

# MOBILE CITY PLANNING COMMISSION

## MINUTES

**April 6, 2023 - 2:00 P.M.**

### AUDITORIUM, MOBILE GOVERNMENT PLAZA

#### ROLL CALL:

x	Mr. John W. “Jay” Stubbs, Jr. Chairman
x	Mr. Allan Cameron, Vice Chairman
	Ms. Jennifer Denson, Secretary
	Mr. Carlos Gant
x	Ms. Shirley Sessions
x	Mr. Taylor Atchison
x	Mr. Matt Anderson, (MD)
x	Mr. Nick Amberger (AO)
	Vacant (CC)
x	Ms. Susan Carley (S)
x	Mr. Kirk Mattei (S)

(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official  
(CC) City Council Representative

Staff: Butch Ladner, Marybeth Bergin, George Davis, Victoria Burch, Margaret Pappas, Marie York, Bert Hoffman, Shayla Beaco.

#### ADOPTION OF THE AGENDA:

Motion to adopt by Nick Amberger. Second by Allan Cameron. Adopted.

#### HOLDOVERS:

##### 1. 664 Shelby Street

(North side of Shelby Street, at the North terminus of Tin Top Alley, extending to the East terminus of East Street and the East terminus of Susie Ansley Street).

Council District 2

SUB-SW-002397-2023

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### **First Hopewell Baptist Church Request to waive sidewalk along Shelby Street.**

Steve Fisher of Element 3 Engineering was present and stated that the applicant agreed to the denial of the waiver.

No one else was present regarding the application.

Motion to deny by Matt Anderson. Second by Nick Amberger. Denied.

After discussion, the Planning Commission denied the sidewalk waiver request.

## **NEW SUBDIVISION APPLICATIONS:**

- 2. 1800 Dr. Martin Luther King Jr. Avenue  
(Northwest corner of Dr. Martin Luther King Jr. Avenue and Oak Drive Court).  
Council District 2  
SUB-002408-2023  
PBFM Subdivision  
Number of Lots / Acres: 1 Lot / 0.2± Acre  
Engineer / Surveyor: John Farrior Crenshaw**

A representative for the application was not present.

William Martin was present to express the following concerns about the request:

- He was an adjacent property owner;
- Wanted to know the nature of the application; and
- Did not think that the staff research was correct regarding property ownership.

Commissioners and staff discussed the application and what the application involved.

No one else was present regarding the application.

Motion to approve by Nick Amberger. Second by Taylor Atchison. Approved.

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

- 1) revision of the street name label for Oak Drive to correctly read Oak Court Drive on the Final Plat;
- 2) retention of the right-of-way widths of Dr. Martin Luther King, Jr. Avenue and Oak Court Drive on the Final Plat;
- 3) dedication to provide a 25-foot corner radius at the intersection of Dr. Martin Luther King, Jr. Avenue and Oak Drive Court;

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- 4) revision of the plat to illustrate the 25-foot minimum building setback line along Dr. Martin Luther King, Jr. Avenue, or as approved by the Board of Adjustment, on the Final Plat;
- 5) revision of the plat to illustrate the 20-foot minimum building setback line along Oak Drive Court, or as approved by the Board of Adjustment, on the Final Plat;
- 6) retention of the lot size label in both square feet and acres on the Final Plat, revised 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. Dedicate the corner radius (10' minimum or as approved by the City Engineer and Traffic Engineer) at the southeast corner of LOT "Parcel" and list the amount of dedicated acreage (sf and acre). C. Provide a designation for the proposed "Parcel" (i.e. LOT 1, LOT A). D. Delete NOTES #1-4 and #6. Those are standard notes for a PUD drawing not a PLAT. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) LOT "Parcel" 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 "Parcel" – 2,400 sf. Make sure to insert the correct designation for the LOT. F. 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. 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.);*
- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Lot is denied access to Dr. Martin Luther King Jr. Avenue and limited to no more than its existing curb cuts with any changes in 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 the City's Zoning Ordinance.);*
- 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 [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*

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*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.); and*

- 10) 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 (2021 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:

- 3. 4580 Shipyard Road**  
**(West side of Shipyard Road, 413'± North of Higgins Road).**  
**Council District 4**  
**SUB-SW-002425-2023**  
**Joel Ford**  
**Request to waive sidewalk along Shipyard Road.**

The applicant was present and in agreement with Staff Recommendations.

No one else was present regarding the application.

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

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

### GROUP APPLICATIONS:

- 4. 1408 Saint Stephens Road and 212 North Lafayette Street**  
**(Northeast corner of North Lafayette Street and Saint Stephens Road).**  
**Council District 2**

- a. SUB-002427-2023 (Subdivision)**  
**Napoleon Subdivision**  
**Number of Lots / Acres: 1 Lot / 0.5± Acre**  
**Engineer / Surveyor: Byrd Surveying**

Jerry Byrd of Byrd Surveying was present and agreed to the recommendation to Holdover the application until the May 4<sup>th</sup> meeting.

No one else was present regarding the application.

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Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until May 4, 2023 meeting.

After discussion, the Planning Commission heldover the application until the May 4, 2023 meeting.

**b. ZON-002430-2023 (Rezoning)**

**Gerald Byrd**

**Rezoning from B-2, Neighborhood Business District, and R-1, Single-Family Residential to B-2, Neighborhood Business District.**

See the discussion under the Subdivision application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until May 4, 2023 meeting.


After discussion, the Planning Commission heldover the application until the May 4, 2023 meeting, with revisions due no later than April 20<sup>th</sup> to address the following:


- 1) Submit a narrative explaining the justification for the proposed rezoning; and
- 2) Submittal of an off-site parking variance to the Board of Adjustment for consideration at their May 1<sup>st</sup> meeting (application must be submitted by April 4<sup>th</sup> deadline).

**OTHER BUSINESS**

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**Minutes approved:** May 5, 2025

  
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Jennifer Denson, Secretary

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