 4) compliance with the Engineering comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A) Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B) Add a graphic scale. 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 to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 18 - #82) 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) as follows: LOT 1 – NONE. 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.);*
- 5) placement of a note on the Final Plat stating the Traffic Engineering comments: (*Site is limited to one two-way driveway on the eastern portion of the lot, and one one-way driveway on the western portion of the lot 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.);*
- 6) compliance with the Urban Forestry comments: (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [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*

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heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and

- 7) compliance with the Fire-Rescue 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 PLANNED UNIT DEVELOPMENT APPLICATIONS:

4. 2500 North University Boulevard

(East side of North University Boulevard, 645'± North of Mickey Drive).

Council District 1

PUD-002068-2022

Rightway Christian Center Church

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

Planning staff advised the Commission that revised information was submitted the day before the meeting. Since staff had not had the opportunity to review the information, it was requested that the application be heldover until the August 4th meeting to allow time for review.

The applicant agreed with the revised holdover recommendation.

No one else was present regarding the application.

After discussion, the Planning Commission heldover the application until the August 4, 2022 meeting to review the new site plan and prepare recommendations.

Motion to holdover by Allan Cameron. Second by Nick Amberger. Heldover until August 4, 2022.

5. 186 Stanton Road

(Southeast corner of Stanton Road and Oak Knoll Drive).

Council District 1

PUD-002103-2022

RGH Development (Charles D. Tisher, Jr. P.E., Agent)

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

The applicant was present and in agreement with the recommendations.

No one else was present regarding the application.

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Motion to approve by Matt Anderson. Second by Scott Jones. 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 it 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*), by allowing multiple buildings on a single building site;
- 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 proposing infill development in an existing urban area;
- d. the proposal promotes the objective of Environment (*to preserve and protect as urban amenities the natural features and characteristics of the land*) and Open space (*to encourage the provision of common open space through efficient site design*), because the development is providing landscape area and open space above the minimum required standards;

The Approval is subject to the following conditions:

- 1) Retention of the note stating that private trash service will be provided for the development;
- 2) Retention of the residential buffer on the site plan, revised to be no taller than three-feet within the required front 25-foot setbacks;
- 3) Retention of the complaint queuing spaces for the entry gate;
- 4) Provision of a compliant photometric plan at the time of permitting;
- 5) Retention of the sidewalk along both Stanton Road and Oak Knoll Road;
- 6) Compliance with Engineering comments: (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and*

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approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 7) Placement of a note on the site plan stating Traffic Engineering comments: *(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.);*
- 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 [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.);*
- 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). 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.); and,*
- 10) Provision of a copy of the revised PUD site plan for review by the Planning and Zoning Department prior to the approval of any permits.

NEW PLANNING APPROVAL APPLICATIONS:

6. 4325 Downtowner Loop South

(South side of Downtowner Loop South, 590'± West of Downtowner Boulevard).

Council District 5

PA-002096-2022

Jeffrey Fischer

Planning Approval to allow an axe throwing business in a B-3, Community Business District.

Jeffrey Fischer was present to represent the application and stated that they had no intention to remove any trees from the site.

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Commissioners and Planning staff discussed compliance with tree and landscaping requirements. Staff noted that the site had originally been developed in compliance with the requirements in place at that time, but that the plan submitted with the application did not show continued compliance with the originally approved site plan. The applicant was advised that they would need to ensure compliance with the tree and landscaping requirements.

Commissioners and the applicant discussed the alcohol license and safety issues as it relates to the proposed axe-throwing business.

No one else was present regarding the application.

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

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

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those services are already in place; and
- b. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, as the use brings a new type of entertainment to the surrounding neighborhood.

The Approval is subject to the following conditions:

- 1) Provision of a compliant tree and landscaping plan as part of the permitting process;
- 2) Compliance with the Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance);*
- 3) Compliance 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*
- 4) Full 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).*

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GROUP APPLICATIONS:

7. 915 and 907 Hillcrest Road

(East side of Hillcrest Road, at the West terminus of Timbers Drive).

Council District 6

a. SUB-002100-2022 (Subdivision)

Square 1 Plaza Subdivision

Number of Lots / Acres: 3 Lots / 2.5± Acres

Engineer / Surveyor: Speaks and Associates

No one was present regarding the application.

No one else was present in favor or opposition of the application, however, the Planning Commission tentatively approved the application with conditions.

Engineering staff noted that the updated Engineering comments needed to be added to the proposed conditions for approval.

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 a Final Plat as required by Section IV.C.2. of the Subdivision Regulations;
- 2) provision of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 3) depiction of the 25' minimum building setback along all rights-of-way;
- 4) placement of a note on the Final Plat stating that no structures are allowed in any easements, without the approval of the easement holder;
- 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 a Subdivision Name. C. Provide reference, on the map and the description, to a monumented corner. D. Provide and label the monument set or found at each subdivision corner. E. Add a graphic scale and North Arrow. F. Provide a vicinity map. G. Provide a written legal description and matching bearing and distance labels for the proposed subdivision. H. Label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. I. Dedicate the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at each of the four corners of the proposed subdivision to the City of Mobile, and list*

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the amount of dedicated acreage. J. Show and label each and every Right-Of-Way and easement. K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. L. Provide the Surveyor's Certificate. M. Provide the Surveyor's and Owner's (notarized) signatures. N. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #74) 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, and LOT 3 - NONE. O. 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. P. 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. Q. 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. R. 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. S. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. T. 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. U. 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 following Traffic Engineering comments: *(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.);*
- 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.);*
- 8) 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). Fire apparatus access is required to be within 150' of all*

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commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and
9) full compliance with all municipal codes and ordinances.

b. ZON-002099-2022 (Rezoning)

Square 1 Plaza

Rezoning from B-2, Neighborhood Business District to B-3, Community Business District.

See the discussion under the Subdivision application.

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

After discussion, the Planning Commission determined that the following conditions prevail to support the rezoning request:

- a) changing conditions in a particular area make a change in the Ordinance necessary and desirable; and
- b) there is a need to increase the number of sites available to business or industry.

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

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

8. 600 Providence Park Drive East

(West side of Providence Park Drive East, 1,070'± South of Airport Boulevard).

Council District 6

a. SUB-002104-2022 (Subdivision)

Providence Park Resubdivision, Revised

Number of Lots / Acres: 3 Lots / 4.1± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Jerry Byrd of Byrd Surveying was present to represent the application and in agreement with the recommendations.

No one else was present regarding the application.

Motion to approve by Scott Jones. Second by Matt Anderson. Approved.

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

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25' and 50' minimum building setback along the rights-of-way as depicted on the preliminary plat;
- 3) placement of a note on the Final Plat stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) 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. Revise the NAME of the proposed subdivision (i.e. Providence Park Resubdivision, Resub of LOT A & B). C. Revise NOTE #2 – Revise “LOTS A AND B” to “LOTS 1-A, 6, AND 7”. D. Revise NOTE #2 – Revise “LOT A – NONE, LOT B – NONE” to “LOT 1-A – NONE, LOT 6 – NONE, AND LOT 7 – NONE”. 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.*)
- 5) placement of a note on the Final Plat stating the following Traffic Engineering comments: (*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.*);
- 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 [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.*);
- 7) 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). 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.*);

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- 8) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
- 9) full compliance with all municipal codes and ordinances.

b. PUD-002102-2022 (Planned Unit Development)

Providence Park

Planned Unit Development to amend a previously approved Planned Unit Development Master Plan to allow shared access and parking between multiple building sites.

See the discussion under the Subdivision application.

Motion to approve by Matt Anderson. Second by Scott Jones. 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 it will allow further development of a private street development;
- 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 it will allow an existing medical complex to expand;
- 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 allow new medical offices in the vicinity of an existing hospital;
- d. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because the area is already served by public services.

The Approval is subject to the following conditions:

- 1) retention of the lot size in square feet and acres, or the provision of a chart depicting the same information;
- 2) retention of the 25' and 50' minimum building setback along the rights-of-way as depicted on the preliminary site plan;
- 3) placement of a note on the site plan stating that no structures are allowed in any easements, without the approval of the easement holder;
- 4) placement of a note on the site plan stating that all lots will be developed in full compliance with Zoning Ordinance requirements;
- 5) retention of the note stating: "*Administrative Planned Unit Developments are required at the time of development of the lots.*";
- 6) compliance with Engineering comments: (*Retain ENGINEERING NOTES #1 - #6, as shown on Sheet C-1.0, MASTER PLAN dated 6-21-22.*);

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- 7) placement of a note on the Final Plat stating the following Traffic Engineering comments: *(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.);*
- 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 [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.);*
- 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). 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.);*
- 10) submission of revised PUD site plans (hard copy and .pdf) to Planning & Zoning prior to signing of the Final Plat; and
- 11) full compliance with all municipal codes and ordinances.

OTHER BUSINESS:

- **Acquisition of Private Right-of-Way Easement by Eminent Domain
4900 Dan Williams Road
(East terminus of Dan Williams Road).
Council District 4
SUB-002097-2022
John Michael Allegrezza**

Planning staff and legal counsel explained the Acquisition of Private Right of Way Easement by eminent domain purpose and process. It was noted that the Mobile County Probate Court has final jurisdiction over the matter, however, it must first be approved by the Planning Commission.

Commissioners expressed concerns about the ability of vehicles to negotiate the proposed 90-degree turns in the proposed easement.

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

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

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1. Provision of proper radii at each 90 degree turn to allow for proper vehicle maneuvering.

• **Call for Public Hearing**

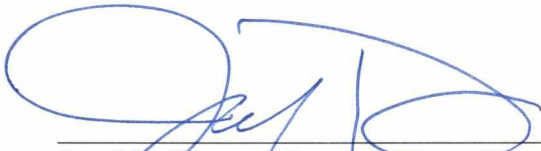
Hearing to amend Section 64-3.I. - Downtown development district of the current Zoning Ordinance, and Appendix A - Downtown Development District of Chapter 64, Unified Development Code, adopted by the City Council on July 12, 2022.

Planning staff explained the purpose of the amendments. The amendments would create a new Special District for the Civic Center site, establish development criteria and modify the Regulating Plan for the Downtown Development District.

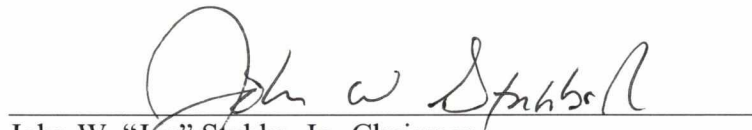
Commissioners asked staff if the proposed amendments would be in line with the work of the consultant. Staff noted that the amendments were developed in coordination with the consultant team.

Motion to Call for Public Hearing by Nick Amberger. Second by Matt Anderson. Public Hearing approved for August 18, 2022 meeting.

Minutes approved: February 20, 2025



Jennifer Denson, Secretary



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