



AGENDA
Mobile City Council

Auditorium
Government Plaza
205 Government Street
Mobile, AL 36644

Tuesday, May 27, 2025, 10:30 AM

1. CALL TO ORDER

2. INVOCATION

Chaplain Dan Taylor, Public Safety Chaplain

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. STATEMENT OF RULES BY COUNCIL PRESIDENT

6. APPROVAL OF MINUTES

May 20, 2025

7. COMMUNICATIONS FROM THE MAYOR

8. MONTHLY FINANCE REPORTS

9. ADOPTION OF THE AGENDA

10. APPEALS

Request of Lykiska Adams for a waiver of the Noise Ordinance at 2666 Esau Avenue

on July 26, 2025, from 11:00 a.m. - 3:00 p.m. (District 1).

Request of Prince of Peace Catholic Church for a waiver of the Noise Ordinance at 454 Charleston Street on May 31-June 1, 2025, from 2:00 p.m. - 9:00 p.m. (District 2).

Request of QuShaundra Williams for a waiver of the Noise Ordinance at 754 Susie Ansley Street on June 7, 2025, from 3:00 p.m. - 9:00 p.m. (District 2).

Request of Kalenski Adams for a waiver of the Noise Ordinance at 300 Conti Street on July 10-13, 2025, from 10:00 a.m. - 10:00 p.m. (District 2).

Request of Robert Soto for a waiver of the Noise Ordinance at Cathedral Square on August 23, 2025, from 10:00 a.m. - 4:00 p.m. (District 2).

Request of Devon Calametti for a waiver of the Noise Ordinance at 1886 5th Street on October 4, 2025, from 7:00 a.m. - 11:00 a.m. (District 3).

Request of Dev Mehta for a waiver of the Noise Ordinance at Langan Park on August 23, 2025, from 6:00 a.m. - 2:00 p.m. (District 7).

11. PUBLIC HEARINGS

Public hearing to consider a Conditional Use Permit for property located at 2411 Venetia Road (District 4).

Public hearing to amend Article 5, Section 64-5-4.C.2.and Section 64-5-4.D., "Neighborhood Meetings", of the Unified Development Code.

Public hearing to amend Section 64-3-12, "Parking and Loading", of the Unified Development Code.

Public hearing to amend Section 64-8-2, "Lot of Record", of the Unified Development Code.

Public hearing to amend Section 64-5-8, "Previously Approved Planning Approvals and Planned Unit Developments", of the Unified Development Code.

Public hearing to amend "Recording and Recordkeeping" requirements of Sections 64-5-5, 64-5-6, and 64-5-7 of the Unified Development Code.

Public hearing to amend Section 64-5-8.1, "Terminating a Previously Approved Planned Unit Development", of the Unified Development Code.

Public hearing to fix costs for demolition of the structure at 1909 Beau Terra Drive, W.; \$4,550.00 (District 1).

Public hearing to fix costs for demolition of the structure at 1860 Toulmin Avenue; \$4,950.00 (District 1).

Public hearing to fix costs for demolition of the structure at 1105 Stewart Road; \$3,750.00 (District 3).

Public hearing to fix costs for demolition of the structure at 1105 Sutton Avenue; \$2,750.00 (District 3).

Public hearing to fix costs for demolition of the structure at 809 S. Washington Avenue; \$3,700.00 (District 3).

Public hearing to fix costs for demolition of the structure at 5910 Westhaven Drive, S.; \$2,850.00 (District 7).

12. PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

William or Belinda Perryman - parking, noise, littering, fights, and shootings in Mobile.

Jalys Dozier - opposed to the local trash ordinance because local jails are for criminals, not City upkeep.

13. RESOLUTIONS HELD OVER

08-725 Approve purchase order to Stivers Ford Lincoln, Inc. for Ford F350 supercrew pickup truck for MFRD; \$54,612.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-726 Approve purchase order to Stivers Ford Lincoln, Inc. for Ford F350 supercrew pickup truck for MFRD; \$54,612.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-728 Approve purchase order to Stivers Ford Lincoln, Inc. for Ford transit cargo van for MFRD; \$50,830.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-729 Approve purchase order to Sansom Equipment Company Inc. for rear load garbage truck for Sanitation Department; \$167,970.00 (sponsored by Mayor

Stimpson) (submitted by John Paine, Purchasing Dept.).

08-731 Approve purchase order to Sansom Equipment Company, Inc. for two cubic yard rear load garbage trucks for Sanitation Department; \$448,908.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-733 Approve purchase order to Cat Head Media Inc. for buffet exhibit media research and editing services for Maritime Museum; \$60,000.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-734 Approve purchase order to Ground Works Distribution for two autonomous mowers for Parks Department; \$85,427.16 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-736 Approve purchase order to Interface Americas Inc. for floor replacement at Government Plaza, 4th Floor, Southwest Tower; \$59,105.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-738 Approve purchase order to Sansom Equipment Company Inc. for two side-load garbage trucks for Sanitation Department; \$794,530.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-741 Approve purchase orders to Stivers Ford Lincoln, Inc. for Ford supercrew pickup trucks and crew cab pickup trucks for Parks Department; \$263,418.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

21-745 Authorize Contract with Hughes Companies, Inc. for Langan Lake Dredging and Langan Park Stormwater Improvements; \$15,198,512.00 (sponsored by Mayor Stimpson) (submitted by Jennifer Greene, Programs and Project Mgmt.).

47-746 Consider the vacation of City right-of-way for property located at the corner of Dauphin Street and Sage Avenue (sponsored by Councilmember Penn).

47-747 Consider a vacation fee as a condition of the vacation of City right-of-way for property located at the corner of Dauphin Street and Sage Avenue (sponsored by Councilmember Penn).

14. ORDINANCES BEING INTRODUCED

50-021 Amend Ordinance 50-005 with the addition of Section 14 (sponsored by Mayor Stimpson) (submitted by Scott Collins, Finance Director).

64-022 Consider a Conditional Use Permit for property located at 2411 Venetia Road (sponsored by Councilmember Reynolds).

64-023 Amend Article 5, Section 64-5-4.C.2. and Section 64-5-4.D., "Neighborhood Meetings", of the Unified Development Code (sponsored by Mayor Stimpson).

64-024 Amend Section 64-3-12, "Parking and Loading", of the Unified Development Code (sponsored by Mayor Stimpson).

64-025 Amend Section 64-8-2, "Lot of Record", of the Unified Development Code (sponsored by Mayor Stimpson).

64-026 Amend Section 64-5-8, "Previously Approved Planning Approvals and Planned Unit Developments", of the Unified Development Code (sponsored by Mayor Stimpson).

64-027 Amend "Recording and Recordkeeping" requirements of Sections 64-5-5, 64-5-6, and 64-5-7 of the Unified Development Code (sponsored by Mayor Stimpson).

64-028 Amend Section 64-5-8.1, "Terminating a Previously Approved Planned Unit Development", of the Unified Development Code (sponsored by Mayor Stimpson).

15. CONSENT RESOLUTIONS BEING INTRODUCED

03-748 Re-appoint Matt Orrell and Eddie Burrow to the Golf Course Advisory Committee (sponsored by Councilmembers Reynolds and Gregory) (submitted by Lisa C. Lambert, City Clerk).

40-749 Fix costs for demolition of the structure at 1909 Beau Terra Drive, W. (sponsored by Councilmember Penn).

40-750 Fix costs for demolition of the structure at 1860 Toulmin Avenue (sponsored by Councilmember Penn).

40-751 Fix costs for demolition of the structure at 1105 Stewart Road (sponsored by Councilmember Small).

40-752 Fix costs for demolition of the structure at 1105 Sutton Avenue (sponsored by Councilmember Small).

40-753 Fix costs for demolition of the structure at 809 S. Washington Avenue (sponsored by Councilmember Small).

40-754 Fix costs for demolition of the structure at 5910 Westhaven Drive, S.
(sponsored by Councilmember Gregory).

60-755 Approve award of special bonus to the Administrative Services Employee of the Month, King (sponsored by Mayor Stimpson) (submitted by Joseph Snowden, Administrative Services).

60-756 Determine an appropriation to Honey Consulting serves a public purpose and approve payment (sponsored by Councilmember Carroll) (submitted by Donna Bryars, Accounting Dept.).

60-757 Determine an appropriation to Stewart Memorial CME Church serves a public purpose and approve payment (sponsored by Councilmember Carroll) (submitted by Donna Bryars, Accounting Dept.).

16. CIP RESOLUTIONS BEING INTRODUCED

09-758 Transfer funds from Capital Project Motor Shed Wall to Capital Project Crime Prevention Roof Replacement \$8,643.95 (sponsored by Mayor Stimpson) (submitted by Chief William R. Jackson, MPD).

09-759 Transfer funds from Capital Project Motor Shed Wall to Capital Project Crime Prevention Roof Replacement; \$30,000.00 (sponsored by Mayor Stimpson) (submitted by Chief William Jackson, MPD).

17. RESOLUTIONS BEING INTRODUCED

01-760 Authorize Agreement with Pyrotecnico Fireworks, Inc. for Independence Day fireworks display; NTE \$45,000.00 (sponsored by Mayor Stimpson) (submitted by Shonnda Smith, Public Works Dept.).

01-761 Intergovernmental Agreement with Solid Waste Disposal Authority of Baldwin County, Alabama for environmental enforcement and management (sponsored by Mayor Stimpson) (submitted by Rob Lasky, Public Safety Dept.).

01-762 Authorize Sole Source Agreement with First Transit, Inc. for transit management services (sponsored by Mayor Stimpson) (submitted by Scott Collins, Finance Director).

08-763 Approve purchase order to CDW Government, LLC for annual subscription for firewall software for MIT; \$34,691.21 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

08-764 Approve purchase order to Howard Industries, Inc. for annual subscription for network endpoint management software for MIT \$23,679.00 (sponsored by Mayor Stimpson) (submitted by John Paine, Purchasing Dept.).

21-765 Authorize with McCrory & Williams, Inc. for construction engineering and inspection services for the Langan Stormwater Improvement Project; \$90,000.00 (sponsored by Mayor Stimpson) (submitted by Jennifer Greene, Program & Project Mgmt.).

60-766 Authorize Settlement Agreement and Release of Claims; Mansilla (sponsored by Mayor Stimpson) (submitted by Ricardo Woods, City Attorney).

60-767 Authorize Settlement Agreement and Release of Claims; Valderrama (sponsored by Mayor Stimpson) (submitted by Ricardo Woods, City Attorney).

18. CALL FOR PUBLIC HEARINGS

41-768 Call for public hearing to consider rezoning property located at 5105, 5109, and 5111 Overlook Road from R-1 to B-2 (scheduled for July 1, 2025) (District 7).

41-769 Call for public hearing to consider the proposed modification of a previously approved Planned Unit Development for property located at 6109 Howells Ferry Road (scheduled for July 1, 2025) (District 7).

19. ANNOUNCEMENTS



APPLICATION FOR WAIVER OF NOISE ORDINANCE

Section 39-96-1(c) of the Mobile City Code: Noise in Residential Areas Restricted [2/18/15]:

(a) Use, operate, or permit to be used or operated, any device, radio, musical instrument, television, phonography, drum, sound amplifying equipment or device which produces or reproduces sound, either stationary or mobile, in such a manner that, during the hours from 6:00 am. to 10:00 p.m.:

(i) It is plainly audible at a distance of 50 feet or more from any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the City; or

(ii) It creates any noise which exceeds 85 db(a) at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the City.

NOTE: If your event will have any type of sound system, it is recommended that you apply for a waiver of the City's Noise Ordinance.

Please submit your request at least two (2) weeks prior to your event. The City Council meets every Tuesday and applications have to be received before **2:00 p.m. the previous Thursday** in order to be placed on their next agenda.

Name of Applicant: LYKISKA ADAMS

PLEASE PRINT ALL INFORMATION

Home Phone Number: 2515099447 Cell Number: _____

Organization (if applicable) NA

Mailing Address of Applicant 2377 PHILSDALE LN E

Telephone No. 2515099447 E-mail address LYKISKAADAMS@YAHOO.COM

Location or address of event where amplification will be used:

2666 ESAU AVE MOBILE, AL 36617

Date of Event: 07/26/25 Starting Time: 11a.m Ending Time 3p.m

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: FAMILY DAY

Do you plan to sell alcohol at this event? _____ YES XX NO

CITY CLERK'S OFFICE

Music containing obscene language or profanity is prohibited

Send form/letter to: Lisa C. Lambert, City Clerk

P. O. Box 1827 Mobile, AL 36633

(251) 208-7411; Fax: (251) 208-7576

Or e-mail to: cityclerk@cityofmobile.org

MO, MAY 19, AM 8:08 RCVD

01



APPLICATION FOR WAIVER OF NOISE ORDINANCE

Section 39-96-1(c) of the Mobile City Code: Noise in Residential Areas Restricted [2/18/15]:

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Name of Applicant: Devin Paite

PLEASE PRINT ALL INFORMATION

Home Phone Number: _____ Cell Number: _____

Organization (if applicable) Prince of Peace Catholic Church

Mailing Address of Applicant 454 Charleston St

Telephone No. _____ E-mail address _____

Location or address of event where amplification will be used:

454 Charleston St

Date of Event: 5/31/25-6/1/25 Starting Time: 2:00 p.m. Ending Time 9:00 p.m.

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: Lawn Festival

Do you plan to sell alcohol at this event? _____ YES X _____ NO

Music containing obscene language or profanity is prohibited

Send form/letter to: Lisa C. Lambert, City Clerk

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Name of Applicant: QuShaundra Williams

PLEASE PRINT ALL INFORMATION

Home Phone Number: 251-379-1694 Cell Number: 251-379-1694

Organization (if applicable) _____

Mailing Address of Applicant 754 Susie Ansley Street

Telephone No. _____ E-mail address qushaundra@msn.com

Location or address of event where amplification will be used:

754 Susie Ansley St Mobile, AL 36610

Date of Event: 6/7/2025 Starting Time: 3:00PM Ending Time 9PM

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: Graduation Gathering

Do you plan to sell alcohol at this event? _____ YES _____ ☒ NO

Music containing obscene language or profanity is prohibited

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Name of Applicant: Kalenski Adams

PLEASE PRINT ALL INFORMATION

Home Phone Number: 251-229-8742 Cell Number: 251-229-8742

Organization (if applicable) Opportunity 4 Entertainers & Performing arts

Mailing Address of Applicant 1111 East I-65 Service Rd S suite 207 Mobile, AL 36606

Telephone No. 251-525-2660 E-mail address _____

Location or address of event where amplification will be used:

Cathedral Square 300 Conti St Mobile, AL 36602

Date of Event: 7/10/25 - 7/13/25 Starting Time: 10am Ending Time 10pm

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: MOB Music Festival

Do you plan to sell alcohol at this event? _____ YES X _____ NO

CITY CLERK'S OFFICE

MOBILE, AL

Music containing obscene language or profanity is prohibited

Send form/letter to: Lisa C. Lambert, City Clerk

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Or e-mail to: cityclerk@cityofmobile.org

MO, MAY 19, AM 8:07 RCVD

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APPLICATION FOR WAIVER OF NOISE ORDINANCE

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Name of Applicant: Robert Soto

PLEASE PRINT ALL INFORMATION

Home Phone Number: 251.422.6946 Cell Number: 251.367.7686

Organization (if applicable): endItNow

Mailing Address of Applicant: 808 Daphne Avenue Unit 2152 Daphne, AL 36526

Telephone No: 251.367.7686 E-mail address: endItNowMobile@gmail.com

Location or address of event where amplification will be used:

Cathedral Square Park

Date of Event: 08/23/25 Starting Time: 10 am Ending Time: 4 pm

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: Family Day & March - advocating to end human trafficking, abuse, and vi

Do you plan to sell alcohol at this event? YES ☒ NO

Music containing obscene language or profanity is prohibited

Send form/letter to: Lisa C. Lambert, City Clerk

P. O. Box 1827 Mobile, AL 36633

(251) 208-7411; Fax: (251) 208-7576

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Name of Applicant: Devon Calametti

PLEASE PRINT ALL INFORMATION

Home Phone Number: _____ Cell Number: 251-243-8080

Organization (if applicable) Mobile Airport Authority

Mailing Address of Applicant 1891 9th Street Mobile, AL 36619

Telephone No. _____ E-mail address devon@mobileairport.com

Location or address of event where amplification will be used:

1891 5th St. Mobile, AL

Date of Event: 4 Oct 2025 Starting Time: 7 AM Ending Time 11 AM

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: 5K Race

Do you plan to sell alcohol at this event? _____ YES ☒ _____ NO

Music containing obscene language or profanity is prohibited

Send form/letter to: Lisa C. Lambert, City Clerk

P. O. Box 1827 Mobile, AL 36633

(251) 208-7411; Fax: (251) 208-7576

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Name of Applicant: Dev Mehta

PLEASE PRINT ALL INFORMATION

Home Phone Number: N/A Cell Number: (251) 648-5313

Organization (if applicable) Mega Musical Chairs

Mailing Address of Applicant 6401 Heritage Trace Drive

Telephone No. (251) 648-5313 E-mail address devvipulmehta26@gmail.com

Location or address of event where amplification will be used:

Langan Park

Date of Event: 08/23/2025 Starting Time: 6:00AM Ending Time 2:00PM

(NOTE: In residential areas, cannot go beyond 10:00 p.m.)

Type of Event: 5K Run

CITY CLERK'S OFFICE

Do you plan to sell alcohol at this event? YES X NO

MOBILE, AL

Music containing obscene language or profanity is prohibited

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REC'D MAY 21, PM 12:26 RCV

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

Notice of Public Hearing to Consider a
Conditional Use Permit to Allow a
Short-Term Rental for Property
Located at 2411 Venetia Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 22, 2025**, a public hearing will be held on the **27th day of May, 2025**, at 10:30 a.m., to consider adoption of an ordinance for a Conditional Use Permit to allow a short-term rental in an R-1, Single-Family Residential Suburban District, for property located at 2411 Venetia Road.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

Lisa C. Lambert
City Clerk

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Conditional Use Permit application was filed on January 27, 2025, to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, located at 2411 Venetia Road and described as follows:

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF MOBILE, STATE OF ALABAMA, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH BANK OF DOG RIVER WHERE SAID RIVER IS INTERSECTED BY THE EAST LINE OF A LOT CONVEYED BY DANIEL B. FISHER TO MARY E. BENTON BY DEED DATED DECEMBER 6, 1928, AND RECORDED IN DEED BOOK 222 N.S. PAGE 88, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, WHICH POINT IS 317.8 FEET EAST OF THE WEST LINE OF THE LELANDE TRACT, MEASURED ALONG A LINE AT RIGHT ANGLES TO THE WEST LINE OF THE LELANDE TRACT, AND FROM SAID POINT OF BEGINNING RUNNING THENCE NORTH 4 DEGREES EAST ALONG THE EAST LINE OF SAID PROPERTY CONVEYED TO MARY E. BENTON, AND NOW OR FORMERLY OWNED BY VENETIA D. MCCLURE, 1145 FEET, MORE OR LESS, TO A POINT ON THE SOUTH SIDE OF A ROADWAY RUNNING EAST AND WEST, WHICH POINT IS 375.8 FEET EAST OF THE WEST LINE OF SAID LELANDE TRACT RUNNING THENCE EAST ALONG THE SOUTH SIDE OF SAID ROADWAY 84 FEET 10 INCHES, MORE OR LESS, TO THE NORTHWEST CORNER OF A LOT CONVEYED BY DANIEL B. FISHER TO ALICE B. MAXFIELD, AS GUARDIAN BY DEED DATED JANUARY 21, 1932, AND RECORDED IN DEED BOOK 237 N.S. PAGE 175, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID LOT SO CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, 475 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE RUNNING EAST ALONG THE SOUTH LINE OF SAID LOT 150 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE RUNNING SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF THE LELANDE TRACT 685 FEET, MORE OR LESS, TO THE NORTH BANK OF DOG RIVER, THENCE WESTWARDLY ALONG THE NORTH BANK OF DOG RIVER TO THE PLACE OF BEGINNING. SAID LOT BEING BOUNDED ON THE NORTH BY SAID ROADWAY AND THE PROPERTY CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, ON THE EAST BY PROPERTY NOW OR FORMERLY OF DANNER, SOUTH BY DOG RIVER AND ON THE WEST BY PROPERTY FORMERLY OF MARY E. BENTON, NOW OR FORMERLY OF VENETIA D. MCCLURE.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on March 20, 2025, and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke, or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

NOTICE OF HEARING OF PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE

Notice is hereby given that the Mobile City Council proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the Mobile City Council in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025, at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Unified Development Code

The proposed amendment to the Unified Development Code was published in full on the 30th day of April, 2025 in the Lagniappe.

The proposed amendment to the Unified Development Code concerns the property within the City of Mobile, located at 2411 Veneita Road.

The proposed amendment will approve a Conditional Use Permit. The owner of said property has applied for a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. If approved, the Conditional Use Permit will allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, subject to the following proposed conditions: 1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and, 2. Full compliance with all municipal codes and ordinances.

This proposed amendment to the Unified Development Code will be in full force and effect from after its publication and adoption by the Mobile City Council.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Conditional Use Permit application was filed on January 27, 2025, to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, located at 2411 Venetia Road and described as follows:

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF MOBILE, STATE OF ALABAMA, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH BANK OF DOG RIVER WHERE SAID RIVER IS INTERSECTED BY THE EAST LINE OF A LOT CONVEYED BY DANIEL B. FISHER TO MARY E. BENTON BY DEED DATED DECEMBER 6, 1928, AND RECORDED IN DEED BOOK 222 N.S. PAGE 88, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, WHICH POINT IS 317.8 FEET EAST OF THE WEST LINE OF THE LELANDE TRACT, MEASURED ALONG A LINE AT RIGHT ANGLES TO THE WEST LINE OF THE LELANDE TRACT, AND FROM SAID POINT OF BEGINNING RUNNING THENCE NORTH 4 DEGREES EAST ALONG THE EAST LINE OF SAID PROPERTY CONVEYED TO MARY E. BENTON, AND NOW OR FORMERLY OWNED BY VENETIA D. MCCLURE, 1145 FEET, MORE OR LESS, TO A POINT ON THE SOUTH SIDE OF A ROADWAY RUNNING EAST AND WEST, WHICH POINT IS 375.8 FEET EAST OF THE WEST LINE OF SAID LELANDE TRACT RUNNING THENCE EAST ALONG THE SOUTH SIDE OF SAID ROADWAY 84 FEET 10 INCHES, MORE OR LESS, TO THE NORTHWEST CORNER OF A LOT CONVEYED BY DANIEL B. FISHER TO ALICE B. MAXFIELD, AS GUARDIAN BY DEED DATED JANUARY 21, 1932, AND RECORDED IN DEED BOOK 237 N.S. PAGE 175, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID LOT SO CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, 475 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE RUNNING EAST ALONG THE SOUTH LINE OF SAID LOT 150 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE RUNNING SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF THE LELANDE TRACT 685 FEET, MORE OR LESS, TO THE NORTH BANK OF DOG RIVER, THENCE WESTWARDLY ALONG THE NORTH BANK OF DOG RIVER TO THE PLACE OF BEGINNING. SAID LOT BEING BOUNDED ON THE NORTH BY SAID ROADWAY AND THE PROPERTY CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, ON THE EAST BY PROPERTY NOW OR FORMERLY OF DANNER, SOUTH BY DOG RIVER AND ON THE WEST BY PROPERTY FORMERLY OF MARY E. BENTON, NOW OR FORMERLY OF VENETIA D. MCCLURE.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on March 20, 2025, and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke, or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

Adopted:

Lisa Lambert, City Clerk

**Marbury Buckhaults
Shropshire, LLC
2411 Venetia Road
Council District 4
Ben Reynolds**



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

April 15, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the request of Marbury Buckhaults, Shropshire, LLC for a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, for the property located at 2411 Venetia Road.

After discussion it was decided to recommend approval of the modification request to the City Council subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Copies of the application and reports are attached.

Sincerely,

Stephen Guthrie
Deputy Director, Planning & Zoning Department

dla
attachments



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

March 21, 2025

Marbury Buckhaults
Shropshire, LLC
7075 Bay Road
Mobile, Alabama 36605

Re: 2411 Venetia Road
ZON-STR-003214-2025
Marbury Buckhaults, Shropshire, LLC
District 4
Conditional Use Permit approval to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District.

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

At its meeting on March 20, 2025, the Planning Commission considered the above referenced application.

After discussion the Planning Commission determined the following Findings of Fact to support the request for a Conditional Use Permit:

1. The request is consistent with all applicable requirements of this Chapter, including:
 - a) Any applicable development standards; and
 - b) Any applicable use regulations.
2. The request is compatible with the character of the surrounding neighborhood;
3. The request will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood or be more injurious to property or improvements in the neighborhood.
5. The request is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. The request is designed to minimize the impact on storm water facilities;
7. The request will be adequately served by water and sanitary sewer services;
8. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and

ZON-STR-003214-2025 2411 Venetia Road
March 21, 2025

9. The request shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of the Conditional Use Permit request to City Council, subject to the following conditions:

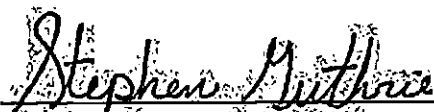
1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

The advertising fee for this application is based on the current legal description is **\$435.48**. Upon receipt of this fee (*check made out to the "City of Mobile"*), your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Ms. Jennifer Denson, Secretary

By: 
Stephen Guthrie
Deputy Director of Planning and Zoning

Certification of Criteria for Conditional Use Permit for Short-Term Rental

- There shall be no on-site employees
- The establishment shall not serve meals
- The guest rooms shall not contain cooking facilities
- A valid City of Mobile business license shall be obtained for the site, and the business license shall be provided on any advertisement or listing for the Short-Term Rental.
- No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be conspicuously placed on the site.
- The name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
- The local responsible party shall answer and respond to calls twenty-four hours a day, seven days a week for the duration of the short-Term Rental period to address guest's problems or complaints.
- The Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
- One 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
- The address of the dwelling shall be prominently displayed and legible on the building.

Marbury D. Buckhaaults

March 5, 20

ALABAMA NOTARY ACKNOWLEDGMENT

THE STATE OF ALABAMA

Mobile, COUNTY

I, Kimberly A. Kringel, a Notary Public, hereby certify that
Marbury D Buckhaull, whose name is signed to the
foregoing instrument or conveyance, and who is known to me, acknowledged
before me on this day that, being informed of the contents of the conveyance,
he/she/they executed the same voluntarily on the day the same bears date.

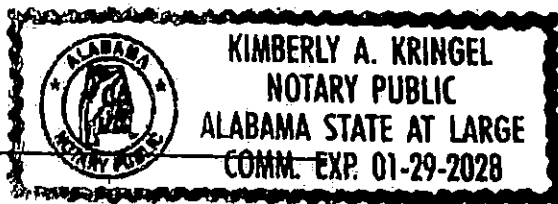
Given under my hand this 5th day of March, A. D. 20 25.

Kimberly A. Kringel

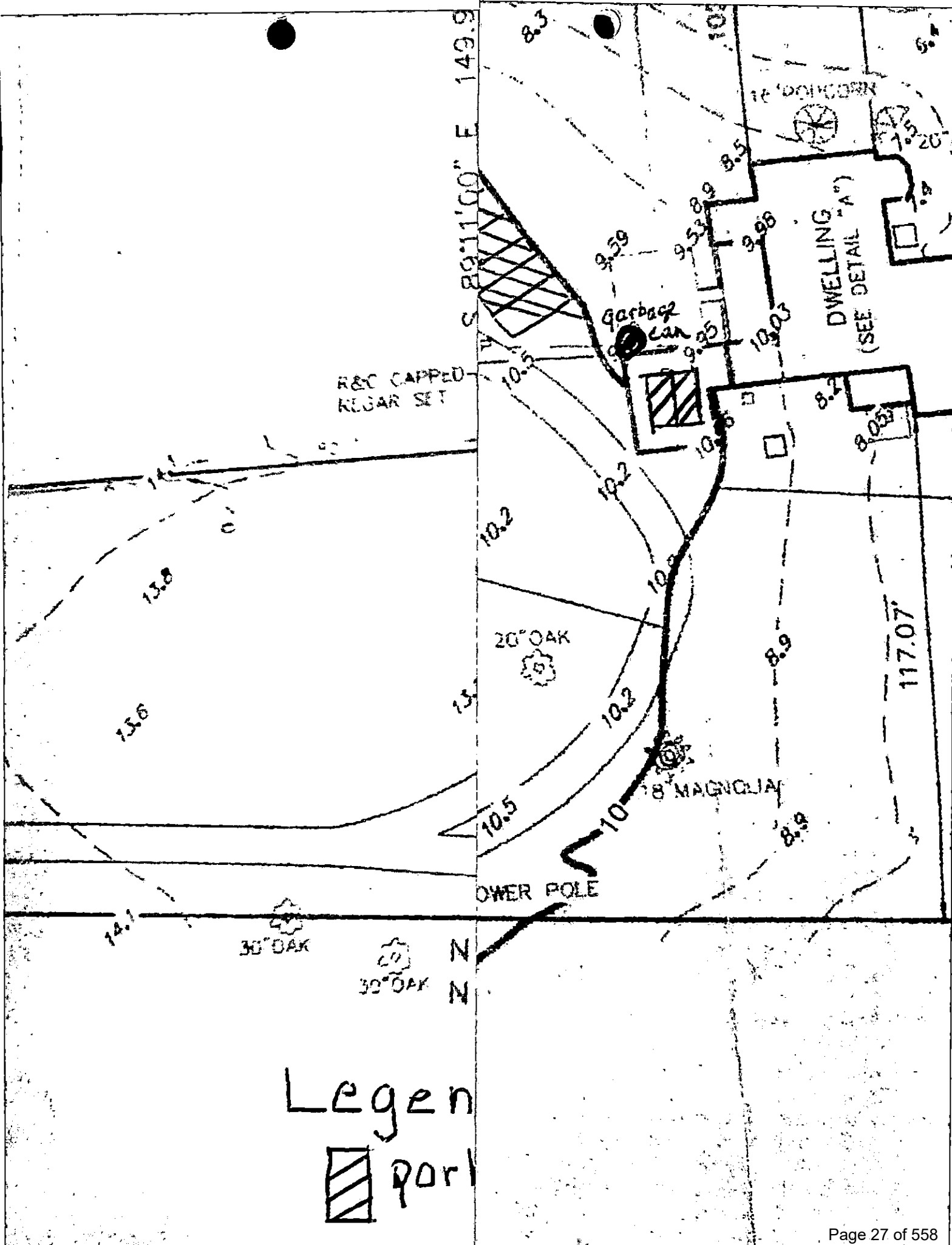
Notary Public

Print Kimberly A. Kringel

My commission expires: _____



(Seal)





THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION
February 21, 2025

Marbury D. Buckhaults
Shropshire, LLC
7075 Bay Road
Mobile, Alabama 36605

Re: 2411 Venetia Road
ZON-STR-003214-2025
Marbury Buckhaults, Shropshire, LLC
District 4
Conditional Use Permit approval to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District.

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

After discussion the Planning Commission heldover the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

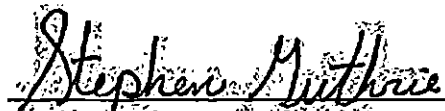
ZON-STR-003214-2025 Marbury Buckhaults, Shropshire, LLC
February 21, 2025

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Ms. Jennifer Denson, Secretary

By:

A handwritten signature in black ink, appearing to read "Stephen Guthrie", is written over a horizontal line.

Stephen Guthrie

Deputy Director of Planning and Zoning

850
43400
44750
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45750
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45950

STATE OF ALABAMA

COUNTY OF MOBILE

RECORDED
2018 MAR 13 PM 1:13
MOBILE COUNTY, ALABAMA

Mobile County, Alabama
2018 MAR 13 PM 1:13
MOBILE COUNTY, ALABAMA

PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that:

WHEREAS, **KATHERINE S. DEATON** died in Mobile County, Alabama on the 17th day of January, 2018, seized and possessed of the real estate hereinafter described; and

WHEREAS, the undersigned, **MARBURY D. BUCKHAULTS**, was duly appointed as Personal Representative of the estate of said Testatrix, and was issued Letters Testamentary by the Judge of Probate, Mobile County, Alabama, on the 12th day of March, 2018, in Case No. 2018-0406 and said Letters Testamentary are still in full force and effect; and

WHEREAS, the said Testatrix in her Will dated the 9th day of September, 1992, granted said Personal Representative the Power to Sell and Convey any Real Property held in Testatrix's Estate; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that **MARBURY D. BUCKHAULTS**, as Personal Representative of the Estate of **KATHERINE S. DEATON**, deceased, the Grantor, for the purpose of carrying out the terms of said will, does hereby GRANT, BARGAIN AND CONVEY unto **SHROPSHIRE, LLC**, an Alabama Limited Liability Company, the Grantee, subject to the provisions hereinafter contained, all that real property in the County of Mobile, State of Alabama, being further described as follows:

All that real property situated in the County of Mobile, State of Alabama, described as follows, to-wit: Beginning at a point on the North bank of Dog River where said river is intersected by the East line of a lot conveyed by Daniel B. Fisher to Mary E. Benton by deed dated December 6, 1928, and recorded in Deed Book 222 N.S. page 88, Probate Records of Mobile County, Alabama, which point is 317.8 feet East of the West line of the Lelande Tract, measured along a line at right angles to the West line of the Lelande Tract, and from said point of beginning running thence North 4 degrees East along the East line of said property conveyed to Mary E. Benton, and now or formerly owned by Venetia D. McClure, 1145 feet, more or less, to a point on the South side of a roadway running East and West, which point is 375.8 feet East of the West line of said LeLande Tract running thence East along the South side of said roadway 84 feet 10 inches, more or less, to the Northwest corner of a lot conveyed by Daniel B. Fisher to Alice B. Maxfield, as Guardian by deed dated January 21, 1932 and recorded in Deed Book 237 N.S. page 175, Probate Records of Mobile County, Alabama, thence running South along the West line of said lot so conveyed to Alice B. Maxfield, as Guardian, 475 feet to the Southwest corner thereof, thence running East along the South line of said Lot 150 feet to the Southeast corner thereof, thence running South along a line parallel with the West line of the Lelande Tract 685 feet, more or less, to the North bank of Dog River, thence Westwardly along the North bank of Dog River to the place of beginning. Said lot being bounded on the North by said roadway and the property conveyed to Alice B. Maxfield, as Guardian, on the

East by property now or formerly of Danner, South by Dog River and on the West by property formerly of Mary E. Benton, now or formerly of Venetia D. McClure.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns, forever.

This conveyance is made subject to restrictive covenants, easements, right of way and building setback line, if any, applicable to said property of record in the said Probate Court records; and as follows:

1. Lien of taxes hereafter failing due.
2. Right-of-way granted Mobile County by instrument recorded in Real Property Book 146, Page 211 of said records.
3. Easement granted Alabama Power Company by instrument recorded in Deed Book 392, Page 650 of said records.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this the 3rd day of April, 2018.

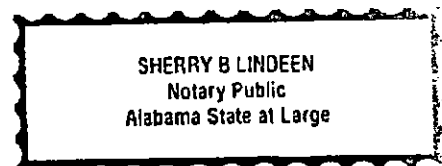
Marbury D. Buckhaults (SEAL)
Marbury D. Buckhaults
Personal Representative for the Estate of
Katherine S. Deaton, deceased

State of Alabama
County of Mobile

I, the undersigned notary public in and for said state and county, hereby certify that **Marbury D. Buckhaults**, whose name as Personal Representative of the Estate of Katherine S. Deaton, deceased, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument she, in her capacity as such Personal Representative and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 3rd day of April, 2018.

Sherry B. Lindeen
Notary Public
My Commission Expires: 5-3-2020



The Grantee's address is:

7075 Bay Road
Mobile, AL 36605

The Grantor's address is:

7075 Bay Road

My Commission Expires
May 3, 2020

Mobile, AL 36605

**My Commission Expires
May 3, 2020**

The Grantor's address is:

7075 Bay Road
Mobile, AL 36605

This instrument was prepared by:

John T. Bender, Attorney
McFadden, Rouse & Bender, LLC
718 Downtowner Boulevard
Mobile, Alabama 36609
(334)342-9172

NAME	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
LEONARDI DANIEL J & LINDA O LEONARDI	2407 VENETIA RD	MOBILE	AL	36605
ALSTON JAMES ROBERT MAXWELL III & MARGARET H ALSTON	2415 VENETIA RD	MOBILE	AL	36605
DEATON ELIZABETH TUCKER	125 NW 59TH ST	SEATTLE	WA	98107
SHROPSHIRE LLC	7075 BAY RD	MOBILE	AL	36605
BRIDGES VIRGINIA U	2436 VENETIA RD	MOBILE	AL	36605
BRIDGES CHARLES M & LYNNE W	3000 VENETIA RD	MOBILE	AL	36605
PRINCE VENETIA BARNEY	2417 VENETIA RD	MOBILE	AL	36605
RAINER VENETIA DANNER	2419 VENETIA RD	MOBILE	AL	36605
IBERIABANK, A DIVISON OF FIRST HORIZON BANK, ATTN TRUST REAL ESTATE	4385 POPLAR AVE	MEMPHIS	TN	38117



City of Mobile • Planning & Zoning Planning Commission Application

For hard copy submissions, **SEVEN (7) COPIES** of all the necessary information as required by the Zoning Ordinance, including the site plan, must be submitted along with **seven (7) paper copies of this application by NOON** on the deadline filing date. Otherwise, this application will not be accepted. Separate application packets and fees are required for each application type. Digital submissions are required by noon on the deadline filing date.

Fees

Conditional Use Permit	\$500
Conditional Use Permit for Above-Ground Oil Storage Tank*	\$1,500
Conditional Use Permit for Hazardous Substance Storage Tank*	\$1,500
Rezoning, Text Amendment, or Specific Area Plan	\$500
Planned Development	\$500
Planning Approval or Planned Unit Development	\$500

Notification fees: First Class Postage per property owner within 300', and each applicant/owner.

Additional fees: A legal advertisement fee will be required for each application, after consideration by the Planning Commission and prior to consideration by the City Council. If approved by the City Council, documentation must be recorded in Mobile County Probate Court at the expense of the applicant.

* For Above-Ground Oil Storage Tank or Hazardous Substance Storage Tank applications, please contact staff for additional information regarding fee, legal ad and notification requirements.

APPLICATION TYPE Please select the application type. Please complete the appropriate checklist (A, B, C, or D) for a full list of application requirements.

☒ **Conditional Use Permits**
Checklist A

☐ **Rezoning, Text Amendment, or Specific Area Plan Amendments**
Checklist B

☐ **Planned Development**
Checklist C

☐ **Previously approved Planning Approvals or Planned Unit Development**
Checklist D

Have you provided the required information on the corresponding checklist? ☐ Yes ☐ No

1. APPLICANT INFORMATION If other than the property owner, must furnish written authorization from owner. Owner must submit evidence, such as deed or tax assessment that the person has right of possession to the land and any structures thereon.

	Applicant	Agent (If Applicable)
Name:	Marbury Buckhardt Is	
Firm:	Shropshire LLC	
Phone:	251-458-8533	
Email:	marburybuck@gmail.com	
Address:	2411 Venetia Rd } location Mobile AL 36605 } property	
	7075 Bay Rd } mailing Mobile AL 36605 } address	

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower

Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Revised February 2023

	Owner	Design Professional
Name:		
Firm:		
Phone:		
Email:		
Address:		

2. PROPERTY INFORMATION Attach a brief description of the property location, parcel number, and legal description.

2411 Venetia Road 6 acres
 Property Address Property Area (acres or square feet)
Key # 1001622
 Parcel Number(s) or Key Number(s)
R-1 Single family resident
 Present Zoning or Transect District Proposed Zoning or Transect District (if applicable)

3. NEIGHBORHOOD MEETING Attach the Neighborhood Meeting Documentation if applicable.

This requirement applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

Have you provided the required Neighborhood Meeting Documentation, if applicable? ☐ Yes ☐ No

4. LABELS FOR NOTIFICATION Provide the names and complete addresses of owners of property lying within 300 feet of the property in this application, as shown by the latest assessment records of the Mobile County Revenue Commissioner's Office located in the plat and map room. ALL property ownership information provided for notification MUST be verified through Probate Court records. Each name and address must be TYPED on a standard size (approximately 1" x 2-5/8") white self-adhesive label. Include one (1) label with the APPLICANT'S name and address, plus one (1) label with the OWNER'S name and address (if applicant and owner differ). A PHOTOCOPY OF THE TYPED LABELS MUST ALSO BE SUBMITTED. (Please use 8 1/2" x 11" sheets of labels).

5. SIGNATURE It is warranted in good faith by the applicant whose name is signed hereto that all of the above facts are true and correct.

Marbury D. Buckhauls
Owner Signature

January 15, 2025
Date

Marbury D. Buckhauls
Applicant or Agent Signature (if applicable)

January 15, 2025
Date

AGREEMENT ALLOWING THE CITY OF MOBILE TO POST PUBLIC NOTICE SIGNS ON PROPERTY PENDING BEFORE THE MOBILE CITY PLANNING COMMISSION

I hereby agree to allow the City of Mobile to post on my property, which is under consideration for Planning Commission/City Council approval, a sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.

Marbury D. Buckhauls
Applicant or Agent Signature

January 15, 2025
Date

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895

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CHECKLIST A

Conditional Use Permit

Requirement Checklist A is required for all Conditional Use Permits

The following information is required to evaluate applications for Conditional Use Permits. Please provide a statement for all items.

Please consult the [Use Table in Section 64-2-24](#) of the UDC as the following uses may require supplemental documentation. Select all of the uses that apply.

☐ Bed and Breakfast Establishments	☐ Bar/Lounge
☐ Community Residences	☐ Daycare, Child (Home Based 7-12 Children)
☒ Short-Term Rentals	☐ Private or Parochial School
☐ Above-Ground Oil Storage Tank	☐ Hazardous Substance Storage Tank

Have you provided the required information for the selected uses above? ☒ Yes ☐ No

The Following information is required for Conditional Use Permits. Please refer to [Section 64-10-6](#) for a full description of the requirements and verify that the following documentation is provided:

- | | |
|--|---|
| ☐ Planning Commission Application | ☐ Site Plan |
| ☐ Documentation of compliance with Approval Criteria | ☐ Neighborhood Meeting Documentation |
| ☐ Traffic Impact Studies, as prescribed by the Traffic Engineer | |

1. Describe how the proposal aligns with the [Comprehensive Plan, Map for Mobile](#).

This property is low density Residential on the FLUM. Primary land use is residential, single family housing unit.

Low density Residential
Future Land Use Map (FLUM) Designation

2. Is the application compliant with [Development Standards of Article 3](#)? ☐ Yes ☐ No
If no, what are the deficiencies?

The property is developed to residential standards, any improvements required are willing to be made

3. Describe how the application and plan is compatible with the character of the surrounding neighborhood.

This property will conform to the character of the area. It will not have excess traffic and there is ample space for parking on the premises. Noise ordinance is posted and enforced. Trash is put on the street and picked up as directed.

4. Describe how the proposal prevents impacts on the development or improvement of adjacent property.

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5. Please provide the following information:

- ☒ The location, type and height of buildings or structures: (e.g., The existing structure is 24 feet tall)
The existing structure is 26' high.
It is located in the center of 6 acres. Wood frame
- ☒ The type and location of landscaping and screening: (e.g., A row of shrubs is located along the western edge of the property)
Hedges on property line both on the west and east sides
- ☒ Lighting: (dusk to dawn)
There is a high light near the carport. Carport lights and lights attached to the house are unobtrusive and blocked by hedges.
- ☒ Hours of operation:
Lodgers check in at 3pm and check out 11am. A noise ordinance is posted and enforced. House is as a residence.
- ☐ Other conditions that are unique to the use of the property:

6. Does the plan provide appropriate ingress and egress? (Please provide a site plan showing ingress and egress)

☒ Yes ☐ No

7. Describe how the proposal is designed to minimize the impact on storm water facilities.

Residence was built according to City of Mobile Engineering regulations and there is no impact expected to storm water facilities as we are not proposing new structures to be built.

8. Describe how the development is served by water and sanitary sewer services. What services are provided and by what entity?

MAWSS

9. Describe how the proposal will minimize elements that may be noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; or have elements that are detrimental to the public health, safety or general welfare.

None of the above are an issue at this property.

10. For Above-Ground Oil Storage Tanks, please include all information required by [Section 64-4-7](#). For Hazardous Substance Storage Tanks, please include all information required by [Section 64-4-8](#).

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Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm



Saturday, January 18, 2025 ·
12:37 PM

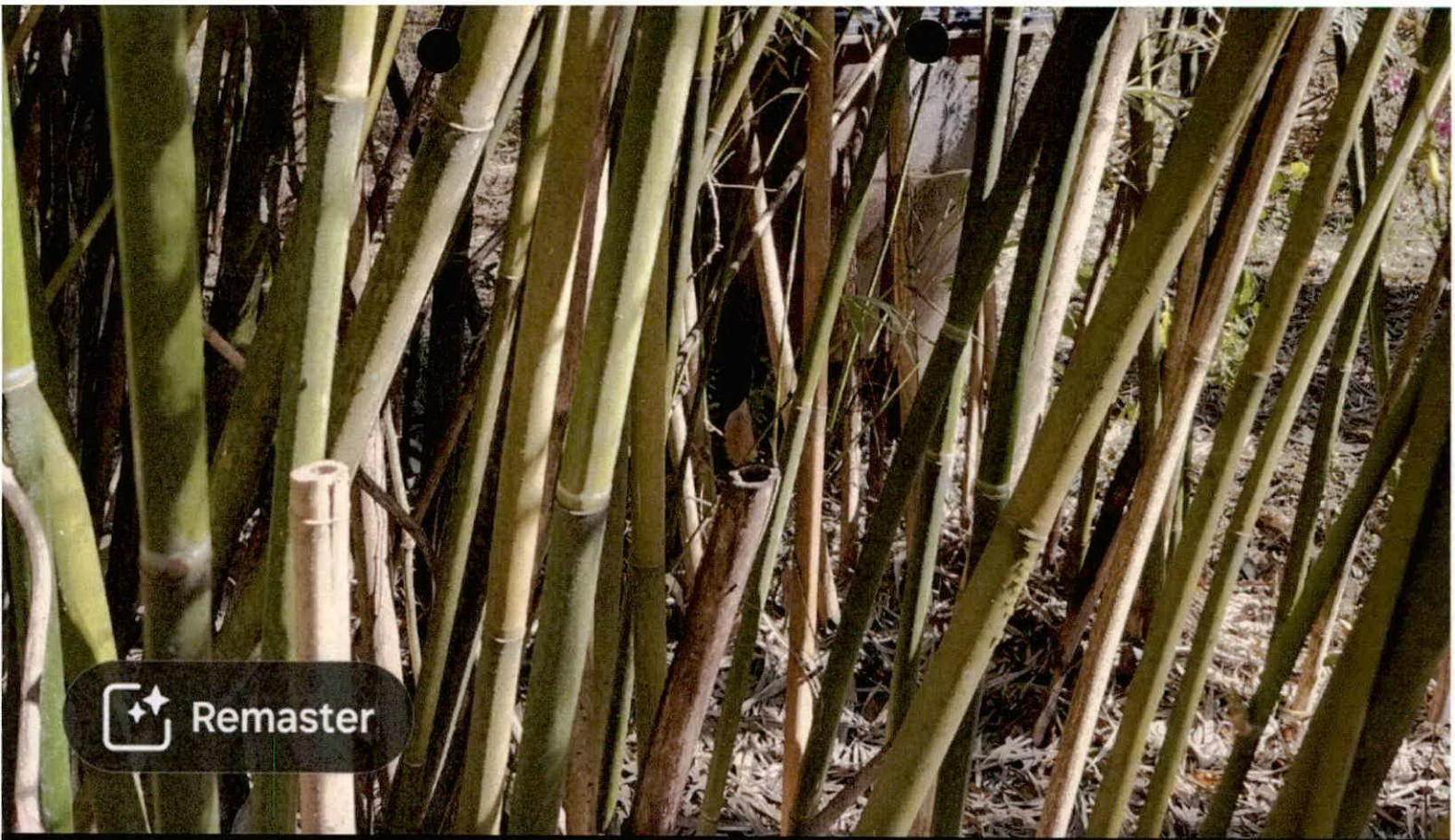
[Edit](#)

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/Internal storage/Pictures/Messages

iPhone SE (2nd generation)

1.09 MB 2921x1905 6MP
ISO 50 28mm 0.0ev F1.8 1/122 s

Addition



Friday, February 28, 2025 ·
2:42 PM

[Edit](#)

20250228_144229.jpg

/Internal storage/DCIM/Camera

Galaxy S23 FE

4.85 MB 4000x3000 12MP

ISO 64 23mm 0.0ev F1.8 1/180 s

[# Add tag](#)



Friday, February 28, 2025 ·
12:29 PM

[Edit](#)

20250228_122937.jpg

/Internal storage/DCIM/Camera

Galaxy S23 FE

6.09 MB | 3000x4000 | 12MP

ISO 25 | 23mm | 0.0ev | F1.8 | 1/180 s

[# Add tag](#)

Notice of Neighborhood Meeting

Dear Property Owners:

This letter is to inform you that a Neighborhood Meeting has been scheduled to discuss the following application that Shropshire LLC/Dandelion Lodge will be submitting to the Mobile City Planning Commission.

1. Application Conditional Use Permit approval to allow use of the property located at 2411 Venetia Road as a Short-Term Rental (VRBO/AIRBNB).

The Neighborhood Meeting will be held at the following time, date, and location:

Monday, January 27, 2025

4-6

Christ Anglican Church
3275 Halls Mill Road

You are receiving this notice because your property is located within 30 feet of 2411 Venetia Road, in compliance with the notification requirements of Article 5 of the city's Unified Development Code (UDC). You or your agent are invited to attend the Neighborhood Meeting to learn more about the above-referenced application, ask questions, and present your views.

Sincerely,

Marbury Buckhaults
Ogden Deaton
Elizabeth Tucker Deaton
Shropshire LLC
2411 Venetia Road
marburybuck@gmail.com



City of Mobile · Planning & Zoning
Neighborhood Meeting Cover Sheet

Please complete this cover sheet to submit with all required meeting documentation

Date of Submittal: 1-29-25

The following documentation has been collected, signed, and submitted with this cover sheet to the City of Mobile Planning and Zoning Department for the proposed application(s) (i.e. Rezoning, Planned Development, Conditional Use Permit):

Neighborhood Meeting Date: January 27, 2025

Neighborhood Meeting Time: 4-6 pm

Neighborhood Meeting Location: Christ Anglican Church
8275 Halls Mill Road

The following documents are enclosed (place a checkmark where applicable):

- ☒ Dated photograph(s) of the posted sign(s)
- ☒ The verified address list of surrounding property owners to whom notification was provided
- ☒ A copy of the notice advertising the Neighborhood Meeting
- ☒ A sign-in sheet documenting meeting attendance *will forward after meeting is held*
- ☒ A written summary or minutes of the meeting
- ☒ Copies of any site plans, building elevations or other documents provided of referenced at the meeting
- ☐ Additional documents (Describe: _____)

Applicant's Name: Marbury Buckhauls
(First Name & Last Name)

Applicant's signature attesting to the accuracy of the documentation provided:

x Marbury Buckhauls Date: 1-29-25

All required meeting documentation must be submitted to the Planning and Zoning Department not less than 15 days before the applicable Planning Commission meeting date. Failure to do so will require the associated application(s) to be heldover to a later meeting date.

Neighborhood Meeting

Date: January 27, 2025

Time: 4-6 pm

Location of Neighborhood Meeting: Christ Anglican Church 3275 Halls Mill Road

Project Location: 2411 Venetia Rd

Project/Application (e.g. Rezoning from R-1 to B-1): _____

Conditional Use Permit

Applicant's Signature Attesting to the Accuracy of This Sheet:

x Marbury Buckhaults Date: January 27, 2025

Please Sign In:

Partner in
LLC

Name: Elizabeth Tucker Denton Email: tucker@kalanicoffee.com

Address: 125 NW 59th St Seattle WA 98107 Phone: 206 388 8997

Name: _____ Email: _____

Address: _____ Phone: _____

Name: _____ Email: _____

Address: _____ Phone: _____

Name: _____ Email: _____

Address: _____ Phone: _____

Neighborhood Meeting Summary

Meeting Date: January 27, 2025

Meeting Time: 4-6 pm

Meeting Location: Christ Anglican Church
3275 Halls Mill Road

Below is a summary of the proposed project presented at the Neighborhood Meeting:

There were
no attendees.
Two parties
(who
have stayed
at the Dandelion
Lodge) that
were on the invite list

We have a 3,060 square ft house that we use as a short-term rental through VRBO and Air BNB. We have been informed that the city is requiring a conditional use permit. The house has 6 bedrooms and has a maximum capacity of 12 guests. The house is located in the center of 6 acres so there is plenty of parking with 2 ^{spaces} under the carport and 8 more place beyond the house.

Called to see if we needed support at the meeting, and we told them "no need".
The following information was distributed (e.g. site plan, building elevation drawings, traffic study, etc.):

None

Please attach copies of the distributed information to this summary.

Below is a summary of what occurred at the meeting (please provide the names of anyone who spoke, summarize any questions and responses, summarize any pertinent information discussed or any important activities that occurred):

we had no attendees

Application: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

x Marbury D. Buckhaults Date: _____

NEIGHBORHOOD MEETING DOCUMENTATION

The following are required for neighborhood meeting documentation. Please provide a statement for all items. Refer to [Section 64-5-4 of the UDC](#) for full requirements.

This section applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

Please verify the following documentation is provided:

- ☒ Dated Photograph(s) of the posted sign(s)
- ☒ The verified address list of surrounding property owners who were notified
- ☒ A sign-in sheet documenting meeting attendance *will submit after meeting date*
- ☒ Written summary or minutes of the meeting *" " " " "*
- ☒ Copies of any site plans, building elevations or other documents provided or referenced at the meeting *will provide after meeting*

Neighborhood Meeting Proceedings:

1. What was the date and location of the meeting?

Jan 27, 2025 4-6
Christ Anglican Church 3275 Halls Mill Road

2. What information was presented at the meeting?

None (no attendees)

3. What concerns were raised during the meeting?

None

4. Were any modifications made or considered in response to the concerns raised at the meeting?

No

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Revised February 2023

Mr & Mrs Daniel Leonardi
2407 Venetia Road
Mobile, AL 36605

Mr. & Mrs. James R Alston
2415 Venetia Road
Mobile, AL 36605

Elizabeth T. Deaton
125 NW 59th St
Seattle, WA 98107

Shropshire LLC
7075 Bay Road
Mobile, AL 36605

Virginia U Bridges
2436 Venetia Road
Mobile, AL 36605

Mrs. Lynne W Bridges
3000 Venetia Road
Mobile, AL 36605

Ms. Venetia Barney Prince
2417 Venetia Road
Mobile, AL 36605

Venetia Danner Rainer
2419 Venetia Road
Mobile, AL 36605

Iberiabank, A Division of First Horizon
Bank,
Attn: Trust Real Estate
4385 Poplar Ave
Memphis, TN 38117



Agenda Item # 1 - HOLDOVER ZON-STR-003214-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

2411 Venetia Road

Applicant/Agent:

Marbury Buckhaults, Shropshire, LLC

Property Owner:

Shropshire, LLC

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Suburban District.

Commission Considerations:

1. Holdover to the March 20th meeting.

Report Contents:

	Page
Context Map	2
Review Standards	3
Staff Comments	4
Commission Considerations	5
Exhibits	7

PLANNING COMMISSION **VICINITY MAP - EXISTING AERIAL**



The site is surrounded by single family residential units.

APPLICATION NUMBER 1 DATE March 20, 2025
 APPLICANT Marbury Buckhaults, Shropshire, LLC
 REQUEST Conditional Use Permit STR



HOLDOVER COMMENTS

The application was heldover from the February 20th meeting to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

The applicant has provided the requisite information and has certified compliance with all applicable criteria for approval of the Conditional Use Permit.

It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

HOLDOVER CONSIDERATIONS

Based on the requested Conditional Use Permit application, if the Commission and City Council consider approval of the request, the following Findings of Fact must be present. The application:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 6. Is designed to minimize the impact on storm water facilities;
 7. Will be adequately served by water and sanitary sewer services;
 8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 9. Shall not be detrimental to or endanger the public health, safety or general welfare.
 10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

The Commission and City Council should determine if the site meets all requisite criteria for approval of a Short-Term Rental, as detailed in Article 5, Section 64-5-6.E.11.(g) of the UDC.

If the application is considered for approval, it should be subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

SHORT-TERM RENTAL CONDITIONAL USE PERMIT CONSIDERATIONS

Standards of Review:

Conditional Use Permits (CUPs) are required for certain uses in the Use Table (Table 64-2-24.1). These uses may have some special impact which differs from the potential impacts of permitted uses, such as exceeding permitted uses in intensity, or have unique requirements specified for compliance in the Unified Development Code (UDC).

Article 5, Section 6-E. of the Unified Development Codes states the City Council shall not approve an Application for Conditional Use Permit unless the proposed use:

11. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
12. Is compatible with the character of the surrounding neighborhood;
13. Will not impede the orderly development and improvement of surrounding property; and
14. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
15. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 16. Is designed to minimize the impact on storm water facilities;
 17. Will be adequately served by water and sanitary sewer services;
 18. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 19. Shall not be detrimental to or endanger the public health, safety or general welfare.
 20. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
 21. Criteria by Use. The Planning Commission and City Council shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Conditional Use Permits involving the following uses. In considering a Conditional Use Permit, the Planning Commission and City Council may attach such reasonable conditions and safeguards in addition to those set forth in this section, as they may deem necessary to implement the purposes of this Chapter.

In addition to the general standards of review above, there are criteria specific to Short-Term Rentals, which include:

- (1) There shall be no on-site employees.
- (2) No more than eight (8) guest rooms shall be included in any one establishment.
- (3) The establishment shall not serve meals.
- (4) Guest rooms shall not contain cooking facilities.
- (5) A valid City of Mobile business license must be obtained for each discrete Short-Term Rental location and the business license number must be stated on any advertisement or listing for each Short-Term Rental. Provided, however, that Short-Term Rentals containing multiple units within a single structure that can be rented separately shall only be required to obtain a single license for each structure.
- (6) The operation shall not alter the residential nature of the neighborhood or the character of the dwelling as a residence.
- (7) The refuse area shall be screened from view, and shall be no closer than twenty (20) feet from any property line and 100 feet from any dwelling on an adjacent lot.
- (8) There shall be a minimum of two (2) off-street parking spaces for the principal occupants of the residence (if any), and a minimum of one (1) additional parking space per guest room. The additional parking spaces shall not be located in any required front or side yard setback area and shall be screened from the view of adjacent properties by natural or artificial means.
- (9) No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. is permitted.
- (10) The name and telephone number of a local responsible party shall be conspicuously posted within each Short-Term Rental. The local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of each Short-Term Rental period to address problems or complaints associated with the Short-Term Rental.
- (11) Each Short-Term Rental must meet applicable building and fire codes and be equipped with the following safety equipment and features: a.
 - a. Operational smoke and carbon monoxide detectors.

- b. One (1) 2.5 lb. Class A-B-C fire extinguisher per floor.
 - c. Prominently displayed and legible 9-1-1 address on building exterior
- (12) May not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

Planning Comments:

The applicant is requesting a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. The applicant's narrative justifying the request can be viewed using the link on Page 1 of this report.

In reviewing the request, staff has determined that the site does/does not meet the following site and design criteria of Article 5, Section 6-E. of the UDC:

The site does meet the criteria		That there are no more than eight (8) guest rooms.
The site does meet the criteria		That the operation will not alter the residential nature of the neighborhood.
The site does meet the criteria		That the operation does not alter the character of the dwelling as a residence.
	The site does not meet the criteria	That the refuse (garbage) area is screened from view.
The site does meet the criteria		That the refuse (garbage) area is no closer than 20 feet from any property line.
The site does meet the criteria		That the refuse (garbage) area is no closer than 100 feet from any other dwelling.
The site does meet the criteria		That the minimum number of parking spaces are provided.
The site does meet the criteria		That the operation does not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

The applicant has/has not certified the following in their application:

	Has not certified	That there shall be no on-site employees.
	Has not certified	That the establishment shall not serve meals.
	Has not certified	That the guest rooms shall not contain cooking facilities.
	Has not certified	That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental.
	Has not certified	That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site.
	Has not certified	That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
	Has not certified	That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a

		week for the duration of the Short-Term Rental period to address guests' problems or complaints.
	Has not certified	That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
	Has not certified	That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
	Has not certified	That the address of the dwelling shall be prominently displayed and legible on the building.

Approval of the request should be contingent upon full compatibility with the requisite criteria for approval of a Conditional Use Permit for a Short-Term Rental. **All criteria in the above tables should be certified and the site must meet all criteria for the Conditional Use Permit to be approved.** If the criteria are not certified and the site does not meet all applicable criteria, then the Conditional Use Permit cannot be approved.

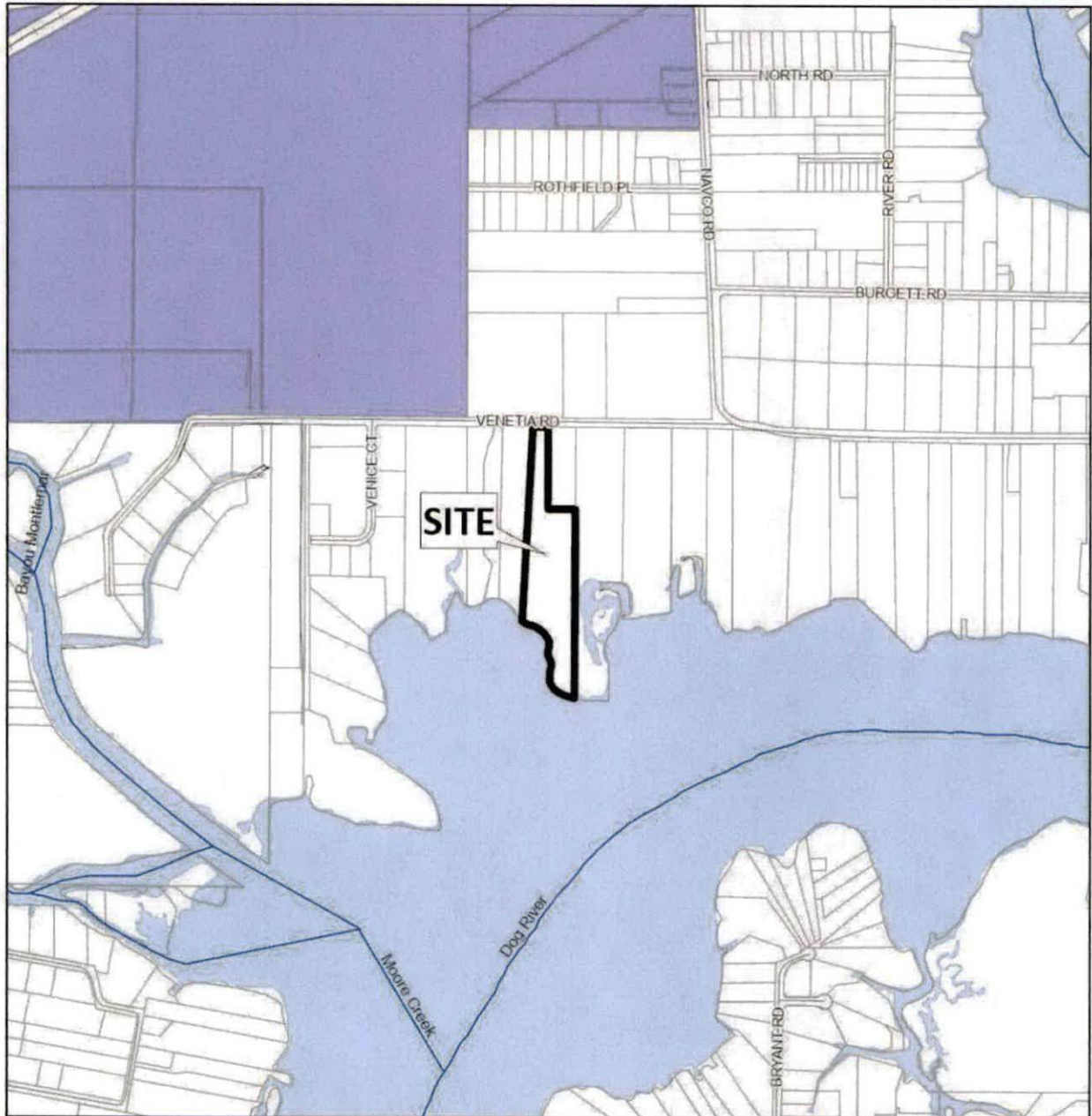
It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

Considerations:

The Planning Commission should consider a holdover of the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

4. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
5. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
6. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

LOCATOR ZONING MAP



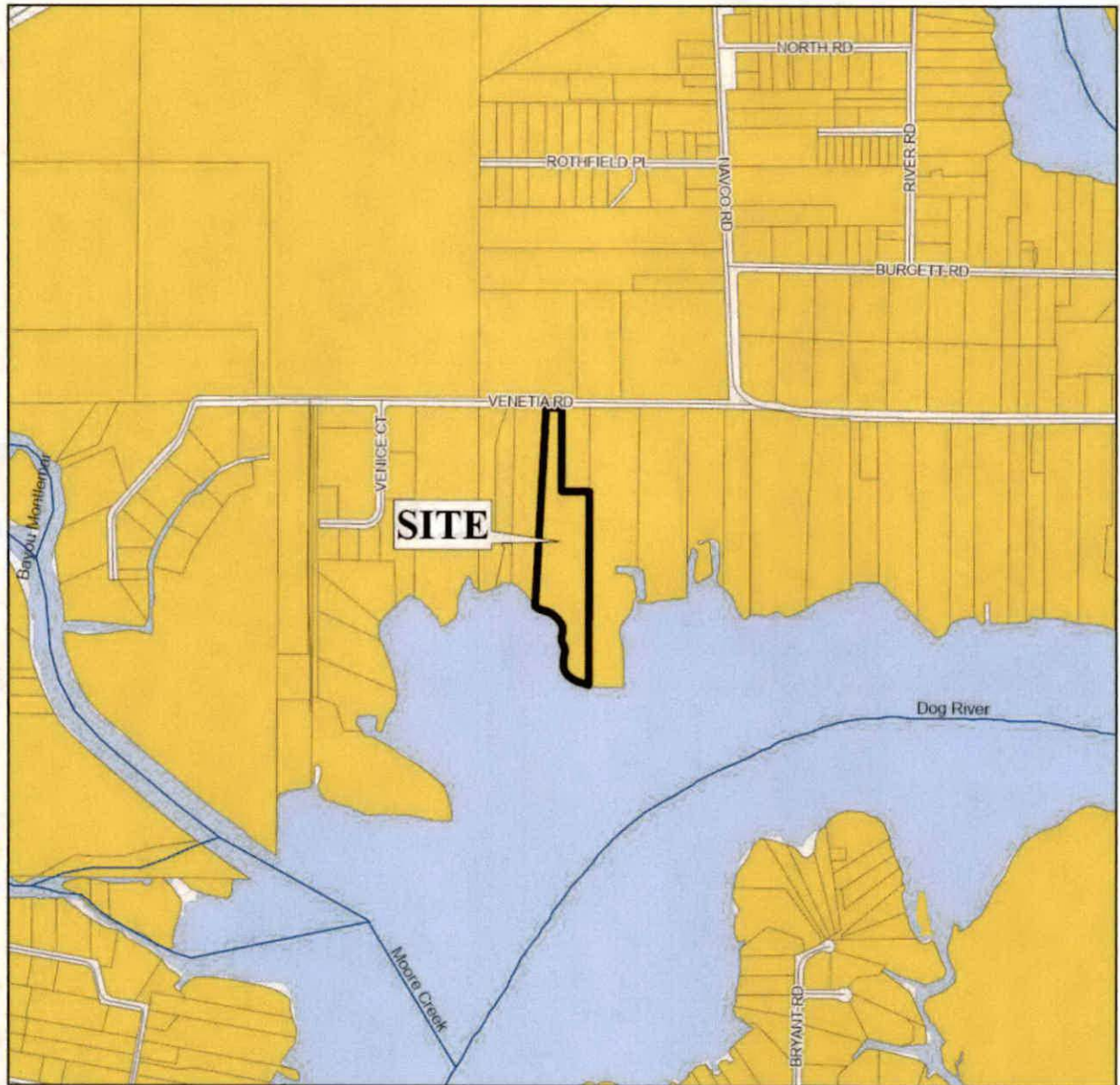
APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE March 20, 2025

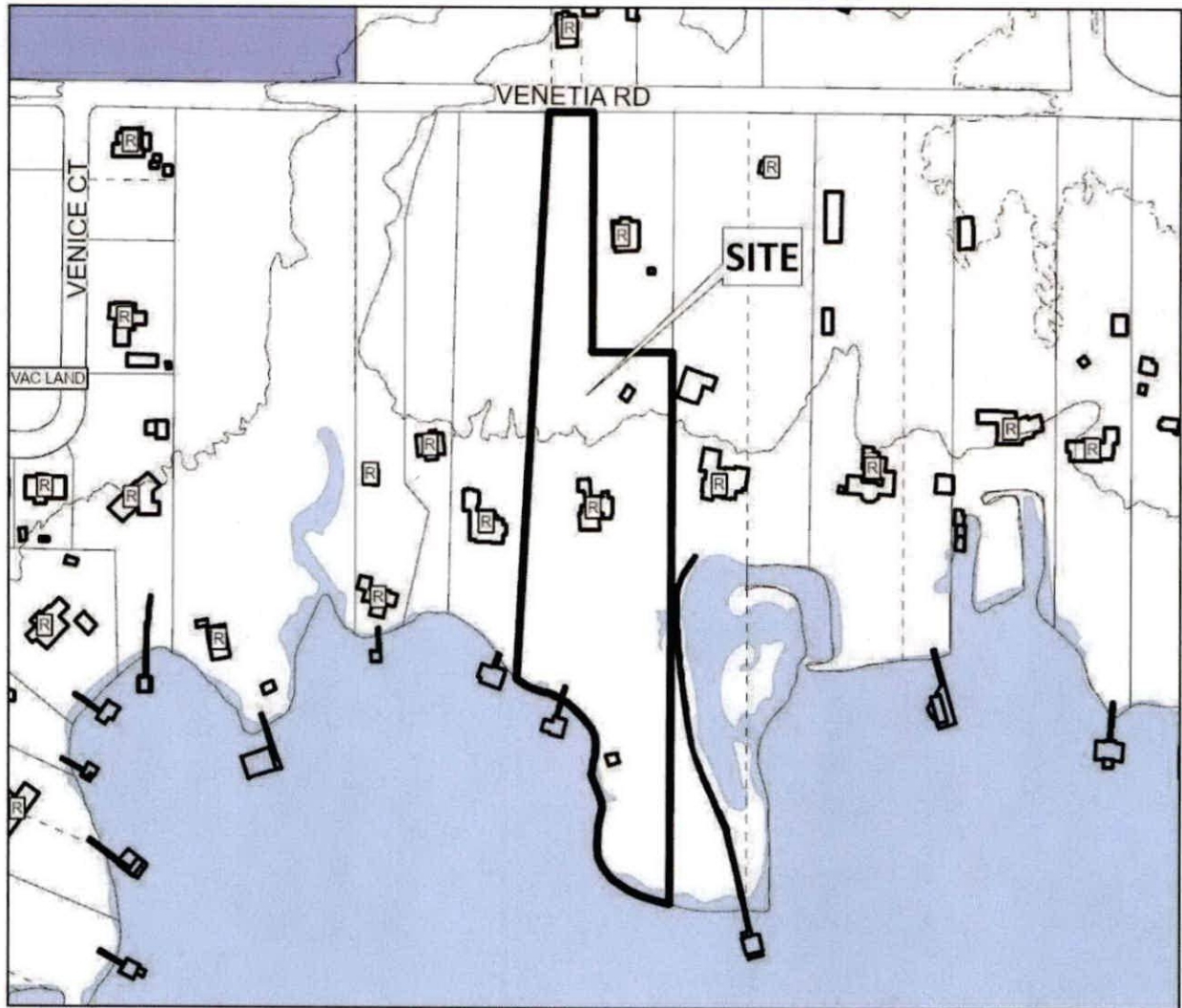
APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR

- | | | | |
|---|--|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



PLANNING COMMISSION **VICINITY MAP - EXISTING ZONING**



The site is surrounded by single family residential units.

APPLICATION NUMBER 1 DATE March 20, 2025

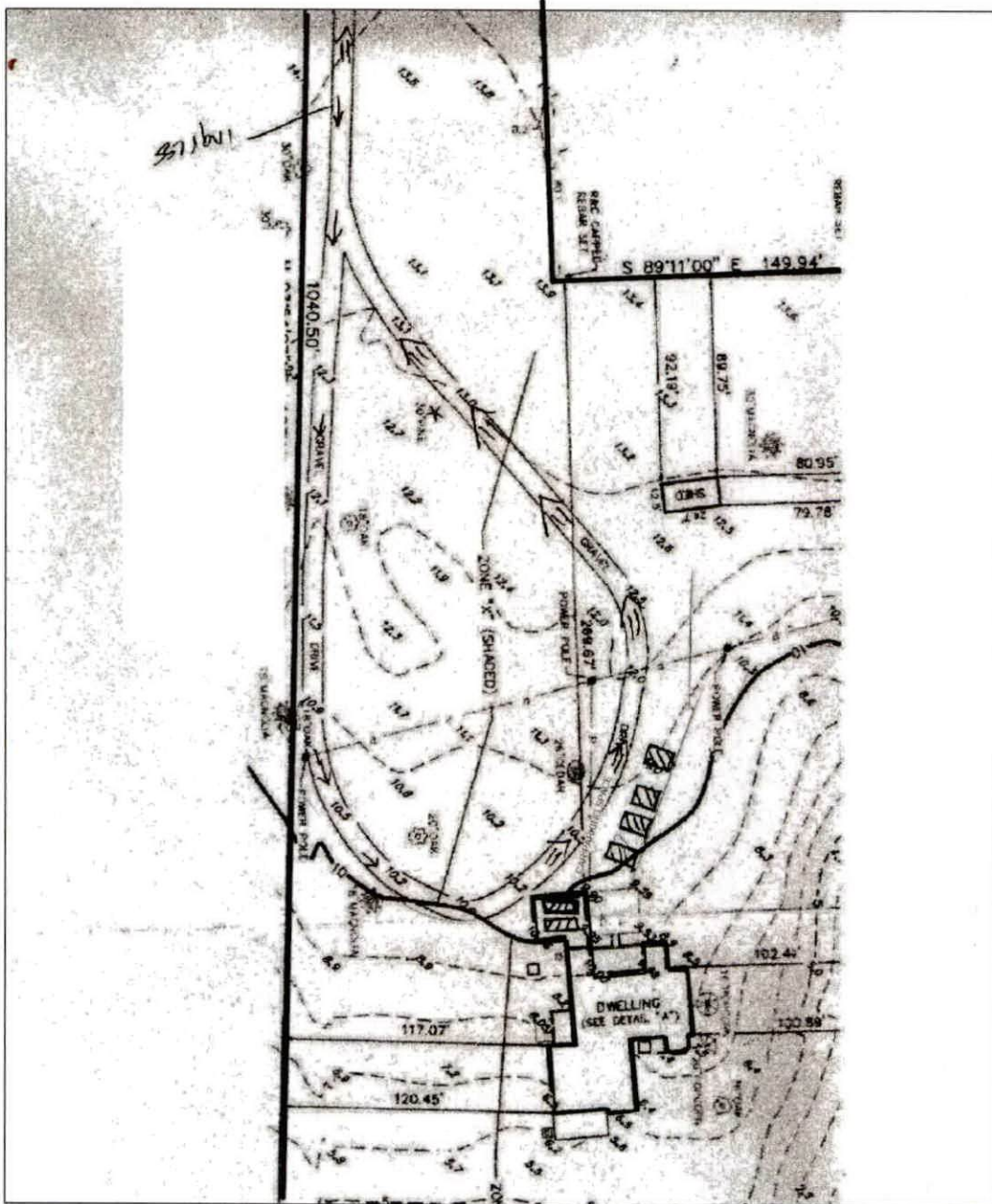
APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5,2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5,1	



SITE PLAN

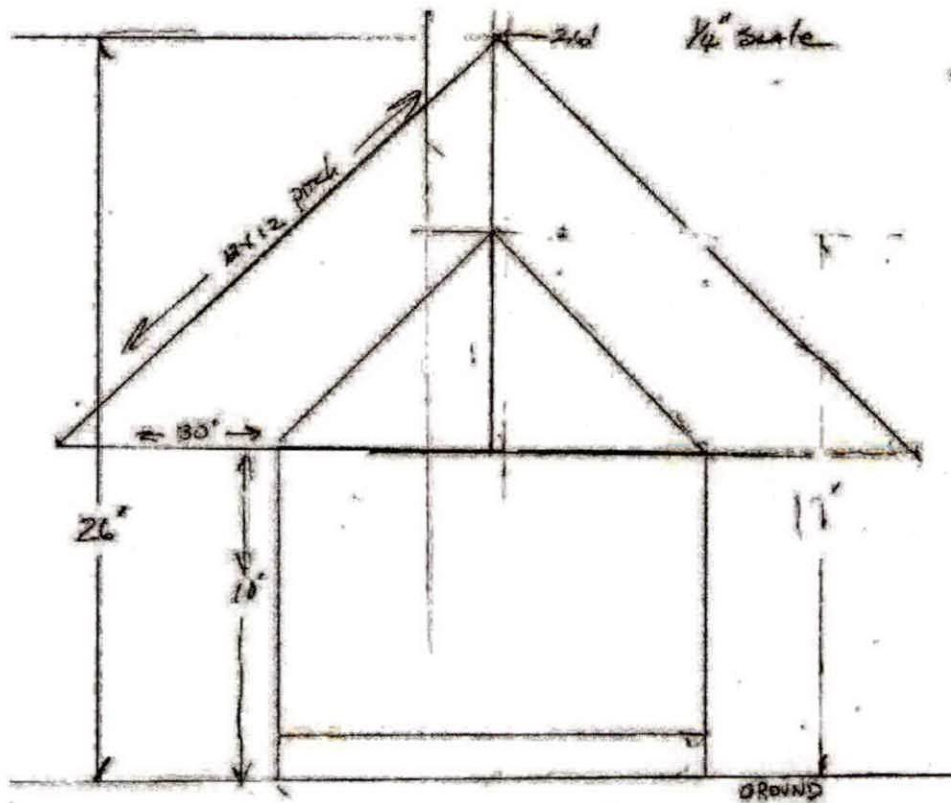


The site plan illustrates the existing residence, drive, and parking spaces.

APPLICATION NUMBER	1	DATE	March 20, 2025
APPLICANT	Marbury Buckhaults, Shropshire, LLC		
REQUEST	Conditional Use Permit STR		



DETAIL SITE PLAN



HEIGHT OF STRUCTURE 26'

APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



NTS

ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.



Agenda Item # 13

ZON-STR-003214-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

2411 Venetia Road

Applicant/Agent:

Marbury Buckhaults, Shropshire, LLC

Property Owner:

Shropshire, LLC

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Suburban District.

Commission Considerations:

1. Holdover to the March 20th meeting.

Report Contents:

	Page
Context Map	2
Review Standards	3
Staff Comments	4
Commission Considerations	5
Exhibits	7

PLANNING COMMISSION **VICINITY MAP - EXISTING AERIAL**



The site is surrounded by single family residential units.

APPLICATION NUMBER <u>13</u>	DATE <u>February 20, 2025</u>	 NTS
APPLICANT <u>Marbury Buckhaults, Shropshire, LLC</u>		
REQUEST <u>Conditional Use Permit STR</u>		

SHORT-TERM RENTAL CONDITIONAL USE PERMIT CONSIDERATIONS

Standards of Review:

Conditional Use Permits (CUPs) are required for certain uses in the Use Table (Table 64-2-24.1). These uses may have some special impact which differs from the potential impacts of permitted uses, such as exceeding permitted uses in intensity, or have unique requirements specified for compliance in the Unified Development Code (UDC).

Article 5, Section 6-E. of the Unified Development Codes states the City Council shall not approve an Application for Conditional Use Permit unless the proposed use:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;
 - (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
11. Criteria by Use. The Planning Commission and City Council shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Conditional Use Permits involving the following uses. In considering a Conditional Use Permit, the Planning Commission and City Council may attach such reasonable conditions and safeguards in addition to those set forth in this section, as they may deem necessary to implement the purposes of this Chapter.

In addition to the general standards of review above, there are criteria specific to Short-Term Rentals, which include:

- (1) There shall be no on-site employees.
- (2) No more than eight (8) guest rooms shall be included in any one establishment.

- (3) The establishment shall not serve meals.
- (4) Guest rooms shall not contain cooking facilities.
- (5) A valid City of Mobile business license must be obtained for each discrete Short-Term Rental location and the business license number must be stated on any advertisement or listing for each Short-Term Rental. Provided, however, that Short-Term Rentals containing multiple units within a single structure that can be rented separately shall only be required to obtain a single license for each structure.
- (6) The operation shall not alter the residential nature of the neighborhood or the character of the dwelling as a residence.
- (7) The refuse area shall be screened from view, and shall be no closer than twenty (20) feet from any property line and 100 feet from any dwelling on an adjacent lot.
- (8) There shall be a minimum of two (2) off-street parking spaces for the principal occupants of the residence (if any), and a minimum of one (1) additional parking space per guest room. The additional parking spaces shall not be located in any required front or side yard setback area and shall be screened from the view of adjacent properties by natural or artificial means.
- (9) No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. is permitted.
- (10) The name and telephone number of a local responsible party shall be conspicuously posted within each Short-Term Rental. The local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of each Short-Term Rental period to address problems or complaints associated with the Short-Term Rental.
- (11) Each Short-Term Rental must meet applicable building and fire codes and be equipped with the following safety equipment and features: a.
 - a. Operational smoke and carbon monoxide detectors.
 - b. One (1) 2.5 lb. Class A-B-C fire extinguisher per floor.
 - c. Prominently displayed and legible 9-1-1 address on building exterior
- (12) May not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

Planning Comments:

The applicant is requesting a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. The applicant's narrative justifying the request can be viewed using the link on Page 1 of this report.

In reviewing the request, staff has determined that the site does/does not meet the following site and design criteria of Article 5, Section 6-E. of the UDC:

The site does meet the criteria		That there are no more than eight (8) guest rooms.
The site does meet the criteria		That the operation will not alter the residential nature of the neighborhood.
The site does meet the criteria		That the operation does not alter the character of the dwelling as a residence.
	The site does not meet the criteria	That the refuse (garbage) area is screened from view.
The site does meet the criteria		That the refuse (garbage) area is no closer than 20 feet from any property line.

The site does meet the criteria		That the refuse (garbage) area is no closer than 100 feet from any other dwelling.
The site does meet the criteria		That the minimum number of parking spaces are provided.
The site does meet the criteria		That the operation does not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

The applicant has/has not certified the following in their application:

	Has not certified	That there shall be no on-site employees.
	Has not certified	That the establishment shall not serve meals.
	Has not certified	That the guest rooms shall not contain cooking facilities.
	Has not certified	That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental.
	Has not certified	That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site.
	Has not certified	That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
	Has not certified	That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints.
	Has not certified	That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
	Has not certified	That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
	Has not certified	That the address of the dwelling shall be prominently displayed and legible on the building.

Approval of the request should be contingent upon full compatibility with the requisite criteria for approval of a Conditional Use Permit for a Short-Term Rental. **All criteria in the above tables should be certified and the site must meet all criteria for the Conditional Use Permit to be approved.** If the criteria are not certified and the site does not meet all applicable criteria, then the Conditional Use Permit cannot be approved.

It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

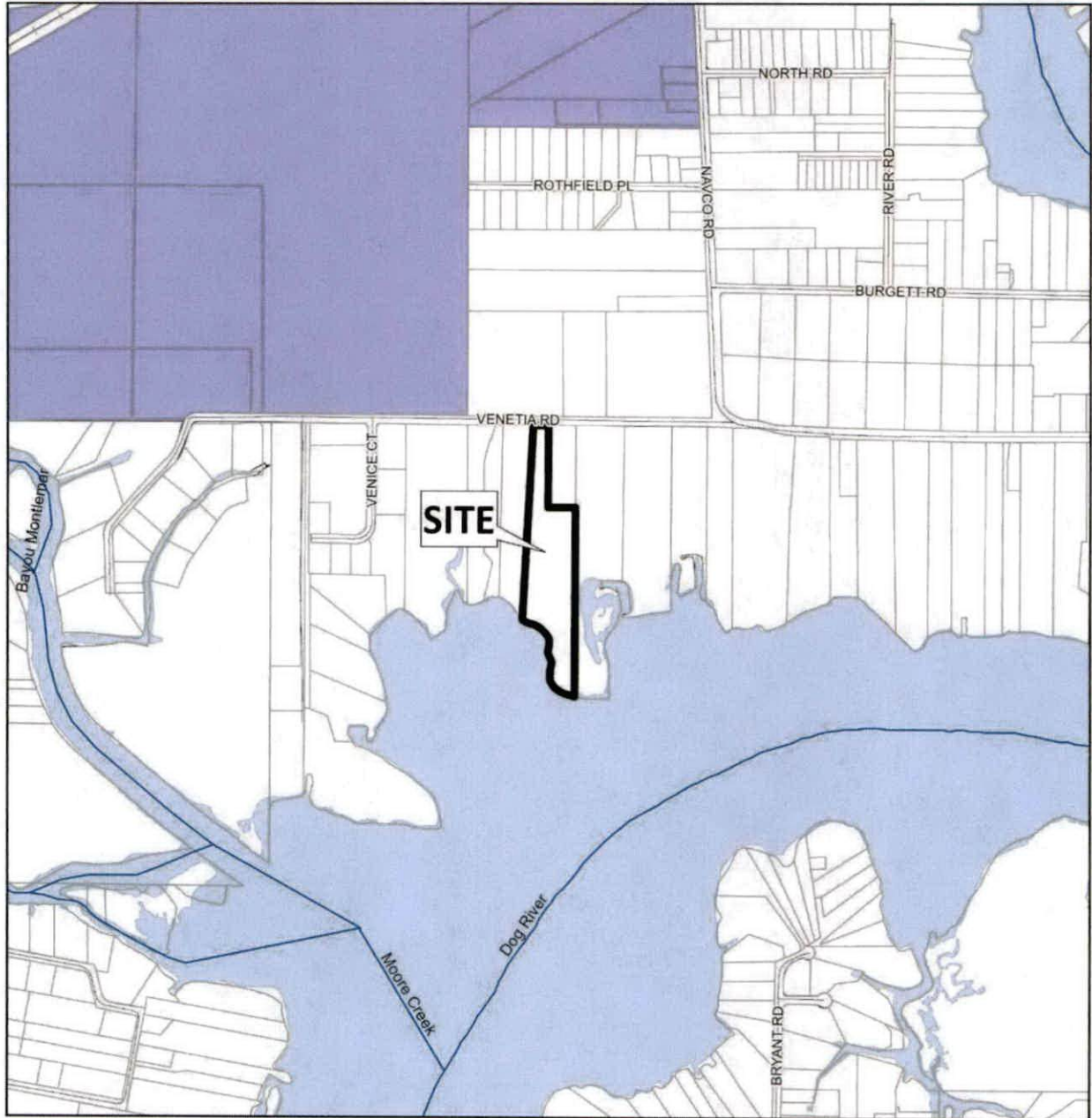
Considerations:

The Planning Commission should consider a holdover of the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;

2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

LOCATOR ZONING MAP



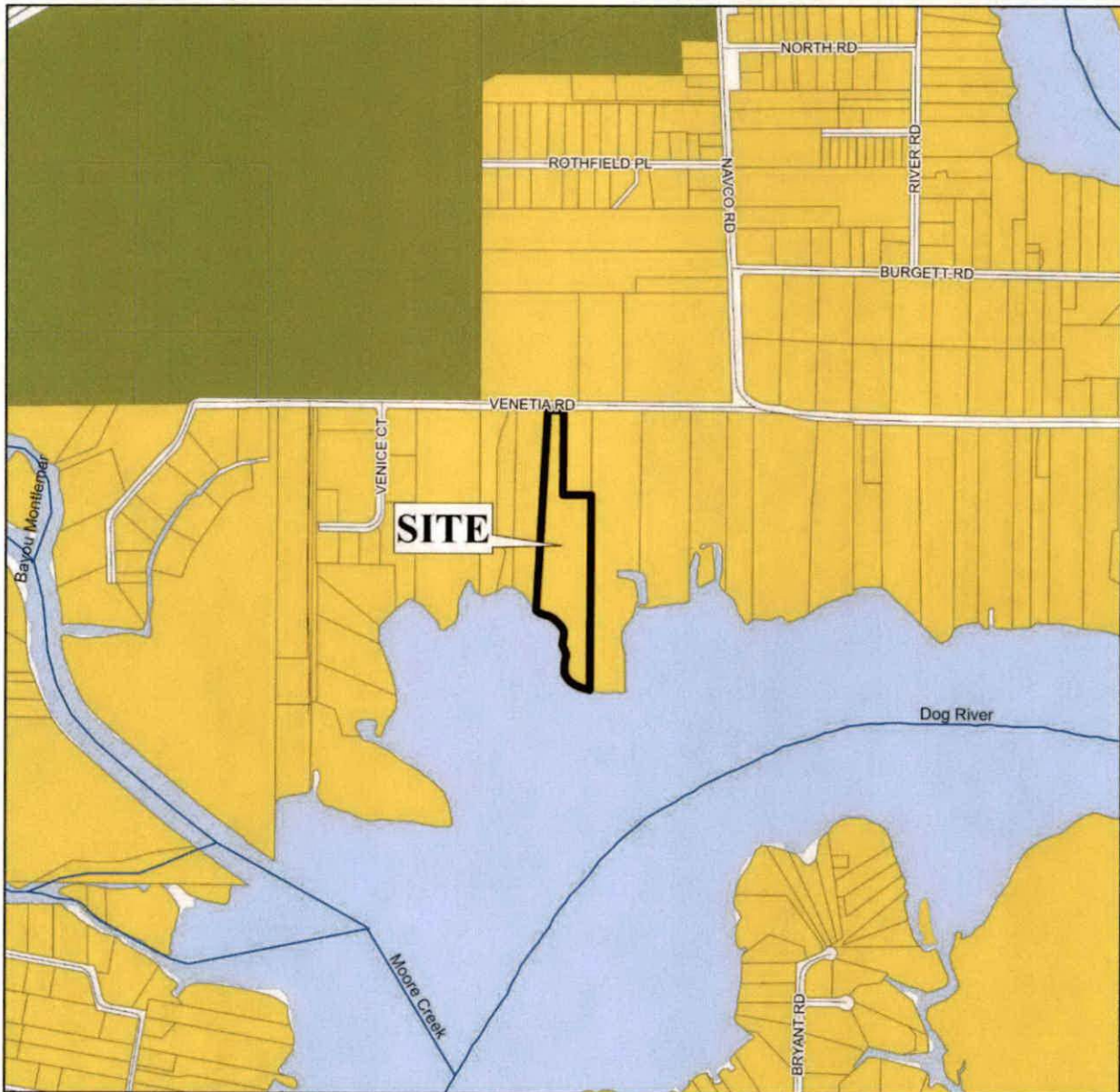
APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



FLUM LOCATOR MAP



APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

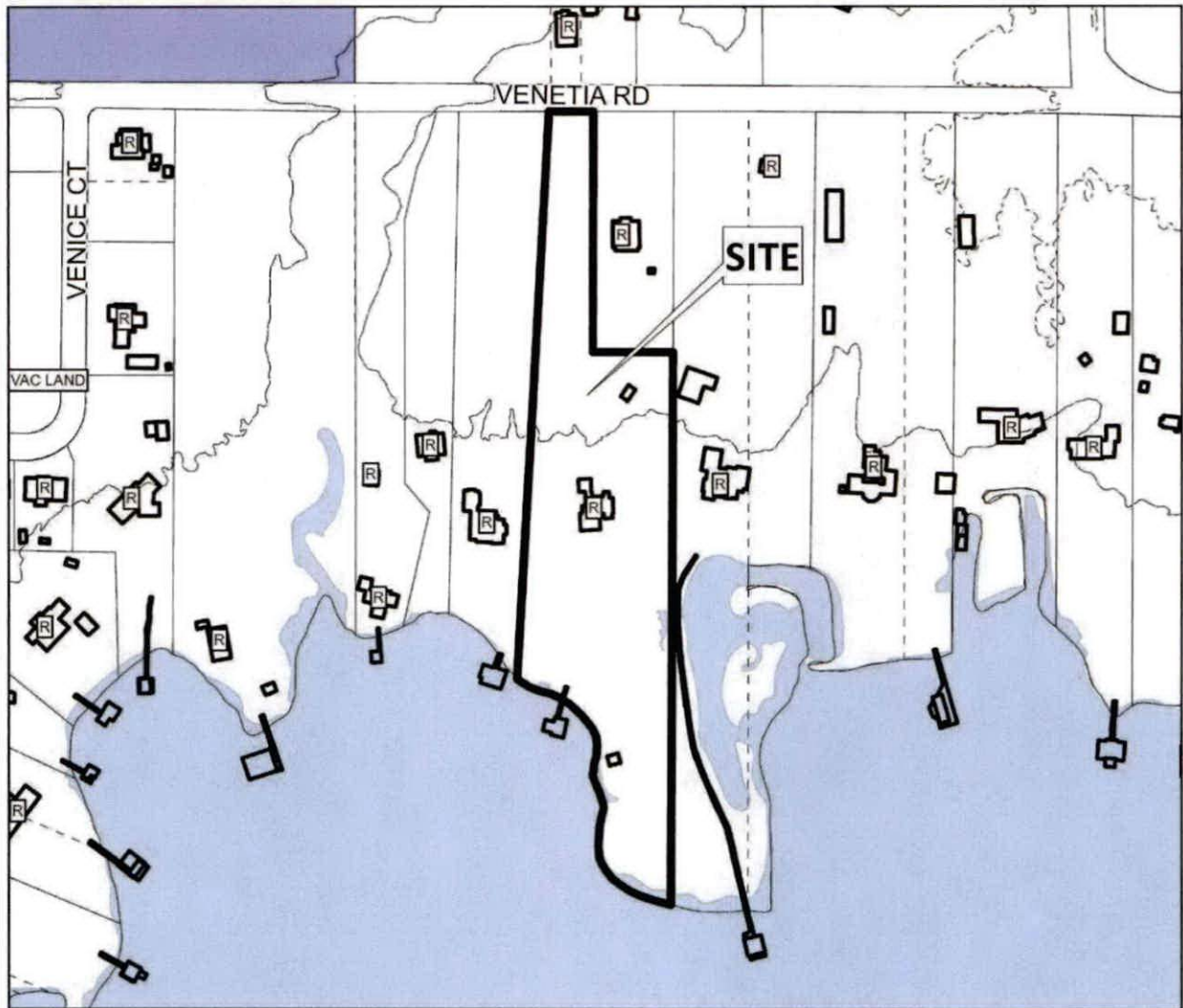
REQUEST Conditional Use Permit STR

- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



NTS

PLANNING COMMISSION **VICINITY MAP - EXISTING ZONING**



The site is surrounded by single family residential units.

APPLICATION NUMBER 13 DATE February 20, 2025

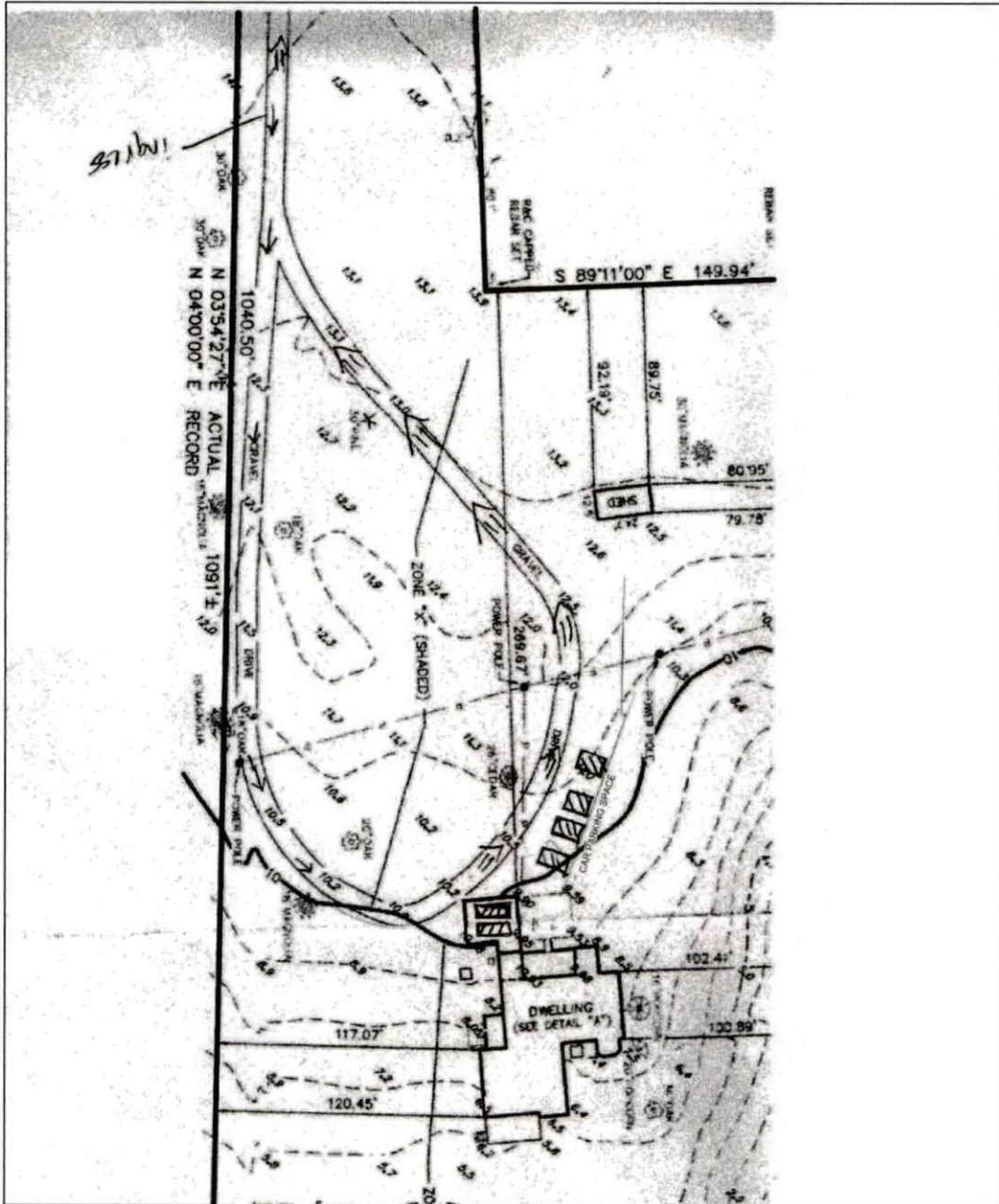
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SITE PLAN

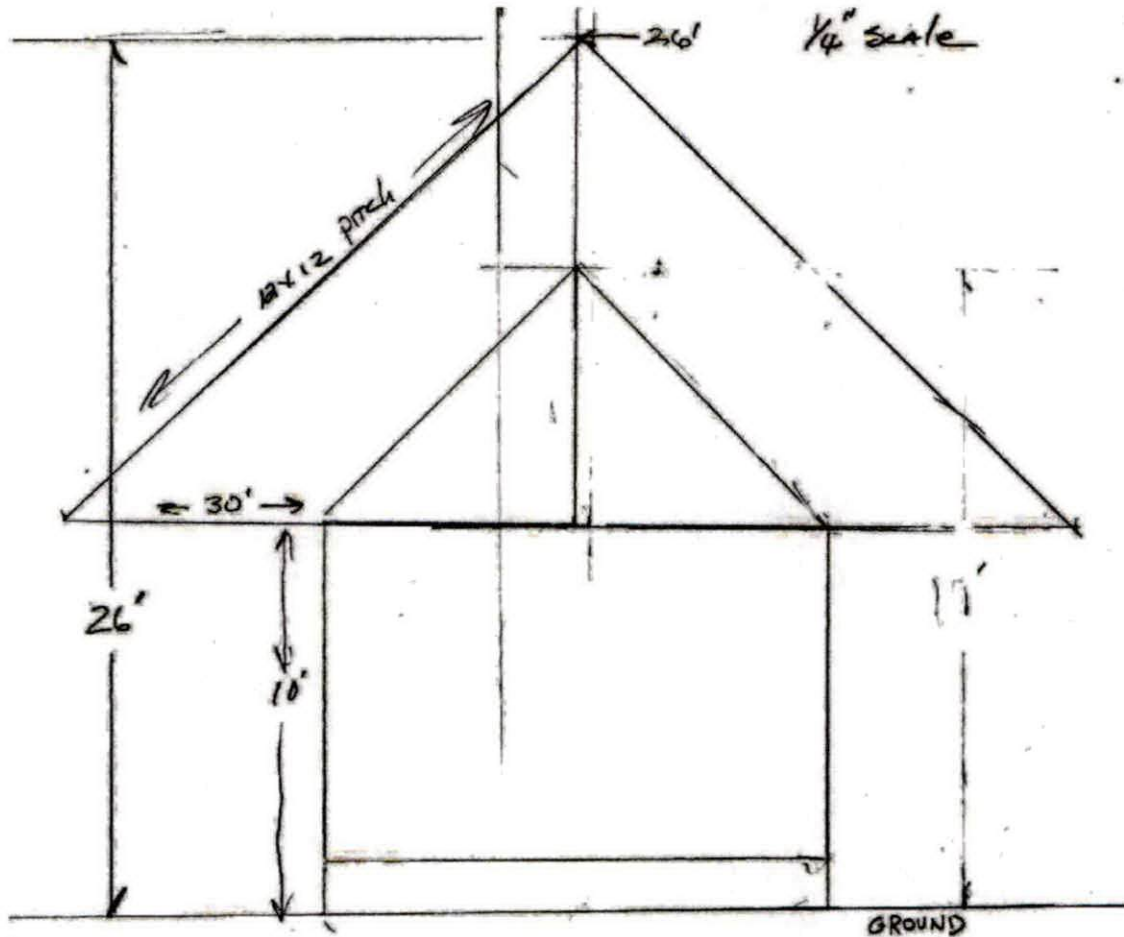


The site plan illustrates the existing residence, drive, and parking spaces.

APPLICATION NUMBER	13	DATE	February 20, 2025
APPLICANT	Marbury Buckhaults, Shropshire, LLC		
REQUEST	Conditional Use Permit STR		



DETAIL SITE PLAN



HEIGHT OF STRUCTURE 26'

APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



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RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
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NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
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- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

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The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph C.2 of the Neighborhood Meetings section of the Unified Development Code, entitled Postal Notification, section 64-5-4 of the Mobile City Code, be amended by adding a subparagraph (a) so that paragraph C.2 will then read in its entirety as follows:

2. Postal notification. The Applicant shall mail notice of the Neighborhood Meeting, as required for the corresponding Application, fifteen (15) days prior to the Neighborhood Meeting.
 - (a) Applicant at the same time shall provide by electronic means, a copy of the mailed notice to the Director and to the City Council representative for the district where the subject property is located.

That paragraph D of the Neighborhood Meetings section of the Unified Development Code, entitled Proceedings of Neighborhood Meeting, section 64-5-4 of the Mobile City Code, be amended by adding language to subparagraphs 2 and 3 so that it will then read in its entirety as follows:

D. Proceedings of Neighborhood Meeting.

1. At the Neighborhood Meeting the Applicant shall provide a complete overview of the proposed Application, including a project description and a complete explanation and details of the proposed Development which are sufficient for residents to gain an understanding of the specific application.
 - (a) For Conditional Use Permits and Planned Developments, a Site Plan and Building elevations shall also be provided.

2. The meeting shall be held on weekdays, between the hours of 5:00 p.m. and 8:00 p.m. for at least one (1) hour in duration.
3. Meetings must be held in a public or institutional building such as a school, library, community center or similar facility, which will accommodate the anticipated attendance. The meeting shall be located near the proposed Site but not more than a distance of one (1) mile from the proposed Site. If there is no adequate facility to accommodate the meeting within such distance, then the meeting shall be held at the nearest available facility, with the prior approval of the Director.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-4.C.2. of the Unified Development Code adds a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.

The proposed amendments to Article 5, Section 64-5-4.D. of the Unified Development Code adds additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE NEIGHBORHOOD MEETINGS
SECTION OF THE UNIFIED DEVELOPMENT CODE,
SECTION 64-5-4 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph C.2 of the Neighborhood Meetings section of the Unified Development Code, entitled Postal Notification, section 64-5-4 of the Mobile City Code, is hereby amended so that paragraph C.2 now reads in its entirety as follows:

2. Postal notification. The Applicant shall mail notice of the Neighborhood Meeting, as required for the corresponding Application, fifteen (15) days prior to the Neighborhood Meeting.
 - (a) Applicant at the same time shall provide by electronic means, a copy of the mailed notice to the Director and to the City Council representative for the district where the subject property is located.

SECTION TWO. That paragraph D of the Neighborhood Meetings section of the Unified Development Code, entitled Proceedings of Neighborhood Meeting, section 64-5-4 of the Mobile City Code, is hereby amended so that it now reads in its entirety as follows:

D. Proceedings of Neighborhood Meeting.

1. At the Neighborhood Meeting the Applicant shall provide a complete overview of the proposed Application, including a project description and a complete explanation and details of

the proposed Development which are sufficient for residents to gain an understanding of the specific Application.

- (a) For Conditional Use Permits and Planned Developments, a Site Plan and Building elevations shall also be provided.
- 2. The meeting shall be held on weekdays, between the hours of 5:00 p.m. and 8:00 p.m. for at least one (1) hour in duration.
- 3. Meetings must be held in a public or institutional building such as a school, library, community center or similar facility, which will accommodate the anticipated attendance. The meeting shall be located near the proposed Site but not more than a distance of one (1) mile from the proposed Site. If there is no adequate facility to accommodate the meeting within such distance, then the meeting shall be held at the nearest available facility, with the prior approval of the Director.

SECTION THREE. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FOUR. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FIVE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

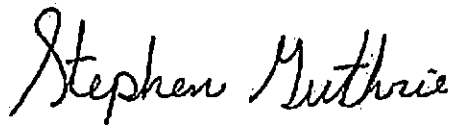
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in cursive script that reads "Stephen Guthrie".

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph A.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, be amended to add the following as paragraph (c):

- (c) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the parking requirements of this section.

That paragraph B.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, be amended to add the following as paragraph (b):

- (b) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the off-street loading facilities requirements of this section.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

The proposed amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the Unified Development Code, adds paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street and Eslava Street.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE PARKING AND LOADING
SECTION OF THE UNIFIED DEVELOPMENT CODE,
SECTION 64-3-12 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph A.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, is hereby amended to add the following as paragraph (c):

- (c) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the parking requirements of this section.

SECTION TWO. That paragraph B.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, is hereby amended to add the following as paragraph (b):

- (b) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the off-street loading facilities requirements of this section.

SECTION THREE. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FOUR. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FIVE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

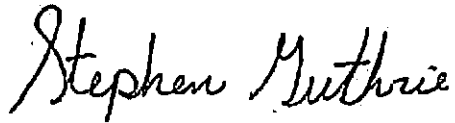
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
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Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That the definition of "Lot of Record" in the Unified Development Code, section 64-8-2 of the Mobile City Code, be amended so that said definition now reads in its entirety as follows:

Lot of Record

A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Court of Mobile County, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Probate Court of Mobile County prior to the date of annexation or March 8, 1962.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
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The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendment to Article 8, Section 64-8-2 of the Unified Development Code, amends the definition of "Lot of Record" to change "1952" to "March 8, 1962."

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE DEFINITION OF "LOT OF RECORD"
IN SECTION 64-8-2 OF THE UNIFIED DEVELOPMENT CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That the definition of "Lot of Record" in the Unified Development Code, section 64-8-2 of the Mobile City Code, is hereby amended so that said definition now reads in its entirety as follows:

Lot of Record	A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Court of Mobile County, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Probate Court of Mobile County, prior to the date of annexation or March 8, 1962.
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SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FOUR. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a. of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

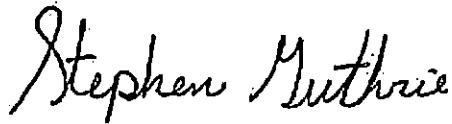
After discussion the Planning Commission also voted to recommend approval of amendments to Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2. of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create "Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development," to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of "Lot of Record" to change "1952" to "March 8, 1962."

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, be amended so that paragraph B.1 will then read in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).
 - (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by

the previously approved Planning Approval or Planned Unit Development.

- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, be amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

That section 64-5-8 be amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

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The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-8.B.1. of the Unified Development Code establish additional criteria for determining what constitutes "Minor changes" to existing Planning Approvals and Planned Unit Developments.

The proposed amendments to Article 5, Section 64-5-8.B.2. of the Unified Development Code deletes existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for "Major Modifications" to existing Planning Approvals and Planned Unit Developments, and replaces them with new subparagraphs addressing those issues.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE "PREVIOUSLY
APPROVED PLANNING APPROVALS AND PLANNED
UNIT DEVELOPMENTS" SECTION OF THE UNIFIED DEVELOPMENT
CODE, SECTION 64-5-8 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, is hereby amended so that paragraph B.1 now reads in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).

- (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by the previously approved Planning Approval or Planned Unit Development.
- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

SECTION TWO. That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, is hereby amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

SECTION THREE. That section 64-5-8 is hereby amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review

and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

SECTION FOUR. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FIVE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION SIX. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

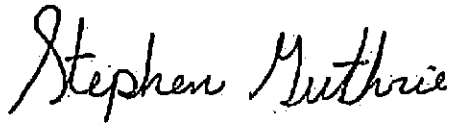
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in cursive script that reads "Stephen Guthrie". The signature is written in black ink and is positioned above the printed name and title.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, be amended so that paragraph B.1 will then read in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).
 - (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by

the previously approved Planning Approval or Planned Unit Development.

- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, be amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

That section 64-5-8 be amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-8.B.1. of the Unified Development Code establish additional criteria for determining what constitutes "Minor changes" to existing Planning Approvals and Planned Unit Developments.

The proposed amendments to Article 5, Section 64-5-8.B.2. of the Unified Development Code deletes existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for "Major Modifications" to existing Planning Approvals and Planned Unit Developments, and replaces them with new subparagraphs addressing those issues.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE "RECORDING AND
RECORDKEEPING" REQUIREMENTS OF SECTIONS 64-5-5,
64-5-6, AND 64-5-7 OF THE UNIFIED DEVELOPMENT CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph H of the Rezoning and Text Amendments section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-5 of the Mobile City Code, is hereby amended so that paragraph H now reads in its entirety as follows:

H. Recording and Recordkeeping.

1. Restrictions and conditions concerning the permissible uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved rezoning.

SECTION TWO. That paragraph I of the Conditional Use Permits section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-6 of the Mobile City Code, is hereby amended so that paragraph I now reads in its entirety as follows:

I. Recording and Recordkeeping.

1. The Conditional Use Permit, including all restrictions and conditions concerning the uses of the property, shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved Conditional Use Permit.

SECTION THREE. That paragraph I of the Planned Development section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-7 of the Mobile City Code, is hereby amended so that paragraph I now reads in its entirety as follows:

I. Recording and Recordkeeping.

1. The Planned Development, including all restrictions and conditions concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved Planned Development.

SECTION FOUR. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FIVE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION SIX. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

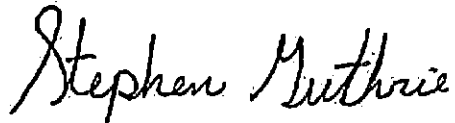
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsis amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That Article 5 of the Unified Development Code, Chapter 64, Article 5 of the Mobile City Code, be amended to add section 64-5-8.1 which will read in its entirety as follows:

**Section 64-5-8.1 Terminating a Previously Approved
Planned Unit Development**

- A. Applicability. This Section applies to any Application seeking to terminate a Planned Unit Development that was approved prior to the effective date of this Chapter.
- B. Initiation. An Application to terminate a Previously approved Planned Unit Development may be initiated by the property owner, or any authorized agent of the property owner, by filing a written Application with the Director. In the case of multiple owners, termination requires the consent of all owners.
- C. Previous conditions of approval. If a previously approved Planned Unit Development was subject to conditions or use restrictions, the applicant must simultaneously file a rezoning application incorporating any such conditions or use restrictions. The termination application and rezoning application must be filed concurrently.
 - 1. If a previously associated Rezoning Amendment included a condition limiting the rezoning approval to an approved Planned Unit Development, a Rezoning application to remove the condition must be submitted concurrently with the termination application.
- D. Notice. The following notice is required for termination of a Planned Unit Development.

Table 64-5-8.1.1 Type and Description of Notice— Terminating a Previously Approved Planned Unit Development

Notice: Mail

When: 15 days prior to hearing before the Planning Commission and the City Council

Where / To Whom / Additional Requirements:

- Mailed notice to each owner of property which either abuts or lies within 300 feet of the property the subject of the Application.
- Applicant to furnish names and addresses.
- The Director or City Clerk as applicable, will mail the notices.
- First Class mail is sufficient.

Notice: Sign

When: Posted 15 days prior to hearing before the Planning Commission

Where / To Whom / Additional Requirements:

- Posted on subject Property.
- All signs must be posted in visible locations.

Notice: Publication

When: 15 days or 3 consecutive weeks prior to the hearing before the City Council

Where / To Whom / Additional Requirements:

- Newspaper of general circulation in the City, per Code of Ala. § 11-52-77.

1. Notice shall be given:

(a) Before the Planning Commission Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;
- c.** Telephone number for the Planning Department; and
- d.** The Planning Department's website address (URL).

(2) Sign

(b) Before the City Council Hearing:

- (1) Mail:** Notice shall include the following information:
 - a.** A synopsis of the proposal;
 - b.** Time, date and place of the public hearing or meeting;
 - c.** A telephone number for the City Council Office; and
 - d.** The City Council's website address (URL).
- (2) Publication** in accordance with the requirements of Alabama Code Section 11-52-77, as may amended.

E. Decision.

- 1. Administrative Review.** An Application to terminate an existing Planned Unit Development shall be filed with the Director. The Director shall transmit the Application with a report to the Planning Commission within forty-five (45) days after it is deemed complete.
- 2. Planning Commission Action**
 - (a)** If an Application is withdrawn after notice for a public hearing has been sent, then the Planning Commission shall not consider the same or similar Application within a period of six (6) months.
 - (b)** An Application may receive a maximum one (1) holdover request and the Applicant shall be responsible for any costs incurred for re-notification of property owners.
 - (c)** Following the public hearing, the Planning Commission shall prepare a record of its proceedings and recommend that the Application be approved, approved with conditions, or denied. The Planning Commission recommendation shall be filed with the City Council within 15 days after the date of the public hearing.
- 3. City Council Action**

- (a) The Council shall not take action on the Application until the Council receives the Planning Commission's final report and recommendation.
- (b) Within thirty (30) days of receipt of the Planning Commission's final report and recommendation, the City Council shall place the item on its agenda for the scheduling of a public hearing.
- (c) No action may be taken by the City Council until a public hearing has been held. The City Clerk shall notify the Applicant of the time and place of the public hearing and give public notice as required by this Chapter.
- (d) At the conclusion of the hearing, the City Council shall approve, approve with conditions, or deny the application.

4. Conditions

- (a) The City Council may attach appropriate conditions to mitigate any impact of the termination of the Planned Unit Development including conditions to carry forward those conditions, use restrictions and site plan requirements that were attached to the previously approved Planned Unit Development.
- (b) The City Council may require the submission and approval of a rezoning application to attach associated conditions to the zoning of the property as deemed necessary and appropriate.

F. Approval Criteria. The Planning Commission shall not recommend a termination of a Previously approved Planned Unit Development for approval, and the City Council shall not approve the termination, unless the proposed termination:

- 1. Is consistent with all applicable requirements of this Chapter;
- 2. Is compatible with the character of the surrounding neighborhood;
- 3. Will not impede the orderly development and improvement of surrounding property;
- 4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.

- G. **Benefits Consideration.** In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
- H. **Subsequent Applications.** The site subject to the Application shall not be considered again by the Planning Commission or City Council for at least six (6) months from the date the Application was denied or the date of withdrawal if any of the following applies:
 - 1. The Application has been recommended for denial by the Planning Commission;
 - 2. The Application has been denied by the City Council,
 - 3. The Application has been formally noticed for public hearing with the Planning Commission but is subsequently withdrawn; or
 - 4. The Application has been formally noticed for public hearing with the City Council but is subsequently withdrawn.
- I. **Appeals.** Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.
- J. **Recording and Recordkeeping**
 - 1. The Ordinance adopted by the City Council approving the termination of the Planned Unit Development shall be recorded by the Applicant in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - (a) The document shall be recorded within 90 days of the City Council's approval or the approval shall be null and void.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the termination of the Planned Unit Development.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

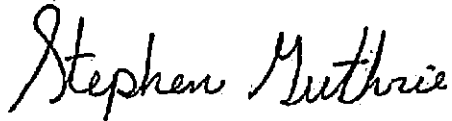
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create "Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development," to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of "Lot of Record" to change "1952" to "March 8, 1962."

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
CODE, CHAPTER 64 OF THE MOBILE CITY CODE, BY ADDING
PROCEDURES FOR TERMINATING A PREVIOUSLY APPROVED
PLANNED UNIT DEVELOPMENT

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
MOBILE, ALABAMA, as follows:

SECTION ONE: That Article 5 of the Unified Development Code,
Chapter 64, Article 5 of the Mobile City Code, be and the same hereby is
amended to add section 64-5-8.1 which will read in its entirety as follows:

**Section 64-5-8.1 Terminating a Previously Approved
Planned Unit Development**

- A. Applicability. This Section applies to any Application seeking to terminate a Planned Unit Development that was approved prior to the effective date of this Chapter.
- B. Initiation. An Application to terminate a Previously approved Planned Unit Development may be initiated by the property owner, or any authorized agent of the property owner, by filing a written Application with the Director. In the case of multiple owners, termination requires the consent of all owners.
- C. Previous conditions of approval. If a previously approved Planned Unit Development was subject to conditions or use restrictions, the applicant must simultaneously file a rezoning application incorporating any such conditions or use restrictions. The

termination application and rezoning application must be filed concurrently.

1. If a previously associated Rezoning Amendment included a condition limiting the rezoning approval to an approved Planned Unit Development, a Rezoning application to remove the condition must be submitted concurrently with the termination application.

D. Notice. The following notice is required for termination of a Planned Unit Development.

Table 64-5-8.1.1 Type and Description of Notice—Terminating a Previously Approved Planned Unit Development

Notice	When	Where / To Whom / Additional Requirements
Mail	15 days prior to hearing before the Planning Commission and the City Council	• Mailed notice to each owner of property which either abuts or lies within 300 feet of the property the subject of the Application. • Applicant to furnish names and addresses. • The Director or City Clerk as applicable, will mail the notices. • First Class mail is sufficient.
Sign	Posted 15 days prior to hearing before the Planning Commission	• Posted on subject Property. • All signs must be posted in visible locations.
Publication	15 days or 3 consecutive weeks prior to the hearing before the City Council	• Newspaper of general circulation in the City, per Code of Ala. § 11-52-77.

1. Notice shall be given:

(a) Before the Planning Commission Hearing:

(1) Mail: Notice shall include the following information:

- a. A synopsis of the proposal;
- b. Time, date and place of the public hearing or meeting;

- c.** Telephone number for the Planning Department; and
- d.** The Planning Department's website address (URL).

(2) Sign

(b) Before the City Council Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;
- c.** A telephone number for the City Council Office; and
- d.** The City Council's website address (URL).

(2) Publication in accordance with the requirements of Alabama Code Section 11-52-77, as may amended.

E. Decision.

- 1. Administrative Review.** An Application to terminate an existing Planned Unit Development shall be filed with the Director. The Director shall transmit the Application with a report to the Planning

Commission within forty-five (45) days after it is deemed complete.

2. Planning Commission Action

- (a)** If an Application is withdrawn after notice for a public hearing has been sent, then the Planning Commission shall not consider the same or similar Application within a period of six (6) months.
- (b)** An Application may receive a maximum one (1) holdover request and the Applicant shall be responsible for any costs incurred for re-notification of property owners.
- (c)** Following the public hearing, the Planning Commission shall prepare a record of its proceedings and recommend that the Application be approved, approved with conditions, or denied. The Planning Commission recommendation shall be filed with the City Council within 15 days after the date of the public hearing.

3. City Council Action

- (a)** The Council shall not take action on the Application until the Council receives the Planning Commission's final report and recommendation.

- (b)** Within thirty (30) days of receipt of the Planning Commission's final report and recommendation, the City Council shall place the item on its agenda for the scheduling of a public hearing.
- (c)** No action may be taken by the City Council until a public hearing has been held. The City Clerk shall notify the Applicant of the time and place of the public hearing and give public notice as required by this Chapter.
- (d)** At the conclusion of the hearing, the City Council shall approve, approve with conditions, or deny the application.

4. Conditions

- (a)** The City Council may attach appropriate conditions to mitigate any impact of the termination of the Planned Unit Development including conditions to carry forward those conditions, use restrictions and site plan requirements that were attached to the previously approved Planned Unit Development.
- (b)** The City Council may require the submission and approval of a rezoning application to attach associated conditions

to the zoning of the property as deemed necessary and appropriate.

F. Approval Criteria. The Planning Commission shall not recommend a termination of a Previously approved Planned Unit Development for approval, and the City Council shall not approve the termination, unless the proposed termination:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.

G. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

H. Subsequent Applications. The site subject to the Application shall not be considered again by the Planning Commission or City Council for at least six (6) months from the date the Application was denied or the date of withdrawal if any of the following applies:

1. The Application has been recommended for denial by the Planning Commission;

- 2.** The Application has been denied by the City Council,
- 3.** The Application has been formally noticed for public hearing with the Planning Commission but is subsequently withdrawn; or
- 4.** The Application has been formally noticed for public hearing with the City Council but is subsequently withdrawn.

I. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

J. Recording and Recordkeeping

- 1.** The Ordinance adopted by the City Council approving the termination of the Planned Unit Development shall be recorded by the Applicant in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

(a) The document shall be recorded within 90 days of the City Council's approval or the approval shall be null and void.

- 2.** Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to

reflect the termination of the Planned Unit Development.

SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FOUR. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



ADDRESSING THE CITY COUNCIL

This form must be received in the City Clerk's Office by 2:00 p.m., on the Thursday **before** the City Council meeting you would like to speak at. Requests must be submitted in writing to the City Clerk identifying the subject matter to be discussed and describing in detail the specific question or issue to be addressed. Single word descriptions or topics are insufficient. Persons who do not provide the required information in their request **will not be called on to address the Council**. This form must be filled out to speak about a non-agenda item and your topic must concern City of Mobile business.

Please return this form to:

City Clerk's Office
205 Government Street
9th Floor, South Tower
Fax: (251) 208-7576
Email: cityclerk@cityofmobile.org

Your comments will be limited to three (3) minutes

Name: William or Belinda Perryman Date: 05.20.25

Address: 309 Dunbar St. -

Phone: 251-545-1117 Email: belindaperryman17@gmail.com

Date to Address City Council: 05.27.2025

Subject and/or specific questions (must complete):

Parking, Noise, loitering, littering, Fights, & gun shooting
We've have been dealing with this for
years. Nothing never happens, we have tried every
thing.

How does this pertain to city business (must complete):

Signature: Belinda M. Perryman

WE, MAY 21, PM 12:18 RCV

**ADDRESSING THE CITY COUNCIL**

This form must be received in the City Clerk's Office by 2:00 p.m., on the Thursday **before** the City Council meeting you would like to speak at. Requests must be submitted in writing to the City Clerk identifying the subject matter to be discussed and describing in detail the specific question or issue to be addressed. Single word descriptions or topics are insufficient. Persons who do not provide the required information in their request **will not be called on to address the Council**. This form must be filled out to speak about a non-agenda item and your topic must concern City of Mobile business.

Please return this form to:

City Clerk's Office
205 Government Street
9th Floor, South Tower
Fax: (251) 208-7576
Email: cityclerk@cityofmobile.org

Your comments will be limited to three (3) minutesName: Jalys Dozier Date: 5-16-25Address: 7330 Willow Pointe Dr NPhone: 850-380-0224 Email: DozierJalys@gmail.com

Date to Address City Council: _____

Subject and/or specific questions (must complete):

Appeal of trash ordinance. The local jails are for
criminals + not for city upkeep. This can easily
turn into harassment

How does this pertain to city business (must complete):

misuse of local jails + abuse of power

Signature: _____

**AN AMENDMENT TO ORDINANCE 50-005 TO INCLUDE THE MOBILE TOURISM
IMPROVEMENT DISTRICT'S 2025 – 2030 DISTRICT PLAN**

Sponsored By: William S. Stimpson, Mayor
Scott Collins, Executive Director of Finance

WHEREAS, ordinance 50-005 was adopted on March 11, 2025; and

WHEREAS, the Mobile Tourism Improvement District's 2025 – 2030 District Plan is integral to ordinance 50-005; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF MOBILE, ALABAMA, THAT:**

Ordinance 50-005 is hereby amended by the addition of Section 14, entitled "2025 – 2030 District Plan" and including the plan attached in this amendment to Section 14 of the ordinance.

Adopted:

City Clerk

**AN AMENDMENT TO ORDINANCE 50-005 TO INCLUDE THE MOBILE TOURISM
IMPROVEMENT DISTRICT'S 2025 – 2030 DISTRICT PLAN**

Sponsored By: William S. Stimpson, Mayor
Scott Collins, Executive Director of Finance

WHEREAS, ordinance 50-005 was adopted on March 11, 2025; and

WHEREAS, the Mobile Tourism Improvement District's 2025 – 2030 District Plan is integral to ordinance 50-005; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF MOBILE, ALABAMA, THAT:**

Ordinance 50-005 is hereby amended by the addition of Section 14, entitled "2025 – 2030 District Plan" and including the plan attached in this amendment to Section 14 of the ordinance.

Adopted:

City Clerk



MOBILE TOURISM IMPROVEMENT DISTRICT DISTRICT PLAN

*Prepared pursuant to the
Self-Help Business Improvement Districts in Class 2 Municipalities Law,
Ala. Code § 11-54B-40 et seq.*

December 12, 2024

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I. OVERVIEW

Developed by the Mobile Area Lodging Association, the Mobile Tourism Improvement District (MTID) is an assessment district proposed to continue to provide specific benefits to payors, by funding targeted marketing & sales promotion efforts and capital improvements.

Location: The MTID includes all lodging businesses, existing and in the future, available for public occupancy, with 40 rooms or more located within the boundaries of the City of Mobile, as shown on the map in Section IV.

Services: The MTID is designed to provide benefits directly to assessed lodging businesses by increasing room night sales and revenue therefrom. MTID activities and improvements will increase overnight tourism and market assessed lodging businesses as tourist, meeting and event destinations, thereby increasing room night sales and revenue therefrom.

Budget: The total MTID budget for the first full fiscal year of its five (5) year operation is anticipated to be approximately \$2,246,000. A similar MTID budget is expected to apply to subsequent years, but this MTID budget is expected to fluctuate as room sales do, as businesses open and close, and as the assessment rate is increased over the duration of the MTID as detailed in Section V.

Cost: The assessment rate shall be set at one percent (1%) of gross short-term room rental revenue for the first five (5) months of the MTID term. Effective October 1, 2025, the assessment rate will automatically increase to one and one-half percent (1.5%) of gross short-term room rental revenue for the following one (1) year of the MTID term. Effective October 1, 2026, the assessment rate will increase to two percent (2%) of gross short-term room rental revenue for the final three (3) years and seven (7) months of the MTID term, as outlined in the table below and detailed in Section V.

Years	Assessment Rate
May 1, 2025 – September 30, 2025	1.0%
October 1, 2025 – September 30, 2026	1.5%
October 1, 2026 – April 30, 2030	2.0%

Based on the benefit received, the assessment shall not be collected on:

- Continuous stays of 31 days or more (the first 30 days will be assessed);
- Stays by camps, conference centers, or similar facilities operated by nonprofit organizations primarily for the benefit of, and in connection with, recreational or educational programs for children, students, or members or guests of other nonprofit organizations during any calendar year;
- Stays by privately operated camps, conference centers, or similar facilities that provide lodging and recreational or educational programs exclusively for the benefit of children, students, or members or guests of nonprofit organizations during any calendar year;
- Stays at corporate housing facilities;
- Stays at campgrounds;
- Complimentary room stays provided by the lodging business owner to a guest;

- Collection:* The City of Mobile (City) will be responsible for collecting the assessment on a monthly basis (including any delinquencies, overdue charges and interest) from each assessed lodging business located in the MTID.
- Duration:* The MTID will have a five (5) year life, beginning May 1, 2025 or as soon as possible thereafter, and ending five (5) years from its start date. The MTID's fiscal year shall be aligned with the City's fiscal year, October 1 through September 30. The first "year" of the MTID shall be a partial year starting May 1, 2025 through September 30, 2025. The following four fiscal years, October 1, 2025 through September 30, 2029, shall be preceded by an additional partial year lasting seven (7) months, October 1, 2029 through April 30, 2030.
- Management:* The Mobile Area Lodging Corporation shall continue to serve as the MTID's District Management Corporation. The District Management Corporation is charged with managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

II. IMPETUS

This District Management Plan has been created pursuant to the Self-Help Business Improvement Districts in Class 2 Municipalities Law, Ala. Code § 11-54B-40 et seq. (State Law) to guide the operations of the MTID for the period from May 1, 2025 through April 30, 2030. The State Law was amended in 2019 to specifically provide legislative authority for the creation of the proposed MTID. A copy of the State Law is provided in Appendix 1.

Purpose of the District

The purpose of the MTID is to continue to promote economic growth in the Mobile lodging industry by providing sales & marketing, capital improvements, and related administration programs designed to increase overnight visitation and room night sales at assessed lodging businesses.

Background

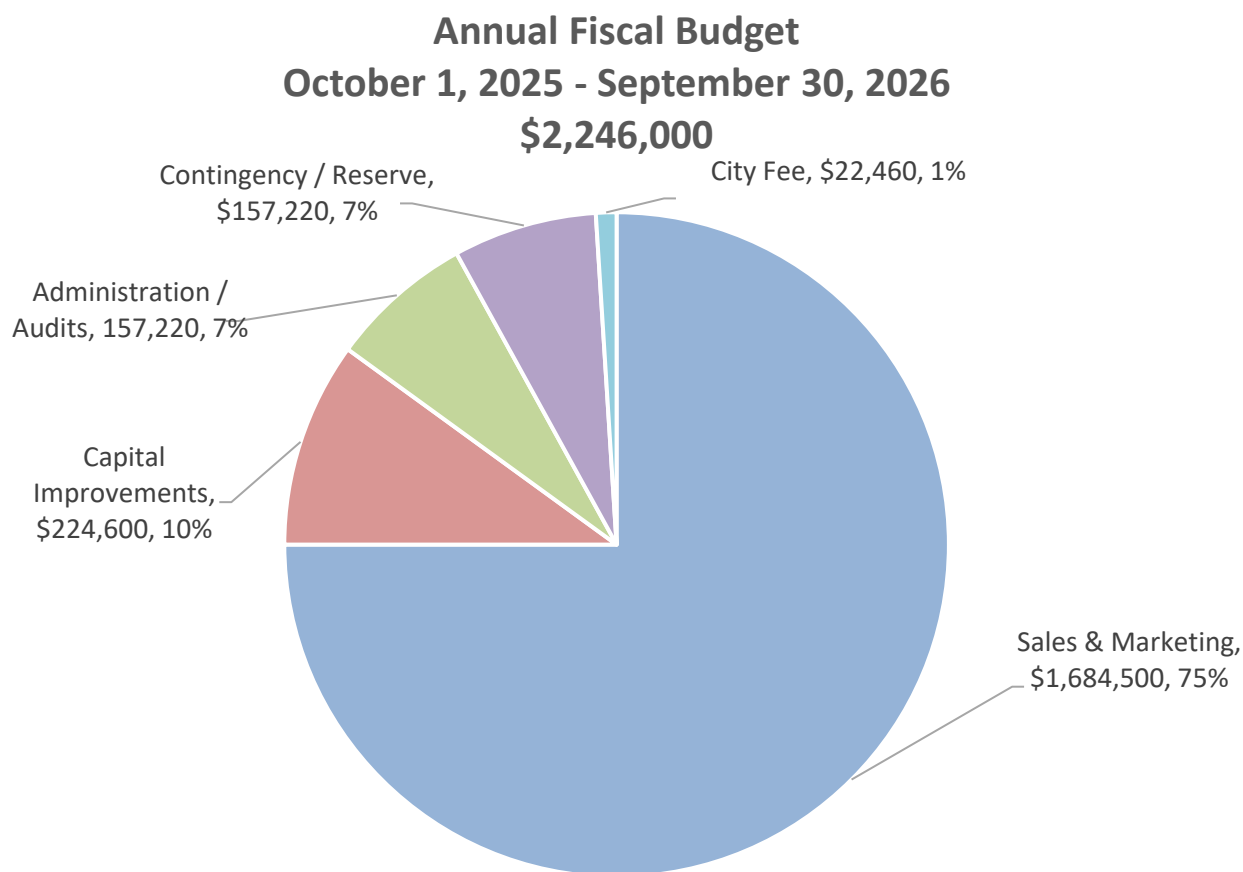
Tourism Improvement Districts (TIDs) are an evolution of the traditional Business Improvement District. The first TID was formed in West Hollywood, California in 1989. Since then, over 200 United States destinations have followed suit. In recent years, other states have begun adopting the California model – Montana, South Dakota, Washington, Colorado, Texas, Louisiana, Illinois, and Minnesota have adopted TID laws. Several other states are in the process of adopting their own legislation. The cities of Wichita, Kansas and Newark, New Jersey used an existing business improvement district law to form a TID. And, some cities, like Portland, Oregon and Memphis, Tennessee have utilized their home rule powers to create TIDs without a state law.

TIDs nation-wide collectively raise over \$550 million annually for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Mobile lodging businesses invest in stable, lodging-specific marketing programs.

TIDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TIDs allow lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TID pay an assessment and those funds are used to provide services that increase room night sales.

III. IMPROVEMENT AND ACTIVITY PLAN

The services and activities of the MTID are tailored to increase overnight visitation and room night sales at assessed lodging businesses. The total annual improvement and activity plan budget for the first full fiscal year, covering the period between October 1, 2025 to September 30, 2026, is estimated to be \$2,246,000. These activities and budget percent allocations will also apply in subsequent years. The budget is made up of the components below:



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the Mobile Area Lodging Corporation board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years.

Sales and Marketing

The sales and marketing program will help promote the assessed lodging businesses in Mobile as tourist, event, and recreation destinations. All program elements will be provided directly to and focused entirely on assessed lodging businesses to increase overnight stays, and may include the following activities:

- Production and distribution of tourist-related marketing collateral featuring assessed businesses;
- Internet marketing efforts targeted directly at potential visitors to increase awareness and optimize internet presence;
- Print ads in magazines and newspapers targeted at potential visitors;

- Television ads targeted at potential visitors;
- Radio ads targeted at potential visitors;
- Development, marketing and maintenance of a website featuring assessed businesses;
- Visitor Center and visitor touch point interaction;
- Mobile/smart phone interaction;
- Sponsorship of special events designed to attract visitors to assessed businesses;
- Tillman's Corner/I-10 Corridor Campaign Specific Promotions;
- Uptown Shopping District/I-65 Corridor Campaign Specific Promotions;
- Downtown District Campaign Specific Promotions;
- Marketing and promotions programs designed to increase room night sales at assessed businesses;
- Identifying new and established trade shows, and promoting the destinations at said trade shows, to drive room night sales to assessed businesses;
- Familiarization tours featuring assessed businesses;
- Lead generation activities designed to attract tourists;
- Tourism related investments designed to increase room night sales at assessed businesses;
- Maintaining industry public relations and communications featuring assessed businesses throughout the state and nation; and
- Convention and meetings incentives, as well as marketing and promotions to solicit meetings to drive room night sales to assessed businesses.

Capital Improvements

The capital improvements program is designed to fund studies, consultation, and the initial set-up of capital improvements to create a visitor experience that will bring repeat visits to assessed lodging businesses. The capital improvements budget shall not be used for non-tourism related projects, including but not limited to, sidewalks and road improvements. Capital improvements may include:

- Sporting facility improvements;
- Gateway enhancements, to attract overnight visitors;
- Comprehensive and integrated wayfinding signage system including signage to parking decks and lots;
- Transportation program connecting hotels with downtown and other attractions, to increase room night sales;
- Art and cultural projects, to attract overnight visitors;
- Purchase of real property; and
- Enhancements to environmental experiences which attract overnight visitors.

Administration/Audits

In order to provide the improvements and activities, the District Management Corporation will incur various administrative costs, such as staffing, rent, tourism related advocacy, insurance, legal, and accounting fees. A portion of the budget will be allocated to cover the cost of an independent certified public accountant to audit the expenditure of MTID assessment funds. MTID assessment funds not spent within the Administration/Audits may be reallocated to other budget categories, subject to approval by the District Management Corporation Board.

Contingency/Reserve

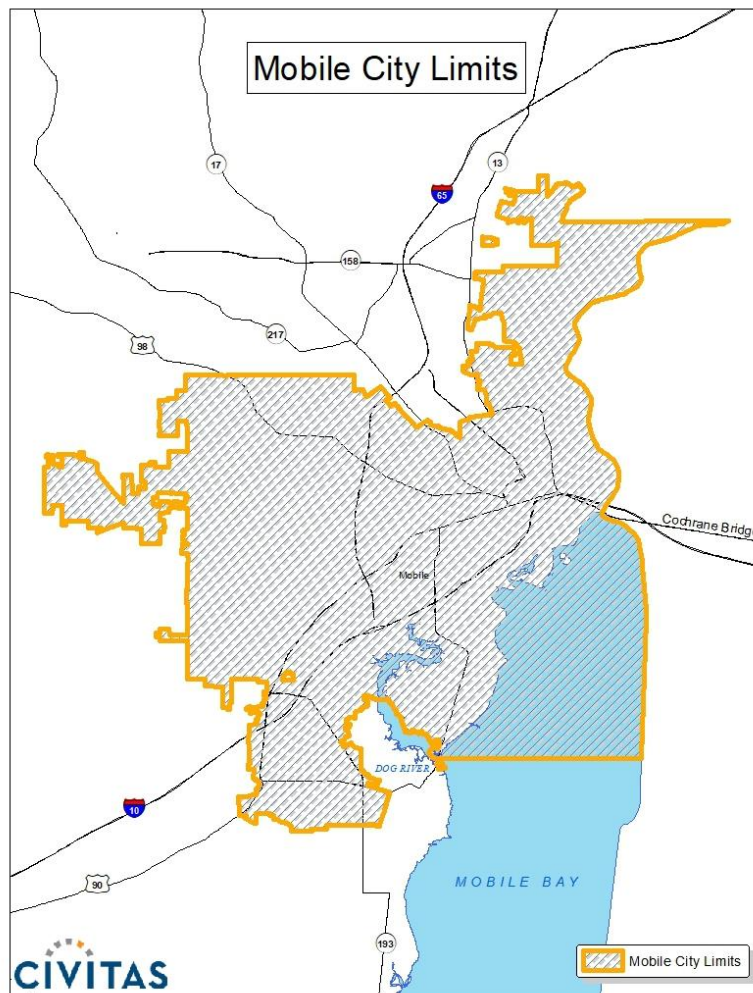
The budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration, or renewal costs at the discretion of the District Management Corporation Board. Policies related to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the District Management Corporation Board. Contingency/reserve funds may be spent on program, administration, or renewal costs at the discretion of the District Management Corporation Board. The reserve fund may be used for the costs of renewing the MTID.

City Fee

The City shall retain one percent (1%) of the amount of assessment funds collected to cover its costs of collection and administration and costs incurred in pursuing payment of delinquent assessments.

IV. BOUNDARY

The MTID consists of all lodging businesses, existing and in the future, available for public occupancy, with 40 rooms or more located within the City of Mobile. The boundary, as shown below, currently includes 63 lodging businesses with 40 rooms or more. A complete listing of lodging businesses with 40 rooms or more within the MTID can be found in Appendix 1.



V. ASSESSMENT

A. Assessment Rate & Methodology

The assessment rate shall be set at one percent (1%) of gross short-term room rental revenue for the first five (5) months of the MTID term. Effective October 1, 2025, the assessment rate will automatically increase to one and one-half percent (1.5%) of gross short-term room rental revenue for the following one (1) year of the MTID term. Effective October 1, 2026, the assessment rate will increase to two percent (2%) of gross short-term room rental revenue for the final three (3) years and seven (7) months of the MTID term. Based on the benefit received, the following stays will not be assessed:

- A continuous stay of 31 days or more (the first 30 days will be assessed);
- Stays by camps, conference centers, or similar facilities operated by nonprofit organizations primarily for the benefit of, and in connection with, recreational or educational programs for children, students, or members or guests of other nonprofit organizations during any calendar year;
- Stays by privately operated camps, conference centers, or similar facilities that provide lodging and recreational or educational programs exclusively for the benefit of children, students, or members or guests of nonprofit organizations during any calendar year;
- Stays at corporate housing facilities;
- Stays at campgrounds;
- Complimentary room stays provided by the lodging business owner to a guest;

The term “gross short-term room rental revenue” means the full retail price paid by the guest for an accommodation, including any accommodations fee and any other fees or charges. This includes the charge for use or rental of personal property and services furnished in the room or accommodation.

B. Annual Costs

Budgets and assessments will be reviewed each year of the MTID term by the District Management Corporation Board. Prior to approval by the Board, each annual budget will be publicly advertised and a public hearing on the budget will be held as provided for in State Law. Over the MTID’s five (5) year term, budgets may vary on an annual basis, without a change in the assessment rate, due to fluctuations in visitation. Any annual budget surplus or deficit will be rolled into the following year’s budget. The chart below displays the fiscal budgets for each full year of the MTID (October 1 through September 30 of the following year) as well as the budgets for any partial “years” within the MTID’s term.

Year	Assessment Rate	Sales & Marketing	Capital Improvements	Administration/ Audits	Contingency/ Reserve	City Fee	Total
2025	1.00%	\$440,625	\$58,750	\$41,125	\$41,125	\$5,875	\$587,500
2025-2026	1.50%	\$1,684,500	\$224,600	\$157,220	\$157,220	\$22,460	\$2,246,000

2026-2027	2.00%	\$2,439,750	\$325,300	\$227,710	\$227,710	\$32,530	\$3,253,000
2027-2028	2.00%	\$2,628,750	\$350,500	\$245,350	\$245,350	\$35,050	\$3,505,000
2028-2029	2.00%	\$2,844,750	\$379,300	\$265,510	\$265,510	\$37,930	\$3,793,000
2029-2030	2.00%	\$1,350,000	\$180,000	\$126,000	\$126,000	\$18,000	\$1,800,000
Total		\$11,388,375	\$1,518,450	\$1,062,915	\$1,062,915	\$151,845	\$15,184,500

C. Overdue Charges and Interest

The MTID shall reimburse the City for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent MTID assessment are sought to be recovered in the same collection action by the City, the MTID shall bear its pro rata share of such collection costs. Assessed lodging businesses which are delinquent in paying the assessment shall be responsible for paying:

1. Failure to Timely File: Any lodging business that files a return after the due date is subject to an overdue charge equal to the greater of ten percent (10%) of the assessment required to be paid or \$50.00.
2. Failure to Timely Pay: Any lodging business that submits a payment after the due date is subject to an overdue charge of ten percent (10%) of the delinquent assessment.
3. Interest: In addition to other overdue charges, if a lodging business fails to timely pay the City any assessment due, there shall be added as interest one percent (1%) of the total amount due if the delinquency is not for more than one month, with an additional one percent (1%) for each additional month or fraction thereof under which the delinquency continues.
4. Overdue Charges Merged with Assessment: Every overdue charge imposed and such interest as accrues shall become part of the assessment herein required to be paid.

D. Time and Manner for Collecting Assessments

The MTID assessment will be implemented beginning May 1, 2025, or as soon as possible thereafter, and ending five (5) years from its start date. The assessment is levied upon and is a direct obligation of the assessed lodging business. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of the assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the lodging business. The assessment shall be disclosed as the "Tourism Assessment." The assessment is imposed solely upon, and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purposes, including calculation of lodging taxes.

All assessed lodging businesses, on or before the twentieth day of the month next succeeding the month in which the lodging business carried on business, shall make a verified report, on a form provided by the City, to the Revenue Department of the City showing the total assessable revenue collected from occupied rooms rented during the preceding month, and shall, at the time of making such report, pay to the Revenue Department the amount of the assessment revenue collected for revenue from occupied rooms rented. The City will be responsible for collecting the assessment on a monthly basis (including any delinquencies, overdue charges and interest) from each assessed lodging business. The City shall take all reasonable efforts to collect the assessment from each assessed lodging business. The City shall forward the assessments collected to the District Management Corporation within thirty (30) days of receipt.

E. Sunset Provision

Within 90 days after the adoption and approval of the fifth annual budget, the City, as set forth in State Law, shall set a hearing to determine whether the MTID should be continued, modified, or terminated.

F. Eminent Domain

As per State Law, “No self-help business improvement district or district management corporation shall have the power of eminent domain.”

VI. GOVERNANCE

A. District Management Corporation

The Mobile Area Lodging Corporation a nonprofit corporation, incorporated under the Alabama Nonprofit Corporation Act, Chapter 3A of Title 10, Code of Alabama 1975 is designated by ordinance of the City to manage the day-to-day operations of the MTID. The board of directors of the District Management Corporation, whose board seats are comprised of a majority of MTID lodging businessowners, and/or their representatives, is responsible for setting the goals, policies, procedures and annual budget for the MTID and overseeing their fulfillment. The bylaws and certificate of formation of the Mobile Area Lodging Corporation are included as Appendix 3.

B. Continuation of City Services

Throughout the process to establish the MTID, business owners have voiced concerns that the City maintains funding for Visit Mobile at verifiable “baseline” levels. The baseline level of funding provided by the City shall be 37.5% of the total lodging tax receipts collected in the previous fiscal year. The City shall not increase the City Lodging Tax Rate by more than 2 percentage points above the current 8% during the MTID's term. Prior to any increase above 8% during the MTID term, the City shall impose and collect a tax on short-term rentals. As provided by State law, the City, the District Management Corporation and Visit Mobile (MCVC) shall enter into a contract requiring that the City continue the level of services in the MTID during the five years commencing with fiscal year 2024/2025 and defining the baseline level of service and the future level of support as set forth in the previous sentence.

C. Annual Report

Within 90 days after the close of each fiscal year, the District Management Corporation shall make an annual report of its activities for the preceding fiscal year to the City Council. Each annual report shall include, at a minimum:

- A financial statement for the preceding year, including a balance sheet, statement of income and loss, and such other information as is reasonably necessary to reflect the District Management Corporation's actual performance, certified by the Treasurer of the District Management Corporation; and
- The budget for the current fiscal year.

A copy of the annual report shall be sent to the Mayor, the City Council, and to all assessed lodging business owners of the MTID, by first class mail or by personal delivery.

D. Annual Audit

Within 90 days after the close of each fiscal year, the District Management Corporation shall cause an annual audit of its books, accounts, and financial transactions to be made and filed with the City and for that purpose the District Management Corporation shall employ a certified public accountant. The annual audit shall be completed and filed with the City Council within four months after the close of the fiscal year of the District Management Corporation and a certified duplicate copy of the audit shall be filed with the mayor and finance director of the City.

APPENDIX 1 – ASSESSED LODGING BUSINESSES

Property Name
Renaissance Mobile Riverview Plaza Hotel
The Battle House Renaissance Mobile Hotel
Mobile Marriott
Hampton by Hilton Inn & Suites Mobile- Downtown Historic District
Holiday Inn Mobile Downtown Historic District
Homewood Suites by Hilton Mobile I 65 Airport Boulevard
Home2 Suites by Hilton Mobile West I 10 Tillmans Corner
Tru by Hilton Mobile
Hampton Inn & Suites Mobile I-65@ Airport Blvd
Holiday Inn Mobile West I 10
Holiday Inn Mobile Airport
SpringHill Suites Mobile
Hampton Inn & Suites Mobile Providence Park/Airport
TownePlace Suites Mobile
Hilton Garden Inn Mobile West I 65 Airport Boulevard
Holiday Inn Express Mobile I-65
Hilton Garden Inn Mobile Downtown
Candlewood Suites Mobile Downtown
Holiday Inn Express & Suites Mobile - University Area
Homewood Suites by Hilton Mobile Airport-University Area
The Admiral Hotel
Family Inns of America - Mobile
Fairfield Inn & Suites Mobile
Residence Inn Mobile
Hampton by Hilton Inn Mobile - I-10/Bellingrath Gardens
Extended Stay America Mobile - Spring Hill
La Quinta Inns & Suites by Wyndham Mobile
Extended Stay America Mobile
Comfort Suites Mobile West Tillman's Corner
La Quinta Inns & Suites Mobile - Tillman's Corner
Courtyard Mobile
InTown Suites Mobile
Quality Inn Downtown Historic District Mobile
Quality Inn & Suites At Airport Blvd I-65
Bama Motel
InTown Suites Mobile West
Springdale Inn & Suites "COMFORT SUITES MOBILE"
Baymont Inn & Suites Mobile
Super 8 Mobile
Super Inn
Super 8 Tillmans Corner Parkway
Taylor Motel
Extended Stay Motel "AFFORDABLE HOUSING MOBILE LLC"
Home2 Suites by Hilton Mobile I-65 Government Boulevard
Drury Inn & Suites Mobile
Holiday Inn Express & Suites Mobile West I 10
SureStay Plus by Best Western Mobile I-65
Days Inn & Suites by Wyndham Mobile

Best Western Plus Mobile Inn & Suites
OYO Hotel Mobile, AL I-65 at Airport Blvd
Red Roof Inn Mobile
Motel 6 Mobile, AL – Airport Blvd
Fairview Inn & Suites
Quality Inn Mobile West Tillmans Corner
Beverly Motel
Econo Lodge Mobile
Budget Inn Downtown Mobile
Baymont Inn & Suites Mobile/Tillman's Corner
Red Roof Inn & Suites - Mobile SW I-10
Motel 6 Mobile
Days Inn by Wyndham Mobile I-65
Super 8 by Wyndham Mobile I-65
Days Inn North Mobile

APPENDIX 2 – LAW

**APPENDIX 3 – MOBILE AREA LODGING CORPORATION BYLAWS AND
CERTIFICATE OF FORMATION**

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

Notice of Public Hearing to Consider a
Conditional Use Permit to Allow a
Short-Term Rental for Property
Located at 2411 Venetia Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 22, 2025**, a public hearing will be held on the **27th** day of **May, 2025**, at 10:30 a.m., to consider adoption of an ordinance for a Conditional Use Permit to allow a short-term rental in an R-1, Single-Family Residential Suburban District, for property located at 2411 Venetia Road.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

Lisa C. Lambert
City Clerk

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Conditional Use Permit application was filed on January 27, 2025, to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, located at 2411 Venetia Road and described as follows:

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF MOBILE, STATE OF ALABAMA, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH BANK OF DOG RIVER WHERE SAID RIVER IS INTERSECTED BY THE EAST LINE OF A LOT CONVEYED BY DANIEL B. FISHER TO MARY E. BENTON BY DEED DATED DECEMBER 6, 1928, AND RECORDED IN DEED BOOK 222 N.S. PAGE 88, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, WHICH POINT IS 317.8 FEET EAST OF THE WEST LINE OF THE LELANDE TRACT, MEASURED ALONG A LINE AT RIGHT ANGLES TO THE WEST LINE OF THE LELANDE TRACT, AND FROM SAID POINT OF BEGINNING RUNNING THENCE NORTH 4 DEGREES EAST ALONG THE EAST LINE OF SAID PROPERTY CONVEYED TO MARY E. BENTON, AND NOW OR FORMERLY OWNED BY VENETIA D. MCCLURE, 1145 FEET, MORE OR LESS, TO A POINT ON THE SOUTH SIDE OF A ROADWAY RUNNING EAST AND WEST, WHICH POINT IS 375.8 FEET EAST OF THE WEST LINE OF SAID LELANDE TRACT RUNNING THENCE EAST ALONG THE SOUTH SIDE OF SAID ROADWAY 84 FEET 10 INCHES, MORE OR LESS, TO THE NORTHWEST CORNER OF A LOT CONVEYED BY DANIEL B. FISHER TO ALICE B. MAXFIELD, AS GUARDIAN BY DEED DATED JANUARY 21, 1932, AND RECORDED IN DEED BOOK 237 N.S. PAGE 175, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID LOT SO CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, 475 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE RUNNING EAST ALONG THE SOUTH LINE OF SAID LOT 150 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE RUNNING SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF THE LELANDE TRACT 685 FEET, MORE OR LESS, TO THE NORTH BANK OF DOG RIVER, THENCE WESTWARDLY ALONG THE NORTH BANK OF DOG RIVER TO THE PLACE OF BEGINNING. SAID LOT BEING BOUNDED ON THE NORTH BY SAID ROADWAY AND THE PROPERTY CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, ON THE EAST BY PROPERTY NOW OR FORMERLY OF DANNER, SOUTH BY DOG RIVER AND ON THE WEST BY PROPERTY FORMERLY OF MARY E. BENTON, NOW OR FORMERLY OF VENETIA D. MCCLURE.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on March 20, 2025, and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke, or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

NOTICE OF HEARING OF PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE

Notice is hereby given that the Mobile City Council proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the Mobile City Council in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025, at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Unified Development Code

The proposed amendment to the Unified Development Code was published in full on the 30th day of April, 2025 in the Lagniappe.

The proposed amendment to the Unified Development Code concerns the property within the City of Mobile, located at 2411 Veneita Road.

The proposed amendment will approve a Conditional Use Permit. The owner of said property has applied for a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. If approved, the Conditional Use Permit will allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, subject to the following proposed conditions: 1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and, 2. Full compliance with all municipal codes and ordinances.

This proposed amendment to the Unified Development Code will be in full force and effect from after its publication and adoption by the Mobile City Council.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Conditional Use Permit application was filed on January 27, 2025, to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, located at 2411 Venetia Road and described as follows:

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF MOBILE, STATE OF ALABAMA, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH BANK OF DOG RIVER WHERE SAID RIVER IS INTERSECTED BY THE EAST LINE OF A LOT CONVEYED BY DANIEL B. FISHER TO MARY E. BENTON BY DEED DATED DECEMBER 6, 1928, AND RECORDED IN DEED BOOK 222 N.S. PAGE 88, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, WHICH POINT IS 317.8 FEET EAST OF THE WEST LINE OF THE LELANDE TRACT, MEASURED ALONG A LINE AT RIGHT ANGLES TO THE WEST LINE OF THE LELANDE TRACT, AND FROM SAID POINT OF BEGINNING RUNNING THENCE NORTH 4 DEGREES EAST ALONG THE EAST LINE OF SAID PROPERTY CONVEYED TO MARY E. BENTON, AND NOW OR FORMERLY OWNED BY VENETIA D. MCCLURE, 1145 FEET, MORE OR LESS, TO A POINT ON THE SOUTH SIDE OF A ROADWAY RUNNING EAST AND WEST, WHICH POINT IS 375.8 FEET EAST OF THE WEST LINE OF SAID LELANDE TRACT RUNNING THENCE EAST ALONG THE SOUTH SIDE OF SAID ROADWAY 84 FEET 10 INCHES, MORE OR LESS, TO THE NORTHWEST CORNER OF A LOT CONVEYED BY DANIEL B. FISHER TO ALICE B. MAXFIELD, AS GUARDIAN BY DEED DATED JANUARY 21, 1932, AND RECORDED IN DEED BOOK 237 N.S. PAGE 175, PROBATE RECORDS OF MOBILE COUNTY, ALABAMA, THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID LOT SO CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, 475 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE RUNNING EAST ALONG THE SOUTH LINE OF SAID LOT 150 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE RUNNING SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF THE LELANDE TRACT 685 FEET, MORE OR LESS, TO THE NORTH BANK OF DOG RIVER, THENCE WESTWARDLY ALONG THE NORTH BANK OF DOG RIVER TO THE PLACE OF BEGINNING. SAID LOT BEING BOUNDED ON THE NORTH BY SAID ROADWAY AND THE PROPERTY CONVEYED TO ALICE B. MAXFIELD, AS GUARDIAN, ON THE EAST BY PROPERTY NOW OR FORMERLY OF DANNER, SOUTH BY DOG RIVER AND ON THE WEST BY PROPERTY FORMERLY OF MARY E. BENTON, NOW OR FORMERLY OF VENETIA D. MCCLURE.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on March 20, 2025, and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke, or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

Adopted:

Lisa Lambert, City Clerk

**Marbury Buckhaults
Shropshire, LLC
2411 Venetia Road
Council District 4
Ben Reynolds**



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

April 15, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the request of Marbury Buckhaults, Shropshire, LLC for a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District, for the property located at 2411 Venetia Road.

After discussion it was decided to recommend approval of the modification request to the City Council subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

Copies of the application and reports are attached.

Sincerely,

Stephen Guthrie
Deputy Director, Planning & Zoning Department

dla
attachments



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

March 21, 2025

Marbury Buckhaults
Shropshire, LLC
7075 Bay Road
Mobile, Alabama 36605

Re: 2411 Venetia Road
ZON-STR-003214-2025
Marbury Buckhaults, Shropshire, LLC
District 4
Conditional Use Permit approval to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District.

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

At its meeting on March 20, 2025, the Planning Commission considered the above referenced application.

After discussion the Planning Commission determined the following Findings of Fact to support the request for a Conditional Use Permit:

1. The request is consistent with all applicable requirements of this Chapter, including:
 - a) Any applicable development standards; and
 - b) Any applicable use regulations.
2. The request is compatible with the character of the surrounding neighborhood;
3. The request will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood or be more injurious to property or improvements in the neighborhood.
5. The request is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. The request is designed to minimize the impact on storm water facilities;
7. The request will be adequately served by water and sanitary sewer services;
8. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and

ZON-STR-003214-2025 2411 Venetia Road
March 21, 2025

9. The request shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of the Conditional Use Permit request to City Council, subject to the following conditions:

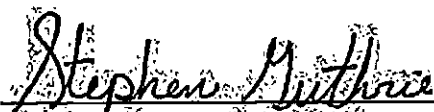
1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

The advertising fee for this application is based on the current legal description is **\$435.48**. Upon receipt of this fee (*check made out to the "City of Mobile"*), your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Ms. Jennifer Denson, Secretary

By: 
Stephen Guthrie
Deputy Director of Planning and Zoning

Certification of Criteria for Conditional Use Permit for Short-Term Rental

- There shall be no on-site employees
- The establishment shall not serve meals
- The guest rooms shall not contain cooking facilities
- A valid City of Mobile business license shall be obtained for the site, and the business license shall be provided on any advertisement or listing for the Short-Term Rental.
- No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be conspicuously placed on the site.
- The name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
- The local responsible party shall answer and respond to calls twenty-four hours a day, seven days a week for the duration of the short-Term Rental period to address guest's problems or complaints.
- The Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
- One 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
- The address of the dwelling shall be prominently displayed and legible on the building.

Marbury D. Buckhauls

March 5, 20

ALABAMA NOTARY ACKNOWLEDGMENT

THE STATE OF ALABAMA

Mobile, COUNTY

I, Kimberly A. Kringel, a Notary Public, hereby certify that
Marbury D Buckhaull, whose name is signed to the
foregoing instrument or conveyance, and who is known to me, acknowledged
before me on this day that, being informed of the contents of the conveyance,
he/she/they executed the same voluntarily on the day the same bears date.

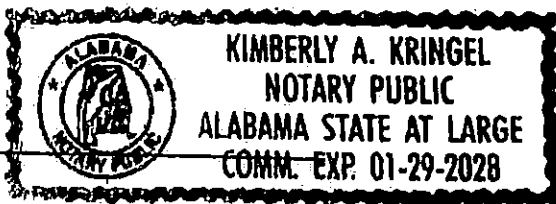
Given under my hand this 5th day of March, A. D. 20 25.

Kimberly A. Kringel

Notary Public

Print Kimberly A. Kringel

My commission expires: _____



(Seal)



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION
February 21, 2025

Marbury D. Buckhaults
Shropshire, LLC
7075 Bay Road
Mobile, Alabama 36605

Re: 2411 Venetia Road
ZON-STR-003214-2025
Marbury Buckhaults, Shropshire, LLC
District 4
Conditional Use Permit approval to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District.

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

After discussion the Planning Commission heldover the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

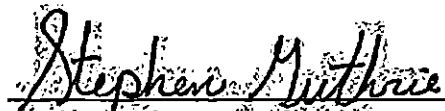
ZON-STR-003214-2025 Marbury Buckhaults, Shropshire, LLC
February 21, 2025

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Ms. Jennifer Denson, Secretary

By:

A handwritten signature in black ink, appearing to read "Stephen Guthrie", is written over a horizontal line.

Stephen Guthrie

Deputy Director of Planning and Zoning

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45950

STATE OF ALABAMA

COUNTY OF MOBILE

RECORDED
2018 MAR 13 PM 3:11
MOBILE COUNTY, ALABAMA
BOOK 222 PAGE 88

Mobile County, Alabama
2018 MAR 13 PM 3:11
BOOK 222 PAGE 88

PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that:

WHEREAS, **KATHERINE S. DEATON** died in Mobile County, Alabama on the 17th day of January, 2018, seized and possessed of the real estate hereinafter described; and

WHEREAS, the undersigned, **MARBURY D. BUCKHAULTS**, was duly appointed as Personal Representative of the estate of said Testatrix, and was issued Letters Testamentary by the Judge of Probate, Mobile County, Alabama, on the 12th day of March, 2018, in Case No. 2018-0406 and said Letters Testamentary are still in full force and effect; and

WHEREAS, the said Testatrix in her Will dated the 9th day of September, 1992, granted said Personal Representative the Power to Sell and Convey any Real Property held in Testatrix's Estate; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that **MARBURY D. BUCKHAULTS**, as Personal Representative of the Estate of **KATHERINE S. DEATON**, deceased, the Grantor, for the purpose of carrying out the terms of said will, does hereby GRANT, BARGAIN AND CONVEY unto **SHROPSHIRE, LLC**, an Alabama Limited Liability Company, the Grantee, subject to the provisions hereinafter contained, all that real property in the County of Mobile, State of Alabama, being further described as follows:

All that real property situated in the County of Mobile, State of Alabama, described as follows, to-wit: Beginning at a point on the North bank of Dog River where said river is intersected by the East line of a lot conveyed by Daniel B. Fisher to Mary E. Benton by deed dated December 6, 1928, and recorded in Deed Book 222 N.S. page 88, Probate Records of Mobile County, Alabama, which point is 317.8 feet East of the West line of the Lelande Tract, measured along a line at right angles to the West line of the Lelande Tract, and from said point of beginning running thence North 4 degrees East along the East line of said property conveyed to Mary E. Benton, and now or formerly owned by Venetia D. McClure, 1145 feet, more or less, to a point on the South side of a roadway running East and West, which point is 375.8 feet East of the West line of said LeLande Tract running thence East along the South side of said roadway 84 feet 10 inches, more or less, to the Northwest corner of a lot conveyed by Daniel B. Fisher to Alice B. Maxfield, as Guardian by deed dated January 21, 1932 and recorded in Deed Book 237 N.S. page 175, Probate Records of Mobile County, Alabama, thence running South along the West line of said lot so conveyed to Alice B. Maxfield, as Guardian, 475 feet to the Southwest corner thereof, thence running East along the South line of said Lot 150 feet to the Southeast corner thereof, thence running South along a line parallel with the West line of the Lelande Tract 685 feet, more or less, to the North bank of Dog River, thence Westwardly along the North bank of Dog River to the place of beginning. Said lot being bounded on the North by said roadway and the property conveyed to Alice B. Maxfield, as Guardian, on the

East by property now or formerly of Danner, South by Dog River and on the West by property formerly of Mary E. Benton, now or formerly of Venetia D. McClure.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns, forever.

This conveyance is made subject to restrictive covenants, easements, right of way and building setback line, if any, applicable to said property of record in the said Probate Court records; and as follows:

1. Lien of taxes hereafter failing due.
2. Right-of-way granted Mobile County by instrument recorded in Real Property Book 146, Page 211 of said records.
3. Easement granted Alabama Power Company by instrument recorded in Deed Book 392, Page 650 of said records.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this the 3rd day of April, 2018.

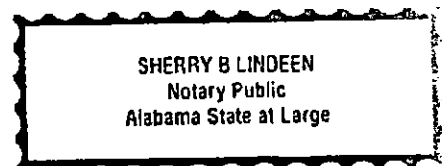
Marbury D. Buckhaults (SEAL)
Marbury D. Buckhaults
Personal Representative for the Estate of
Katherine S. Deaton, deceased

State of Alabama
County of Mobile

I, the undersigned notary public in and for said state and county, hereby certify that **Marbury D. Buckhaults**, whose name as Personal Representative of the Estate of Katherine S. Deaton, deceased, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument she, in her capacity as such Personal Representative and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 3rd day of April, 2018.

Sherry B. Lindeen
Notary Public
My Commission Expires: 5-3-2020



The Grantee's address is:

7075 Bay Road
Mobile, AL 36605

The Grantor's address is:

7075 Bay Road

My Commission Expires
May 3, 2020

Mobile, AL 36605

**My Commission Expires
May 3, 2020**

The Grantor's address is:

7075 Bay Road
Mobile, AL 36605

This instrument was prepared by:

John T. Bender, Attorney
McFadden, Rouse & Bender, LLC
718 Downtowner Boulevard
Mobile, Alabama 36609
(334)342-9172

NAME	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
LEONARDI DANIEL J & LINDA O LEONARDI	2407 VENETIA RD	MOBILE	AL	36605
ALSTON JAMES ROBERT MAXWELL III & MARGARET H ALSTON	2415 VENETIA RD	MOBILE	AL	36605
DEATON ELIZABETH TUCKER	125 NW 59TH ST	SEATTLE	WA	98107
SHROPSHIRE LLC	7075 BAY RD	MOBILE	AL	36605
BRIDGES VIRGINIA U	2436 VENETIA RD	MOBILE	AL	36605
BRIDGES CHARLES M & LYNNE W	3000 VENETIA RD	MOBILE	AL	36605
PRINCE VENETIA BARNEY	2417 VENETIA RD	MOBILE	AL	36605
RAINER VENETIA DANNER	2419 VENETIA RD	MOBILE	AL	36605
IBERIABANK, A DIVISON OF FIRST HORIZON BANK, ATTN TRUST REAL ESTATE	4385 POPLAR AVE	MEMPHIS	TN	38117



City of Mobile • Planning & Zoning Planning Commission Application

For hard copy submissions, **SEVEN (7) COPIES** of all the necessary information as required by the Zoning Ordinance, including the site plan, must be submitted along with **seven (7) paper copies of this application by NOON** on the deadline filing date. Otherwise, this application will not be accepted. Separate application packets and fees are required for each application type. Digital submissions are required by noon on the deadline filing date.

Fees

Conditional Use Permit	\$500
Conditional Use Permit for Above-Ground Oil Storage Tank*	\$1,500
Conditional Use Permit for Hazardous Substance Storage Tank*	\$1,500
Rezoning, Text Amendment, or Specific Area Plan	\$500
Planned Development	\$500
Planning Approval or Planned Unit Development	\$500

Notification fees: First Class Postage per property owner within 300', and each applicant/owner.

Additional fees: A legal advertisement fee will be required for each application, after consideration by the Planning Commission and prior to consideration by the City Council. If approved by the City Council, documentation must be recorded in Mobile County Probate Court at the expense of the applicant.

* For Above-Ground Oil Storage Tank or Hazardous Substance Storage Tank applications, please contact staff for additional information regarding fee, legal ad and notification requirements.

APPLICATION TYPE Please select the application type. Please complete the appropriate checklist (A, B, C, or D) for a full list of application requirements.

☒ **Conditional Use Permits**
Checklist A

☐ **Rezoning, Text Amendment, or Specific Area Plan Amendments**
Checklist B

☐ **Planned Development**
Checklist C

☐ **Previously approved Planning Approvals or Planned Unit Development**
Checklist D

Have you provided the required information on the corresponding checklist? ☐ Yes ☐ No

1. APPLICANT INFORMATION If other than the property owner, must furnish written authorization from owner. Owner must submit evidence, such as deed or tax assessment that the person has right of possession to the land and any structures thereon.

	Applicant	Agent (If Applicable)
Name:	Marbury Buckhardt Is	
Firm:	Shropshire LLC	
Phone:	251-458-8533	
Email:	marburybuck@gmail.com	
Address:	2411 Venetia Rd } location Mobile AL 36605 } property	
	7075 Bay Rd } mailing Mobile AL 36605 } address	

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For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower

Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Revised February 2023

	Owner	Design Professional
Name:		
Firm:		
Phone:		
Email:		
Address:		

2. PROPERTY INFORMATION Attach a brief description of the property location, parcel number, and legal description.

2411 Venetia Road 6 acres
 Property Address Property Area (acres or square feet)
Key # 1001622
 Parcel Number(s) or Key Number(s)
R-1 Single family resident
 Present Zoning or Transect District Proposed Zoning or Transect District (if applicable)

3. NEIGHBORHOOD MEETING Attach the Neighborhood Meeting Documentation if applicable.

This requirement applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

Have you provided the required Neighborhood Meeting Documentation, if applicable? ☐ Yes ☐ No

4. LABELS FOR NOTIFICATION Provide the names and complete addresses of owners of property lying within 300 feet of the property in this application, as shown by the latest assessment records of the Mobile County Revenue Commissioner's Office located in the plat and map room. ALL property ownership information provided for notification MUST be verified through Probate Court records. Each name and address must be TYPED on a standard size (approximately 1" x 2-5/8") white self-adhesive label. Include one (1) label with the APPLICANT'S name and address, plus one (1) label with the OWNER'S name and address (if applicant and owner differ). A PHOTOCOPY OF THE TYPED LABELS MUST ALSO BE SUBMITTED. (Please use 8 1/2" x 11" sheets of labels).

5. SIGNATURE It is warranted in good faith by the applicant whose name is signed hereto that all of the above facts are true and correct.

Marbury D. Buckhauls
Owner Signature

January 15, 2025
Date

Marbury D. Buckhauls
Applicant or Agent Signature (if applicable)

January 15, 2025
Date

AGREEMENT ALLOWING THE CITY OF MOBILE TO POST PUBLIC NOTICE SIGNS ON PROPERTY PENDING BEFORE THE MOBILE CITY PLANNING COMMISSION

I hereby agree to allow the City of Mobile to post on my property, which is under consideration for Planning Commission/City Council approval, a sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.

Marbury D. Buckhauls
Applicant or Agent Signature

January 15, 2025
Date

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Revised February 2023

CHECKLIST A

Conditional Use Permit

Requirement Checklist A is required for all Conditional Use Permits

The following information is required to evaluate applications for Conditional Use Permits. Please provide a statement for all items.

Please consult the [Use Table in Section 64-2-24](#) of the UDC as the following uses may require supplemental documentation. Select all of the uses that apply.

☐ Bed and Breakfast Establishments	☐ Bar/Lounge
☐ Community Residences	☐ Daycare, Child (Home Based 7-12 Children)
☒ Short-Term Rentals	☐ Private or Parochial School
☐ Above-Ground Oil Storage Tank	☐ Hazardous Substance Storage Tank

Have you provided the required information for the selected uses above? ☒ Yes ☐ No

The Following information is required for Conditional Use Permits. Please refer to [Section 64-10-6](#) for a full description of the requirements and verify that the following documentation is provided:

- | | |
|--|---|
| ☐ Planning Commission Application | ☐ Site Plan |
| ☐ Documentation of compliance with Approval Criteria | ☐ Neighborhood Meeting Documentation |
| ☐ Traffic Impact Studies, as prescribed by the Traffic Engineer | |

1. Describe how the proposal aligns with the [Comprehensive Plan, Map for Mobile](#).

This property is low density Residential on the FLUM. Primary land use is residential, single family housing unit.

Low density Residential
Future Land Use Map (FLUM) Designation

2. Is the application compliant with [Development Standards of Article 3](#)? ☐ Yes ☐ No
If no, what are the deficiencies?

The property is developed to residential standards, any improvements required are willing to be made

3. Describe how the application and plan is compatible with the character of the surrounding neighborhood.

This property will conform to the character of the area. It will not have excess traffic and there is ample space for parking on the premises. Noise ordinance is posted and enforced. Trash is put on the street and picked up as directed.

4. Describe how the proposal prevents impacts on the development or improvement of adjacent property.

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5. Please provide the following information:

- ☒ The location, type and height of buildings or structures: (e.g., The existing structure is 24 feet tall)
The existing structure is 26' high.
It is located in the center of 6 acres. Wood frame
- ☒ The type and location of landscaping and screening: (e.g., A row of shrubs is located along the western edge of the property)
Hedges on property line both on the west and east sides
- ☒ Lighting: (dusk to dawn)
There is a high light near the carport. Carport lights and lights attached to the house are unobtrusive and blocked by hedges.
- ☒ Hours of operation:
Lodgers check in at 3pm and check out 11am. A noise ordinance is posted and enforced. House is as a residence.
- ☐ Other conditions that are unique to the use of the property:

6. Does the plan provide appropriate ingress and egress? (Please provide a site plan showing ingress and egress)

☒ Yes ☐ No

7. Describe how the proposal is designed to minimize the impact on storm water facilities.

Residence was built according to City of Mobile Engineering regulations and there is no impact expected to storm water facilities as we are not proposing new structures to be built.

8. Describe how the development is served by water and sanitary sewer services. What services are provided and by what entity?

MAWSS

9. Describe how the proposal will minimize elements that may be noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; or have elements that are detrimental to the public health, safety or general welfare.

None of the above are an issue at this property.

10. For Above-Ground Oil Storage Tanks, please include all information required by [Section 64-4-7](#). For Hazardous Substance Storage Tanks, please include all information required by [Section 64-4-8](#).

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Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm



Saturday, January 18, 2025 ·
12:37 PM

[Edit](#)

IMG_20250118_203725.heic
/Internal storage/Pictures/Messages

iPhone SE (2nd generation)

1.09 MB 2921x1905 6MP
ISO 50 28mm 0.0ev F1.8 1/122 s

Addition



 Remaster

Friday, February 28, 2025 ·
2:42 PM

[Edit](#)

20250228_144229.jpg
/Internal storage/DCIM/Camera

Galaxy S23 FE

4.85 MB 4000x3000 12MP
ISO 64 23mm 0.0ev F1.8 1/180 s

[# Add tag](#)



Friday, February 28, 2025 ·
12:29 PM

[Edit](#)

20250228_122937.jpg

/Internal storage/DCIM/Camera

Galaxy S23 FE

6.09 MB | 3000x4000 | 12MP

ISO 25 | 23mm | 0.0ev | F1.8 | 1/180 s

[# Add tag](#)

Notice of Neighborhood Meeting

Dear Property Owners:

This letter is to inform you that a Neighborhood Meeting has been scheduled to discuss the following application that Shropshire LLC/Dandelion Lodge will be submitting to the Mobile City Planning Commission.

1. Application Conditional Use Permit approval to allow use of the property located at 2411 Venetia Road as a Short-Term Rental (VRBO/AIRBNB).

The Neighborhood Meeting will be held at the following time, date, and location:

Monday, January 27, 2025

4-6

Christ Anglican Church
3275 Halls Mill Road

You are receiving this notice because your property is located within 30 feet of 2411 Venetia Road, in compliance with the notification requirements of Article 5 of the city's Unified Development Code (UDC). You or your agent are invited to attend the Neighborhood Meeting to learn more about the above-referenced application, ask questions, and present your views.

Sincerely,

Marbury Buckhaults
Ogden Deaton
Elizabeth Tucker Deaton
Shropshire LLC
2411 Venetia Road
marburybuck@gmail.com



City of Mobile · Planning & Zoning
Neighborhood Meeting Cover Sheet

Please complete this cover sheet to submit with all required meeting documentation

Date of Submittal: 1-29-25

The following documentation has been collected, signed, and submitted with this cover sheet to the City of Mobile Planning and Zoning Department for the proposed application(s) (i.e. Rezoning, Planned Development, Conditional Use Permit):

Neighborhood Meeting Date: January 27, 2025

Neighborhood Meeting Time: 4-6 pm

Neighborhood Meeting Location: Christ Anglican Church
8275 Halls Mill Road

The following documents are enclosed (place a checkmark where applicable):

- ☒ Dated photograph(s) of the posted sign(s)
- ☒ The verified address list of surrounding property owners to whom notification was provided
- ☒ A copy of the notice advertising the Neighborhood Meeting
- ☒ A sign-in sheet documenting meeting attendance *will forward after meeting is held*
- ☒ A written summary or minutes of the meeting
- ☒ Copies of any site plans, building elevations or other documents provided of referenced at the meeting
- ☐ Additional documents (Describe: _____)

Applicant's Name: Marbury Buckhauls
(First Name & Last Name)

Applicant's signature attesting to the accuracy of the documentation provided:

x Marbury Buckhauls Date: 1-29-25

All required meeting documentation must be submitted to the Planning and Zoning Department not less than 15 days before the applicable Planning Commission meeting date. Failure to do so will require the associated application(s) to be heldover to a later meeting date.

Neighborhood Meeting

Date: January 27, 2025

Time: 4-6 pm

Location of Neighborhood Meeting: Christ Anglican
Church 3275 Halls Mill Road

Project Location: 2411 Venetia Rd

Project/Application (e.g. Rezoning from R-1 to B-1): _____

Conditional Use Permit

Applicant's Signature Attesting to the Accuracy of This Sheet:

x Marbury Buckhaults Date: January 27, 2025

Please Sign In:

Partner in
LLC

Name: Elizabeth Tucker Denton Email: tucker@kalanicoffee.com

Address: 125 NW 59th St Seattle WA 98107 Phone: 206 388 8997

Name: _____ Email: _____

Address: _____ Phone: _____

Name: _____ Email: _____

Address: _____ Phone: _____

Name: _____ Email: _____

Address: _____ Phone: _____

Neighborhood Meeting Summary

Meeting Date: January 27, 2025

Meeting Time: 4-6 pm

Meeting Location: Christ Anglican Church
3275 Halls Mill Road

Below is a summary of the proposed project presented at the Neighborhood Meeting:

There were
no attendees.
Two parties
(who
have stayed
at the Dandelion
Lodge) that
were on the invite list

We have a 3,060 square ft house that we use as a short-term rental through VRBO and Air BNB. We have been informed that the city is requiring a conditional use permit. The house has 6 bedrooms and has a maximum capacity of 12 guests. The house is located in the center of 6 acres so there is plenty of parking with 2 ^{spaces} under the carport and 8 more place beyond the house.

Called to see if we needed support at the meeting, and we told them "no need".
The following information was distributed (e.g. site plan, building elevation drawings, traffic study, etc.):

None

Please attach copies of the distributed information to this summary.

Below is a summary of what occurred at the meeting (please provide the names of anyone who spoke, summarize any questions and responses, summarize any pertinent information discussed or any important activities that occurred):

We had no attendees

Neighborhood Meeting Summary

Date: _____

Applicant: _____

Meeting Location: _____

Application: _____

(Meeting summary, continued)

If meeting minutes were recorded, please provide a copy of the written minutes with this summary.

The Neighborhood Meeting ended at the following time: 6 PM

Applicant's signature attesting to the accuracy of this summary:

x Marbury D. Backhaus Date: _____

NEIGHBORHOOD MEETING DOCUMENTATION

The following are required for neighborhood meeting documentation. Please provide a statement for all items. Refer to [Section 64-5-4 of the UDC](#) for full requirements.

This section applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

Please verify the following documentation is provided:

- ☒ Dated Photograph(s) of the posted sign(s)
- ☒ The verified address list of surrounding property owners who were notified
- ☒ A sign-in sheet documenting meeting attendance *will submit after meeting date*
- ☒ Written summary or minutes of the meeting *" " " " "*
- ☒ Copies of any site plans, building elevations or other documents provided or referenced at the meeting *will provide after meeting*

Neighborhood Meeting Proceedings:

1. What was the date and location of the meeting?

Jan 27, 2025 4-6
Christ Anglican Church 3275 Halls Mill Road

2. What information was presented at the meeting?

None (no attendees)

3. What concerns were raised during the meeting?

None

4. Were any modifications made or considered in response to the concerns raised at the meeting?

No

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Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Revised February 2023

Mr & Mrs Daniel Leonardi
2407 Venetia Road
Mobile, AL 36605

Mr. & Mrs. James R Alston
2415 Venetia Road
Mobile, AL 36605

Elizabeth T. Deaton
125 NW 59th St
Seattle, WA 98107

Shropshire LLC
7075 Bay Road
Mobile, AL 36605

Virginia U Bridges
2436 Venetia Road
Mobile, AL 36605

Mrs. Lynne W Bridges
3000 Venetia Road
Mobile, AL 36605

Ms. Venetia Barney Prince
2417 Venetia Road
Mobile, AL 36605

Venetia Danner Rainer
2419 Venetia Road
Mobile, AL 36605

Iberiabank, A Division of First Horizon
Bank,
Attn: Trust Real Estate
4385 Poplar Ave
Memphis, TN 38117



Agenda Item # 1 - HOLDOVER
ZON-STR-003214-2025

View additional details on this proposal and all application materials using the following link:
[**Applicant Materials for Consideration**](#)

DETAILS

Location: 2411 Venetia Road	Applicable Codes, Policies, and Plans: • Unified Development Code • Subdivision Regulations • Map for Mobile Comprehensive Plan												
Applicant/Agent: Marbury Buckhaults, Shropshire, LLC	Proposal: • Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Suburban District.												
Property Owner: Shropshire, LLC	Commission Considerations: 1. Holdover to the March 20th meeting.												
Current Zoning: R-1, Single-Family Residential Suburban	Report Contents: <table><tr><th></th><th>Page</th></tr><tr><td>Context Map</td><td>2</td></tr><tr><td>Review Standards</td><td>3</td></tr><tr><td>Staff Comments</td><td>4</td></tr><tr><td>Commission Considerations</td><td>5</td></tr><tr><td>Exhibits</td><td>7</td></tr></table>		Page	Context Map	2	Review Standards	3	Staff Comments	4	Commission Considerations	5	Exhibits	7
	Page												
Context Map	2												
Review Standards	3												
Staff Comments	4												
Commission Considerations	5												
Exhibits	7												
Future Land Use: Low Density Residential													

PLANNING COMMISSION **VICINITY MAP - EXISTING AERIAL**



The site is surrounded by single family residential units.

APPLICATION NUMBER	1	DATE	March 20, 2025
APPLICANT	Marbury Buckhaults, Shropshire, LLC		
REQUEST	Conditional Use Permit STR		



HOLDOVER COMMENTS

The application was heldover from the February 20th meeting to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
 - c. That the guest rooms shall not contain cooking facilities;
 - d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
 - e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
 - f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
 - g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
 - h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
 - i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
 - j. That the address of the dwelling shall be prominently displayed and legible on the building.

The applicant has provided the requisite information and has certified compliance with all applicable criteria for approval of the Conditional Use Permit.

It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

HOLDOVER CONSIDERATIONS

Based on the requested Conditional Use Permit application, if the Commission and City Council consider approval of the request, the following Findings of Fact must be present. The application:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 6. Is designed to minimize the impact on storm water facilities;
 7. Will be adequately served by water and sanitary sewer services;
 8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 9. Shall not be detrimental to or endanger the public health, safety or general welfare.
 10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

The Commission and City Council should determine if the site meets all requisite criteria for approval of a Short-Term Rental, as detailed in Article 5, Section 64-5-6.E.11.(g) of the UDC.

If the application is considered for approval, it should be subject to the following conditions:

1. Provision of a revised site plan and any restrictions and/or conditions concerning the use of the property to Planning and Zoning for review prior to recording, and provision of a copy of the recorded site plan and any restrictions and/or conditions concerning the use of the property (hard copy and pdf) to Planning and Zoning; and,
2. Full compliance with all municipal codes and ordinances.

SHORT-TERM RENTAL CONDITIONAL USE PERMIT CONSIDERATIONS

Standards of Review:

Conditional Use Permits (CUPs) are required for certain uses in the Use Table (Table 64-2-24.1). These uses may have some special impact which differs from the potential impacts of permitted uses, such as exceeding permitted uses in intensity, or have unique requirements specified for compliance in the Unified Development Code (UDC).

Article 5, Section 6-E. of the Unified Development Codes states the City Council shall not approve an Application for Conditional Use Permit unless the proposed use:

11. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
12. Is compatible with the character of the surrounding neighborhood;
13. Will not impede the orderly development and improvement of surrounding property; and
14. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;

- (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
15. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
 16. Is designed to minimize the impact on storm water facilities;
 17. Will be adequately served by water and sanitary sewer services;
 18. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 19. Shall not be detrimental to or endanger the public health, safety or general welfare.
 20. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
 21. Criteria by Use. The Planning Commission and City Council shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Conditional Use Permits involving the following uses. In considering a Conditional Use Permit, the Planning Commission and City Council may attach such reasonable conditions and safeguards in addition to those set forth in this section, as they may deem necessary to implement the purposes of this Chapter.

In addition to the general standards of review above, there are criteria specific to Short-Term Rentals, which include:

- (1) There shall be no on-site employees.
- (2) No more than eight (8) guest rooms shall be included in any one establishment.
- (3) The establishment shall not serve meals.
- (4) Guest rooms shall not contain cooking facilities.
- (5) A valid City of Mobile business license must be obtained for each discrete Short-Term Rental location and the business license number must be stated on any advertisement or listing for each Short-Term Rental. Provided, however, that Short-Term Rentals containing multiple units within a single structure that can be rented separately shall only be required to obtain a single license for each structure.
- (6) The operation shall not alter the residential nature of the neighborhood or the character of the dwelling as a residence.
- (7) The refuse area shall be screened from view, and shall be no closer than twenty (20) feet from any property line and 100 feet from any dwelling on an adjacent lot.
- (8) There shall be a minimum of two (2) off-street parking spaces for the principal occupants of the residence (if any), and a minimum of one (1) additional parking space per guest room. The additional parking spaces shall not be located in any required front or side yard setback area and shall be screened from the view of adjacent properties by natural or artificial means.
- (9) No signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. is permitted.
- (10) The name and telephone number of a local responsible party shall be conspicuously posted within each Short-Term Rental. The local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of each Short-Term Rental period to address problems or complaints associated with the Short-Term Rental.
- (11) Each Short-Term Rental must meet applicable building and fire codes and be equipped with the following safety equipment and features: a.
 - a. Operational smoke and carbon monoxide detectors.

- b. One (1) 2.5 lb. Class A-B-C fire extinguisher per floor.
 - c. Prominently displayed and legible 9-1-1 address on building exterior
- (12) May not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

Planning Comments:

The applicant is requesting a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. The applicant's narrative justifying the request can be viewed using the link on Page 1 of this report.

In reviewing the request, staff has determined that the site does/does not meet the following site and design criteria of Article 5, Section 6-E. of the UDC:

The site does meet the criteria		That there are no more than eight (8) guest rooms.
The site does meet the criteria		That the operation will not alter the residential nature of the neighborhood.
The site does meet the criteria		That the operation does not alter the character of the dwelling as a residence.
	The site does not meet the criteria	That the refuse (garbage) area is screened from view.
The site does meet the criteria		That the refuse (garbage) area is no closer than 20 feet from any property line.
The site does meet the criteria		That the refuse (garbage) area is no closer than 100 feet from any other dwelling.
The site does meet the criteria		That the minimum number of parking spaces are provided.
The site does meet the criteria		That the operation does not occupy any accessory structure, accessory dwelling unit, outdoor space, or recreational vehicle on the site.

The applicant has/has not certified the following in their application:

	Has not certified	That there shall be no on-site employees.
	Has not certified	That the establishment shall not serve meals.
	Has not certified	That the guest rooms shall not contain cooking facilities.
	Has not certified	That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental.
	Has not certified	That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site.
	Has not certified	That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental.
	Has not certified	That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a

		week for the duration of the Short-Term Rental period to address guests' problems or complaints.
	Has not certified	That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors.
	Has not certified	That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling.
	Has not certified	That the address of the dwelling shall be prominently displayed and legible on the building.

Approval of the request should be contingent upon full compatibility with the requisite criteria for approval of a Conditional Use Permit for a Short-Term Rental. **All criteria in the above tables should be certified and the site must meet all criteria for the Conditional Use Permit to be approved.** If the criteria are not certified and the site does not meet all applicable criteria, then the Conditional Use Permit cannot be approved.

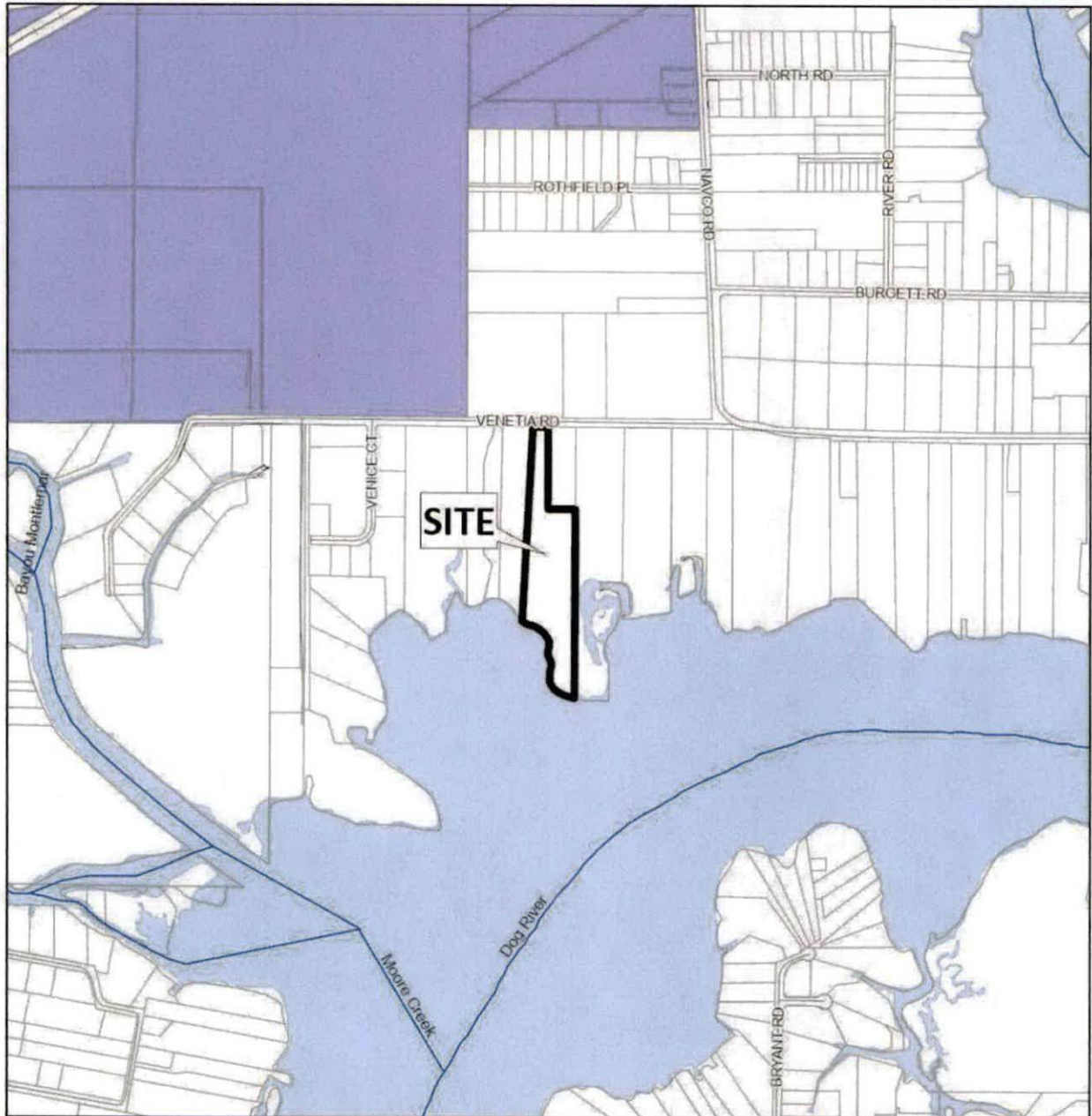
It should be noted that, if approved, the Conditional Use Permit, including all restrictions and conditions concerning the use of the property, shall be recorded in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Planning and Zoning Department.

Considerations:

The Planning Commission should consider a holdover of the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

4. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
5. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
6. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;
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LOCATOR ZONING MAP



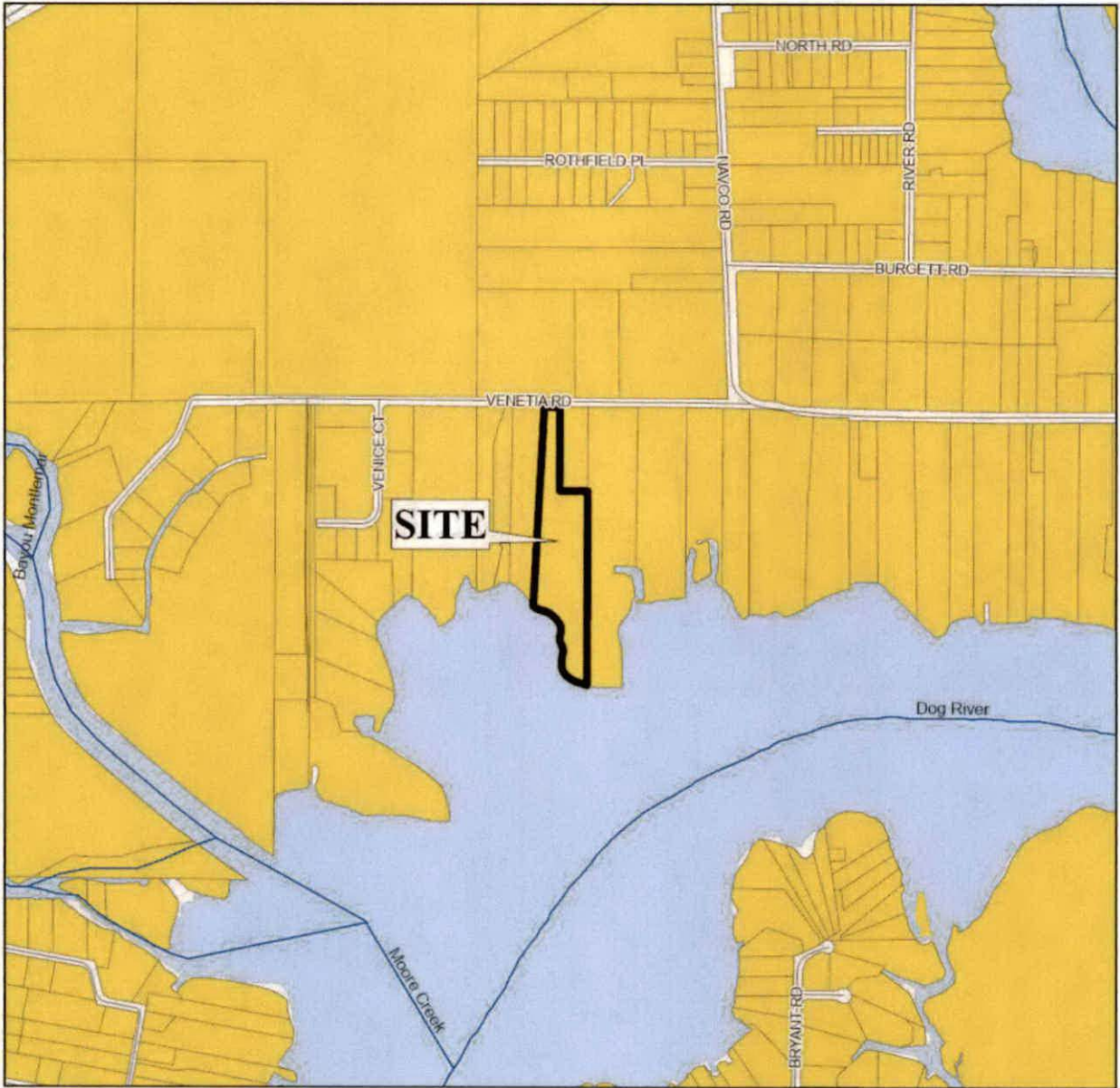
APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



FLUM LOCATOR MAP



APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

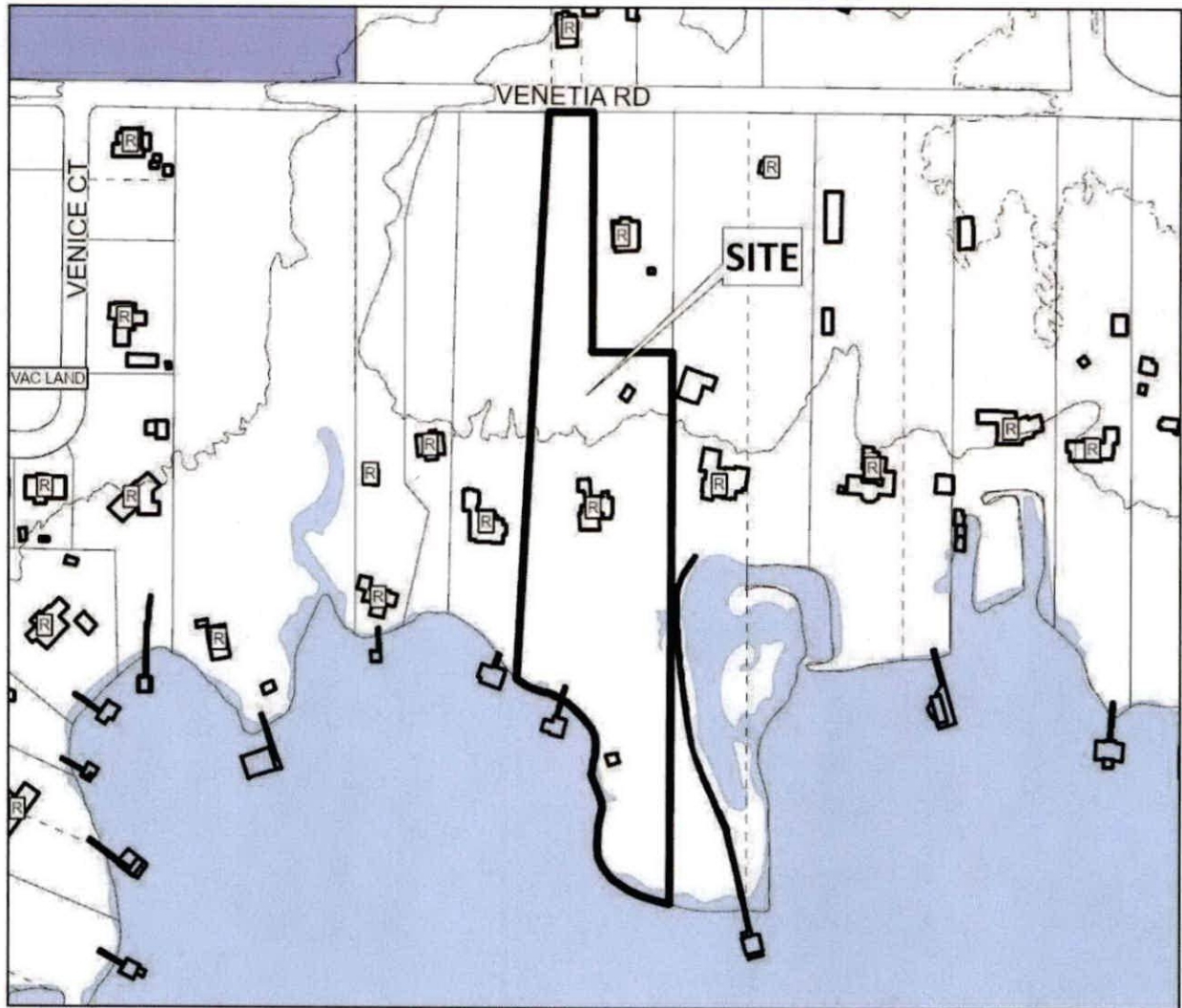
REQUEST Conditional Use Permit STR

- | | | | |
|---|--|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



NTS

PLANNING COMMISSION **VICINITY MAP - EXISTING ZONING**



The site is surrounded by single family residential units.

APPLICATION NUMBER 1 DATE March 20, 2025

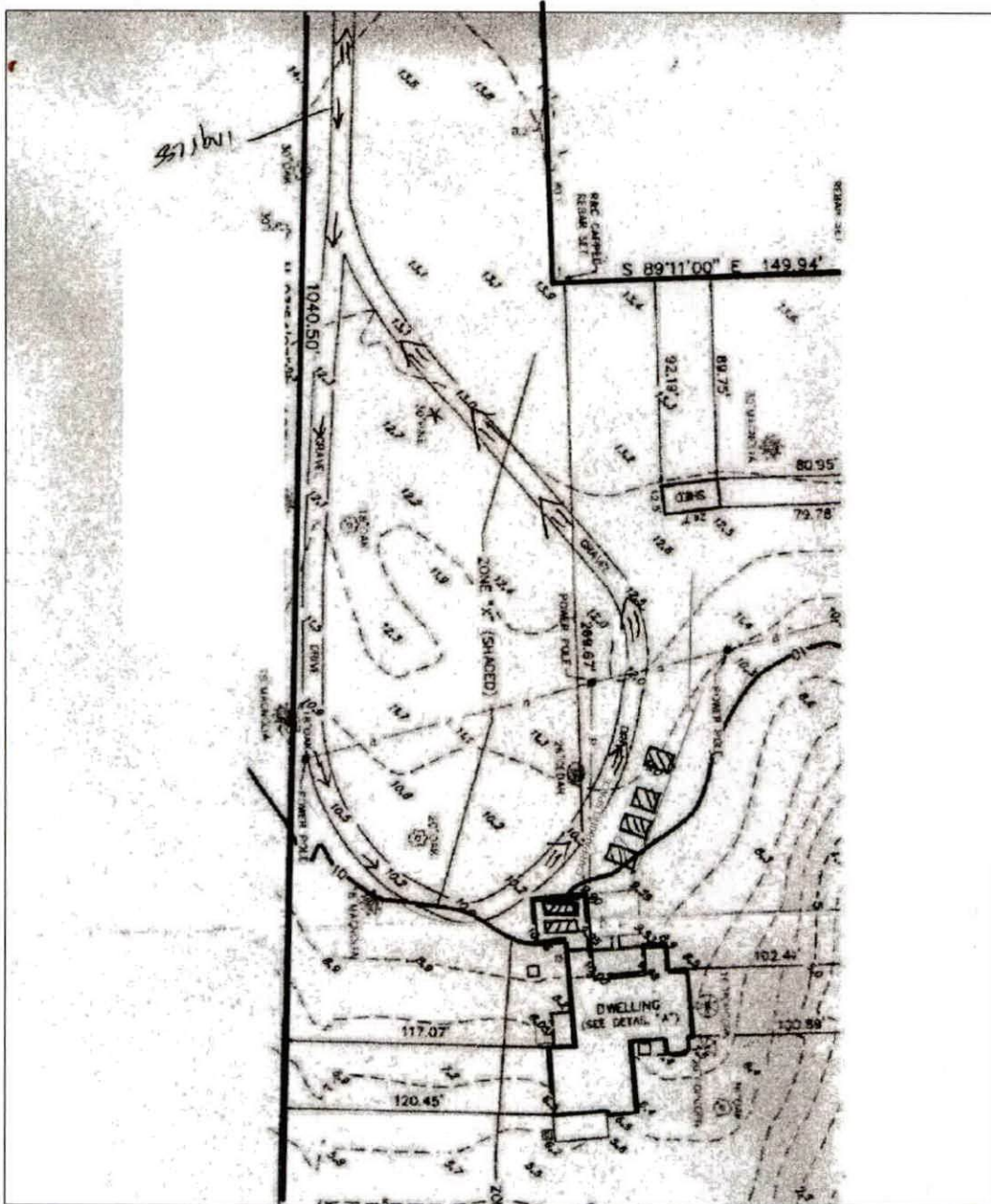
APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5,2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5,1	



SITE PLAN

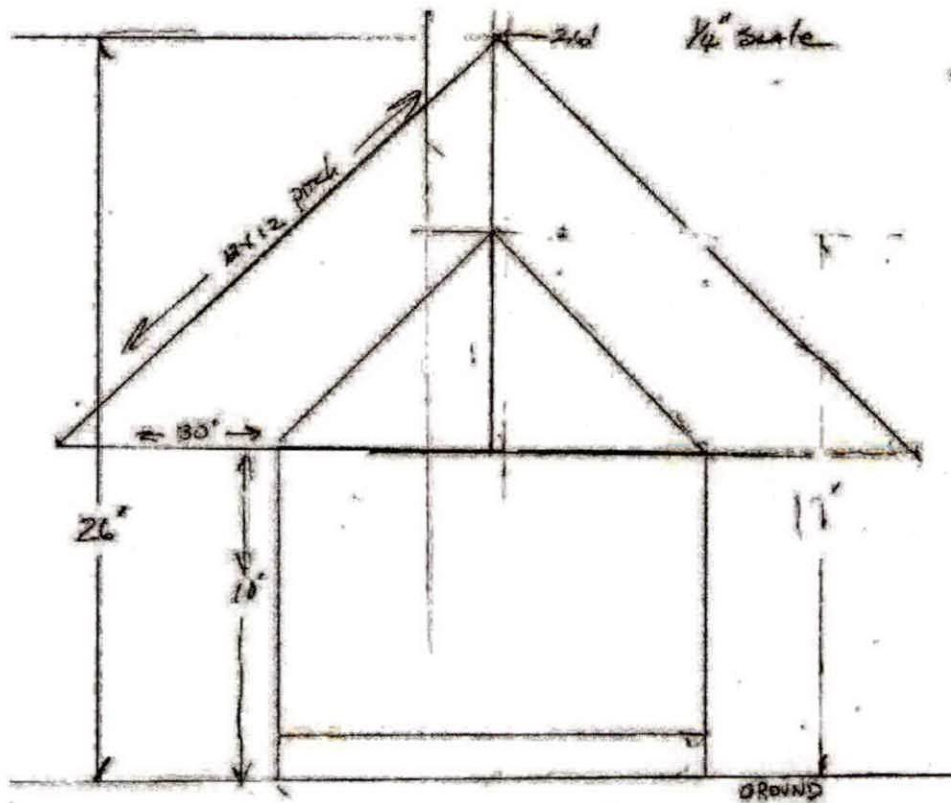


The site plan illustrates the existing residence, drive, and parking spaces.

APPLICATION NUMBER 1 DATE March 20, 2025
 APPLICANT Marbury Buckhaults, Shropshire, LLC
 REQUEST Conditional Use Permit STR



DETAIL SITE PLAN



HEIGHT OF STRUCTURE 26'

APPLICATION NUMBER 1 DATE March 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.



Agenda Item # 13

ZON-STR-003214-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

2411 Venetia Road

Applicant/Agent:

Marbury Buckhaults, Shropshire, LLC

Property Owner:

Shropshire, LLC

Current Zoning:

R-1, Single-Family Residential Suburban

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Suburban District.

Commission Considerations:

1. Holdover to the March 20th meeting.

Report Contents:

	Page
Context Map	2
Review Standards	3
Staff Comments	4
Commission Considerations	5
Exhibits	7

PLANNING COMMISSION **VICINITY MAP - EXISTING AERIAL**



The site is surrounded by single family residential units.

APPLICATION NUMBER <u>13</u>	DATE <u>February 20, 2025</u>	 NTS
APPLICANT <u>Marbury Buckhaults, Shropshire, LLC</u>		
REQUEST <u>Conditional Use Permit STR</u>		

SHORT-TERM RENTAL CONDITIONAL USE PERMIT CONSIDERATIONS

Standards of Review:

Conditional Use Permits (CUPs) are required for certain uses in the Use Table (Table 64-2-24.1). These uses may have some special impact which differs from the potential impacts of permitted uses, such as exceeding permitted uses in intensity, or have unique requirements specified for compliance in the Unified Development Code (UDC).

Article 5, Section 6-E. of the Unified Development Codes states the City Council shall not approve an Application for Conditional Use Permit unless the proposed use:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council shall consider:
 - (a) The location, type and height of buildings or structures;
 - (b) The type and extent of landscaping and screening;
 - (c) Lighting;
 - (d) Hours of operation; and
 - (e) Other conditions that might require mitigation of the adverse impacts of the proposed development.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
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In addition to the general standards of review above, there are criteria specific to Short-Term Rentals, which include:

- (1) There shall be no on-site employees.
- (2) No more than eight (8) guest rooms shall be included in any one establishment.

- (3) The establishment shall not serve meals.
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- (5) A valid City of Mobile business license must be obtained for each discrete Short-Term Rental location and the business license number must be stated on any advertisement or listing for each Short-Term Rental. Provided, however, that Short-Term Rentals containing multiple units within a single structure that can be rented separately shall only be required to obtain a single license for each structure.
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Planning Comments:

The applicant is requesting a Conditional Use Permit to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District. The applicant's narrative justifying the request can be viewed using the link on Page 1 of this report.

In reviewing the request, staff has determined that the site does/does not meet the following site and design criteria of Article 5, Section 6-E. of the UDC:

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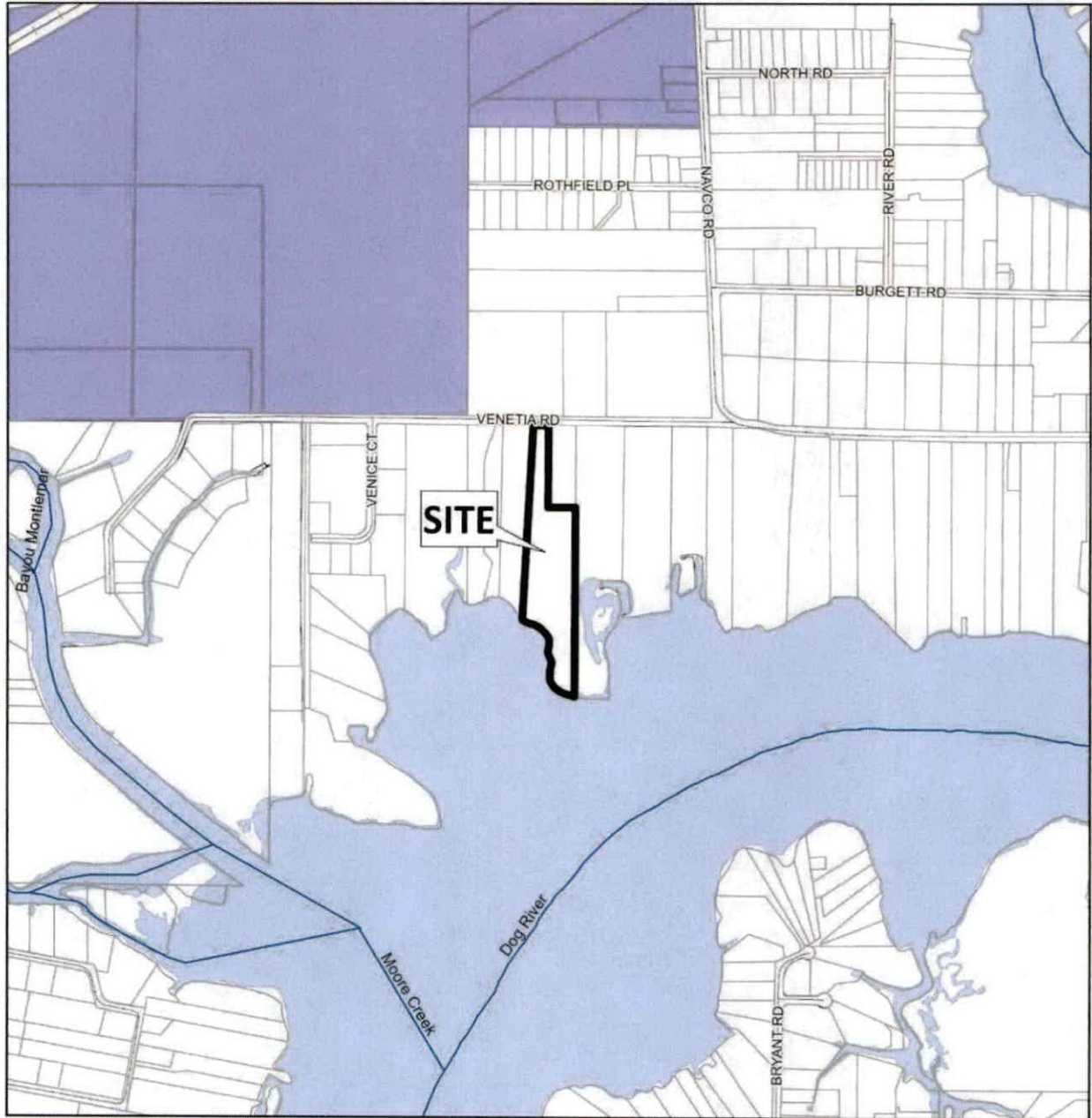
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LOCATOR ZONING MAP



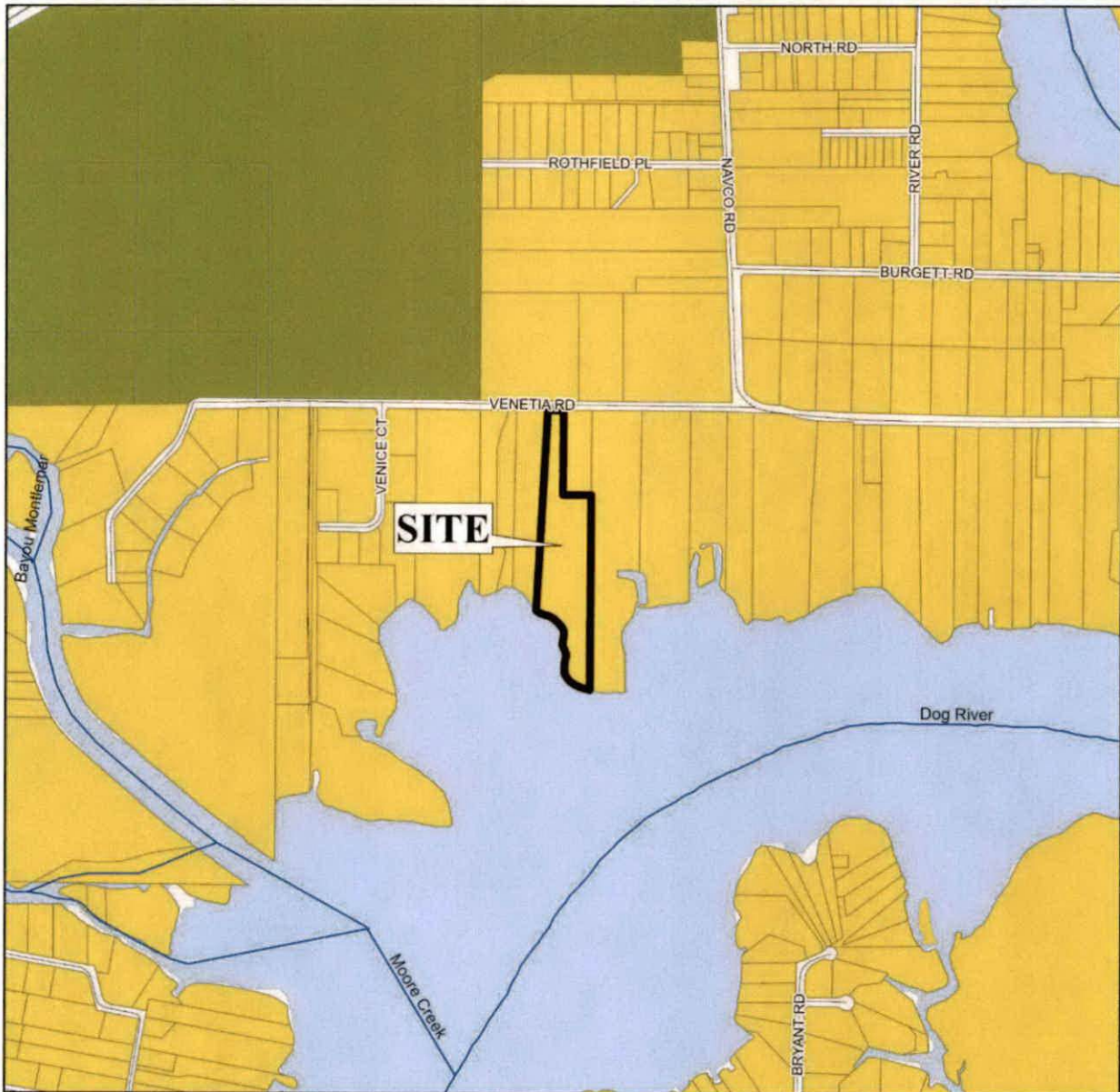
APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



FLUM LOCATOR MAP



APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

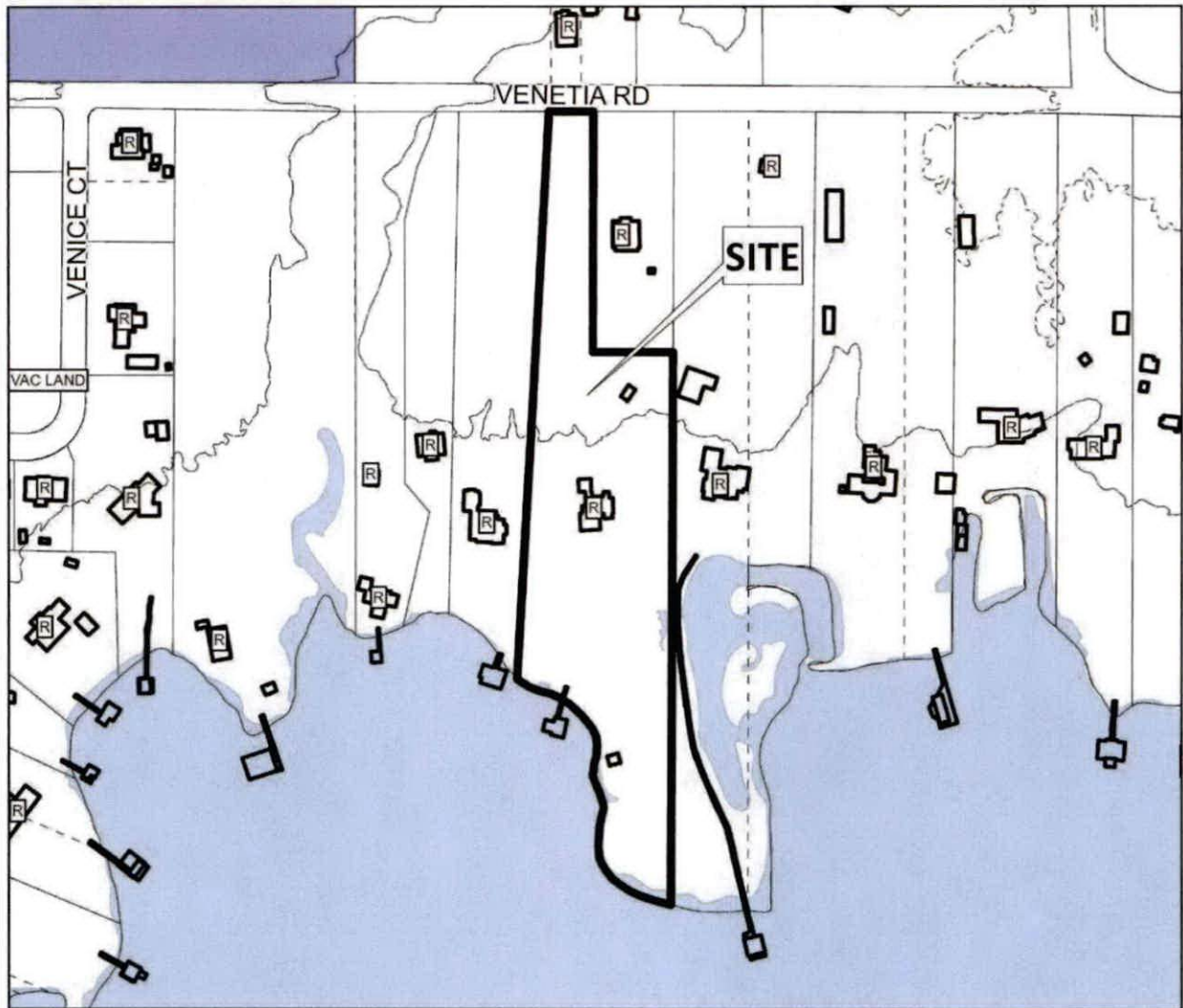
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- | | | | |
|--|---|---|--|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
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NTS

PLANNING COMMISSION **VICINITY MAP - EXISTING ZONING**



The site is surrounded by single family residential units.

APPLICATION NUMBER 13 DATE February 20, 2025

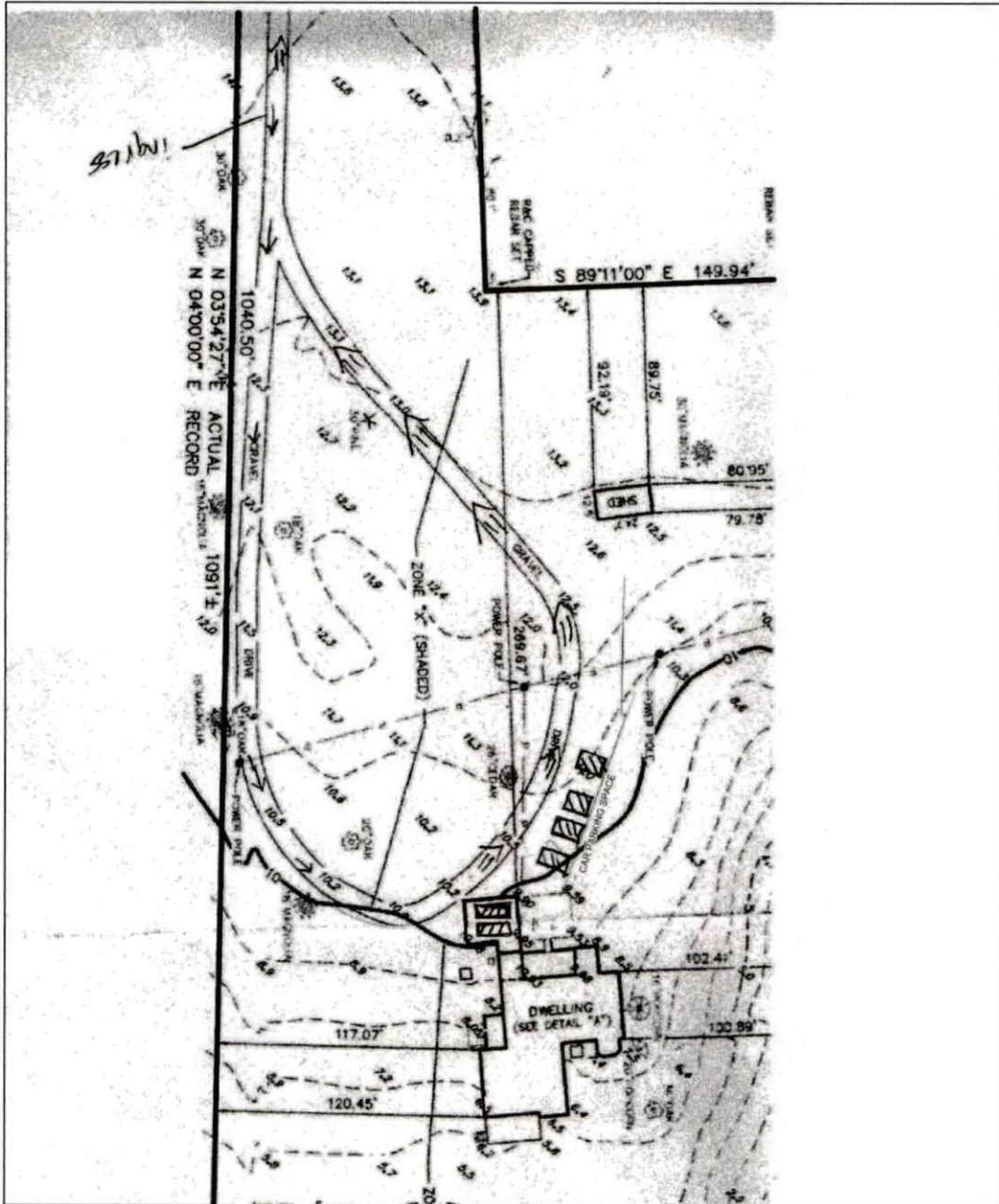
APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR

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SITE PLAN

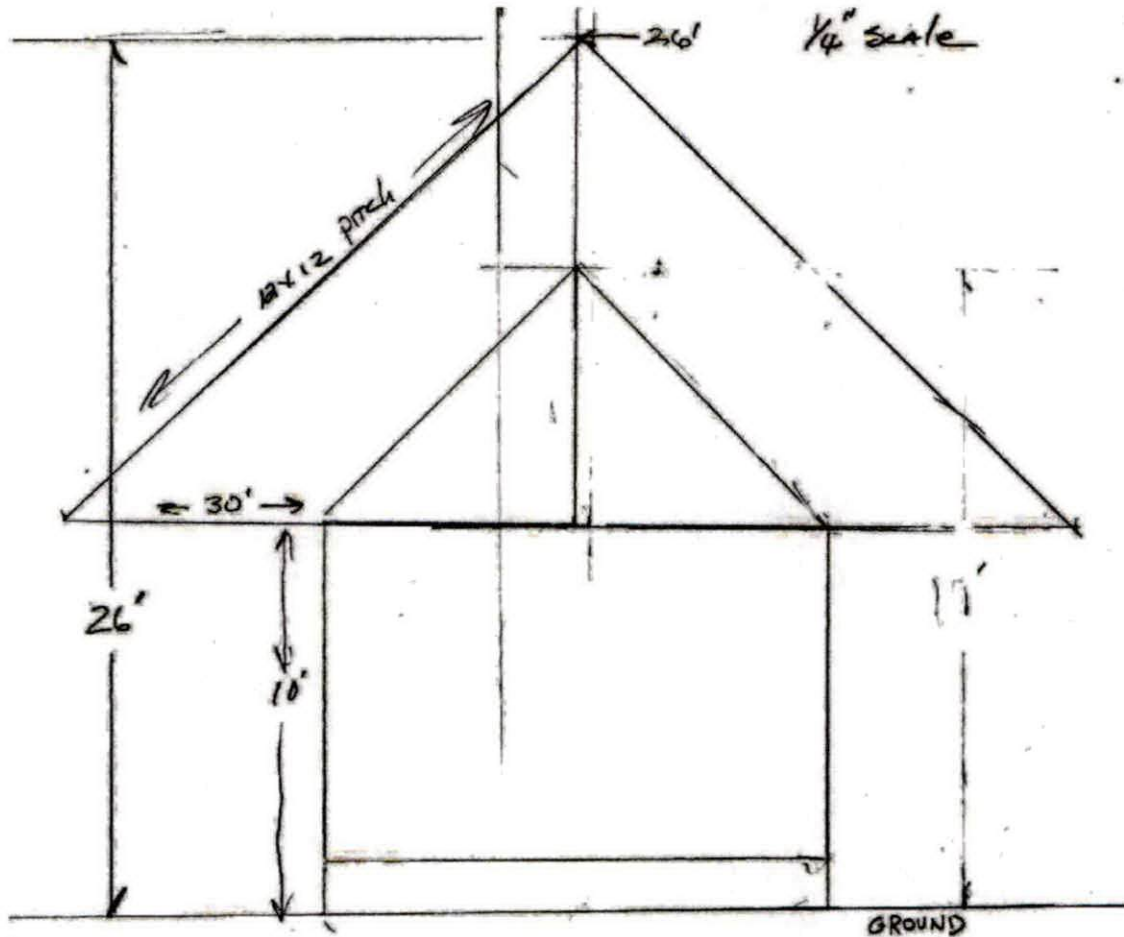


The site plan illustrates the existing residence, drive, and parking spaces.

APPLICATION NUMBER	13	DATE	February 20, 2025
APPLICANT	Marbury Buckhaults, Shropshire, LLC		
REQUEST	Conditional Use Permit STR		



DETAIL SITE PLAN



HEIGHT OF STRUCTURE 26'

APPLICATION NUMBER 13 DATE February 20, 2025

APPLICANT Marbury Buckhaults, Shropshire, LLC

REQUEST Conditional Use Permit STR



ZONING DISTRICT CORRESPONDENCE MATRIX											
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DOWNTOWN DEV. DDD	T-3			■		■					□
DOWNTOWN DEV. DDD	SD-WH								○	○	□
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○	○	○	□
BUFFER BUSINESS	B-1		□			□	■	■	■		□
NEIGH. BUSINESS	B-2		○			□	■	■	■		□
LIMITED BUSINESS	LB-2		○			□	■	■	■		□
COMMUNITY BUSINESS	B-3				■				■		○
GEN. BUSINESS	B-4			■					■		○
OFFICE-DISTRIBUTION	B-5								■	■	□
LIGHT INDUSTRY	I-1									■	□
HEAVY INDUSTRY	I-2										■

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph C.2 of the Neighborhood Meetings section of the Unified Development Code, entitled Postal Notification, section 64-5-4 of the Mobile City Code, be amended by adding a subparagraph (a) so that paragraph C.2 will then read in its entirety as follows:

2. Postal notification. The Applicant shall mail notice of the Neighborhood Meeting, as required for the corresponding Application, fifteen (15) days prior to the Neighborhood Meeting.
 - (a) Applicant at the same time shall provide by electronic means, a copy of the mailed notice to the Director and to the City Council representative for the district where the subject property is located.

That paragraph D of the Neighborhood Meetings section of the Unified Development Code, entitled Proceedings of Neighborhood Meeting, section 64-5-4 of the Mobile City Code, be amended by adding language to subparagraphs 2 and 3 so that it will then read in its entirety as follows:

D. Proceedings of Neighborhood Meeting.

1. At the Neighborhood Meeting the Applicant shall provide a complete overview of the proposed Application, including a project description and a complete explanation and details of the proposed Development which are sufficient for residents to gain an understanding of the specific application.
 - (a) For Conditional Use Permits and Planned Developments, a Site Plan and Building elevations shall also be provided.

2. The meeting shall be held on weekdays, between the hours of 5:00 p.m. and 8:00 p.m. for at least one (1) hour in duration.
3. Meetings must be held in a public or institutional building such as a school, library, community center or similar facility, which will accommodate the anticipated attendance. The meeting shall be located near the proposed Site but not more than a distance of one (1) mile from the proposed Site. If there is no adequate facility to accommodate the meeting within such distance, then the meeting shall be held at the nearest available facility, with the prior approval of the Director.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-4.C.2. of the Unified Development Code adds a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.

The proposed amendments to Article 5, Section 64-5-4.D. of the Unified Development Code adds additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE NEIGHBORHOOD MEETINGS
SECTION OF THE UNIFIED DEVELOPMENT CODE,
SECTION 64-5-4 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph C.2 of the Neighborhood Meetings section of the Unified Development Code, entitled Postal Notification, section 64-5-4 of the Mobile City Code, is hereby amended so that paragraph C.2 now reads in its entirety as follows:

2. Postal notification. The Applicant shall mail notice of the Neighborhood Meeting, as required for the corresponding Application, fifteen (15) days prior to the Neighborhood Meeting.
 - (a) Applicant at the same time shall provide by electronic means, a copy of the mailed notice to the Director and to the City Council representative for the district where the subject property is located.

SECTION TWO. That paragraph D of the Neighborhood Meetings section of the Unified Development Code, entitled Proceedings of Neighborhood Meeting, section 64-5-4 of the Mobile City Code, is hereby amended so that it now reads in its entirety as follows:

D. Proceedings of Neighborhood Meeting.

1. At the Neighborhood Meeting the Applicant shall provide a complete overview of the proposed Application, including a project description and a complete explanation and details of

the proposed Development which are sufficient for residents to gain an understanding of the specific Application.

- (a) For Conditional Use Permits and Planned Developments, a Site Plan and Building elevations shall also be provided.
- 2. The meeting shall be held on weekdays, between the hours of 5:00 p.m. and 8:00 p.m. for at least one (1) hour in duration.
- 3. Meetings must be held in a public or institutional building such as a school, library, community center or similar facility, which will accommodate the anticipated attendance. The meeting shall be located near the proposed Site but not more than a distance of one (1) mile from the proposed Site. If there is no adequate facility to accommodate the meeting within such distance, then the meeting shall be held at the nearest available facility, with the prior approval of the Director.

SECTION THREE. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FOUR. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FIVE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

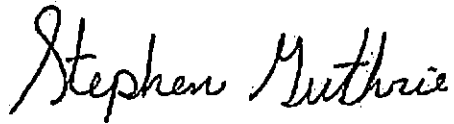
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in cursive script that reads "Stephen Guthrie".

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph A.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, be amended to add the following as paragraph (c):

- (c) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the parking requirements of this section.

That paragraph B.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, be amended to add the following as paragraph (b):

- (b) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the off-street loading facilities requirements of this section.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

The proposed amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the Unified Development Code, adds paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street and Eslava Street.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE PARKING AND LOADING
SECTION OF THE UNIFIED DEVELOPMENT CODE,
SECTION 64-3-12 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph A.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, is hereby amended to add the following as paragraph (c):

- (c) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the parking requirements of this section.

SECTION TWO. That paragraph B.1 of the Parking and Loading section of the Unified Development Code, entitled Applicability, section 64-3-12 of the Mobile City Code, is hereby amended to add the following as paragraph (b):

- (b) The area bounded by Beauregard Street on the North, the Mobile River on the East, Eslava Street on the South, and Water Street on the West, shall be exempt from the off-street loading facilities requirements of this section.

SECTION THREE. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FOUR. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FIVE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

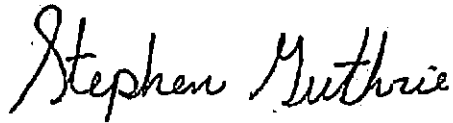
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That the definition of "Lot of Record" in the Unified Development Code, section 64-8-2 of the Mobile City Code, be amended so that said definition now reads in its entirety as follows:

Lot of Record

A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Court of Mobile County, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Probate Court of Mobile County prior to the date of annexation or March 8, 1962.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendment to Article 8, Section 64-8-2 of the Unified Development Code, amends the definition of "Lot of Record" to change "1952" to "March 8, 1962."

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE DEFINITION OF "LOT OF RECORD"
IN SECTION 64-8-2 OF THE UNIFIED DEVELOPMENT CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That the definition of "Lot of Record" in the Unified Development Code, section 64-8-2 of the Mobile City Code, is hereby amended so that said definition now reads in its entirety as follows:

Lot of Record	A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Probate Court of Mobile County, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Probate Court of Mobile County, prior to the date of annexation or March 8, 1962.
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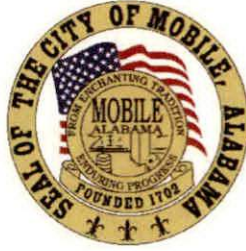
SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FOUR. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a. of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

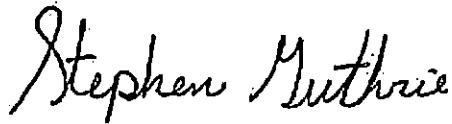
After discussion the Planning Commission also voted to recommend approval of amendments to Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2. of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create "Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development," to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of "Lot of Record" to change "1952" to "March 8, 1962."

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, be amended so that paragraph B.1 will then read in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).
 - (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by

the previously approved Planning Approval or Planned Unit Development.

- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, be amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

That section 64-5-8 be amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsised amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-8.B.1. of the Unified Development Code establish additional criteria for determining what constitutes "Minor changes" to existing Planning Approvals and Planned Unit Developments.

The proposed amendments to Article 5, Section 64-5-8.B.2. of the Unified Development Code deletes existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for "Major Modifications" to existing Planning Approvals and Planned Unit Developments, and replaces them with new subparagraphs addressing those issues.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE "PREVIOUSLY
APPROVED PLANNING APPROVALS AND PLANNED
UNIT DEVELOPMENTS" SECTION OF THE UNIFIED DEVELOPMENT
CODE, SECTION 64-5-8 OF THE MOBILE CITY CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, is hereby amended so that paragraph B.1 now reads in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).

- (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by the previously approved Planning Approval or Planned Unit Development.
- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

SECTION TWO. That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, is hereby amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

SECTION THREE. That section 64-5-8 is hereby amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review

and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

SECTION FOUR. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FIVE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION SIX. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

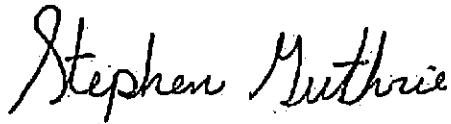
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in cursive script that reads "Stephen Guthrie".

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That paragraph B.1 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Minor Changes, section 64-5-8 of the Mobile City Code, be amended so that paragraph B.1 will then read in its entirety as follows:

B. Modifications

1. Minor changes. Landscaping and tree plantings, building elevation, building materials, parking lot design, screening fences or walls, building location (not reducing Setbacks or buffers), or similar elements of site or building design, may be allowed, subject to administrative approval of a revised site plan. A minor modification must comply with all criteria below.
 - (a) The proposed modification would not create more than a ten percent (10%) increase in building footprint for the site above what the Planning Commission approved; however, not to exceed a total increase of one thousand (1,000) square feet for the building.
 - (b) The proposed modification does not increase the overall boundaries of the existing site.
 - (c) No additional parking or curb cuts are proposed, and the modification does not require additional parking or curb cut(s).
 - (d) The proposed modification does not reduce existing parking, landscaping, setback, buffer requirements or any conditions as required by

the previously approved Planning Approval or Planned Unit Development.

- (e) The proposed increase in building footprint does not encroach any closer to a residential boundary line than existing or approved buildings along the same property line.
- (f) All proposed modifications must fully comply with all other requirements of this Chapter

The determination of whether a proposed modification constitutes a minor change is subject to the criteria above and is in the sole discretion of the Director.

That paragraph B.2 of the Previously Approved Planning Approvals and Planned Unit Developments section of the Unified Development Code, entitled Major Modifications, section 64-5-8 of the Mobile City Code, be amended by deleting paragraphs (d) (entitled "Appeals"), (e) (entitled "Expiration"), and (f) (entitled "Recording and recordkeeping").

That section 64-5-8 be amended by adding the following subparagraphs:

- C. Expiration. If no construction permit is obtained to implement the approved modification within two (2) years after approval, the approved modification shall expire, unless an extension request is filed with the Planning Commission prior to expiration, and subsequently approved by the City Council.
- D. Recording and Recordkeeping
 - 1. The modification, including all restrictions, conditions and site plan concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the approved Planned Development.

- E. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsised amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

The proposed amendment to the Unified Development Code was published in full on the 30th day of April 2025 in the Lagniappe.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendments to Article 5, Section 64-5-8.B.1. of the Unified Development Code establish additional criteria for determining what constitutes "Minor changes" to existing Planning Approvals and Planned Unit Developments.

The proposed amendments to Article 5, Section 64-5-8.B.2. of the Unified Development Code deletes existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for "Major Modifications" to existing Planning Approvals and Planned Unit Developments, and replaces them with new subparagraphs addressing those issues.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City Clerk's Office, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by noon on 2:00 p.m. on Thursday, May 22, 2025.

**AN ORDINANCE TO AMEND THE "RECORDING AND
RECORDKEEPING" REQUIREMENTS OF SECTIONS 64-5-5,
64-5-6, AND 64-5-7 OF THE UNIFIED DEVELOPMENT CODE**

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE,
ALABAMA, as follows:

SECTION ONE. That paragraph H of the Rezoning and Text Amendments section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-5 of the Mobile City Code, is hereby amended so that paragraph H now reads in its entirety as follows:

H. Recording and Recordkeeping.

1. Restrictions and conditions concerning the permissible uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved rezoning.

SECTION TWO. That paragraph I of the Conditional Use Permits section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-6 of the Mobile City Code, is hereby amended so that paragraph I now reads in its entirety as follows:

I. Recording and Recordkeeping.

1. The Conditional Use Permit, including all restrictions and conditions concerning the uses of the property, shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved Conditional Use Permit.

SECTION THREE. That paragraph I of the Planned Development section of the Unified Development Code, entitled Recording and Recordkeeping, section 64-5-7 of the Mobile City Code, is hereby amended so that paragraph I now reads in its entirety as follows:

I. Recording and Recordkeeping.

1. The Planned Development, including all restrictions and conditions concerning the uses of the property shall be recorded in the Office of the Judge of Probate. The documents to be recorded shall be submitted for review and approval by the Director prior to recording. A copy of the recorded document shall be provided to the director. Any and all recording costs shall be borne by the Applicant.

2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to conform to the approved Planned Development.

SECTION FOUR. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION FIVE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION SIX. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

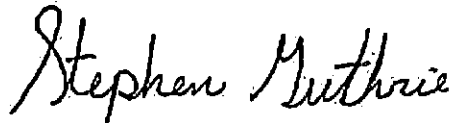
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

**NOTICE OF PUBLIC HEARING
OF PROPOSED AMENDMENT OF THE
UNIFIED DEVELOPMENT CODE**

NOTICE is hereby given that the City Council of the City of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 27th day of May, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

That Article 5 of the Unified Development Code, Chapter 64, Article 5 of the Mobile City Code, be amended to add section 64-5-8.1 which will read in its entirety as follows:

**Section 64-5-8.1 Terminating a Previously Approved
Planned Unit Development**

- A. Applicability. This Section applies to any Application seeking to terminate a Planned Unit Development that was approved prior to the effective date of this Chapter.
- B. Initiation. An Application to terminate a Previously approved Planned Unit Development may be initiated by the property owner, or any authorized agent of the property owner, by filing a written Application with the Director. In the case of multiple owners, termination requires the consent of all owners.
- C. Previous conditions of approval. If a previously approved Planned Unit Development was subject to conditions or use restrictions, the applicant must simultaneously file a rezoning application incorporating any such conditions or use restrictions. The termination application and rezoning application must be filed concurrently.
 - 1. If a previously associated Rezoning Amendment included a condition limiting the rezoning approval to an approved Planned Unit Development, a Rezoning application to remove the condition must be submitted concurrently with the termination application.
- D. Notice. The following notice is required for termination of a Planned Unit Development.

Table 64-5-8.1.1 Type and Description of Notice— Terminating a Previously Approved Planned Unit Development

Notice: Mail

When: 15 days prior to hearing before the Planning Commission and the City Council

Where / To Whom / Additional Requirements:

- Mailed notice to each owner of property which either abuts or lies within 300 feet of the property the subject of the Application.
- Applicant to furnish names and addresses.
- The Director or City Clerk as applicable, will mail the notices.
- First Class mail is sufficient.

Notice: Sign

When: Posted 15 days prior to hearing before the Planning Commission

Where / To Whom / Additional Requirements:

- Posted on subject Property.
- All signs must be posted in visible locations.

Notice: Publication

When: 15 days or 3 consecutive weeks prior to the hearing before the City Council

Where / To Whom / Additional Requirements:

- Newspaper of general circulation in the City, per Code of Ala. § 11-52-77.

1. Notice shall be given:

(a) Before the Planning Commission Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;
- c.** Telephone number for the Planning Department; and
- d.** The Planning Department's website address (URL).

(2) Sign

(b) Before the City Council Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;
- c.** A telephone number for the City Council Office; and
- d.** The City Council's website address (URL).

(2) Publication in accordance with the requirements of Alabama Code Section 11-52-77, as may amended.

E. Decision.

1. Administrative Review. An Application to terminate an existing Planned Unit Development shall be filed with the Director. The Director shall transmit the Application with a report to the Planning Commission within forty-five (45) days after it is deemed complete.

2. Planning Commission Action

- (a)** If an Application is withdrawn after notice for a public hearing has been sent, then the Planning Commission shall not consider the same or similar Application within a period of six (6) months.
- (b)** An Application may receive a maximum one (1) holdover request and the Applicant shall be responsible for any costs incurred for re-notification of property owners.
- (c)** Following the public hearing, the Planning Commission shall prepare a record of its proceedings and recommend that the Application be approved, approved with conditions, or denied. The Planning Commission recommendation shall be filed with the City Council within 15 days after the date of the public hearing.

3. City Council Action

- (a) The Council shall not take action on the Application until the Council receives the Planning Commission's final report and recommendation.
- (b) Within thirty (30) days of receipt of the Planning Commission's final report and recommendation, the City Council shall place the item on its agenda for the scheduling of a public hearing.
- (c) No action may be taken by the City Council until a public hearing has been held. The City Clerk shall notify the Applicant of the time and place of the public hearing and give public notice as required by this Chapter.
- (d) At the conclusion of the hearing, the City Council shall approve, approve with conditions, or deny the application.

4. Conditions

- (a) The City Council may attach appropriate conditions to mitigate any impact of the termination of the Planned Unit Development including conditions to carry forward those conditions, use restrictions and site plan requirements that were attached to the previously approved Planned Unit Development.
- (b) The City Council may require the submission and approval of a rezoning application to attach associated conditions to the zoning of the property as deemed necessary and appropriate.

F. Approval Criteria. The Planning Commission shall not recommend a termination of a Previously approved Planned Unit Development for approval, and the City Council shall not approve the termination, unless the proposed termination:

- 1. Is consistent with all applicable requirements of this Chapter;
- 2. Is compatible with the character of the surrounding neighborhood;
- 3. Will not impede the orderly development and improvement of surrounding property;
- 4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.

- G. **Benefits Consideration.** In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.
- H. **Subsequent Applications.** The site subject to the Application shall not be considered again by the Planning Commission or City Council for at least six (6) months from the date the Application was denied or the date of withdrawal if any of the following applies:
 - 1. The Application has been recommended for denial by the Planning Commission;
 - 2. The Application has been denied by the City Council,
 - 3. The Application has been formally noticed for public hearing with the Planning Commission but is subsequently withdrawn; or
 - 4. The Application has been formally noticed for public hearing with the City Council but is subsequently withdrawn.
- I. **Appeals.** Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.
- J. **Recording and Recordkeeping**
 - 1. The Ordinance adopted by the City Council approving the termination of the Planned Unit Development shall be recorded by the Applicant in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.
 - (a) The document shall be recorded within 90 days of the City Council's approval or the approval shall be null and void.
 - 2. Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to reflect the termination of the Planned Unit Development.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City Clerk, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633, or hand deliver them to the City Clerk's Office, 9th Floor, Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36644.

Written comments must be received by 2:00 p.m. on Thursday, May 22, 2025.



THE CITY OF MOBILE, ALABAMA

PLANNING & ZONING DEPARTMENT

MOBILE CITY PLANNING COMMISSION

March 28, 2025
City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on March 20, 2025, considered the following amendments to Article 3, Article 5, and Article 8 of the Unified Development Code (UDC):

Parking and Loading

- Amendments to Article 3, Sections 64-3-12.A.1. and 64-3-12.B.1. of the UDC, adding paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

Neighborhood Meetings

- Amendments to Article 5, Section 64-5-4.C.2. of the UDC, adding a subparagraph to the Neighborhood Meetings section requiring notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings.
- Amendments to Article 5, Section 64-5-4.D. of the UDC, adding additional language to subparagraphs in the Neighborhood Meetings section to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings.

Recording and Recordkeeping

- Amendments to Article 5, Sections 64-5-5.H., 64-5-6.I. and 64-5-7.I., of the UDC, which establishes Recording and Recordkeeping requirements for Rezoning and Text Amendments, Conditional Use Permits, and Planned Developments, adding a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate.

Minor and Major Modifications

- Amendments to Article 5, Section 64-5-8.B.1. of the UDC, establishing additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments.
- Amendments to Article 5, Section 64-5-8.B.2. of the UDC, deleting existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replacing them with new subparagraphs addressing those issues.

Terminating a Planned Unit Development

- Amendment to Article 5 of the UDC, creating “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development.” This new sub-section establishes the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Definitions

- Amendment to Article 8, Section 64-8-2 of the UDC, amending the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

After discussion the Planning Commission voted to recommend approval of an amendment to **Article 3, Sections 64-3-12.A.1. and 64-3-12.B.a.** of the UDC to City Council to add paragraphs to the Parking and Loading requirements to establish a parking and loading facility exempt area between Water Street, the Mobile River, Beauregard Street, and Eslava Street.

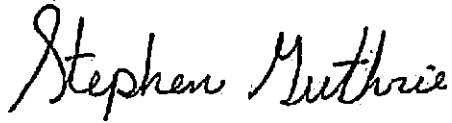
After discussion the Planning Commission also voted to recommend approval of amendments to **Article 5, Sections 64-5-4.C.2., 64-5-4.D., 64-5-5.H., 64-5-6.I., 64-5-7.I., 64-5-8.B.1., and 64-5-8.B.2.** of the UDC to City Council to:

- Add a subparagraph to the Neighborhood Meetings section, to require notification of the appropriate City Council representative and the Planning Department of proposed Neighborhood Meetings;
- To add additional language to subparagraphs in the Neighborhood Meetings section, to clarify the time of day for Neighborhood Meetings, the minimum length of time for Neighborhood Meetings, and the location of Neighborhood Meetings;
- To add a requirement that documents must be submitted to the Planning Department for review and approval prior to recording in the Office of the Judge of Probate;
- To establish additional criteria for determining what constitutes “Minor changes” to existing Planning Approvals and Planned Unit Developments;
- To delete existing paragraphs regarding Appeals, Expiration, and Recording and Recordkeeping for “Major Modifications” to existing Planning Approvals and Planned Unit Developments and replace them with new subparagraphs addressing those issues; and,

- To create “Section 64-5-8.1 Terminating a Previously Approved Planned Unit Development,” to establish the applicability, notification, Planning Commission and City Council decision and approval criteria, recording requirements to terminate a previously approved Planned Unit Development, and requirements to maintain any conditions or use restrictions associated with a previously approved Planned Unit Development.

Lastly, after discussion the Planning Commission voted to recommend approval of an amendment to **Article 8, Section 64-8-2** of the UDC to City Council, to amend the definition of “Lot of Record” to change “1952” to “March 8, 1962.”

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
CODE, CHAPTER 64 OF THE MOBILE CITY CODE, BY ADDING
PROCEDURES FOR TERMINATING A PREVIOUSLY APPROVED
PLANNED UNIT DEVELOPMENT

Sponsored by Mayor William S. Stimpson

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
MOBILE, ALABAMA, as follows:

SECTION ONE: That Article 5 of the Unified Development Code,
Chapter 64, Article 5 of the Mobile City Code, be and the same hereby is
amended to add section 64-5-8.1 which will read in its entirety as follows:

**Section 64-5-8.1 Terminating a Previously Approved
Planned Unit Development**

- A. Applicability. This Section applies to any Application seeking to terminate a Planned Unit Development that was approved prior to the effective date of this Chapter.
- B. Initiation. An Application to terminate a Previously approved Planned Unit Development may be initiated by the property owner, or any authorized agent of the property owner, by filing a written Application with the Director. In the case of multiple owners, termination requires the consent of all owners.
- C. Previous conditions of approval. If a previously approved Planned Unit Development was subject to conditions or use restrictions, the applicant must simultaneously file a rezoning application incorporating any such conditions or use restrictions. The

termination application and rezoning application must be filed concurrently.

1. If a previously associated Rezoning Amendment included a condition limiting the rezoning approval to an approved Planned Unit Development, a Rezoning application to remove the condition must be submitted concurrently with the termination application.

D. Notice. The following notice is required for termination of a Planned Unit Development.

Table 64-5-8.1.1 Type and Description of Notice—Terminating a Previously Approved Planned Unit Development

Notice	When	Where / To Whom / Additional Requirements
Mail	15 days prior to hearing before the Planning Commission and the City Council	• Mailed notice to each owner of property which either abuts or lies within 300 feet of the property the subject of the Application. • Applicant to furnish names and addresses. • The Director or City Clerk as applicable, will mail the notices. • First Class mail is sufficient.
Sign	Posted 15 days prior to hearing before the Planning Commission	• Posted on subject Property. • All signs must be posted in visible locations.
Publication	15 days or 3 consecutive weeks prior to the hearing before the City Council	• Newspaper of general circulation in the City, per Code of Ala. § 11-52-77.

1. Notice shall be given:

(a) Before the Planning Commission Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;

- c.** Telephone number for the Planning Department; and
- d.** The Planning Department's website address (URL).

(2) Sign

(b) Before the City Council Hearing:

(1) Mail: Notice shall include the following information:

- a.** A synopsis of the proposal;
- b.** Time, date and place of the public hearing or meeting;
- c.** A telephone number for the City Council Office; and
- d.** The City Council's website address (URL).

(2) Publication in accordance with the requirements of Alabama Code Section 11-52-77, as may amended.

E. Decision.

- 1. Administrative Review.** An Application to terminate an existing Planned Unit Development shall be filed with the Director. The Director shall transmit the Application with a report to the Planning

Commission within forty-five (45) days after it is deemed complete.

2. Planning Commission Action

- (a)** If an Application is withdrawn after notice for a public hearing has been sent, then the Planning Commission shall not consider the same or similar Application within a period of six (6) months.
- (b)** An Application may receive a maximum one (1) holdover request and the Applicant shall be responsible for any costs incurred for re-notification of property owners.
- (c)** Following the public hearing, the Planning Commission shall prepare a record of its proceedings and recommend that the Application be approved, approved with conditions, or denied. The Planning Commission recommendation shall be filed with the City Council within 15 days after the date of the public hearing.

3. City Council Action

- (a)** The Council shall not take action on the Application until the Council receives the Planning Commission's final report and recommendation.

- (b)** Within thirty (30) days of receipt of the Planning Commission's final report and recommendation, the City Council shall place the item on its agenda for the scheduling of a public hearing.
- (c)** No action may be taken by the City Council until a public hearing has been held. The City Clerk shall notify the Applicant of the time and place of the public hearing and give public notice as required by this Chapter.
- (d)** At the conclusion of the hearing, the City Council shall approve, approve with conditions, or deny the application.

4. Conditions

- (a)** The City Council may attach appropriate conditions to mitigate any impact of the termination of the Planned Unit Development including conditions to carry forward those conditions, use restrictions and site plan requirements that were attached to the previously approved Planned Unit Development.
- (b)** The City Council may require the submission and approval of a rezoning application to attach associated conditions

to the zoning of the property as deemed necessary and appropriate.

F. Approval Criteria. The Planning Commission shall not recommend a termination of a Previously approved Planned Unit Development for approval, and the City Council shall not approve the termination, unless the proposed termination:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.

G. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

H. Subsequent Applications. The site subject to the Application shall not be considered again by the Planning Commission or City Council for at least six (6) months from the date the Application was denied or the date of withdrawal if any of the following applies:

1. The Application has been recommended for denial by the Planning Commission;

- 2.** The Application has been denied by the City Council,
- 3.** The Application has been formally noticed for public hearing with the Planning Commission but is subsequently withdrawn; or
- 4.** The Application has been formally noticed for public hearing with the City Council but is subsequently withdrawn.

I. Appeals. Appeal of any City Council action may be made to the Mobile County Circuit Court within forty-two (42) days of the date of the Council Action.

J. Recording and Recordkeeping

- 1.** The Ordinance adopted by the City Council approving the termination of the Planned Unit Development shall be recorded by the Applicant in the Office of the Judge of Probate. A copy of the recorded document shall be provided to the Director. Any and all recording costs shall be borne by the Applicant.

(a) The document shall be recorded within 90 days of the City Council's approval or the approval shall be null and void.

- 2.** Upon receipt of the recorded document, the Director shall revise the applicable map layers in the City of Mobile Geographic Information Systems (GIS) to

reflect the termination of the Planned Unit Development.

SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION FOUR. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK

RESOLUTION

Sponsored by: Councilmembers Ben Reynolds and Gina Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA,
that Matt Orrell (D4) and Eddie Burrow (D7) are re-appointed to the Golf
Course Advisory Committee effective immediately for terms ending May 27,
2028.

Adopted:

City Clerk

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
1909 Beau Terra Dr., W.

Sponsored by: Councilmember Cory Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **1909 Beau Terra Dr., W.** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **1909 Beau Terra Dr., W.** to be **\$4,550.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$4,550.00** shall constitute a special assessment against the property at structure **1909 Beau Terra Dr., W.** and being that property more particularly described as follows:

LOT 118 FOURTH UNIT BEAU TERRA MBK 8 P 290 #SEC 1 T4S R2W #MP28 01 01 2 002

Parcel No.: **28 01 01 2 002 023.XXX**

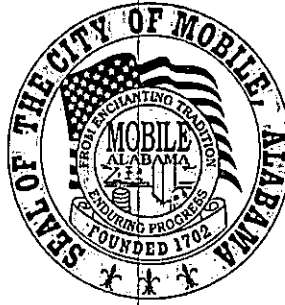
Owner: **WESTON ANNA PALMER DAVIS
1909 BEAU TERRA DR W
MOBILE AL 36618- 1532**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **1909 Beau Terra Dr., W.**, for the proposed amount of **\$4,550.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 8, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-034-24

LOCATION:
1909 Beau Terra Dr. W.

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

Legal Description: LOT 118 FOURTH UNIT BEAU TERRA MBK 8 P 290 #SEC 1 T4S R2W #MP28 01 01 2 002

Parcel Number: **28 01 01 2 002 023.XXX**

Amount: \$ 4,350.00 4,550.00

Assessed: WESTON ANNA PALMER DAVIS
1909 BEAU TERRA DR W
MOBILE AL 36618-1532

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary L. Jackson', is written over the 'Sincerely yours,' text.

Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: James Roberts, David Daughenbaugh, Councilman Cory Penn, file copy

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
1860 Toulmin Avenue

Sponsored by: Councilmember Cory Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **1860 Toulmin Avenue** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **1860 Toulmin Avenue** to be **\$4,950.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$4,950.00** shall constitute a special assessment against the property at structure **1860 Toulmin Avenue** and being that property more particularly described as follows:

**LOT 17 LEWIS ADD TO TOULMINVILLE DBK 156 N S P 260-261 #SEC 44 T4S R1W
#MP29 02 44 0 023**

Parcel No.: **29 02 44 0 023 261.XXX**

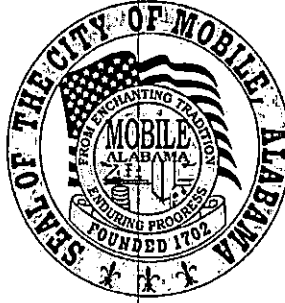
Owner: **WASHINGTON ELZY M JR ¼ INT,
MARCUS MAURICE DRYER ¼ INT
336 W 60TH ST
LOS ANGELES CA 90003-1134**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **1860 Toulmin Avenue**, for the proposed amount of **\$4,950.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 7, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-033-24

LOCATION:
1860 Toulmin Avenue

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

Legal Description: LOT 17 LEWIS ADD TO TOULMINVILLE DBK 156 N S P 260-261 #SEC 44 T4S R1W
#MP29 02 44 0 023

Parcel Number: **29 02 44 0 023 261.XXX**

Amount: ~~\$4,750.00~~ **4,950.00**

Assessed: WASHINGTON ELZY M JR 1/4 INT, MARCUS MAURICE DRYER ¼ INT
336 W 60TH ST
LOS ANGELES CA 90003-1134

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary L. Jackson', is written over the 'Sincerely yours,' text.

Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: James Roberts, David Daughenbaugh, City Councilmember Cory Penn, James Roberts, file copy

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
1105 Stewart Road

Sponsored by: Councilmember C. J. Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **1105 Stewart Road** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **1105 Stewart Road** to be **\$3,750.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$3,750.00** shall constitute a special assessment against the property at structure **1105 Stewart Road** and being that property more particularly described as follows:

LOT 4 BECK SUB MBK 26 P 53 #SEC 40 T5S R1W #MP32 05 40 0 005

Parcel No.: **32 05 40 0 005 049.03X**

Owner: **MCMEANS DANA DEMETER
1100 DUNAWAY DR
MOBILE AL 36605**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **1105 Stewart Road**, for the proposed amount of **\$3,750.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 8, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-026-24

LOCATION:
1105 Stewart Road

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

Legal Description: LOT 4 BECK SUB MBK 26 P 53 #SEC 40 T5S R1W #MP32 05 40 0 005

Parcel Number: 32 05 40 0 005 049.03X
Amount: ~~\$3,550.00~~ **3750.00**
Assessed: MCMEANS DANA DEMETER
1100 DUNAWAY DR
MOBILE AL 36605

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary L. Jackson', is written over the typed name and title.

Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: James Roberts, David Daughenbaugh, City Council Member C. J. Small, file copy

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
1105 Sutton Avenue

Sponsored by: Councilmember C. J. Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **1105 Sutton Avenue** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **1105 Sutton Avenue** to be **\$2,750.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$2,750.00** shall constitute a special assessment against the property at structure **1105 Sutton Avenue** and being that property more particularly described as follows:

THAT LOT OF LAND BDED BY A LINE BEG AT A PT ON S/S OF SUTTON ST 150 FT WLY FROM SW COR OF SUTTON ST & AN ALLEY OR ST CALLED C STREET TH RUN S 26 DEG W 152 FT M/L TO PT TH RUN N 83 DEG W 49 FT TO PT TH N 26 DEG E 152 FT M/L TO S/S OF SUTTON ST TH ELY ALG S/L OF SUTTON ST 49 FT TO POB #SEC 36 T4S R1W #MP29 11 36 0 003

Parcel No.: **29 11 36 0 003 064**

Owner: **MAJESTIC ENTERPRISES LLC
9590 SADDLEBROOK DR N
MOBILE AL 36695-9780**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **1105 Sutton Avenue**, for the proposed amount of **\$2,750.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 8, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-023-24

LOCATION:
1105 Sutton Avenue

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

Legal Description: THAT LOT OF LAND BDED BY A LINE BEG AT A PT ON S/S OF SUTTON ST 150 FT WLY FROM SW COR OF SUTTON ST & AN ALLEY OR ST CALLED C STREET TH RUN S 26 DEG W 152 FT M/L TO PT TH RUN N 83 DEG W 49 FT TO PT TH N 26 DEG E 152 FT M/L TO S/S OF SUTTON ST TH ELY ALG S/L OF SUTTON ST 49 FT TO POB #SEC 36 T4S R1W #MP29 11 36 0 003

Parcel Number: 29 11 36 0 003 064
Amount: ~~\$-2550.00~~ **2750.00**
Assessed: MAJESTIC ENTERPRISES LLC
9590 SADDLEBROOK DR N
MOBILE AL 36695-9780

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary L. Jackson', is written over the 'Sincerely yours,' text.

Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: City Council Member, C. J. Small, David Daughenbaugh, James Roberts, file copy

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
809 S. Washington Avenue

Sponsored by: Councilmember C. J. Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **809 S. Washington Avenue** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **809 S. Washington Avenue** to be **\$3,700.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$3,700.00** shall constitute a special assessment against the property at structure **809 S. Washington Avenue** and being that property more particularly described as follows:

LOT 3 BLK 5 SIMS 2ND ADD DB K 120/486 #SEC 37 T4S R1W #MP29 10 37 0 003

Parcel No.: **29 10 37 0 003 089.xxx**

Owner: **GULLEY ERNEST JAMES & GEORGIA
ATTN: WINSTON GULLEY
809 S WASHINGTON AVE
MOBILE AL 36603-1227**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **809 S. Washington Avenue**, for the proposed amount of **\$3,700.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 8, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-044-24

LOCATION:
809 S. Washington Avenue

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

Legal Description: LOT 3 BLK 5 SIMS 2ND ADD DB K 120/486 #SEC 37 T4S R1W #MP29 10 37 0 003

Parcel Number: 29 10 37 0 003 089.XXX

Amount: ~~\$ 3,500.00~~ **3700.00**

Assessed: GULLEY ERNEST JAMES & GEORGIA ATTN:WINSTON GULLEY
809 S WASHINGTON AVE
MOBILE AL 36603-1227

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary L. Jackson', is written over the 'Sincerely yours,' text.

Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: James Roberts, David Daughenbaugh, Councilman Cory Penn, file copy

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT
5910 Westhaven Drive, S.

Sponsored by: Councilmember Gina Gregory

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the *demolition* of the structure at **5910 Westhaven Drive, S.** and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the *demolition* of the structure **5910 Westhaven Drive, S.** to be **\$2,850.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **\$2,850.00** shall constitute a special assessment against the property at structure **5910 Westhaven Drive, S.** and being that property more particularly described as follows:

LOT 20 BLK 12 HILLSDALE HGT S MBK 10 P 183 #SEC 17 T4S R2W #MP28 04 17 1 000

Parcel No.: **28 04 17 1 000 013.xxx**

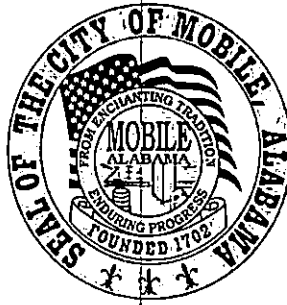
Owner: **ROBINSON TARLEE
PO BOX 59
THEODORE AL 36590-0059**

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the *demolition* of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

Adopted:

City Clerk



LEGAL NOTICE

As set forth by the Nuisance Abatement Ordinance, notice is hereby given that on **May 27, 2025**, at 10:30 a.m., a hearing will be held by the City Council of the City of Mobile, Alabama, in the Auditorium of Mobile Government Plaza, 205 Government Street, in order to hear any objections which may be made by any persons, firm, or corporation regarding the fixing of costs, of the amount thereof, on the **demolition** of the structure at **5910 Westhaven Drive, S.**, for the proposed amount of **\$2,850.00**.

If you have any questions regarding this matter, please contact the City of Mobile **Municipal Enforcement Department at (251) 208-1538.**

Lisa C. Lambert
City Clerk

April 8, 2025

Ms. Lisa Carroll-Lambert
City Clerk
City of Mobile
Mobile, Alabama



Re: NUISANCE ABATEMENT – DEMOLITION OF STRUCTURE

PROJECT NUMBER:
ME-032-24

LOCATION:
5910 Westhaven Drive South

Dear Ms. Lambert:

The nuisance abatement structure, located at the above-referenced address, has been demolished and the property owners should be assessed as indicated:

**Legal Description: LOT 20 BLK 12 HILLSDALE HGT S MBK 10 P 183 #SEC 17 T4S R2W #MP28 04
17 1 000**

Parcel Number: 28 04 17 1 000 013.XXX

Amount: ~~\$ 2,650.00~~ **2850.00**

Assessed: ROBINSON TARLEE

PO BOX 59

THEODORE AL 36590-0059

The legal description and assessment information was furnished by Municipal Enforcement Department.

Sincerely yours,


Gary L. Jackson, Deputy Director
Municipal Enforcement Department
(251) 208-1540

CC: City Council Member Gina Gregory, David Daughenbaugh, James Roberts, file copy



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Joseph Snowden

Sponsored by:

William Stimpson, Mayor

Purpose and Scope of Project:

Amount of Contract:

Funding Source

ATTACHMENTS:

1. Resolution-Stephen King

REVIEWERS:

Dawn Seese

Lana Gauthier

May 2, 2025

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

- **April 2025 – Stephen King (Employee #16797) Administrative Services**

Mobile AL Cruise Terminal – Facility Maintenance Supervisor

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

Adopted:

City Clerk

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES
SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

Sponsored by: Councilmember William Carroll

WHEREAS, *Councilmember Carroll wishes to appropriate \$500.00 to **Honey Consulting**, from the District 2 Discretionary Fund (10041020 42080); and*

WHEREAS, **Honey Consulting**, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to **Honey Consulting**, will be used to *assist with the R.I.S.E. Festival on May 31, 2025.*

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$500.00 to Honey Consulting**, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

Adopted:

City Clerk

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES
SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

Sponsored by: Councilmember William Carroll

WHEREAS, *Councilmember Carroll wishes to appropriate \$500.00 to **Stewart Memorial CME Church**, from the District 2 Discretionary Fund (10041020 42080); and*

WHEREAS, **Stewart Memorial CME Church**, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to **Stewart Memorial CME Church**, will be used to *assist with Elizabeth's Crayons*.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$500.00 to Stewart Memorial CME Church**, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

Adopted:

City Clerk



CAPITAL CONTRACT SUMMARY SHEET

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$8,643.95 in the Capital Improvement Fund (Fund 2000) be reallocated from Capital Project #C0509 Motor Shed Wall to Capital Project C1031 Crime Prevention Roof Replacement.

ADOPTED:

CITY CLERK



CAPITAL CONTRACT SUMMARY SHEET

RESOLUTION

Sponsored by: Mayor William S. Stimpson

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MOBILE, ALABAMA**, that the sum of \$30,000.00 in the Municipal
Government Capital (Fund 2010) be reallocated from Capital Project
#C0509 Motor Shed Wall to Capital Project C1031 Crime Prevention Roof
Replacement.

ADOPTED:

CITY CLERK



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Shonnda Smith

Donald Rose, Senior Director - Chief Procurement Ofc

Sponsored by:

Mayor William S. Stimpson

Purpose and Scope of Project:

Contract with Pyrotecnico Fireworks Inc to provide Independence Day fireworks displays services for the Events Department. For one year, renewable for 2 addl one-year periods. NTE \$45,000.00 per year.

Amount of Contract:

NTE \$45,000.00 per year

Funding Source

General fund.

ATTACHMENTS:

1. 2025 Pyrotecnico Agenda Package

REVIEWERS:

Donald Rose

Scott Collins

Cherlina Monteiro

James Barber

AGENDA ITEM SUMMARY SHEET

[Print Page](#)[Reset](#)

Agenda of: 20 May 2025
Date

Item No. _____

Submitted by: Events
Department

Jenyia Rocker
Department Head

Sponsored by: Mayor William S. Stimpson
Name

Title

Reviewed by: Shonnda Smith
Executive Director

Routing Authorized: James Barber
Mayor's Office

Date

A brief synopsis and explanation of the following:

PROJECT NAME: Independence Day Fireworks Display Services

PURPOSE & SCOPE OF PROJECT:

Contract with Pyrotecnico Fireworks Inc to provide Independence Day fireworks displays services for the Events Department. For one year, renewable for 2 addl one-year periods. NTE \$45,000.00 per year. General fund.

RESOLUTION ☐

ORDINANCE ☐

OTHER ☐

AMOUNT OF CONTRACT: NTE \$45,000.00 per year

FUNDING SOURCE:

Budget Item: 1004.4010.42140/42070

Discretionary Funds: _____

Budget amendment: REDUCE ☐ INCREASED ☐

Grant funds: _____

Matching funds: _____

Associated Costs:

Current year (itemize)

Type: _____

Amount: _____

Future years

Year: _____

Amount: _____

**If Cost will continue, write "indefinite" and list project annual cost.*

Effective date of contract: upon signature

Renewal date of contract (if applicable): n/a

If not bid, state reason: Professional Service - Request for Proposals issued.

How many bidders received bid packages (if applicable): _____

How many bidders submitted bids (if applicable): 2

If this is not the lowest bid, explain why not:

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, by and between the City of Mobile and Pyrotecnico Fireworks, Inc., for one year, renewable without further action by Council for two additional one year periods, to provide Independence Days fireworks display services, in an amount not to exceed \$45,000.00 per year, as appropriated funds are available, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

Adopted:

City Clerk

E



Professional Services Contract City of Mobile

AGREEMENT

This Professional Services Contract (sometimes hereinafter "Agreement") made and entered into as of the date of execution, by and between THE CITY OF MOBILE, a Municipal Corporation of the State of Alabama (hereinafter referred to as the "City") and Pyrotecnico Fireworks Inc, a Pennsylvania Corporation, (hereinafter "Contractor"), as follows:

This Agreement, including its Exhibits, attached hereto, all incorporated herein, represents the entire agreement between Contractor and City with respect to the subject matter hereof and supersedes all prior agreements, negotiations, or understandings between the parties in any way relating to the subject matter of this Agreement. Contractor and City acknowledge having read and understood this Agreement and hereby agree to be bound by its terms and conditions.

WHEREAS, the Contractor is uniquely qualified and engaged in commercial fireworks displays, and

WHEREAS, City desires to engage this Contractor, due to the Contractor's high degree of professional skill and personality especially suited to provide said services upon the following terms and conditions.

NOW THEREFORE, City and Contractor, for and in consideration of the mutual covenants and agreements hereinafter set forth to be kept and performed by the other, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, do hereby covenant and agree as follows:

I. PROFESSIONAL SERVICES TO BE PERFORMED

A. Provide an Independence Day Fireworks Show, to include design, setup, performance, and take down, in accordance with the City Request for Proposals 5936 for Independence Day Fireworks Display and Contractor's Responsive Proposal, found at **Exhibit A** (hereinafter the "Project") attached hereto and incorporated herein. The Contractor agrees to diligently provide all materials, services and labor for the performance of the Project.

B. The contractor shall perform all professional services under this contract with the professional skill and care ordinarily provided by a competent professional practicing under the same or similar circumstances and as expeditiously as is prudent considering the ordinary professional skill and care of such profession

C. The City Events Manager, or her designated representative, shall be the City's Project Manager and shall provide specific tasking to the Contractor with respect to these services.

II. TERM OF AGREEMENT

This Contract shall commence immediately upon execution by both the City and the Contractor and shall continue through the completion of the Project. Upon the agreement of both parties, this Contract may be renewed each year for additional Independence Day fireworks shows in 2026 and 2027.

III. COMPENSATION

A. The City shall pay the Contractor for the services rendered hereunder and completed in accordance with the terms and conditions of this Contract an amount not to exceed \$45,000.00 per year for the Project.

B. Notwithstanding the preceding, Contractor shall perform no work under this Contract until receipt of a notice to proceed. Contractor acknowledges and agrees that no minimum amount of work is guaranteed under this Contract and City may elect to issue no notice to proceed. If a notice is issued, the City reserves the right to amend, reduce or cancel the notice in its sole discretion, in accordance with terms found in **Exhibit A..**

IV. METHOD OF PAYMENT

A. The City shall pay the Contractor through payment issued by City upon receipt of the Contractor's invoice and written approval of same by the Project Manager indicating that services have been rendered in conformity with this Contract.

B. The Contractor shall submit invoices for payment to the City for those specific services provided pursuant to **Exhibit A.**

C. The Contractor's invoices shall be in a form satisfactory to the Project Manager who shall initiate disbursements. The Contractor is responsible for providing all necessary documentation that may be required by the City.

V. ADDITIONAL SERVICES

A. No changes to this Contract or the performance contemplated hereunder shall be made unless the same are in writing and signed by both the Contractor and the City's authorized agent.

B. If the Projects Manager requires the Contractor to perform additional services related to this Contract then the Contractor shall be entitled to additional compensation based on the Fee Schedule as amended to the extent necessary to accommodate such additional work. The additional compensation shall be agreed upon before

commencement of any additional services or changes and shall be incorporated into this Contract by written amendment. The City shall not pay for any additional service or work performed before a written amendment to this Contract is executed by the City and the Contractor. Notwithstanding the preceding, in the event additional services are required as a result of error, omission or negligence of the Contractor, the Contractor shall not be entitled to additional compensation.

VI. LIABILITY OF CONTRACTOR

A. To the fullest extent permitted by law, Contractor covenants to release, defend, indemnify, hold harmless, protect, and exonerate both the City and its agents, employees, and representatives, from and against any and all liability, claims (direct and indirect), damages, losses, suits, actions, demands, liens, arbitrations, administrative proceedings, awards, judgments, expenses, costs, and attorneys' fees pertaining to personal injury, bodily injury, death, damage to or destruction of property (including any loss of use), economic loss or damage, labor disputes, safety requirements, performance or non-performance of obligations, certifications, property rights of third parties, sickness or disease, which (1) are caused in whole or in part by the Contractor (herein defined to include but not be limited to Contractor's owners, employees, agents, representatives, subcontractors, suppliers, and invitees or other third parties connected with the Contractor as well as the agents or employees of any of them), or (2) arise out of or are related to work undertaken or to be performed by the Contractor, or (3) arise out of or are related to any other act or omission relating to the Contractor, the Contract, the work under the Contract or otherwise undertaken by the Contractor as defined in the parenthetical of (1) above. It is the specific and express intent of the parties to the contract for the foregoing covenants and indemnity obligations to apply to the fullest extent permitted by applicable law, regardless of whether the liability is caused in whole or in part by a party indemnified hereunder, and whether said liability be caused by, or arise out of, any joint, concurrent, or contributory negligence of a party indemnified hereunder. Contractor agrees it is not a design professional within the meaning of § 41-9A-3, Ala. Code (1975).

B. This section of the Agreement will survive the expiration or termination of the Agreement.

VII. CONTRACTOR'S INSURANCE.

Contractor shall procure and maintain insurance as specified in **Exhibit B**, City of Mobile Insurance Requirements, attached hereto and made a part of this Agreement.

VIII. RESPONSIBILITIES OF THE CONTRACTOR

A. The personnel assigned by the Contractor to perform the services of this Contract shall comply with the terms set forth in this Contract. The Contractor shall ensure that all key personnel, support personnel, and other agents are fully qualified and capable to

perform their assigned tasks. Any change or substitution to the Contractor's key personnel must receive the City's Department Head's written approval before said changes or substitution can become effective.

B. The Contractor agrees to respond to communication from the City within three working days unless a shorter response time is specified by the City.

C. The Contractor warrants that it has not employed or retained any company or person (other than a bona fide employee working solely for the Contractor), to solicit or secure this Contract and that he has not paid or agreed to pay any person, company, corporation, individual, or firm other than a bona fide employee working solely for the Contractor; any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award of this Contract.

D. Contractor agrees that it and its employees shall communicate with City employees and members of the public in a civil manner. All aspects of a Contractor's performance, including complaints received from City employees or members of the public, may impact the City's decision to renew or terminate this Contract in accordance with the provisions contained herein. The City further reserves the right to suspend or debar the Contractor from consideration for award of future contracts in accordance with Alabama competitive bid law if the Contractor does not abide by the terms of this contract.

F. The Contractor shall comply with all federal, state, and local laws, regulations and ordinances applicable to the work or payment for work thereof, and shall not discriminate on the grounds of race, color, religion, sex, or national origin in the performance of work under this Contract.

G. The Contractor shall maintain books, records, documents, and other evidence directly pertaining to or connected with the services under this Contract which shall be available and accessible at the Contractor's offices for the purpose of inspection, audit, and copying during normal business hours by the City, or any of its authorized representatives.

H. The Contractor is, and shall be, in the performance of all work, services and activities under this Contract, an independent contractor. Contractor is not an employee, agent or servant of City and shall not represent itself as such. All persons engaged in any work or services performed pursuant to this Contract shall at all times, and in all places, be subject to the Contractor's sole direction, supervision and control. The Contractor shall exercise control over the means and manner in which it and its employees perform the work, and in all respects the Contractor's relationship and the relationship of its employees to the City shall be that of an independent contractor and not as employees of the City. The Contractor shall be solely responsible for providing benefits and insurance to its employees.

IX. TIME FOR PERFORMANCE

Time is of the essence in the performance of this Contract. The Contractor specifically agrees that contract time will begin on the date the Notice to Proceed is issued. Contractor also agrees no work will begin prior to such date.

X. LIQUIDATED DAMAGES Liquidated damages will not apply to this agreement.

XI. FORCE MAJEURE

A. The Contractor specifically agrees that all work performed under the terms and conditions of this Contract shall be completed within the time limits as set forth herein, or as otherwise identified in the City's purchase order or specified by the Project Manager, subject only to delays caused by force majeure, or as otherwise defined herein. "Force majeure" shall be deemed to be any cause affecting the performance of this Contract arising from or attributable to acts, events, omissions or accidents beyond the reasonable control of the parties.

XII. OBLIGATIONS OF CITY

A. City has designated the Events Manager as the Project Manager to act as City's representative with respect to this Agreement. Such person will have authority to transmit instructions, receive information, and interpret and define City's policies and decisions regarding the scope of services.

B. City shall furnish to Contractor all applicable information and technical data in City's possession or control reasonably requested by Contractor for the proper performance of the Services.

C. The City's Designated representative will do all things necessary to properly administer the terms and conditions of this Agreement, including, but not limited to: 1. Review of all Contractor payment requests for approval or rejection. 2. Periodic reviews of the work of the Contractor as necessary for the completion of the Contractor's services during the period of this Agreement.

D. The City shall not provide any services to the Contractor in connection with any claim brought on behalf of or against the Contractor.

XIII. TERMINATION

A. The City shall have the right at any time upon thirty (30) calendar day's written notice to the Contractor to terminate the services of the Contractor. The City shall pay to the Contractor and the Contractor shall accept as full payment for its services, a sum of money equal to the work completed in any commenced but incomplete services.

B. Any failure of the Contractor to satisfy the requirements of this Contract, as documented by the Department Head, shall be considered a default of the Contract

and sufficient reason for termination. 1. For defaults that are curable (as determined by the City), the Contractor shall be notified in writing by the City and shall have an opportunity to cure such default(s) within ten (10) working days after notification. 2. For defaults that are not curable (as determined by the City), notice of the termination date shall be given as deemed appropriate by the City.

C. In the event the City's termination of this Contract for default is in any way deficient, at the option of the City such termination shall be deemed to be a termination for convenience pursuant to Section XIII.A. above.

D. The parties may mutually agree to terminate this Contract. Such termination shall be evidenced by a notice issued by the City. The City shall pay to the Contractor and the Contractor shall accept as payment for its services, a sum of money equal to the work completed in any commenced but incomplete services.

E. In the event that the Contractor has abandoned performance under this Contract, then the City may terminate this Contract upon three (3) calendar day's written notice to the Contractor indicating its intention to do so. Payment for work performed prior to the Contractor's abandonment shall be as stated above. Contractor shall have one hundred and eighty (180) days to submit invoices. Invoices submitted after one hundred and eighty (180) days may not be accepted for payment.

F. The Contractor shall have the right to terminate services only in the event of the City failing to pay the Contractor's properly documented and submitted invoice within ninety (90) calendar days of the approval by the City's Department Head, or if the Project is suspended by the City for a period greater than ninety (90) calendar days.

G. After consultation with and written Notice to the Contractor providing a reasonable opportunity to cure, the City shall have the right to refuse to make payment, in whole or part due to: 1. The quality of a portion, or all, of the Contractor's work not performed in accordance with the requirements of this Contract; 2. The quantity of the Contractor's work not delivered or performed as represented in the Contractor's Payment Request, or otherwise; 3. Claims made, or likely to be made, against the City, or its property; 4. Damages to the City or a third party caused by Contractor; 5. The Contractor's failure or refusal to perform any other obligation under this Contract.

XIV. DISPUTE RESOLUTION

A. In the event of a dispute or claim arising out of this Agreement, the parties agree first to try in good faith to settle the dispute by direct discussion. If this is unsuccessful, the parties may enter into mediation in Mobile City, Alabama, with the parties sharing equally in the cost of such mediation.

B. In the event mediation, if attempted, is unsuccessful in resolving a dispute, the parties may proceed to litigation as set forth below.

C. Any dispute, action or proceeding arising out of or related to this Agreement will be exclusively commenced in the state courts of Mobile City, Alabama, or where proper subject matter jurisdiction exists in the United States District Court for the Southern District of Alabama. Each party irrevocably submits and waives any objections to the exclusive personal jurisdiction and venue of such courts, including any objection based on forum non conveniens.

D. Contractor agrees to waive all rights to trial by jury for any litigation undertaken concerning this Agreement.

E. This Agreement and the rights and obligations of the parties shall be governed by the laws of the State of Alabama without regard to its conflict of laws principles.

F. Unless otherwise agreed in writing, the Contractor shall be required to continue its services and all other obligations under this Agreement during the pendency of claim or dispute including, but not limited to, actual period of mediation or judicial proceedings.

XV. VENDOR WARRANTY

A. All products provided under this Contract shall be new and of the most suitable grade for the purpose intended.

B. If any product delivered does not meet performance representations or other quality assurance representations as published by manufacturers, producers or distributors of the products or the specifications listed in this Contract, the Contractor shall pick up the product from the City at no expense to the City. The City reserves the right to reject any or all materials if, in its judgment, the item reflects unsatisfactory workmanship or manufacturing or shipping damage. In such case, the Contractor shall refund to the City any money which has been paid for same.

C. Contractor warrants that the products under normal use and service will be free from material defects in materials and workmanship. In the event Contractor's standard product warranty is for a period of time longer than that stated above, this warranty shall be extended to that longer duration.

D. All services will be performed (i) by qualified personnel in a professional and workmanlike manner, consistent with industry standards, (ii) in accord with the performance specifications, scope of work and terms and conditions set forth in this agreement, (iii) with due care and in accord with applicable laws and regulations including all laws and regulations relating to the scope of work in the agreement, health, safety and the environment, fair labor practices, unlawful discrimination and immigration, and (iv) in accord with generally prevailing industry standards. Upon City providing notice to Contractor as set out in a reasonably detailed written notice to cure any non-conformance within thirty (30) days of occurrence, Contractor agrees to re-

perform the services to achieve commercially reasonable conformance with this warranty.

XVI. SUSPENSION/STOP WORK ORDER

A. The City's Department Head may at any time, by written order to the Contractor, require the Contractor to stop all or any part of the work called for by this Contract. Any order shall be identified specifically as a stop work order issued pursuant to this clause. This order shall be effective as of the date the order is delivered to the Contractor. Upon receipt of such an order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the order during the period of work stoppage. The Contractor shall not resume work unless specifically so directed in writing by the City. The Department Head shall take one of the following actions: 1. Cancel the stop work order; or 2. Terminate the work covered by the order; or 3. Terminate the Contract in accordance with provisions contained in Section XIII A.

B. In the event the City determines to not direct the Contractor to resume work, the stop work order may be converted into a notice of termination for convenience pursuant to Section XIII A. The notice period for such termination shall be deemed to commence on the date of issuance of the stop work order. In the event the City does not direct the Contractor to resume work within ninety (90) days, the Contractor may terminate this Contract.

XVII. NOTICES

A. The City of Mobile Authorized Agent, authorized to act on the City's behalf with respect to the Project is the City Events Manager.

B. Any notices of default or termination shall be sufficient if sent by parties via United States Certified mail, postage paid, or via nationally recognized delivery service, to the address listed below:

CITY:
City of Mobile
c/o City Attorney
As: City's Authorized Agent
P.O Box 1827
Mobile AL 36633

CONTRACTOR:
Pyrotecnico Fireworks, Inc.
299 Wilson Road
New Castle, PA 16101

C. Any change in the City's Department Head or the Contractor's Representative will be promptly communicated by the party making the change.

XVIII. DEFAULT/ BREACH.

Default. Default, for purposes of this contract, shall include, but is not limited to, any of the following: 1) failure to perform the work or provide the services in accordance with the terms of the contract, 2) failure to meet established deadlines or schedules, 3) substandard or non-compliant work or services, 4) failure to comply with applicable laws, regulations, or permits, including state and federal law, local ordinances and any federal grant requirements, 5) failure to make payments to subcontractors or suppliers, 6) failure to communicate adequately with the City regarding progress or issues, 7) unauthorized assignment or transfer of the contract without prior written consent from the City, 8) failure to correct deficiencies after receiving written notice from the City, 9) misrepresentation or falsification of information provided in contract proposals or during performance, 10) failure to maintain required insurance coverage, 11) use of unapproved subcontractors or failure to supervise subcontractors adequately, 12) unauthorized use of City property, equipment, or resources, 13) failure to comply with safety standards, resulting in hazardous conditions or accidents, 14) violation of confidentiality or data protection requirements outlined in the contract, 15) breach of warranties related to the quality, fitness, or compliance of goods or services provided, 16) failure to provide required reports, documentation, or certifications within specified timelines, 17) delays caused by inadequate staffing, equipment, or materials, 18) failure to replace defective or non-compliant materials or equipment within a reasonable time-frame, 19) violation of environmental regulations, including improper disposal of hazardous materials, 20) failure to cooperate with City inspectors, auditors, or other designated officials during site visits or reviews, 21) failing to comply with written directives from the City to correct specific issues or deficiencies, 22) subcontractor abandonment or unauthorized substitution of key personnel, 23) unauthorized cessation of work or delays caused by disputes with subcontractors, 24) breach of intellectual property rights, including unauthorized use of copyrighted or proprietary materials, 25) misuse of funds allocated for specific tasks or deliverables, 26) failure to meet minority, small business, or other subcontracting goals as specified in the contract, 27) failure to maintain adequate security measures for sensitive information or physical assets, 28) failure to address health and safety violations that result in injury or property damage, 29) providing false claims for payments, reimbursements, or change orders, 30) failing to meet requirements for workforce certifications or qualifications outlined in the contract, 31) failure to disclose debarment or loss of required license.

XIX. EFFECT OF DEFAULT

A. Upon the occurrence of default, City shall have rights which include but are not limited to (i) the right to keep this Contract in effect and sue Contractor for all damages caused by the default and recover the cost thereof; (ii) the right to cure any such default by Contractor and to recover any damages caused thereby; and (iii) the right to terminate this Contract either as to the entire Project or part thereof, in either case by giving Contractor written notice of such termination. In the event of termination of this Agreement by the City because of the Contractor's default or breach, the City may take possession of all materials, equipment, tools, construction equipment,

and machinery thereon owned by the Contractor and may finish the Project by whatever method and means City may select subject to its obligation to reasonably mitigate.

XX. WITHHOLDING PAYMENT DUE

A. Default by Contractor shall excuse any obligation of City to pay compensation or sums otherwise due Contractor under the agreement. City may withhold any and all sums due if there has been a default or breach by Contractor of any provision of this agreement.

XXI. CURE PLAN

A. If Contractor fails to comply with any material provision of this agreement, the City may issue a written notice requiring Contractor to submit a corrective action plan (CAP) within such time as City directs. If Contractor fails to provide an acceptable CAP or does not cure the breach within the time frame specified, the City may invoke additional sanctions or terminate this Agreement.

XXII. EFFECT OF DEFAULT ON FUTURE COMPETITIVE BIDDING

A. Failure by the Contractor to perform in accordance with the terms, conditions, and specifications of this agreement, including but not limited to failure to complete work within the specified time frame, failure to meet quality or safety standards, or abandonment of the project, and any other breach as defined herein, may be considered by City in evaluating the Contractor's status as a 'responsible bidder' as defined under Alabama law in future competitive bid determinations within the parameters of acceptable evaluation.

XXIII. PEER REVIEW/VALUE ENGINEERING

A. The City reserves the right to engage independent experts to conduct peer reviews or value engineering analyses of the Project at any stage. Contractor shall cooperate fully by providing necessary documentation and access. If the peer review identifies opportunities for cost savings or performance improvements without compromising safety or quality, Contractor shall implement such recommendations as directed by the City, subject to equitable adjustments if necessary.

XXIV. ANTI-BOYCOTT

A. Contractor agrees it is not currently engaged in and will not engage in the boycott of a person or an entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade within the meaning of Alabama Code 41-16-5.

XXV. NON-DISCRIMINATION

A. Contractor shall comply with all Federal, State and local laws concerning nondiscrimination, including but not limited to City of Mobile Ordinance No. 14-034 which requires, inter alia, that all contractors performing work for the City of Mobile not discriminate on the basis of race, creed, color, national origin or disability, require that all subcontractors they engage do the same, and make every reasonable effort to assure that fifteen percent of the work performed under contract be awarded to socially and economically disadvantaged individuals and business entities.

XXVI. COMPLIANCE WITH IMMIGRATION LAW

A. By signing this contract, the contracting parties affirm, for the duration of the Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Pursuant to Alabama Code (1975) Section 31-13-9, if Contractor employs one or more employees within the State of Alabama, Contractor shall provide documentation establishing that Contractor is enrolled in the *E-Verify* program. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the Agreement and shall be responsible for all damages resulting therefrom.

XXVII. MISCELLANEOUS

A. This Agreement constitutes the sole and complete understanding between the parties and supersedes all agreements between them, whether oral or written with respect to the subject matter. No Amendment, change or addendum to this Agreement is enforceable unless agreed to in writing by both parties and incorporated into this Agreement.

B. The language of this Agreement shall be construed, in all cases, according to its fair meaning and not for or against any party hereto.

C. The parties hereto do not intend nor shall this Agreement be construed to grant any rights, privileges or interest to any third party.

D. Time is of the essence with regard to each and every aspect of the Contractor's performance under this Contract.

E. The rights and remedies of the City provided for under this Agreement are in addition to any other rights and remedies provided by law.

F. If the Contractor is comprised of more than one legal entity, each entity shall be jointly and severally liable hereunder.

G. The exercise by either party of any rights or remedies provided herein shall not constitute a waiver of any other rights or remedies available under this Agreement or any applicable law.

H. If any term, condition, or covenant of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall be valid and binding on each party.

I. The parties covenant and agree that each is duly authorized to enter into and perform this Agreement and those executing this Agreement have all requisite power and authority to bind the parties.

J. Neither the City's review, approval or acceptance of, nor payment for, the services required under this Agreement shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

K. Paragraph headings are for the convenience of the parties and for reference purposes only and shall be given no legal effect.

L. In the event of conflicts or inconsistencies between the provisions of this agreement and those in any attachment or Exhibit hereto, then the provisions of this agreement will take precedence and be applicable, binding and enforceable.

M. Preparation of Agreement. All provisions of this Agreement have been subject to full and careful review by and negotiation between Contractor and City. Each such party has availed itself of such legal advice and counsel as it, respectively, has deemed appropriate. The parties hereto agree that neither one of them shall be deemed to be the drafter or author of this Agreement, and in the event this Agreement is subject to interpretation or construction by a court of law or panel of arbitration, such court or panel shall not construe this Agreement or any portion hereof against either party as the drafter of this Agreement.

N. Entire Agreement. This Agreement embodies the entire agreement and understanding between the parties pertaining to the subject matter of this Agreement, and supersedes all prior agreements, understandings, negotiations, representations and discussions, whether verbal or written, of the parties pertaining to that subject matter.

O. Binding Effect. The provisions of this Agreement shall bind and inure to the benefit of the parties and their respective successors and permitted assigns.

P. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute a single agreement.

Q. Amendment and Waiver. This Agreement may be amended, modified or supplemented only by a writing executed by each of the parties. Any party may in writing waive any provisions of this Agreement to the extent such provision is for the

benefit of the waiving party. No action taken pursuant to this Agreement shall be deemed to constitute a waiver by that party of any other party's compliance with provisions of this Agreement. No waiver by any party of a breach of any provision of this Agreement shall be construed as a waiver of any subsequent or different breach, and no forbearance by a party to seek a remedy for noncompliance or breach by another party shall be construed as a waiver of any right or remedy with respect to such noncompliance or breach.

R. Attorney's Fees and Costs. If the City is required to take legal action to enforce this contract, the contractor agrees to reimburse the City for all reasonable attorney's fees and associated costs incurred.

S. Non-Waiver of Rights. Failure by the City to enforce any provision of this contract shall not be deemed a waiver of its rights to enforce any other provision or the same provision in the future.

T. Sovereign Immunity. Nothing in this Agreement shall be construed as a waiver of any governmental, sovereign, or other immunity by the City, its officials, or employees. All defenses and limitations of liability provided by law remain fully applicable.

U. NON-ASSIGNMENT. The City and Contractor each bind itself, its successors and assigns, to the other party of this contract, in respect to all covenants of this agreement. The contractor shall not transfer or assign this contract or the license or any of the rights or privileges granted herein without the prior written consent of the City, which such consent shall be granted or denied solely at the City's sole discretion.

V. This Agreement is the final expression of the agreement between the parties and the complete and exclusive statement of the terms agreed upon and shall supersede all prior negotiations, understandings, or agreements. No representations, warranties, or stipulations, either oral or written, are not contained herein.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the day and year first written.

Contractor, Pyrotecnico Fireworks Inc.

BY: Lynn Ann Hamed
Signature of Authorized Agent

Date: April 30, 2025

Print Name: Lynn Ann Hamed, Corporate Secretary

ACKNOWLEDGEMENT

~~Commonwealth~~ Pennsylvania
The ~~State~~ of _____ }
Lawrence County }

I, George Augustine, a Notary Public, in and for said County in said State,

hereby certify that Lynn Ann Hamed, whose name as Authorized Agent of **Pyrotecnico Fireworks Inc.**, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 30 day of April, 2025

George Augustine
(Seal)

Notary Public

Commonwealth of Pennsylvania - Notary Seal
George Augustine, Notary Public
Lawrence County
My commission expires May 8, 2027
Commission number 1434682
Member, Pennsylvania Association of Notaries

City of Mobile, A Municipal Corporation

BY: _____
William S. Stimpson, Mayor

Date: _____

ATTEST:

City Clerk

Date: _____

EXHIBIT A SCOPE OF SERVICES
EXHIBIT B CITY INSURANCE REQUIRED
EXHIBIT C CONTRACTOR E-VERIFY DOCUMENTS

EXHIBIT A Scope of Services



City of Mobile Request for Proposals RFP Number: 5936

INDEPENDENCE DAY FIREWORKS DISPLAY

The City of Mobile ("City") is seeking written proposals from professional fireworks display firms for the provision of a fireworks display deployed from the Tensaw River near Mobile, Alabama, on July 4, 2025.

Proposals Due:	5:00 p.m., March 27, 2025.
<u>Mailing address</u>	<u>Delivery:</u>
City of Mobile	City of Mobile
Procurement Department	Procurement Department
PO Box 1827	205 Government Street
Mobile, AL 36633	4 th Floor South Tower
	Mobile, AL 36644
Phone	(251)-208-7434

Questions must be sent in writing via electronic mail by 5:00 p.m. March 20, 2025, to:
Purchasing@CityofMobile.org

1.0 INTRODUCTION. The City of Mobile has annually hosted an evening fireworks display on July 4 and has found that launching from the Tensaw River adjacent to USS ALABAMA Battleship Memorial Park provides the best viewing and launch location. This annual event aims to celebrate Independence Day with a safe, entertaining, and visually stunning fireworks display for our community. The City desires to receive written proposals to provide the City the best show value for funds available not to exceed \$45,000.00.

2.0 SCOPE OF SERVICES. Contractor shall provide a commercial fireworks display to include show design, setup, supplies, show production, take down and removal.

2.1 Date and time of display: Friday, July 4, 2025, show from 9:00pm to approximately 9:20 pm.

2.2 Location: Launch site on Tensaw River adjacent to USS ALABAMA Battleship Memorial Park for primary viewing from the park and Mobile riverfront. See **Exhibit A** – red circle south of US 90/US 98. Note that ALDOT bridge construction project is just north of proposed launch location and may affect exact barge placement.

2.3 Design a creative fireworks show and provide advance briefing to the City on show details not later than June 1, 2025.



2.4 Display will be high energy, with visibility extending to Mobile River waterfront. Shell size not to exceed 5 inches due to fallout zone restrictions. High impact grand finale. Music choreography is not required.

2.5 Fireworks must be barge-launched. Contractor will be required to obtain, insure, load, position, control and operate, and remove launch barge.

2.6 Provide all necessary materials, equipment, and personnel to execute the display safely.

2.7 Secure all required permits and adhere to industry best practices, guidelines, and regulations. The City will obtain a Coast Guard Marine Event Permit.

2.8 Attend planning meetings with City representatives and with local authorities and emergency services to ensure public safety. City will work with the selected contractor to refine show plan to optimize show delivery and effect.

2.9 Ensure proper cleanup and disposal of all debris following the event.

3.0 INVOICING AND PAYMENT. City generally pays upon completion of services rendered, with the option to terminate the agreement or adjust show timing at its discretion. City will consider pre-payment, postponement, and cancellation payment options proposed by Contractor and agreed in advance by the City. Contractors are to include such proposed terms in their proposal for City consideration.

4.0 INDEMNIFICATION AND INSURANCE

4.1 Contractor shall indemnify and hold harmless City and its officers, elected officials, agents, representatives, and employees for any and all claims, injuries, losses, diminution in value, damages, liabilities, whether or not currently due, and related expenses to the extent caused by any negligence, recklessness, intentional tort, intellectual property infringement, or failure to pay a subconsultant or supplier that is committed by Contractor or the Contractor's agent, Contractor under contract, or other entity for which Contractor is legally liable. Contractor shall defend the City, its officials, agents, representatives, and employees against any and all claims arising out of the rendering of or failure to render professional services by Contractor or its agents covered by Contractor's policy of professional liability insurance in accord with named minimum requirements. Contractor shall reimburse the City for its reasonable attorney fees, damages, losses, injuries, or other litigation costs in proportion to Contractor's liability, or in proportion to the extent Contractor participates in resolution of a claim also made against the City.



4.2 Standard of Performance: Contractor shall perform all professional services under this contract with the professional skill and care ordinarily provided by a competent professional practicing under the same or similar circumstances and professional licenses as expeditiously as is prudent considering the ordinary professional skill and care of a competent professional

4.3 Insurance- Contractor shall maintain the following minimum insurance amounts. Contractor shall waive all subrogation rights against the City, and their respective employees, agents, and subcontractors for any claims arising out of the work performed at this project. Contract will include City of Mobile as an Additional Insured in respect to General Liability, Automobile Liability and Umbrella Liability. All policies, except Workers compensation, shall be Primary and Non-contributory with any other insurance in force or which may be purchased by the City. Within ten (10) calendar days from the date of issuance of Contract forms for execution, Contractor shall deliver to the City of Mobile, certificates of insurance (standard ACORD format) certifying the existence and limits of the insurance coverages along with separate policy endorsements as described above. Contractor shall also be responsible for delivering policy renewal certificates to the City of Mobile.

4.3.1 Workers' Compensation insurance in the amounts required by all applicable laws, rules or regulations of the state of Alabama. If there is an exposure of injury to Pyrotechnic Vendor under the U.S. Longshoremen's and Harbor Worker's Compensation Act, the Jones Act, or under laws, regulations, or statutes applicable to maritime employees, coverage shall be included for such injuries or claims, bearing minimum limits of \$1,000,000.

4.3.2 Commercial General Liability Insurance with limits not less than \$1,000,000.00 per occurrence and \$2,000,000 general aggregate. Coverage is to include premises and operations, personal injury, and independent contractors.

4.3.3 Automobile Liability Insurance to cover any auto, including all owned, non-owned, and hired vehicles, with a \$1,000,000 combined single limit of liability each accident for bodily injury and/or property damage.

4.3.4 Watercraft Liability with a limit of not less than \$1,000,000.

4.3.5 Excess/Umbrella Liability Insurance: Limit of Liability: \$2,000,000 combined single limit of liability each occurrence for bodily injury and/or property damage.

5.0 OTHER REQUIREMENTS

5.1 Immigration. Contractor will agree to not violate Federal Immigration Law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the contract and shall be responsible for all damages resulting therefrom.



5.2 Boycotts. Contractor represents and agrees that it is not currently engaged in, nor will it engage in, any boycott of a person or entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade.

5.3 Civil Rights. Contractor shall comply with all Federal, State and local laws concerning nondiscrimination, including but not limited to City of Mobile Ordinance No. 14-034 which requires, inter alia, that all contractors performing work for the City of Mobile not discriminate on the basis of race, creed, color, national origin or disability, require that all subcontractors they engage do the same, and make every reasonable effort to assure that fifteen percent of the work performed under this CONTRACT be awarded to socially and economically disadvantaged individuals and business entities.

5.4 Any agreement shall be governed by the laws of the State of Alabama, and the appropriate venue for any actions arising out of this Agreement shall be a court of proper jurisdiction in Mobile, Alabama.

6.0 - MINIMUM QUALIFICATIONS

6.1 Contractor must have a minimum of five years of experience performing commercial fireworks displays. Contractor also must have demonstrated experience performing barge-launched displays.

6.2 Contractor must possess a current pyrotechnic display operator license valid for this location.

6.3 Contractor must have a current City of Mobile business license.

7.0 PROPOSAL REQUIREMENTS: Written proposals must be received by the City not later than 5:00 pm, March 27, 2025. Provide one paper and one digital (flash drive or CD) copy. All material submitted in response to this RFP, except for proprietary material identified as such, shall become the property of the City upon delivery. Proposals must include the following information, broken down in order:

7.1 Company profile, including experience in conducting large-scale and waterborne fireworks displays, list of key personnel, and qualifications.

7.2 List of references from previous clients with similar projects.

7.3 Description of the proposed fireworks show for this event, including, types of fireworks, choreography, and any special effects. Sample video may be included with digital proposal.



7.4 Proposed timeline for preparation, mobilization, setup, launch, cleanup, and demobilization. Include any proposed subcontractors, and specifically address how barge service will be provided, and loading and offloading plans. Include proposed safety plan, including measures to protect the public, property, and environment.

7.5 Budget breakdown, including all costs associated with the project, and any prepayment, postponement, or cancellation terms.

8.0 **EVALUATION AND SCORING:** The City will evaluate proposals in five areas, weighted as indicated below. The City has the option to interview some, all, or no candidates, conduct additional inquiries, request modifications to proposals, and reject any proposal.

8.1 **15 points:** Experience and Qualifications: Review of resumes and qualifications of the company and personnel assigned to this show

8.2 **25 points:** References. Review of previous shows conducted for other customers and the City.

8.3 **30 points:** Proposed show and features.

8.4 **15 points:** Execution plan and timeline.

8.5 **15 points:** Total Project Cost: Value for the City's budget. Compliance with budget limits. Proposed payment terms.

9.0 COMMUNICATION WITH THE CITY

9.1 All Proposer communications (questions, requests for clarification or extension of time) concerning this RFP should be directed in writing via email to Purchasing@CityofMobile.org. Written questions ensure that all questions and replies are documented, and all potential proposers have the same information on which to rely in preparing a proposal. The City will reply to questions received not later than 7-days before the submission due date and time.

9.2 From the time of advertising, and until the final award by completion of a signed contract or purchase document issued by the City, there is a prohibition on communication by respondents (or anyone on their behalf) with the City staff and elected officials regarding this request for bids, proposals, or qualifications. This does not apply to communications directly with the Procurement Department staff during authorized question periods, or with designated City staff during pre-bid conferences, interviews, requests for clarification, and written contract negotiations. Breaking the established prohibition on communication may result in a disqualification of a submission.



City of Mobile RFP 5936
Independence Day Fireworks

Exhibit A: Launch Location Map



Google Earth

Image © 2024 Airbus



3000 ft

Page 005 of 005

ORIGIN ID:MP0A (724) 682-8655
MARVELLUNGSWORTH
FEDERAL AVENUE
239 WILSON ROAD
NEW CASTLE, PA 16101
UNITED STATES

SHIP DATE: 25MAR25
ACTWGT: 3.00 LB
CAD: 1002442241NET4835
BILL SENDER

TO PROCUREMENT DEPT
CITY OF MOBILE, AL
205 GOVERNMENT STREET
4TH FLOOR, SOUTH TOWER
MOBILE AL 36644

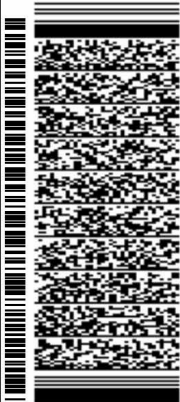
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FedEx Express



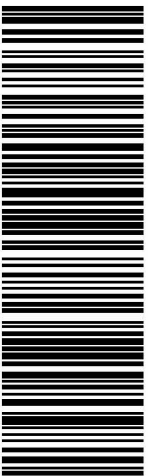


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PRIORITY OVERNIGHT

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AL-US BFM



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2. Place label in shipping pouch and affix it to your shipment.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.



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City of Mobile, AL
July 4, 2025
Independence Day Celebration Fireworks



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OUR CORE VALUES



We produce each show with tireless dedication. We treat each employee, supplier, and regulator with respect. Individual and team initiative drives our company. Imaginative people are the core of our success. Insuring safety is our top priority. Great performances are our passion.

WHAT THIS MEANS FOR YOUR EVENT

You have a vision for your event and Pyrotecnico will work tirelessly to design a spectacular display to match that vision. Our staff has an unrivaled passion for what we do and that results in superior customer service, advanced display designs, and safe certified/licensed pyrotechnicians for your event.



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PROPOSAL

**Client:**

City of Mobile, AL

Event Date: July 4, 2025

This Presentation Includes:

- All necessary insurance to include 10 million dollar general liability insurance, 10 million in commercial transportation insurance, and state worker's compensation.
- Our trained technicians to produce the display.
- All transportation and delivery costs. Transportation provided by our commercially licensed drivers.
- All necessary safety precautions to provide a safe and spectacular display, assistance with local and state firework display permits.
- Highly choreographed display design.
- The widest variety of top quality shell and special effects from around the globe that includes our own American products



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About Pyrotecnico

In 1889, Constantino Vitale started his fireworks company in Pietramelara, Italy. In 1920, he immigrated to the United States through Ellis Island, making a home for his family and business in New Castle, PA - which would later become known as "The Fireworks Capital of America".

Constantino's son, Rocco Vitale Sr., began leading the expansion of the New Castle facilities - which were also briefly used to manufacture explosives for the U.S. Navy during World War II. Many of these buildings still stand today across the street from the 20,000 square-foot corporate headquarters.

Four generations of the Vitale family have grown Constantino's vision by training new staff in the old family ways, selecting the safest and most innovative products from global supplies, and creating millions upon millions of Oohs and Aahs on an annual basis.

Stephen Vitale, the great-grandson of Constantino, took the helm in the early 1990's by becoming President & CEO. It was at that time the company took the name "Pyrotecnico" to reflect its expanding technical proficients and variety of products that it uses to complement fireworks displays.



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About Pyrotecnico, Con't

Since 1993, the company has gained global presence, performing more than 3,500 displays each year. The variety of Pyrotecnico's creative offerings has also increased under Stephen's tenure. Pyrotecnico launched its live entertainment and touring division, Pyrotecnico FX, which offers clients a variety of displays and effects including flames, lasers, close proximate atmospheric effects such as confetti/streamers.

Pyrotecnico has created displays for events ranging from municipal/governmental celebrations, private events, athletic games/events, award shows, music festivals/concerts/tours, as well as film and television productions.

Stephen has assembled an incredibly passionate team of approximately 200 full-time and part-time employees and thousands of freelance technicians and drivers that rally behind Pyrotecnico's purpose - CREATING SAFE OOHs AND AAHS!
PYROTECNICO'S BACKGROUND

"While we've become one of the premier fireworks and special effects companies in the world, we cannot lose sight of what has gotten us here: a commitment to innovation that impacts audience visually and emotionally, attention to detail, listening to clients, and a serious regard for safety. We take pride in these skills and use them to provide the best possible display for each of our client's events."

- Stephen Vitale, Pyrotecnico President & CEO



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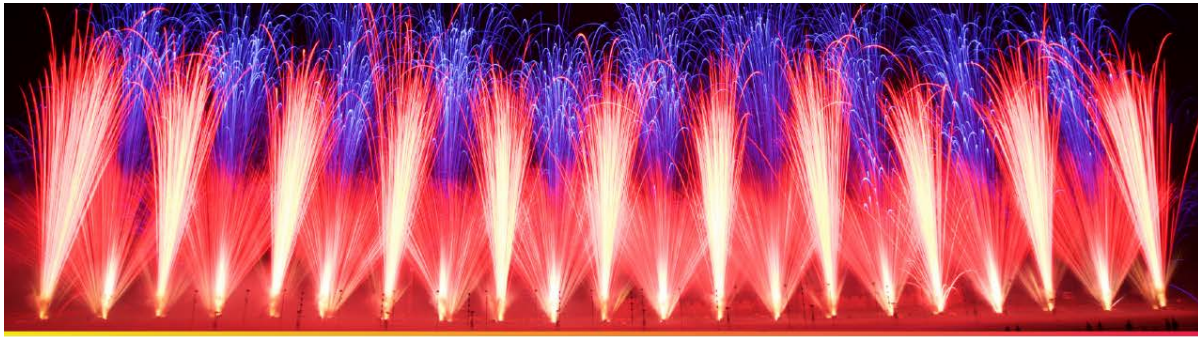


Pyrotecnico's Key Personnel to City of Mobile, AL:

- Justin Pruett - Regional Director
 - jpruett@pyrotecnico.com | 803.271.5944
 - Oversees all operational and sales aspects of Pyrotecnico's Southern Region
- Duane Browning - Account Manager
 - dbrowning@pyrotecnico.com | 770.539.1899
 - Spearheads our relationship with our clients, thus overseeing all display details
- Matt Dudin - Production Lead
 - mdudin@pyrotecnico.com | 914.500.7662
 - Project manages all display details
- Pat White - Facility Lead
 - pwhite@pyrotecnico.com | 334.947.8388
 - Oversees all operational aspects of displays
- Mary Killingsworth - Senior Manager of Administration
 - mkillingsworth@pyrotecnico.com | 724.730.7037
 - Oversees all legal, financial, and insurance administrative aspects of displays



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Shell Descriptions

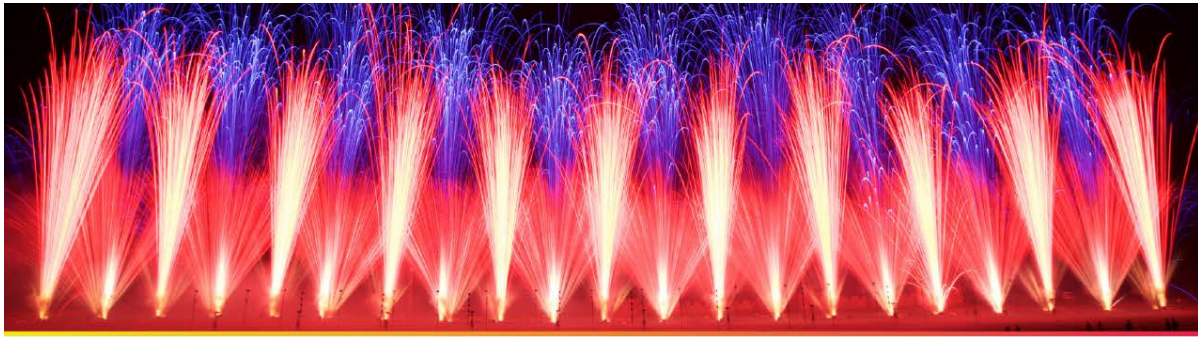
Here are several different types of high quality new shells you could expect to find in each category of shells that we have incorporated in the attached proposal. However, this is only a brief sample of some of the kinds of shells we utilize from our extensive international inventory.

Multi Color Star Shells

Red, White, Blue Changing to Flash
 Purple Peony with Stobing Pistils
 Aqua Peony with Large Ring Tail
 Orange Mum with Large Rising Tail
 Red and Green Chrysanthemum
 with Strobing Pistils
 Multiple Color Peony with Strobing Pistil
 Multiple Color Chrysanthemum
 with Strobing Pistil
 Bright Magnesium Chrysanthemum
 with Large Rising Tail
 Glittering Silver to Blue Chrysanthemum
 with Large Rising Tail
 Red, White and Blue Waves
 Glittering Red to White Peony
 with Green Pistil
 Huge Gold Chrysanthemum
 Orange Chrysanthemum
 Gold Wave to Color Chrysanthemum

Pattern Shells

Saturn Pattern with Multiple Rings
 Cube (Dice Shells)
 Smiling Face
 Five Pointed Star
 Heart Pattern
 Bowtie Rings
 Triple Crossing Rings
 Butterfly
 Double Crossette Ring
 Five Pointed Star in Circle
 Eight Point Chrysanthemum
 Assorted Color Rings
 Double Heart (Heart inside a Heart)
 Coconut Tree with Tail
 Silver Spider with Strobing Pistil
 Silver Octopus
 Smiling Face to Red Heart



Fancy and Color Changing Shells

Half Red and Half Blue Chrysanthemum
 with Large Rising Tail
 Half Silver and Half Purple Peony
 with Glittering Pistil
 Red Gamboge to Gold Peony
 Purple Spangle
 Three and Four Color Changing
 Peony with Reverse
 Changing Pistil
 Variegated Crackling with
 Large Rising Tail
 Glittering Silver to Color Chrysanthemum
 White Flashing
 Gold Wave to Purple to Red Peony
 Green-Red-Silver Peony with Purple Pistil
 White Twinkling Peony
 Peony with Assorted Color Comet
 Red Gamboge to Red and Blue
 with Glittering Silver Pistil
 Crackling Flower
 Sparkling Red to Silver
 White Twinkling Peony
 Red to Blue Crackling
 Red to Silver Flashing
 Silver to Yellow Sparkles

Special Effect Shells

Glittering Strobe
 Brocade Diadem with Large Rising Tail
 Crown Silver
 Brocade Crown
 Red to Green Crossette
 Glittering Silver and Gold Crossette
 Thunder & Rainbow
 Serpents to Report
 Whistles and Stars
 Tourbillions and Stars
 Machine Gun
 Golden Kamuro
 Flourishing Salute Shell of Shells
 Assorted Scattering
 Waterfall Shell
 Crackling Willow
 Red, Green and Blue Lightning
 Nishiki Kamuro Crackling
 Pixie Dust Willow
 Photo Flash
 Studata Red
 Gold Glitter Rays
 Ballet on Water
 Gold Wave to Green to Crackling
 Flower Garden

Opening

The Opening Presentation will start your display off “with a bang.” A “mini-finale” will excite the crowd and get them energized for a great show.

60

3-inch Assorted Color Changing Star Shells



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Body

The majority of your display will be fired during the Body presentation. It will have a balanced pace with constant action. Radiant color combinations like Violet & Lemon, Aqua & Pink, and the always treasured Red, White, & Blue. Amazing effects such as Crossette, Twitter Glittering, Rings, and Color Changing Chrysanthemums will be mixed in to illuminate your skies!

180 3-inch Assorted Aerial Display Shells

Note: Above shells will be individually fired or tied in combination flights of Two, Three, Five or Ten Shells per Flight

252 4-inch Assorted Aerial Display Shells

Note: Above shells will be individually fired or tied in combination flights of Two, Three, Five or Ten Shells per Flight

72 5-inch Assorted Aerial Display Shells

Note: Above shells will be individually fired or tied in combination flights of Two, Three, Five or Ten Shells per Flight



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Grand Finale Presentation

The Grand Finale Presentations is the ultimate crowd pleaser and most exhilarating part of your display. When the sky erupts with Multi-Color Peonies and Thunderous Salutes, there is no better visual experience. They will end your event in style and leave the audience wanting more!

40	3-inch Titanium Salutes
300	3-inch Assorted Color Changing Star Shells
30	4-inch Assorted Color Changing Star Shells
20	5-inch Assorted Color Changing Star Shells



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References

1. Company Name City of Chamblee, GA
Brief Description of Project 18 - 20 Minute Aerial Fireworks Display
Completion Date Client Since 2018 for Annual Independence Celebration
Contact Person Special Events Coordinator, Katie Sears
Telephone 470.395.2342
E-Mail Address ksears@chambleega.gov
2. Company Name Lake Blue Ridge Civic Association
Brief Description of Project 20 - 24 Minute Aerial Fireworks Display
Completion Date Client Since 2018 for Annual Independence Celebration
Contact Person Rick Glueck
Telephone 404.606.3366
E-Mail Address rglueck@comcast.net
3. Company Name University Yacht Club, Inc.
Brief Description of Project 16 - 18 Minute Aerial Fireworks Display
Completion Date Client Since 2008 for Annual Independence Celebration
Contact Person General Manager, Jason Stovall
Telephone 770.967.2814
E-Mail Address jason.stovall@universityyachtclub.org

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Execution / Contingency Plan

Execution Timeline:

- Day Prior to Display Date @ Approximately 9:00 AM = Pyrotecnico crew and equipment shall arrive to barge to begin setting up equipment
- Day of Display @ Approximately 8:00 AM = Pyrotecnico crew and product shall arrive to barge to begin loading in the fireworks product
- Day of Display @ Approximately 4:00/5:00 PM = Pyrotecnico crew performs continuity check on all modules
- Day of Display @ Applicable Firing Time = Pyrotecnico fires display
- Day of Display @ 20 Minutes Post Display Completion = Pyrotecnico crew performs strike process

Contingency Plan:

- Equipment Technical Issues = It is Pyrotecnico policy to have a backup firing panel and extra cables in the case of initial cabling or panel malfunctions/failures
- Inclement Weather Precautions = While Pyrotecnico must adhere to the NFPA 1123 regulations regarding safe weather conditions, along with the direction of the local Fire Department, we also take the below precautions:
 - **Sealing Racks:** All racks are covered with carpet tape to prevent water from entering the tubes and damaging the product.
 - **Additional Coverings:** We use black plastic to cover racks and positions, providing an extra layer of protection against moisture.
 - **Firing System Safeguards:** Firing modules are carefully covered and bagged to eliminate the risk of water affecting the firing system.
 - **FOH Protection:** Tents are used at our front-of-house (FOH) firing locations to keep controllers dry and operational.
 - **Loading Process Coverage:** During loading, tents are employed to keep the product dry until all necessary coverings, including carpet tape and plastic sheeting, are securely applied.

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Standard Operating Procedure / Safety Plan Fireworks Displays

Pyrotecnico Emergency Contacts:

- Christopher Peightal - Environmental Health and Safety Manager
 - o C: 724-549-8973
 - o EM: cp@liveevents.com
- Chem-Tel 24-Hour Emergency Response: 1.800.255.3924

Standard Guidelines:

All safety precautions as prescribed by the National Fire Protection Association (NFPA) code 1123 shall be adhered to at all times.

As required by the Authority Having Jurisdiction ("AHJ"), all inspections of the firing area(s) will be arranged in advance of the crew's arrival on site.

All mortars and/or racks used in the display shall be made of and/or from approved materials sufficient to provide a safe display per the National Fire Protection Association (NFPA) code 1123.

A safe perimeter of 70 feet per inch, at minimum, of the largest shell size (National Fire Protection Association ("NFPA") Guidelines, Section 1123) shall be maintained and secured at all times by the Sponsor and Pyrotecnico.

The fireworks and firing equipment shall not be left unattended at any time while on the display site and shall be protected from inclement weather at all times.
Neither smoking nor smoking materials such as matches, lighters or open flame shall be within 50 feet of fireworks or pyrotechnic materials.

The use of cell phones and/or radios that generate radio frequencies will be kept to a minimum within the immediate discharge area while pyrotechnics are being prepared, loaded, set up, and firing.

Security on site will be arranged by the event Sponsor if needed.

Only assigned technicians required to set up and perform the display will be allowed on the display site.

No person shall be allowed on site that is under the influence of alcohol, narcotics, or medication which could adversely affect their ability to safely perform their duties.

Arrangements should be made by the event Sponsor for fire service and emergency medical services ("EMS") to be available during the fireworks display(s).

Pyrotecnico will have a minimum of two (2) pressure-water fire extinguishers on-site during the fireworks display.

Pyrotecnico provides appropriate insurance with limits of \$10M.

Personal Protective Equipment (PPE):

Pyrotecnico will provide the following PPE, at minimum:

- Head Protection
- Eye Protection
- Hearing Protection

Employees/Personnel shall have adequate, ready, and available onsite:

- Foot protection
- Cotton, wool, or similar flame-resistant, long-sleeved clothing

-

Floating Vessels and Platforms Standard Operating Procedure

The following are the general conditions that must be met when conducting fireworks displays on floating vessels and platforms. These conditions are set by the U.S. Coast Guard, which has jurisdiction over all navigable waters.

Construction

- Floating vessels and platforms must be strong and stable enough to safely allow for the firing of the display.
- The mortars and other fireworks equipment must be placed in a way that will not jeopardize the stability or seaworthiness of the vessel or platform during the display.
- Wooden or other combustible material may be used for construction, but the floor must be covered with a fire-resistant material to prevent burning by falling embers.

Size Requirements

- The size of the vessel or platform must be sufficient to accommodate the set-up of the display and allow

for safe movement of the operator and assistants.

Egress Requirements

- There must be at least two separate egress paths to allow for evacuation in case of an emergency.
- One egress path must be provided from a protective barricade or safety shelter.
- Egress paths must be free from impediments and obstructions.

Firing Requirements

- Aerial shells must be preloaded into mortars.
- Only electric fired display shall be fired on floating vessels and platforms.
- The minimum size of the vessel or platform shall follow NFPA 1123 Guidelines.

Safety Requirements

- If the vessel or platform is manned during electrical firing, a safety shelter must be provided.
- US Coast Guard-approved personal flotation devices (PFD) must be provided and worn by all personnel on the vessel or platform.
- A watercraft capable of providing emergency response must be present during the display.
- The positions of mortars must comply with minimum separation distance requirements.
- An operational means of communication must be available on board.

Only personnel necessary to safely perform the display shall be on board the vessel or platform.

These are the general conditions that must be met when conducting fireworks displays on floating vessels and platforms. Compliance with these conditions will help ensure the safety of all involved.

The Personal Protective Equipment (PPE) described above **MUST** be worn during the firing of the fireworks display. PPE, as necessary, shall be worn by the operator and assistants during the setup and clean-up of the display.

Personal protective equipment related to a Barge display shall be worn when:

- Transferring from Land to Barge / Barge to Land
- When the barge is NOT moored to a dock

Fireworks Display Termination Procedure:

Weather conditions will be assessed by the fire official and the lead fireworks operator on the display site according to the conditions on-site at the time. Bad weather, including but not limited to, is defined as winds in excess of 15 mph or wind gusts of 20 mph or more, along with rain and/or thunderstorms. Other non-weather related emergencies can also terminate firing which shall also be determined by the fire official and the lead fireworks exhibitor at the display site.

Crowd control is imperative and must be maintained by security personnel, monitors, and barriers. If at any time during the load-in, firing, and strike, security patrols and/or monitors detect any breach of the fall-out/safety zone perimeter, any and all activity will cease immediately. Activity will only resume when the security of the fallout zone has been reestablished.

Arrival On-Site

The operator shall contact the sponsor, the sponsor's on-site contact, and the AHJ to confirm the following: their arrival, the display time, the method of communication to indicate when the firing should start, the length of the display, the wind direction, safety distances, cool down period, potential overhead obstructions and the first light search plan.

All AHJ requirements received shall be followed.

The operator will conduct a Pyrotecnico crew meeting to discuss all safety requirements, and details of the display and assign tasks.

Pre-Display

The lead operator shall verify the following:

An inspection of all equipment and materials has been completed prior to set up.

The safety/fallout zone is clear of all unauthorized personnel.

Fire extinguishers are placed at strategic locations.

Two separate means of Egress are established with a clear path

All mortar racks are perpendicular to the audience. Racks and pyrotechnic holders are free of debris, and secured and stable to prevent falling over during use.

All fireworks display shells are pre-loaded and properly fit into mortars.

For electrical firing, the arming key has been removed from the board and in the lead operator's physical possession at all times during load-in. The lead operator will also confirm prior to testing and the display that the firing system battery is fully charged; the igniter wires are secured and cleared of adjacent mortars; the firing modules are secured and protected; and all cables (and ground wires, if applicable) are connected from the firing modules to the firing board.

For continuity testing of an electrical firing, in addition to confirming the firing board is in "TEST" mode

prior to the test, the lead operator shall confirm that the safety fall-out radius is clear of unauthorized and non-essential personnel, everyone is informed of the testing is commencing and the board is disarmed & arming key is REMOVED after testing. Continuity testing shall continue until 100% continuity is confirmed. The final continuity check shall occur not more than 30 to 45 minutes prior to the display start time.

Immediately before the display, the lead operator shall confirm the crowd has been controlled and the safety/fall out zone is maintained; all applicable personnel, including fire service, EMS units, and Pyrotecnico crew members, are available and ready; and that the current and approaching weather is favorable.

Post Display:

Fifteen minutes after the conclusion of the display, a search will be conducted by Pyrotecnico personnel of the display and fallout areas to confirm that any unfired live product or shells are accounted for, properly handled, repackaged, and secured according to federal DOT regulations.

Non-fired products shall not be shot without the permission of BOTH the sponsor and the fire department.

Once the all-clear sign is given disassembly of the display shall begin.

The firing site shall be cleaned.

A mandatory first daylight search shall be conducted the following day to inspect the firing site, fall-out areas, spectator viewing areas, and any reasonable surrounding areas for pyrotechnic debris and "duds". All pyrotechnic debris and "duds" shall be accounted for, properly handled, repackaged, and secured according to federal DOT regulations.

PYROTECNICO™

Postponement / Cancellation Fee Structure

Pyrotecnico and CUSTOMER agree that should inclement weather prevent the performance of the Fireworks Display on the Display Date, the parties shall agree to a mutually convenient alternate date, within three (3) months of the Display Date. If the show is rescheduled prior to Pyrotecnico's truck leaving the facility, CUSTOMER shall remit to Pyrotecnico an additional **15% of the Total Contract Price** for additional expenses in presenting the Fireworks Display on an alternate date. If the show is rescheduled after Pyrotecnico's truck leaves the facility, CUSTOMER shall remit to Pyrotecnico an additional **40% of the Total Contract Price** for additional expenses incurred. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of Pyrotecnico. In the event the CUSTOMER does not choose to reschedule another date or cannot agree to a mutually convenient date, Pyrotecnico shall be entitled to **50% of the Total Contract Price.**

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

FEDERAL EXPLOSIVES LICENSE/PERMIT
(18 U.S.C. Chapter 40)

1. IDENTIFICATION / NUMBER / LICENSE / PERMIT / NUMBER

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

8-PA-073-23-4J-12122

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

September 1, 2024

Name
PYROTECNICO

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

299 WILSON RD
NEW CASTLE, PA 16101-

Type of License or Permit

23-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

PYROTECNICO FIREWORKS INC
PYROTECNICO
PO BOX 149
NEW CASTLE, PA 16103-0149

Licensee/Permittee Responsible Person Signature

President/CEO

STEPHEN VITALE

Nov. 29, 2021

Printed Name

Date

Previous Edition is Obsolete PYROTECNICO FIREWORKS INC 299 WILSON RD 16101-8 PA 073-23-4J-12122 September 1, 2024 23-IMPORTER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: PYROTECNICO FIREWORKS INC

Business Name: PYROTECNICO

License/Permit Number: 8-PA-073-23-4J-12122

License/Permit Type: 23-IMPORTER OF EXPLOSIVES

Expiration: September 1, 2024

Please Note: Not Valid for the Sale or Other Disposition of Explosives.



DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

January 16, 2025

PYROTECNICO FIREWORKS INC
PYROTECNICO
PO BOX 149
NEW CASTLE, PA 16103-0149

901090: MH/SJI
5400
File Number: 8-PA-12122

Premises Address: 299 WILSON RD NEW CASTLE, PA 16101

Dear Sir/Madam:

This letter acknowledges receipt of your timely application to renew your Federal explosives license/permit.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is not able to process your application prior to the expiration date of your license/permit. However, Federal law allows you to continue operations under your current license/permit until such time as ATF completes processing your application. See 5 U.S.C. § 558. This letter, or as explained below, a follow-up letter, will serve as your license/permit until we complete action on your renewal. It is referred to as a Letter of Authorization (LOA).

Since we have not completed processing your application, you may supply a copy of this letter to other licensees/permittees, e.g., your distributors, for the next six months (or until we complete action on your renewal, if that occurs in less than six months) as evidence of your licensed/permitted status. If we have not completed processing your application for renewal within six months of the date of this letter, we will send you another letter, which will also be valid for six months (or until we complete action on your renewal, if that occurs in less than six months). This is of course contingent upon your remaining entitled to continue operations under your current license/permit.

Please direct questions or concerns regarding this letter to Joie Inman at 304-616-4442.

Sincerely,

Chief, Federal Explosives Licensing Center

ATF web address: www.atf.gov



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/3/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates 3737 Park East Dr. STE 204 Beachwood OH 44122	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: info@brittongallagher.com FAX (A/C, No): 216-658-7101
INSURED Pyrotecnico Fireworks Inc. 299 Wilson Road New Castle PA 16103	INSURER(S) AFFORDING COVERAGE INSURER A: Everest Indemnity Insurance Company INSURER B: Everest Denali Insurance Company INSURER C: Arch Specialty Insurance Company INSURER D: Continental Indemnity Company INSURER E: INSURER F:

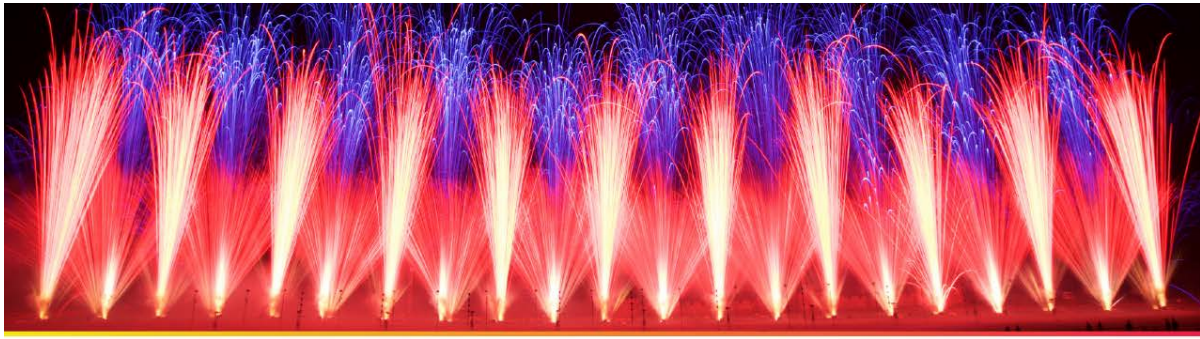
COVERAGES		CERTIFICATE NUMBER: 1495104253		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY ☒ PROJECT ☐ LOC	Y	Y	SI8ML00691-241	10/14/2024	10/14/2025 EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS	Y	Y	SI8CA00141-241	10/14/2024	10/14/2025 COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$	Y	Y	UXP1035252-05	10/14/2024	10/14/2025 EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ Y ☒ N	Y	82-872096-04-38 (MASTER)	10/14/2024	10/14/2025 ☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Excess Liability #2	Y	Y	SI8EX01314-241	10/14/2024	10/14/2025 Each Occ/Aggregate Total Limits \$5,000,000 \$10,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Additional Insured extension of coverage is provided by above referenced liability policies where required by written agreement.						

CERTIFICATE HOLDER	CANCELLATION
Proof of Insurance	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

ACORD 25 (2010/05)

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PRICE STRUCTURE

Aerial Fireworks Display	\$31,735.34
***Suggested Duration: 18 - 20 Minutes	
Barge Fee	\$6,250.00
Tug Fee	\$600.00
Labor / Insurance	\$5,814.66
County Permit Fee	\$100.00
County/City Fire Watch Fee	\$500.00
GRAND TOTAL PRICE	\$45,000.00



YOUR SHOW



We take pride in our ability to “layer” the sky with vivid surprises at varying heights and widths, painting the entire sky into beautiful scenes of color. Your show will be unique and precise, with a timeline that will include an opening mini-finale of bursts to kick off the display, followed by a body filled with unique scenes and special effect barrages, and concluding with a grand finale that will light up the sky like nothing your audience has ever seen!



OPENING - - - - - BODY - - - - - FINALE

*Maximum shell heights will vary for each individual display.
•On average, shells will reach 100' of elevation for every inch in shell diameter.
(Example: 2" shells will reach approximately 200' in elevation.)

800.854.4705 • WWW.PYROTECNICO.COM



AMPLIFYING EXCITEMENT SINCE 1889

UNMATCHED INNOVATION

Imaginative people are the core of our success, and our creative team is constantly raising the bar and scouring the globe for new technologies. You can rest assured that your display will be innovative and unforgettable in every aspect.

AWARD-WINNING DISPLAY DESIGN

Our creative team has won many international awards for our unique choreography and impeccable synchronicity, including the coveted Gold Jupiter award among others.

EXCEPTIONAL TEAM

Our exceptional team will ensure that every aspect of your show is completely taken care of from permitting and safety regulations to show execution and clean up, so you can sit back and enjoy the time leading up to your exciting event. We will have the details under control every step of the way.

125 YEARS EXPERIENCE

We are bringing 125 years of experience to the table, giving us the knowledge and ability to use the absolute best technology, techniques, and the most innovative products with the utmost safety. We have lived and breathed fireworks and special effects for 125 years, and we will see your show through from concept to clean up.



800.854.4705 • WWW.PYROTECNICO.COM





THANK YOU

Thank you for the time and consideration that you have given us.

We recognize that your standards of excellence must be matched by the vendors that you select for any event. We are honored to have this opportunity to accomplish something spectacular for your organization, and will always strive to exceed expectations.

Pyrotecnico will work tirelessly throughout this process to ensure that every element of the program runs smoothly. From permitting and license paperwork, to design and choreography, to the safe operation of your display, we will endeavor to provide peace-of-mind throughout our partnership.

Thank you again and we look forward to hearing from you very soon.

Duane Browning | Account Manager

dbrowning@pyrotecnico.com

770.539.1899



800.854.4705 • WWW.PYROTECNICO.COM



EXHIBIT B Insurance Requirements

1. For the term of this Agreement, Contractor shall acquire and maintain in full force and effect the following liability and comprehensive insurance, which such insurance shall be endorsed to name the City of Mobile as an additional insured, and shall attach to this contract as proof thereof a certificate of insurance issued by an agent licensed and qualified to do business in the State of Alabama: On or before the inception of this Agreement, and annually thereafter for the duration of this Agreement (or longer if stated otherwise), Contractor and/or any subcontractors shall maintain the following insurance policies on a primary and non-contributing basis.

A. WORKER'S COMPENSATION/EMPLOYER'S LIABILITY:

Regardless of any "minimum requirements" of the State of Alabama, Contractor shall obtain Workers' Compensation insurance covering all workers involved in the Project. Where applicable, U.S. Longshore and Harbor Workers Compensation Act Endorsement and/or Maritime Coverage Endorsement shall be attached to the policy.

B. COMMERCIAL GENERAL LIABILITY:

Contractor shall also obtain Commercial General Liability insurance coverage including premises, products and complete operations coverage with the following minimums:

\$1,000,000 each occurrence (combined single limit for bodily injury and property damage)
\$1,000,000 Products/Completed Operations aggregate
\$1,000,000 Bodily Injury per person/organization
\$2,000,000 general aggregate per project

C. AUTOMOBILE LIABILITY:

Contractor shall also obtain a minimum of \$1,000,000 combined single limit coverage per accident, including owned, hired and non-owned automobiles. (If Contractor does not own an automobile, but one is used in the execution of the contract, then only "hired and non-owned coverage" is required. If a vehicle is not used in the execution of the contract, then automobile coverage is not required.)

D. PROFESSIONAL LIABILITY INSURANCE:

Contractor shall provide a certificate of professional liability insurance coverage naming the City of Mobile as an additional insured. Coverage shall be at a minimum, \$1,000,000.00 per event.

E. COMMERCIAL UMBRELLA LIABILITY:

Contractor shall also obtain Umbrella Liability over and above the limits of liability required in the Employers Liability, General Liability, Automobile Liability, and Professional Error and Omissions (if required) policies. The Umbrella coverage form will be at least as broad as the underlying policies. The Additional Insureds requirements of underlying policies shall also be met by the Umbrella. The Umbrella limits shall be sufficient so that the sum of the underlying and Umbrella limits shall be at least \$2,000,000 per line of coverage.

2. Certificates of Insurance: The policy endorsements listed below are required and must be listed in the "Descriptions of Operations" box on the Certificate of Liability Insurance or somehow otherwise indicated or listed separately on the certificate or on an attachment to the certificate of insurance (ACORD 101, Additional Remarks Schedule) .

A. Waiver of Subrogation - All policies of insurance shall be endorsed to waive rights of subrogation in favor of City of Mobile.

B. Additional Insured - All policies of insurance shall be endorsed to name City of Mobile as an Additional Insured. The certificate may list the City as:
City of Mobile
P.O. Box 1827
Mobile, AL 36633

C. Primary Insurance - All policies of insurance shall be endorsed to provide that all such policies are primary and non-contributing with any other insurance maintained by the City of Mobile.

D. Notice of Cancellation - Certificates of Insurance shall provide that such insurance shall not be subject to cancellation, non-renewal nor material change without 30 days or more (except 10 days for non-payment) prior written notice thereof to the City of Mobile.

E. Certificates of Insurance - General – Contractor shall provide when submitting to the City the Contract forms for execution, certificates of insurance (standard ACORD format) certifying the existence and limits of the insurance coverages along with separate policy endorsements as described above. Contractor shall also be responsible for delivering policy renewal certificates to the City of Mobile. The following pages of this Exhibit will be Contractor's insurance.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/14/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure Great Lakes Partners Insurance Services 223 West Grand River Ave #1 Howell MI 48843	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: info@brittongallagher.com FAX (A/C, No): 216-658-7101												
INSURED Pyrotecnico Fireworks Inc. 299 Wilson Road New Castle PA 16103	INSURER(S) AFFORDING COVERAGE <table><tr><td>INSURER A : Everest Denali Insurance Company</td><td>NAIC # 16044</td></tr><tr><td>INSURER B : Arch Specialty Insurance Company</td><td>21199</td></tr><tr><td>INSURER C : Continental Indemnity Company</td><td>28258</td></tr><tr><td>INSURER D : James River Insurance Company</td><td>12203</td></tr><tr><td>INSURER E : AXIS Surplus Insurance Company</td><td>26620</td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER A : Everest Denali Insurance Company	NAIC # 16044	INSURER B : Arch Specialty Insurance Company	21199	INSURER C : Continental Indemnity Company	28258	INSURER D : James River Insurance Company	12203	INSURER E : AXIS Surplus Insurance Company	26620	INSURER F :	
INSURER A : Everest Denali Insurance Company	NAIC # 16044												
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INSURER C : Continental Indemnity Company	28258												
INSURER D : James River Insurance Company	12203												
INSURER E : AXIS Surplus Insurance Company	26620												
INSURER F :													

COVERAGES**CERTIFICATE NUMBER:** 1550731320**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC	Y	Y	P0000003353	11/14/2024	10/14/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS	Y	Y	GCD0010016-241	11/14/2024	10/14/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☒ CLAIMS-MADE DED ☐ RETENTION \$ ☐	Y	Y	UXP1035252-05	11/14/2024	10/14/2025	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		Y	82-872096-04-38 (MASTER)	10/14/2024	10/14/2025	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Excess Liability #2	Y	Y	P-001-001451057-01	11/14/2024	10/14/2025	Each Occ/ Aggregate \$5,000,000 Total Limits \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced liability policies where required by written agreement.

City of Mobile, AL Fireworks Display Date: July 4, 2025

Location: Barge @ USS ALABAMA, Mobile, AL 36602

Additional Insured: City of Mobile, AL and its employees; State of Alabama; Mobile Fire-Rescue, Community Risk Reduction, 2851 Old Shell Road, Mobile, AL36607

Policies are primary and non-contributing with any other insurance maintained by the City of Mobile. Coverage not subject to cancellation, non-renewal nor material change without 30 days or more (except 10 days for non-payment) prior written notice thereof to the City of Mobile, AL.

CERTIFICATE HOLDER**CANCELLATION**City of Mobile, AL
PO Box 1827
Mobile AL 36633-1827

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/14/2025

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PRODUCER Acrisure Great Lakes Partners Insurance Services 223 West Grand River Ave #1 Howell MI 48843		CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: info@brittongallagher.com		FAX (A/C, No): 216-658-7101
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A : Everest Denali Insurance Company		16044
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		INSURER C : Continental Indemnity Company		28258
		INSURER D : James River Insurance Company		12203
		INSURER E : AXIS Surplus Insurance Company		26620
		INSURER F :		

COVERAGES**CERTIFICATE NUMBER:** 1555554314**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC	Y	Y	P0000003353	11/14/2024	10/14/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS	Y	Y	GCD0010016-241	11/14/2024	10/14/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☒ CLAIMS-MADE DED ☐ RETENTION \$ ☐	Y	Y	UXP1035252-05	11/14/2024	10/14/2025	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		Y	82-872096-04-38 (MASTER)	10/14/2024	10/14/2025	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Excess Liability #2	Y	Y	P-001-001451057-01	11/14/2024	10/14/2025	Each Occ/ Aggregate \$5,000,000 Total Limits \$10,000,000

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Additional Insured extension of coverage is provided by above referenced liability policies where required by written agreement.

City of Mobile, AL Fireworks Display Date: July 4, 2025

Location: Barge @ USS ALABAMA, Mobile, AL 36602

Additional Insured: City of Mobile, AL and its employees; State of Alabama; Mobile Fire-Rescue, Community Risk Reduction, 2851 Old Shell Road, Mobile, AL36607

Policies are primary and non-contributing with any other insurance maintained by the City of Mobile. Coverage not subject to cancellation, non-renewal nor material change without 30 days or more (except 10 days for non-payment) prior written notice thereof to the City of Mobile, AL.

CERTIFICATE HOLDER**CANCELLATION**Mobile Fire-Rescue
Community Risk Reduction
2851 Old Shell Road
Mobile AL 36607

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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EXHIBIT C Contractor E-Verify Documentation

E-Verify Employer Search

Use the E-Verify search tool to find employers who are currently enrolled in E-Verify. Your search will display the following information:

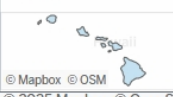
- **Employer name** – The name the employer used when they enrolled in E-Verify. This can be the business' legal name, a trade name, or an abbreviation.
- **Doing Business As (DBA) name** – The name an employer uses publicly. The public may see the DBA, but the employer may have used another name when they enrolled in E-Verify.
- **Account Status** – Indicates whether the account is currently enrolled or terminated.
- **Enrollment date** – The date the E-Verify Memorandum of Understanding is signed.
- **Termination Date** – The E-Verify Memorandum of Understanding termination date.
- **Workforce size** – Appears as long as the employer reported they have at least five employees.
- **Number of hiring sites** – The total number of locations where employers hire employees and where they complete Form I-9.
- **Hiring site locations** – The geographic location(s) of hiring sites, by state, reported by the employer.

Alaska

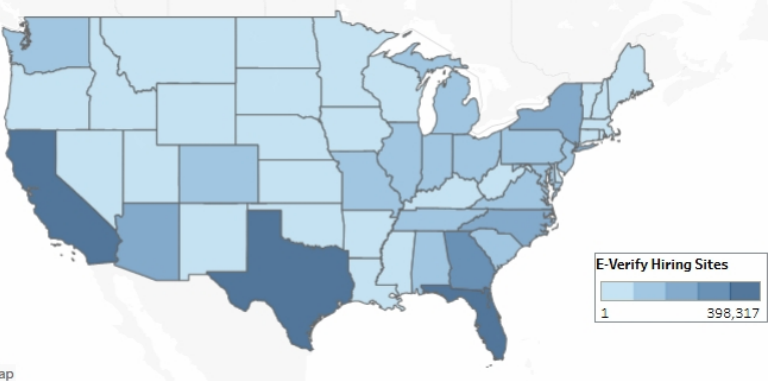


© Mapbox © OSM

Hawaii



© Mapbox © OSM
© 2025 Mapbox © OpenStreetMap



E-Verify Hiring Sites
1 398,317

Map based on search tool's full data set. Data refreshes every day at midnight. Color shows Total Hiring Sites by State. Map will act as a filter to the table.

Search Filters

[Table Only filter - Table data shows records by Last Updated Date in descending order and default filtered to show employers enrolled this year]

Business Name [Input Employer's legal name or DBA name]
pyrotecnico fireworks

Industry Type
(All)

Account Status
☒ Open
☒ Terminated

Opted into E-Verify+
☒ No
☒ Yes

State/Territory
(All)

Date Enrolled [Select last 30 years for all data]
Last 30 years

Total Records Filtered: 1

E-Verify Participating Employer List

Last Updated Date	Employer	Doing Business As	Account Status	Opted into E-Verify+	Date Enrolled	Date Terminated	Workforce Size	Hiring Site Locations
2/4/2025	Pyrotecnico Fireworks Ilc		Open	No	6/27/2022		100 to 499 PA	1



Business Entity Records

[Home](#) > [Government Records](#) > [Business Entity Records](#)

Pyrotecnico Fireworks Inc.	
Entity ID Number	000-634-260
Entity Type	Foreign Corporation
Principal Address	299 Wilson Road New Castle, PA 16101
Principal Mailing Address	PO Box 149 New Castle, PA 16103
Status	Exists
Place of Formation	Pennsylvania
Formation Date	02/18/1993
Qualify Date	06/16/2020
Registered Agent Name	Registered Agents Inc
Registered Office Street Address	212 W Troy Street STE B Dothan, AL 36303
Registered Office Mailing Address	212 W Troy Street STE B Dothan, AL 36303
Nature of Business	
Capital Authorized	
Capital Paid In	
Doing Business in AL Since	01/01/2020
Annual Reports	
Report Year	2024
Scanned Documents	
Purchase Document Copies	
Document Date / Type / Pages	06/16/2020 Certificate of Formation 2 pgs.

[Browse Results](#)[New Search](#)



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Robert Lasky, Executive Director of Public Safety

Sponsored by:

William Stimpson, Mayor

Purpose and Scope of Project:

To execute an agreement with Solid Waste Disposal Authority of Baldwin County Alabama to expend public funds for a public purpose served thereby to financially support the operations of SWDABCA in the geographical area of the City of Mobile for environmental enforcement and management.

Amount of Contract:

90000

Funding Source

10042086-42060

ATTACHMENTS:

1. Intergovernmental Agreement SWDA and City of Mobile
2. Solid Waste Disposal Authority of Baldwin County Resolution

REVIEWERS:

Kimberly Zirlott
Scott Collins
Cherlina Monteiro
James Barber

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF MOBILE AND
THE SOLID WASTE DISPOSAL AUTHORITY OF BALDWIN COUNTY ALABAMA**

This Intergovernmental Agreement ("Agreement") made and entered into on the date last signed below by and between the **City of Mobile**, a Municipal Corporation of the State of Alabama ("City"), and **Solid Waste Disposal Authority of Baldwin County, Inc** a public, nonprofit corporation authorized by application through the Baldwin County Commission of Baldwin County, Alabama, a body corporate, politic and political subdivision of the State of Alabama ("Authority").

RECITALS

WHEREAS, Counties and Municipalities in the State of Alabama may enter into mutual agreements for the public benefit; and

WHEREAS the City operates Recycling Drop-Off Centers which are strategically located in Mobile, Alabama, and at which individuals may deposit recyclable materials which have been removed from the City's solid waste stream; and

WHEREAS the recyclable materials collected in the City must be processed and sorted into separate commodities to facilitate their resale so that the recyclable materials may be recycled and put to beneficial use; and

WHEREAS, the Authority operates a Materials Recovery Facility ("MRF") in Baldwin County, Alabama, which processes recyclable materials;

WHEREAS, the Authority is a public corporation organized and existing under the provisions of the Alabama Solid Waste Disposal Authority Act, Ala. Code § 11-89A-1 et seq., as authorized by the Baldwin County Commission; and

WHEREAS the City finds it beneficial and in furtherance of public purpose to deliver the recyclable materials which have been removed from the City's solid waste stream and collected at its Recycling Drop-off Centers during the term of the agreement to the Authority so that the recyclable materials may be processed, segregated into recyclable commodities, and put to beneficial use; and

WHEREAS the Parties desire to clarify the terms and conditions under which the City may deliver, and the Authority may accept recyclable materials collected by the City.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the sufficiency of which being hereby acknowledged, the City and the Authority do hereby agree as follows:

1. RECITALS

The recitals contained in the preamble to this Agreement are declared to be true and correct and are hereby incorporated into this Agreement.

2. DEFINITIONS. The following definitions shall apply to this Agreement:

- A. *Recyclable Materials*: Materials that the Authority can collect that can be processed and manufactured into new products after they have been used, including without limitation plastics #1-7, mixed paper, cardboard and other fiber, aluminum, steel and tin.
- B. *Single Stream Recyclables*: used herein shall be defined as the following items: aluminum cans, steel cans, tin cans, mixed paper, plastic (types 1-7), and cardboard. These Items can be either mixed or separated.
- C. *Excluded Materials*: Any radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, biohazardous, regulated medical, hazardous waste, industrial solid waste, or toxic substances; or material, garbage, or household waste, as defined by, characterized or listed under applicable federal, state, or local laws or regulations.
- D. *Contaminated Recyclables*: used herein shall be defined as any recyclable materials comingled with municipal solid waste. The Authority will not process any recyclables contaminated with municipal solid waste.

3. TERM

The initial term of this agreement shall commence immediately upon execution by both the City and the Authority and shall continue for a period of three (3) years or thirty-six (36) months, subject to annual appropriation by the Mobile City Council. Thereafter, the Parties may extend the term for two additional one-year periods upon mutual written agreement signed by both parties.

4. COMPENSATION

The City shall compensate the Authority for services rendered under this Agreement in accordance with the fee schedule set forth in Exhibit A, attached hereto and incorporated herein by reference. Compensation shall be calculated as follows: (i) at a flat rate of Forty-Three and No/100 Dollars (\$43.00) per ton for Commodity – Out of County – Single Stream Commercial materials, (ii) at a flat rate of Twenty-Five and No/100 Dollars (\$25.00) per ton for contaminated recyclables, and (iii) at a flat rate of Twenty and No/100 Dollars (\$20.00) per ton for separated commodities, including aluminum cans, plastics types 1–7, mixed paper, and cardboard, with all weights to be determined at the scale house operated by the Authority. In no event shall the total annual compensation due to the Authority under this Agreement exceed Ninety Thousand and No/100 Dollars (\$90,000.00) without a formal amendment executed by both parties. Provided, however, that (i) the City shall be solely responsible for tracking the total annual compensation due to the Authority under this Agreement, and (ii) nothing herein shall be deemed to excuse payment by the City should the City continue to deliver Recyclable Materials to the Authority after exceeding said \$90,000 limitation. Exhibit A, including the fee schedule contained therein, may be modified or amended only by written agreement executed

by duly authorized representatives of both the City and the Authority. No verbal modifications, agreements, or representations shall be effective to alter or amend the terms of Exhibit A.

5. BILLING

The Authority shall send a bill to the City within fifteen (15) calendar days of the end of each month of the calendar year which reflects all charges to the City pursuant to paragraph 4., above. All charges shall be paid by the City within thirty (30) days of undisputed invoice receipt.

6. OBLIGATIONS OF THE AUTHORITY

Beginning on the effective date and throughout the term of this Agreement, Authority agrees to accept all Recyclable Materials delivered by the City with the exception of "Excluded Materials" and "Contaminated Recyclable" Materials as defined herein above.

7. OBLIGATIONS OF THE CITY

The City agrees to familiarize itself with the Authority's published policies concerning Recyclable Materials. The City further agrees to the following in exchange for delivering recyclable materials to the Materials Recovery Facility operated by the Authority:

A. Recyclable Materials.

The City agrees to deliver (including through its contractors or agents, as the case may be) Recyclable Materials to the MRF and to pay the Authority according to the schedule attached hereto as Exhibit A. Title to recyclable materials shall pass to the Authority when they are deposited at the MFR.

Nothing contained herein shall be construed as a waiver of any rights, defenses, or immunities available to the City under the Constitution and laws of the State of Alabama, including without limitation §§ 11-47-190 and 11-93-2, Ala. Code 1975.

B. Contamination

The City agrees to only deliver Recyclable Materials to the MRF. The City agrees not to deposit or permit the deposit at the MRF of any Excluded Materials. The City will take all reasonable steps to ensure that only Recyclable Materials will be delivered to the MRF. Title to and liability for Excluded Materials shall remain with City at all times. The Authority is under no obligation to accept Recyclable Materials which are contaminated by Excluded Materials and, in its sole and absolute discretion, can reject any delivery of Recyclable Materials that are contaminated. City understands that it is subject to additional charges for delivering contaminated Recyclable Materials as set forth in the Authority's policies. Nothing contained herein shall be construed as a waiver of any rights, defenses, or immunities available to the City under the Constitution and laws of the State of Alabama, including without limitation §§ 11-47-190 and 11-93-2, Ala. Code 1975

8. COMPLIANCE WITH LAW AND PROCEDURE

The Authority and the City shall perform their respective obligations under this Agreement in compliance with all Applicable Law. The City shall transport and handle recyclable material in its control in a safe and workmanlike manner and in full compliance with Applicable Law. The Authority shall maintain throughout the term of this Agreement, all permits, licenses, certificates, and approvals required by Applicable Law for the operation of the Materials Recycling Facility.

A. Notice of Legal Noncompliance:

In the event either Party becomes aware of any actual or potential noncompliance with any applicable law, regulation, permit, license, or governmental order that would materially affect the performance of this Agreement, such Party shall promptly notify the other Party in writing. The notice shall describe the nature of the noncompliance, its potential impact on the performance of this Agreement, and the corrective actions, if any, being undertaken to address the issue.

9. INDEMNIFICATION

- A. Authority Indemnity. The Authority shall indemnify, defend, and hold harmless the City, its elected officials, officers, employees, and agents from and against any and all claims, demands, losses, damages, liabilities, fines, penalties, costs, and expenses (including reasonable attorneys' fees) **to the extent caused by the negligent or willful acts or omissions of the Authority, its employees, contractors, or invitees** in connection with this Agreement.
- B. City Indemnity. The City shall indemnify, defend, and hold harmless the Authority, its board members, officers, employees, and agents from and against any and all claims, demands, losses, damages, liabilities, fines, penalties, costs, and expenses (including reasonable attorneys' fees) **to the extent caused by the negligent or willful acts or omissions of the City, its employees, contractors, or invitees** in connection with this Agreement, including without limitation claims, demands, losses, damages, liabilities, fines, penalties, costs, and expenses (including reasonable attorneys' fees) caused by the inclusion of Excluded Materials in the Recyclable Materials.
- C. Statutory Limits Preserved. Nothing in this Section shall be construed as a waiver of any defenses, immunities, or limitations of liability available to either party under **§§ 11-47-190 or 11-93-1 et seq., Code of Alabama (1975)**, or other applicable law; all such protections are expressly preserved.
- D. Procedure. A party seeking indemnification shall give the other prompt written notice of any claim and reasonable cooperation in the defense. The indemnifying party shall not settle any claim in a manner that imposes non-monetary obligations on the indemnified party without its prior written consent.

10. TERMINATION.

The Parties shall have the right to terminate this Agreement upon thirty (30) calendar day's written notice if, in the Parties sole discretion, the services provided herein become economically infeasible for any reason, including, without limitation, a lack of subscribers, a material change in operational costs, a material change in the value of Recyclable Materials, or a change in applicable laws, ordinances, rules or regulations which frustrate the purpose of this Agreement.

11. EVENTS OF DEFAULT

A Party shall be in default of this Agreement only upon the expiration of written notice of default from the other Party specifying the particulars in which such Party has failed to perform its obligations under this Agreement unless such Party, has rectified the particulars specified in said notice of default within the specified time period; provided, however, that such Party shall not be deemed to be in default if such failure [except a failure to pay money] cannot be rectified within said thirty (30) calendar day period and such Party is using good faith and commercially reasonable and diligent efforts to rectify the particulars specified in the notice of default.

12. NOTICES

- A. The City of Mobile Authorized Agent, authorized to act on the City's behalf with respect to the Agreement is Robert Lasky, Executive Director of Public Safety or the Director's designated representative, Lance Slater, Capital Improvement Project Manager.
- B. Any notices of default or termination shall be sufficient if sent by parties via United States Certified mail, postage paid, or via nationally recognized delivery service, to the address listed below:

CITY:
City of Mobile
Executive Director of Public Works
P.O. Box 1827
Mobile AL, 36633-1827

AUTHORITY:
The Solid Waste Disposal Authority
of Baldwin County, Inc.
c/o Terri Graham
As: Chief Executive Officer
15093 Landfill Drive
Summerdale, AL 36580

ATTN: Legal Department
P.O. Box 1827
Mobile, AL 36633-1827

- C. Any change in the City's Department Head or the Contractor's Representative will be promptly communicated by the party making the change.

13. FORCE MAJEURE

No Party shall be liable or responsible to the other Party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement (except for any obligations to make previously owed payments to the other Party hereunder) when and to the extent such failure or delay is caused by or results from acts beyond the impacted Party's ("Impacted Party") reasonable control, including, without limitation, the following force majeure events ("Force Majeure Event(s)") that frustrates the purpose of this Agreement: (a) acts of God; (b) flood, fire, earthquake or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot or other civil unrest; (d) government order or law; (e) actions, embargoes or blockades in effect on or after the date of this Agreement; (f) action by any governmental authority; (g) national or regional emergency; (h) strikes, labor stoppages or slowdowns or other industrial disturbances; (i) epidemic, pandemic, or similar influenza or bacterial infection (which is defined by the United States Center for Disease Control as virulent human influenza or infection that may cause global outbreak, or pandemic, or serious illness); (j) emergency state; (k) shortage of adequate supplies and equipment; (l) shortage of power or transportation facilities; and (m) other similar events beyond the reasonable control of the Impacted Party.

14. ASSIGNMENT

This Agreement or any interest herein shall not be assigned, transferred, or otherwise encumbered under any circumstances by any Party without the prior written consent of all other Parties. Any attempted assignment without consent shall be void.

15. RELATIONSHIP

In making and performing this Agreement, the parties are acting and shall act as independent contractors. Neither party will be deemed to be an agent, legal representative, joint venturer, or partner of the other for any purpose. Except as expressly permitted hereunder, neither party will be entitled to (a) enter into any contracts in the name of or on behalf of the other, (b) pledge the credit of the other in any way or hold itself or themselves out as having authority to do so, or (c) make commitments or incur any charges or expenses for or in the name of the other. Neither the Customer's personnel nor the Authority's personnel are, nor shall they be deemed to be at any time during the term of this Agreement, employees of the other.

16. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama, and the Parties stipulate that venue for any matter which is the subject of this Agreement shall be in Baldwin County, Alabama.

17. SEVERABILITY

The provisions of this Agreement are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this Agreement.

18. COMPLIANCE WITH IMMIGRATION LAW

By signing this Agreement, the contracting parties affirm, for the duration of this Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of this Agreement and shall be responsible for all damages resulting therefrom.

19. COMPLETE AGREEMENT

This Agreement and any exhibits hereto set out the complete terms and conditions agreed upon by the parties. No amendment, modification, or supplement of any provision of this Agreement or any exhibit hereto will be valid or effective unless made in writing and signed by the duly authorized representatives of the parties.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Materials Recovery Facility Agreement as follows:

SOLID WASTE DISPOSAL AUTHORITY OF BALDWIN COUNTY, ALABAMA, INC.

Terri Graham 5.14.25

BY: TERRI GRAHAM /DATE

CHIEF EXECUTIVE OFFICER

ATTEST:

Kelly L. DiAngelo 5.14.25

(State of Alabama)

(County of Baldwin)

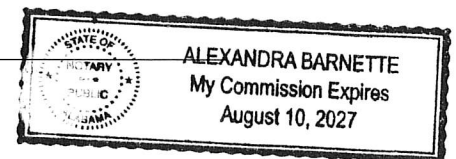
I, Alexandra B. Barnette, Notary Public in and for said County, in said State, hereby certify that, Terri Graham, whose name as Chief Executive Officer of Solid Waste Disposal Authority of Baldwin County, Alabama, Inc. who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument and with full authority, they executed the same on behalf of said authority.

Given under my hand and official seal, this the 14th day of May, 2025.

Alexandra B. Barnette

Notary Public

My Commission Expires:



CITY OF MOBILE

By: _____
William S. Stimpson, Mayor
Date: _____

ATTEST:

City Clerk

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are authorized to execute and attest, respectively, for and on behalf of the City of Mobile, the Intergovernmental Agreement between the City of Mobile and the Solid Waste Disposal Authority of Baldwin County Alabama, attached hereto or one with wording substantially similar, and made apart hereof, as thou set forth in full, to expend public funds for public purpose served thereby to financially support the operations of SWDABC in the geographical area of the City of Mobile for environmental enforcement and management, and to take such further action necessary to effectuate the Agreement. A copy of said contract is on file in the office of the City Clerk.

Adopted: _____

City Clerk



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Scott Collins, Executive Director of Finance

Sponsored by:

William Stimpson, Mayor

Purpose and Scope of Project:

Extend WAVE Transit services for 90 days.

Amount of Contract:

Funding Source

ATTACHMENTS:

1. Resolution To Extend TransDev (First Transit) Contract
2. Resolution To Extend TransDev (First Transit) Contract

REVIEWERS:

Scott Collins
Cherlina Monteiro
James Barber

RESOLUTION

Sponsored by: Mayor William S. Stimpson

Submitted by: Scott Collins, Executive Director of Finance

WHEREAS, the current transit services contract between the City of Mobile and TransDev (formerly First Transit) expires on June 30, 2025; and

WHEREAS, the city is currently reviewing its transit service and evaluating opportunities for improvements to its public transportation; and

WHEREAS, TransDev is a valuable partner to the city and will be engaged in the transit system evaluation process; and

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA,

that the City of Mobile hereby agrees to extend by ninety (90) days the existing contract between the City of Mobile and TransDev (formerly First Transit) by amending the expiration date of the existing contract from June 30, 2025, to September 30, 2025. All other language and provisions within the contract shall remain unchanged and in force.

Adopted:

City Clerk

RESOLUTION

Sponsored by: Mayor William S. Stimpson

Submitted by: Scott Collins, Executive Director of Finance

WHEREAS, the current transit services contract between the City of Mobile and TransDev (formerly First Transit) expires on June 30, 2025; and

WHEREAS, the city is currently reviewing its transit service and evaluating opportunities for improvements to its public transportation; and

WHEREAS, TransDev is a valuable partner to the city and will be engaged in the transit system evaluation process; and

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA,

that the City of Mobile hereby agrees to extend by ninety (90) days the existing contract between the City of Mobile and TransDev (formerly First Transit) by amending the expiration date of the existing contract from June 30, 2025, to September 30, 2025. All other language and provisions within the contract shall remain unchanged and in force.

Adopted:

City Clerk



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

John Paine, Purchasing Agent

Sponsored by:

Mayor William S. Stimpson

Purpose and Scope of Project:

To approve issuance of purchase order to CDW Government LLC for annual subscription renewal for SonicWall network firewall software for MIT

Amount of Contract:

\$34,691.21

Funding Source

General fund.

ATTACHMENTS:

1. 20250522 CDW Agenda Package POs

REVIEWERS:

Donald Rose

James Barber

AGENDA ITEM SUMMARY SHEET

[Print Page](#)[Reset](#)

Agenda of: 27 May 2025
Date

Item No. _____

Submitted by: _____
Procurement
Department

John Paine, Purchasing Agent
Department Head

Sponsored by: _____
William S. Stimpson
Name

Mayor
Title

Reviewed by: _____
Executive Director

Routing Authorized: _____
James Barber
Mayor's Office

Date

A brief synopsis and explanation of the following:

PROJECT NAME: Approval of Purchase Order to CDW Government LLC

PURPOSE & SCOPE OF PROJECT:

To approve issuance of purchase order to CDW Government LLC for annual subscription renewal for
SonicWall network firewall software for MIT
General fund.

RESOLUTION ☒

ORDINANCE ☐

OTHER ☐

AMOUNT OF CONTRACT: \$34,691.21

FUNDING SOURCE:

Budget Item: See Requisitions

Discretionary Funds: _____

Budget amendment: REDUCE ☐ INCREASED ☐

Grant funds: _____

Matching funds: _____

Associated Costs:

Current year (itemize)

Type: _____

Amount: _____

Future years

Year: _____

Amount: _____

**If Cost will continue, write "indefinite" and list project annual-cost.*

Effective date of contract: On issuance to vendor.

Renewal date of contract (if applicable): _____

If not bid, state reason: Bid exempt as software

How many bidders received bid packages (if applicable): na

How many bidders submitted bids (if applicable): na

If this is not the lowest bid, explain why not:

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>24881</u>	2025	(5000) INFORMATION TECHNOLOGY	ANNUAL SUBSCRIPTION RENEWAL FOR SONICWALL NETWORK FIREWALL SOFTWARE FOR MIT (BID EXEMPT AS SOFTWARE)	\$34,691.21	<u>(272932) CDW GOVERNMENT LLC</u>

Adopted:

City Clerk

Bill To ACCOUNTS PAYABLE P O BOX 389 MOBILE, AL 36601 vendorinvoices@cityofmobile.org	Requisition 00024881-00 FY 2025 Acct No: 1000.10.23.5000.5000.5000.0000.0000.42150. Review: Buyer: 9105fola Status: Approved	Page 1
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Vendor CDW GOVERNMENT LLC 230 N MILWAUKEE AVE VERNON HILLS, IL 60061 Tel#877-501-2756 Fax 312-705-0431	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 ASHLEY.TODD@CITYOFMOBILE.ORG Delivery Reference CHATU Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602
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Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
05/21/25	272932	05/21/25			INFORMATION TECHNOLOGY

LN Description / Account	Qty	Unit Price	Net Price
General Notes			

001	PER STATE OF ALABAMA CONTRACT SVAR_AL_L_ALABAMA NVP ITEM: SonicWall Advanced Protection Service Suite subscription license 1 year Supplier Part No: 6615550 Manufacturer Part No: 02-SSC-9370 Manufacturer Name: SonicWALL Software & Supp Supplier Quote No: 43387:PKXG221 695ce0e5dd08425fa6f70 6b45fb7e714 NIGP: UNSPSC: 43000000	1.00 EACH	34691.21000	34691.21
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1	1000.10.23.5000.5000.5000.0000.0000.42150.	34691.21
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Ship To
 MIT
 651 CHURCH STREET
 MOBILE, AL 36602
 Delivery Reference
 CHATU

Deliver To
 MIT
 651 CHURCH STREET
 MOBILE, AL 36602

[Requisition Link](#)

Bill To ACCOUNTS PAYABLE P O BOX 389 MOBILE, AL 36601 vendorinvoices@cityofmobile.org	Requisition 00024881-00 FY 2025 Acct No: 1000.10.23.5000.5000.5000.0000.0000.42150. Review: Buyer: 9105fola Status: Approved
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Page 2

Vendor CDW GOVERNMENT LLC 230 N MILWAUKEE AVE VERNON HILLS, IL 60061 Tel#877-501-2756 Fax 312-705-0431	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 ASHLEY.TODD@CITYOFMOBILE.ORG Delivery Reference CHATU Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602
---	--

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
05/21/25	1272932	05/21/25			INFORMATION TECHNOLOGY

LN Description / Account	Requisition Total	Qty	Unit Price	Net Price
				34691.21

***** General Ledger Summary Section *****

Account	Amount	Remaining Budget
1000.10.23.5000.5000.5000.0000.0000.42150.	34691.21	1871426.23
INFORMATION TECHNOLOGY EXP	MAINTENANCE & REPAIRS	

***** Approval/Conversion Info *****

Activity	Date	Clerk	Comment
Approved	05/21/25	GREG HOLLIDAY	Auto approved by: 91057606
Approved	05/21/25	SCOTT KEARNEY	
Approved	05/21/25	UDARA JAYASENA	Auto approved by: 91057606
Approved	05/21/25	DONALD ROSE	Auto approved by: 9105fola
Approved	05/21/25	SANDRA LEWIS	Auto approved by: 9105fola
Approved	05/21/25	STEVEN KRONINGER	Auto approved by: 9105fola
Approved	05/21/25	SAMANTHA COOLEY	Auto approved by: 9105fola
Approved	05/21/25	CLAUDE BUERGER IV	Auto approved by: 9105fola
Approved	05/21/25	ANNE FOLEY	
Approved	05/21/25	JOHN PAINE	Auto approved by: 9105fola

Authorized By: _____ Date: _____
 Signature



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

John Paine, Purchasing Agent

Sponsored by:

Mayor William S. Stimpson

Purpose and Scope of Project:

To approve issuance of purchase order to Howard Industries Inc for annual renewal of Filewave network endpoint management software for MIT

Amount of Contract:

\$23,679.00

Funding Source

General fund

ATTACHMENTS:

1. 20250522 Howard Agenda Package POs

REVIEWERS:

Donald Rose

James Barber

AGENDA ITEM SUMMARY SHEET

Print Page Reset

Agenda of: 27 May 2025 Date Item No. _____

Submitted by: Procurement Department John Paine, Purchasing Agent Department Head

Sponsored by: William S. Stimpson Name Mayor Title

Reviewed by: _____ Executive Director

Routing Authorized: James Barber Mayor's Office _____ Date

A brief synopsis and explanation of the following:

PROJECT NAME: Approval of Purchase Order to Howard Industries Inc

PURPOSE & SCOPE OF PROJECT:

To approve issuance of purchase order to Howard Industries Inc for annual renewal of Filewave
network endpoint management software for MIT
General fund.

RESOLUTION ☒ ORDINANCE ☐ OTHER ☐

AMOUNT OF CONTRACT: 23,679.00

FUNDING SOURCE:

Budget Item: See Requisitions Discretionary Funds: _____

Budget amendment: REDUCE ☐ INCREASED ☐

Grant funds: _____ Matching funds: _____

Associated Costs:

Current year (itemize)
Type: _____ Amount: _____

Future years
Year: _____ Amount: _____

**If Cost will continue, write "indefinite" and list project annual-cost.*

Effective date of contract: On issuance to vendor.

Renewal date of contract (if applicable): _____

If not bid, state reason: Bid exempt as software

How many bidders received bid packages (if applicable): na

How many bidders submitted bids (if applicable): na

If this is not the lowest bid, explain why not:

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>24702</u>	2025	(5000) INFORMATION TECHNOLOGY	ANNUAL SUBSCRIPTION RENEWAL FOR FILEWAVE NETWORK ENDPOINT MANAGEMENT SOFTWARE FOR MIT (BID EXEMPT AS SOFTWARE)	\$23,679.00	<u>(292451)</u> <u>HOWARD</u> <u>INDUSTRIES INC</u>

Adopted:

City Clerk

Bill To ACCOUNTS PAYABLE P O BOX 389 MOBILE, AL 36601 vendorinvoices@cityofmobile.org	Requisition 00024702-00 FY 2025 Acct No: 1000.10.23.5000.5000.5000.0000.0000.42115. Review: Buyer: 9105fola Status: Approved	Page 1
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Vendor HOWARD INDUSTRIES INC P O BOX 1588 LAUREL, MS 39441 Tel#601-399-5831 Fax 601-399-5077	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 ASH Delivery Reference GREG HOLLIDAY Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602
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Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
05/16/25	292451	05/16/25			INFORMATION TECHNOLOGY

LN	Description / Account	Qty	Unit Price	Net Price
General Notes				

001	PER OMNIA CONTRACT #01-145 AND YOUR QUOTE #JM26 1523867. Hosting Fee MPN: Hosting Fee Contract: Omnia Partners Contract 01-145	1.00 EACH	1379.00000	1379.00
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1	1000.10.23.5000.5000.5000.0000.0000.42115.			1379.00
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Ship To
 MIT
 651 CHURCH STREET
 MOBILE, AL 36602
 Delivery Reference
 GREG HOLLIDAY

Deliver To
 MIT
 651 CHURCH STREET
 MOBILE, AL 36602

002	Mobile License Android/iOS/tvos PUBLIC/GOVT MPN: MLA-IT-PG Contract: Omnia Partners Contract 01-145	700.00 EACH	9.00000	6300.00
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1	1000.10.23.5000.5000.5000.0000.0000.42115.			6300.00
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Bill To ACCOUNTS PAYABLE P O BOX 389 MOBILE, AL 36601 vendorinvoices@cityofmobile.org	Requisition 00024702-00 FY 2025 Acct No: 1000.10.23.5000.5000.5000.0000.0000.42115. Review: Buyer: 9105fola Status: Approved	Page 2
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Vendor HOWARD INDUSTRIES INC P O BOX 1588 LAUREL, MS 39441 Tel#601-399-5831 Fax 601-399-5077	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 ASH Delivery Reference GREG HOLLIDAY Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602
---	---

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
05/16/25	292451	05/16/25			INFORMATION TECHNOLOGY

LN	Description / Account	Qty	Unit Price	Net Price
	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 Delivery Reference GREG HOLLIDAY Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602			
003	Desktop Client License win/Mac PUBLIC/GOVT MPN: DCLW-MPG Contract: Omnia Partners Contract 01-145	800.00 EACH	20.00000	16000.00
1	1000.10.23.5000.5000.5000.0000.0000.42115.			16000.00
	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 Delivery Reference GREG HOLLIDAY Deliver To MIT 651 CHURCH STREET			

Bill To ACCOUNTS PAYABLE P O BOX 389 MOBILE, AL 36601 vendorinvoices@cityofmobile.org	Requisition 00024702-00 FY 2025 Acct No: 1000.10.23.5000.5000.5000.0000.0000.42115. Review: Buyer: 9105fola Status: Approved	Page 3
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Vendor HOWARD INDUSTRIES INC P O BOX 1588 LAUREL, MS 39441 Tel#601-399-5831 Fax 601-399-5077	Ship To MIT 651 CHURCH STREET MOBILE, AL 36602 ASH Delivery Reference GREG HOLLIDAY Deliver To MIT 651 CHURCH STREET MOBILE, AL 36602
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Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
05/16/25	292451	05/16/25			INFORMATION TECHNOLOGY

LN Description / Account	Qty	Unit Price	Net Price
MOBILE, AL 36602			

[Requisition Link](#)

Requisition Total 23679.00

***** General Ledger Summary Section *****

Account	Amount	Remaining Budget
1000.10.23.5000.5000.5000.0000.0000.42115.	23679.00	1871426.23
INFORMATION TECHNOLOGY EXP SOFTWARE COSTS		

***** Approval/Conversion Info *****

Activity	Date	Clerk	Comment
Approved	05/16/25	GREG HOLLIDAY	Auto approved by: 91057606
Approved	05/16/25	SCOTT KEARNEY	
Approved	05/16/25	UDARA JAYASENA	Auto approved by: 91057606
Approved	05/21/25	DONALD ROSE	Auto approved by: 9105fola
Approved	05/21/25	SANDRA LEWIS	Auto approved by: 9105fola
Approved	05/21/25	STEVEN KRONINGER	Auto approved by: 9105fola
Approved	05/21/25	SAMANTHA COOLEY	Auto approved by: 9105fola
Approved	05/21/25	CLAUDE BUERGER IV	Auto approved by: 9105fola
Approved	05/21/25	ANNE FOLEY	
Approved	05/21/25	JOHN PAINE	Auto approved by: 9105fola

Authorized By: _____ Date: _____
 Signature



CAPITAL CONTRACT SUMMARY SHEET

C#5388



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Jennifer Greene, Dir of Programs & Project Mgmt

Sponsored by:

William Stimpson, Mayor

Gina Gregory, Councilmember

Purpose and Scope of Project:

The attached construction engineering and inspection services contract is between McCrory & Williams, Inc. and the City of Mobile for the amount of \$90,000.00. The scope of work for this project is to redevelop exiting drainage features within Langan Park to handle storm water volumes by implementing low impact development and green infrastructure practices that mimic methods that are more natural and aesthetically pleasing. This scope of work for this contract is to provide construction inspection services for the Stormwater Improvement portion of the construction contract currently working through the approval process.

Amount of Contract:

\$90,000

Funding Source

C0647

ATTACHMENTS:

1. Cover Letter Langan Stormwater CE&I
2. Langan Stormwater CE&I_Agreement_RESOLUTION
3. Stormwater MCW CEI Contract(VS CLEAN 5.20.25)
4. Langan Lake Proposal for Stormwater Improvements CEI
5. Capital Contract Summary Sheet Langan CE&I

REVIEWERS:

Jennifer Greene

Nicholas Amberger

Brenda Rhodes
Cherlina Monteiro
James Barber

May 21, 2025



Dear Councilmembers:

The attached construction engineering and inspection services contract is between McCrory & Williams, Inc. and the City of Mobile for the amount of \$90,000.00. The scope of work for this project is to redevelop exiting drainage features within Langan Park to handle storm water volumes by implementing low impact development and green infrastructure practices that mimic methods that are more natural and aesthetically pleasing. This scope of work for this contract is to provide construction inspection services for the Stormwater Improvement portion of the construction contract currently working through the approval process.

We look forward to continued communication on this important project. Please call Jennifer Greene with questions at 251-208-7199 or email at jennifer.greene@cityofmobile.org.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Greene'.

Jennifer Greene
Director, Programs and Project Management
Department of Engineering and Infrastructure

R E S O L U T I O N

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, between the City of Mobile and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as set forth in full. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: McCrory & Williams, Inc.

Project Name: Langan Park Stormwater Improvements
COM Project No. 2021-2045-01

Cost: \$90,000.00

Adopted:

City Clerk



**LANGAN PARK STORM WATER:
CONSTRUCTION ENGINEERING AND
INSPECTION SERVICES**

PROJECT NO. 2021-2045-01

**ENGINEER:
MCCRORY & WILLIAMS, INC.**



**STATE OF ALABAMA
CITY OF MOBILE**

CONTRACT

This AGREEMENT made and entered into this _____ day of _____, 2025, by and between the CITY OF MOBILE, ALABAMA (hereinafter called the CITY), acting by and through its MAYOR and CITY COUNCIL, and **McCrorry & Williams, Inc.** (hereinafter called the "ENGINEER").

WITNESSETH, that in consideration of the mutual covenants and agreements herein contained, the parties hereto do mutually agree as follows:

I. DEFINITIONS

The following terms and their definitions shall apply:

ALDOT – State of Alabama Department of Transportation

ADEM – Alabama Department of Environmental Management

CITY – City of Mobile, Alabama; Programs & Project Management

CITY COUNCIL – Mobile City Council, the governing body of the City of Mobile, Alabama, the party of the first part of the Agreement.

CITY ENGINEER – That person designated by the CITY as CITY ENGINEER or his appointed assistants.

CONTRACT – Whenever the word "CONTRACT" is used it shall be held to mean this executed document and any and all exhibits and attachments comprising the written agreement between the City of Mobile and the ENGINEER setting forth the obligations of the parties hereunder for the performance of the prescribed work.

CONTRACTOR – An individual, corporation, partnership, or other entity selected to perform any or all construction services.

ENGINEER – The engineering company assigned to perform engineering and construction inspection services for this PROJECT. The engineering company so assigned to this PROJECT is **McCrary & Williams, Inc.**

INSPECTOR – An authorized representative of the ENGINEER, assigned to make inspections of the PROJECT.

MATERIAL TESTING FIRM - An authorized firm, hired by the City, to perform laboratory services and testing of materials.

NOTICE TO PROCEED – A written notice to proceed issued by the PROJECT MANAGER either for the Pre-Bid to Pre-Construction Phase, and/or the Construction Phase, as set out in Section III.

PROJECT – Langan Park Storm Water: Construction Engineering and Inspection SERVICES, Project No. 2021-2045-01. This CONTRACT is for civil engineering, construction inspection and administration, for redevelopment and modernization of existing drainage features within Langan Park to handle storm water volumes by implementing low impact development and green infrastructure practices that mimic methods that are more natural to treating and infiltrating stormwater (See Exhibit A for approximate locations).

PROPOSAL – The proposal attached in Exhibit C dated April 25, 2025, outlining professional services that will be provided and the estimated cost of the PROJECT as determined and provided by ENGINEER pursuant to Section III herein.

PROJECT ENGINEER – A registered Professional Engineer licensed in the State of Alabama who is an authorized representative of the **ENGINEER**.

PROJECT MANAGER – An individual designated by the CITY OF MOBILE as PROJECT MANAGER in the Programs & Project Management Department

STANDARD SPECIFICATIONS – Alabama Department of Transportation Standard Specifications for Highway Construction, 2022 edition, with all latest additions and modifications by the Engineering Department of the City of Mobile, on file in the office of the PROJECT MANAGER.

TECHNICAL SPECIFICATIONS – Technical specifications written for this PROJECT and provided by the ENGINEER.

II. STANDARDS

The CITY hereby retains the ENGINEER and the ENGINEER agrees to perform for the CITY the professional engineering services in connection with the PROJECT. Professional engineering services shall include all work necessary to the performance in proper sequence of the items of work as hereinafter set forth. The ENGINEER, in the preparation of plans and any other items pertaining to this PROJECT, will meet the requirements for conformance with the TECHNICAL SPECIFICATIONS provided for the project, and STANDARD SPECIFICATIONS, adopted by the State of Alabama Department of Transportation, and applicable local ordinances, and will ascertain the practices of the CITY prior to beginning any work on this PROJECT. All work required

under this CONTRACT will be performed in accordance with these specifications, standards and any special requirements hereinafter set forth. All work performed by the ENGINEER under this CONTRACT will be submitted to the CITY for review and administrative approval only.

III. SCOPE OF WORK

The ENGINEER shall ensure that all engineers, technical staff, inspectors, observers and agents are duly licensed and qualified as to any duties assigned by, or the responsibility of, the ENGINEER. The parties agree that throughout the life of the contract that the ENGINEER shall submit in writing to the PROJECT MANAGER, all qualifications of all engineers, technical staff, inspectors, observers, agents and any substitutions, replacements or additions prior to appointment or use by the ENGINEER. Although the PROJECT MANAGER shall have the right to suspend the work wholly, or in part, due to any inadequacies, as opined by the PROJECT MANAGER, of any of ENGINEER'S technical staff, inspectors, observers, engineers or agents, all acts by the ENGINEER, or ENGINEER'S technical staff, inspectors, observers, engineers or agents are the sole responsibility and liability of the ENGINEER.

The scope of work for this project consists of the Construction Phase and Closeout Phase.

1. Quality Assurance

- a. ENGINEER shall require the CONTRACTOR to ensure quality assurance during construction. The CONTRACTOR's quality assurance shall be conducted in general conformance to procedures set forth in the TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS and the requirements of the National Pollution Discharge Elimination System (NPDES) Storm Water Discharge General Permit, if applicable. The ENGINEER shall require the CONTRACTOR to maintain on-site a copy of the TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS and the ENGINEER shall ensure that all of the personnel involved in the construction phase of the project are thoroughly familiar with the provisions of the TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS.

2. Compliance with Plans and Specifications

The ENGINEER shall enforce all requirements of the plans and specifications for compliance with quality, quantity, materials, and measurements excluding safety.

- a. The ENGINEER shall supply lines and grades for the improvements undertaken, including those for the control of the work. This shall include setting lines and grade stakes and control points throughout the PROJECT. The CONTRACTOR shall be responsible for maintenance of the line and grade stakes.
- b. The ENGINEER shall inform and coordinate with the material testing firm contracted by the CITY, to perform materials testing and associated services.

- c. The ENGINEER shall ensure the materials comply with specifications by continuous coordination and communication with the material testing firm assigned by the CITY.
- d. The ENGINEER shall review construction invoices, verify quantities, and certify accuracy for submittal to and approval and payment by the CITY.
- e. The ENGINEER shall provide construction administration and be in responsible charge of the project.

3. PROJECT Observation/Inspection

- a. The ENGINEER shall appoint a competent INSPECTOR, capable of reading and thoroughly understanding the plans and specifications and thoroughly experienced in the type of work to be performed, who shall work under the direct supervision of a registered PROJECT ENGINEER. The INSPECTOR shall be experienced and qualified to determine the requirements of the plans and specifications. The ENGINEER shall ensure that all engineers, technical staff, inspectors, observers and agents are duly licensed and qualified as to any duties assigned by, or the responsibility of, the ENGINEER. The parties agree that throughout the life of the contract that the ENGINEER shall submit in writing to the PROJECT MANAGER, all qualifications of all engineers, technical staff, inspectors, observers, agents and any substitutions, replacements or additions prior to appointment or use by the ENGINEER. Although the PROJECT MANAGER shall have the right to suspend the work wholly, or in part, due to any inadequacies, as opined by the PROJECT MANAGER, of any of ENGINEER'S technical staff, inspectors, observers, engineers or agents, all acts by the ENGINEER, or ENGINEER'S technical staff, inspectors, observers, engineers or agents are the sole responsibility and liability of the ENGINEER.
- b. The CITY reserves the right to require replacement of any INSPECTOR considered to be unqualified for the work. The duty of the INSPECTOR is to determine CONTRACTOR compliance with the plans and specifications. Nothing contained herein shall be construed to mean that the INSPECTOR or the ENGINEER's agent controls or assumes a right to the manner in which the CONTRACTOR performs the work.
- c. The PROJECT MANAGER reserves the right to appoint department representatives to observe all plans and works of the ENGINEER. The appointed CITY representatives shall have access to all plans, drawings, specifications and reports of the ENGINEER relating to the PROJECT.
- d. The CITY will retain a material testing firm to provide laboratory services for all soils studies, reports, inspections, and tests required throughout the construction of the PROJECT.
- e. The PROJECT ENGINEER in responsible charge shall conduct periodic field reviews to assure compliance with plans and specifications. All inspections shall be documented and submitted to the PROJECT MANAGER.
- f. The ENGINEER shall have a copy of and be thoroughly familiar with TECHNICAL SPECIFICATIONS and applicable STANDARD SPECIFICATIONS, Standard and Special Drawings, Testing Manual, and

Construction Manual, current non-metric edition, materials sources, and devices with special acceptance requirements.

- g. The INSPECTOR shall keep a daily diary, listing equipment on site and in use, weather conditions, CONTRACTOR's personnel on site, and the work accomplished each day.
- h. Monthly estimates shall be broken down and include an explanation submitted for pay items exceeding plan quantities by more than five percent (5%). The report of overruns shall be submitted with the monthly estimate in which the overrun was incurred. The Project Engineer in responsible charge for the PROJECT must sign these estimates. A summary of the above noted overruns exceeding five percent (5%) shall be submitted with the Final Closeout Documentation. Monthly estimates shall also include a DBE Utilization Report and Progress Report for the month.
- i. No major changes in the "as bid" construction plans shall be made prior to submittal to the PROJECT MANAGER for review and administrative approval.
- j. The INSPECTOR will sign all material tickets, at the site, previously signed by the materials testing firm's representative, indicating the INSPECTOR'S approval of the materials to be installed.
- k. The ENGINEER shall require the CONTRACTOR to check all of the CONTRACTOR's equipment before it is used on the PROJECT to assure that it meets the requirements of the TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS, for the sole purpose of quality assurance. The CITY or ENGINEER shall stop the PROJECT at any time if the equipment is not in accordance with TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS.
- l. When all pay items have been completed; the ENGINEER shall hold a semi-final review and give the CONTRACTOR a written "Punch List" of items to be completed prior to the ENGINEER's recommendation for acceptance of the PROJECT. When the CONTRACTOR has completed the work on the Punch List to the satisfaction of the ENGINEER, a written recommendation for acceptance of the PROJECT will be submitted to the PROJECT MANAGER.
- m. Upon written certification by the ENGINEER that the PROJECT has been completed in accordance with the contract documents, the PROJECT MANAGER will conduct a final review. Following the PROJECT MANAGER's concurrence with the recommendation for acceptance, the ENGINEER shall submit the final estimate and close out documents to the CITY. The date of receipt of the final payment by the CONTRACTOR will be the date of acceptance of the PROJECT by the CITY.

4. Progress Review

- a. The ENGINEER will be required to maintain strict review of progress of the PROJECT's construction. A monthly time report shall be submitted to the PROJECT MANAGER and to the CONTRACTOR with each monthly estimate.

- b. Any discrepancies between the CONTRACTOR and the ENGINEER regarding the monthly calendar day charge must be resolved immediately. Discrepancies not resolved within ten (10) calendar days of the original report date shall be documented by the ENGINEER and delivered to the PROJECT MANAGER. At this time, the PROJECT MANAGER will intervene and resolve the dispute. The PROJECT MANAGER's resolution shall be accepted by and binding on both the ENGINEER and the CONTRACTOR. If the CONTRACTOR has not informed the ENGINEER in writing of any disagreement with the monthly calendar day charge within ten (10) calendar days of the original report date, such monthly calendar day charge shall be deemed accepted by the CONTRACTOR. When the work has been stopped by reasons beyond the CONTRACTOR's control, such as weather, unacquired right-of-way, utility obstructions, etc., it will be the duty of the ENGINEER to notify the CONTRACTOR when work and time charges can resume.
- c. The ENGINEER will upload daily updates including progress photos to E-Builder.
- d. The ENGINEER will review the CONTRACTOR's schedule and ensure it is updated weekly and provided to the CITY.

5. PROJECT Closeout

- a. "As Built" plans that clearly delineate any changes from the original "As Bid" plans shall be submitted to the PROJECT MANAGER within thirty (30) working days of the acceptance for maintenance of the PROJECT. One bound copy of all test reports for the PROJECT will be submitted with these plans. The "As-Built" plans with any changes from "As Bid" plans shall be prepared and submitted by the PROJECT ENGINEER.
- b. All final quantities shall be prepared and all necessary supporting information shall be submitted with the "As Built" plans to the PROJECT MANAGER. This information, including copies of the daily diary and calculations by which the final quantities were determined shall be submitted in accordance with the TECHNICAL SPECIFICATIONS and STANDARD SPECIFICATIONS. ENGINEER shall submit to the CITY all documentation required for PROJECT closeout as outlined in Exhibit D.

IV. MUTUAL AGREEMENT

It is mutually agreed by the parties hereto as follows:

- A. The ENGINEER agrees to start work on the professional services outlined herein within ten (10) calendar days after issuance of and in accordance with a NOTICE TO PROCEED. The CITY and the ENGINEER shall mutually agree upon the schedule and completion time for Professional Services under this Agreement.
- B. This CONTRACT may be terminated by the City for any reason, with or without cause, by providing thirty (30) calendar days written notice to the ENGINEER. In the event of termination, all finished and unfinished documents, data, studies, surveys, drawings, maps, models, photographs, perspectives, and reports prepared by the ENGINEER shall become the property of the CITY. In the event of termination, the ENGINEER shall be compensated for services performed prior to termination. Such compensation

shall be negotiated at the time of termination and as based on Section V.A, “ed Services”. The CITY may notify the ENGINEER, in writing, to suspend, delay, or interrupt all or any part of the work for the CITY’s convenience, due to events beyond the control of the CITY, or for any other reasons. After the CITY suspends the PROJECT for more than ninety (90) consecutive calendar days, the ENGINEER may terminate this CONTRACT by giving thirty (30) calendar days written notice.

- C. The CITY and the ENGINEER each binds itself, its successors, and assigns to the other party in respect to all covenants of this CONTRACT. ENGINEER shall not transfer or assign this contract or the license or any of the rights or privileges granted herein without the prior written consent of the CITY; which such consent shall be granted or denied solely at CITY’S discretion.
- D. All covenants, agreements, and stipulations of this CONTRACT shall remain in full force until completion of construction of the PROJECT encompassed herein or for a period of two (2) years from the date of this CONTRACT, whichever occurs first. The CONTRACT time may be extended by mutual agreement between the CITY and the ENGINEER, provided that nothing contained in this CONTRACT will be deemed to limit or to reduce the ENGINEER’s duties and responsibilities for providing professional engineering services, nor to limit or reduce ENGINEER’s liability for any breach thereof.
- E. The ENGINEER shall reimburse the CITY for attorney’s fees incurred due to any breach by ENGINEER of its obligations under the terms of this CONTRACT.

V. BASIS OF PAYMENT

Any language to the contrary in this Agreement notwithstanding, all payments to the ENGINEER for professional engineering services as identified in Section V shall be made only in return for work actually performed in completion of the PROJECT and properly documented to the CITY. All payments to the ENGINEER for such work performed shall be compensated at the cost stated in the PROPOSAL and rates stated in the ENGINEER’S Hourly Rates, which is incorporated into this Agreement in Exhibit C. In all instances where compensation amounts are based upon or associated with a percentage of completion calculation, that percentage of completion calculation shall be determined by the PROJECT MANAGER.

A. CONTRACTED SERVICES

Subject to the provisions below and upon receipt by CITY of the deliverables listed in Section III, CITY agrees to pay the ENGINEER, as compensation for such professional engineering services, as shown in the PROPOSAL and the ENGINEER’S Hourly Rates in Exhibit C and as authorized by the CITY as follows:

- 1. It is mutually agreed that compensation to the ENGINEER will be as follows:
 - a. After receipt of a NOTICE TO PROCEED from the CITY, the ENGINEER shall perform Construction Phase services in accordance with Section III.A of this CONTRACT.
 - b. Upon letting of the contract for construction of this PROJECT, compensation to the ENGINEER shall continue to be based on work performed and documented but shall be limited to the percentage completion of the

construction, which such percentage of completion shall be determined by the PROJECT MANAGER. The ENGINEER's invoice shall be submitted with the CONTRACTOR'S monthly estimate. Full payment cannot be paid to the ENGINEER until all close out documents have been received and retainage is released to the CONTRACTOR. See Exhibit D for requirements for closing the PROJECT. The Professional Engineering Services cost attached hereto as stated in the PROPOSAL, and in Exhibit B, sets out the maximum amount to be disbursed for work performed under Section III, and will be based on the hourly rates in Exhibit C, unless otherwise authorized by the CITY in its sole discretion. Payment for work performed in Section III of this Agreement shall not exceed \$90,000.00 (Ninety Thousand Dollars and Zero Cents).

- c. Failure to perform any service identified in a NOTICE TO PROCEED shall result in an equitable deduction from ENGINEER's compensation, without limitation or waiver of any other remedy available to City for such failure.
- d. In the event of termination of this Agreement due to failure by the ENGINEER to perform any and/or all of the ENGINEER's obligations in the prompt and efficient manner satisfactory to the CITY, the CITY will have the right to employ one or more other engineers of its choice to complete the PROJECT. The ENGINEER will reimburse the CITY all costs, fees and expenses which may result from such termination and employment of other engineers.

VI. INDEMNITY AND INSURANCE REQUIREMENTS

- A. INDEMINIFICATION: The ENGINEER shall indemnify and hold harmless City and its officers, elected officials, agents, representatives, and employees for any and all claims, injuries, losses, diminution in value, damages, liabilities, whether or not currently due, and related expenses to the extent caused by any negligence, recklessness, intentional tort, intellectual property infringement, or failure to pay a subconsultant or supplier that is committed by ENGINEER or the ENGINEER'S agent, ENGINEER under contract, or other entity for which ENGINEER is legally liable. ENGINEER shall defend the City, its officials, agents, representatives, and employees against any and all claims arising out of the rendering of or failure to render professional services by ENGINEER or its agents covered by ENGINEER'S policy of professional liability insurance in accord with named minimum requirements. The parties acknowledge and agree that this contract requires ENGINEER to procure and maintain professional liability insurance that satisfies the named requirements. ENGINEER shall reimburse the City for its reasonable attorney fees, damages, losses, injuries, or other litigation costs in proportion to ENGINEER'S liability, or in proportion to the extent ENGINEER participates in resolution of a claim also made against the City. The parties acknowledge and agree that nothing in the foregoing shall be construed to require ENGINEER to indemnify, hold harmless or defend the City except as permissible under Acts of Alabama 2021-318, or subsequent codifications thereof.

STANDARD OF PERFORMANCE: ENGINEER shall perform all professional services under this contract with the professional skill and care ordinarily provided by a competent design professional practicing under the same or similar circumstances and professional licenses as expeditiously as is prudent considering the ordinary professional skill and care of a competent design professional.

B. INSURANCE: For the duration of this Agreement, ENGINEER shall maintain the following minimum amounts for each Project:

1. Professional Liability Insurance:

Professional Liability Insurance including design with the limits not less than \$1,000,000 per claim.

2. Workers' Compensation/Employer's Liability:

a. Workers' Compensation insurance in the amounts required by all applicable laws, rules or regulations of the state of Alabama.

b. Employer's Liability with limits of not less than:

Bodily Injury by Accident	\$1,000,000 each accident
Bodily Injury by Disease	\$1,000,000 policy limit
Bodily Injury by Disease	\$1,000,000 each employee

c. Borrowed Servant/Alternate Employer endorsement in favor of City of Mobile.

3. Comprehensive General Liability Insurance:

a. Comprehensive General Liability (occurrence form) including coverage for products/completed operations, independent contractors, blanket contractual liability specifically covering the obligations assumed by ENGINEER.

b. Limit of Liability: \$1,000,000 combined single limit of liability each occurrence bodily injury or property damage.

c. General Aggregate Limit shall apply on a "Per Project" Basis.

4. Automobile Liability Insurance:

a. Automobile Liability Insurance to cover any auto, including all owned, non-owned, and hired vehicles, with a \$1,000,000 combined single limit of liability each accident for bodily injury and/or property damage.

5. Excess/Umbrella Liability Insurance

a. Providing following form coverage for Employer's Liability, Comprehensive General Liability, and Automobile Liability.

b. Limit of Liability: \$2,000,000 combined single limit of liability each occurrence for bodily injury and/or property damage.

C. CERTIFICATE OF LIABILITY INSURANCE ENDORSEMENT PAGE

The policy endorsements listed below are required and must be listed in the "Descriptions of Operations" box on the Certificate of Liability Insurance or listed separately on an attachment to the certificate of insurance (ACORD 101, Additional Remarks Schedule).

1. Waiver of Subrogation - All policies of insurance shall be endorsed to waive rights of subrogation in favor of City of Mobile.
2. Additional Insured - All policies of insurance, except those referenced under paragraph A, shall be endorsed to name City of Mobile as an Additional Insured.
3. Primary Insurance - All policies of insurance, except those referenced under paragraph A, shall be endorsed to provide that all such insurances are primary and non-contributing with any other insurance maintained by City of Mobile.
4. Notice of Cancellation - Certificates of Insurance shall provide that such insurance shall not be subject to cancellation, non-renewal nor material change without 30 days or more (except 10 days for non-payment) prior written notice thereof to the City of Mobile.
5. Certificates of Insurance - General - Within ten (10) calendar days from the date of issuance of AGREEMENT forms for execution, Contractor shall deliver to the City of Mobile, certificates of insurance (standard ACORD format) certifying the existence and limits of the insurance coverages along with separate policy endorsements as described above. Contractor shall also be responsible for delivering policy renewal certificates to the City of Mobile.

VII. E-VERIFY

By signing this contract, the contracting parties affirm, for the duration of the CONTRACT, that they will not violate Federal Immigration Law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the CONTRACT and shall be responsible for all damages resulting therefrom. Pursuant to Alabama Code (1975) Section 31-13-9, if ENGINEER or CONTRACTOR employs one or more employees within the State of Alabama, ENGINEER or CONTRACTOR shall provide documentation establishing that CONTRACTOR is enrolled in the E-Verify program.

VIII. SOURCE OF FUNDS FOR PAYMENT

The source of funds for payment by CITY under this contract is City funds.

IX. ANTI-BOYCOTT

By signing this CONTRACT, the ENGINEER represents and agrees that it is not currently engaged in, nor will it engage in, any boycott of a person or entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade.

X. NON-DISCRIMINATION CLAUSE

The ENGINEER shall comply with all Federal, State and local laws concerning nondiscrimination, including but not limited to City of Mobile Ordinance No. 14-034 which requires, inter alia, that all contractors performing work for the City of Mobile not discriminate on the basis of race, creed, color, national origin or disability, require that all subcontractors they engage do the same, and make every reasonable effort to assure that fifteen percent of the work performed under this CONTRACT be awarded to socially and economically disadvantaged individuals and business entities.

XI. GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Alabama, and the appropriate venue for any actions arising out of this Agreement shall be a court of proper jurisdiction in Mobile County, Alabama.

XII. E-BUILDER

The City utilizes e-Builder as its project management system. E-Builder is a secure data collection site: <https://app.e-builder.net> ENGINEER shall use e-Builder as an essential component to project management with the City of Mobile. Training will be provided by City of Mobile staff should the need arise.

XIII. NOTICES

A. The City of Mobile Authorized Agent, authorized to act on the City's behalf with respect to the Project is _____

B. Any notices of default or termination shall be sufficient if sent by parties via United States Certified mail, postage paid, or via nationally recognized delivery service, to the address listed below:

CITY:

City of Mobile

c/o Cody Reed, P.E.

As: City's Authorized Agent

P.O Box 1827

Mobile AL 36633

ENGINEER:

McCrary & Williams, Inc.

c/o Carah Vuncannon P.E.

Engineer's Authorized Agent

3207 International Drive, Suite G

Mobile, AL 36606

C. Any change in the City's Department Head or the ENGINEER'S Representative will be promptly communicated by the party making the change.

XIV. DEFAULT/ BREACH.

Default. Default, for purposes of this contract, shall include, but is not limited to, any of the following: 1) failure to perform the work or provide the services in accordance with the terms of the contract, 2) failure to meet established deadlines or schedules, 3) substandard or non-compliant work or services, 4) failure to comply with applicable laws, regulations, or permits, including state and federal law, local ordinances and any federal grant requirements, 5) failure to make payments to subcontractors or suppliers, 6) failure to communicate adequately with the City regarding progress or issues, 7) unauthorized assignment or transfer of the contract without prior written consent from the City, 8) failure to correct deficiencies after receiving written notice from the City, 9) misrepresentation or falsification of information provided in contract proposals or during performance, 10) failure to maintain required insurance coverage, 11) use of unapproved subcontractors or failure to supervise subcontractors adequately, 12) unauthorized use of City property, equipment, or resources, 13) failure to comply with safety standards, resulting in hazardous conditions or accidents, 14) violation of confidentiality or data protection requirements outlined in the contract, 15) breach of warranties related to the quality, fitness, or compliance of goods or services provided, 16) failure to provide required reports, documentation, or certifications within specified timelines, 17) delays caused by inadequate staffing, equipment, or materials, 18) failure to replace defective or non-compliant materials or equipment within a reasonable time-frame, 19) violation of environmental regulations, including improper disposal of hazardous materials, 20) failure to cooperate with City designated officials during site visits or reviews, 21) failing to comply with written directives from the City to correct specific issues or deficiencies, 22) subcontractor abandonment or unauthorized substitution of key personnel, 23) unauthorized cessation of work or delays caused by disputes with subcontractors, 24) misuse of funds allocated for specific tasks or deliverables, 25) failure to meet minority, small business, or other subcontracting goals as specified in the contract, 26) failure to maintain adequate security measures for sensitive information or physical assets, 27) failure to address health and safety violations that result in injury or property damage, 28) providing false claims for payments, reimbursements, or change orders, 29) failing to meet requirements for workforce certifications or qualifications outlined in the contract, 30) failure to disclose debarment or loss of required license.

XV. EFFECT OF DEFAULT

A. Upon the occurrence of default, City shall have rights which include but are not limited to (i) the right to keep this AGREEMENT in effect and sue ENGINEER for all damages caused by the default and recover the cost thereof; (ii) the right to cure any such default by ENGINEER and to recover any damages caused thereby; and (iii) the right to terminate this AGREEMENT either as to the entire Project or part thereof, in either case by giving ENGINEER written notice of such termination. In the event of termination of this Agreement by the City because of the ENGINEER'S default or breach, the City may take possession of all materials, equipment, tools, construction equipment, and machinery thereon owned by the ENGINEER and may finish the Project by whatever method and means City may select subject to its obligation to reasonably mitigate.

XVI. WITHHOLDING PAYMENT DUE

Default by ENGINEER shall excuse any obligation of City to pay compensation or sums otherwise due ENGINEER under the agreement. City may withhold any and all sums due if there has been a default or breach by ENGINEER of any provision of this agreement.

XVII. CURE PLAN

If ENGINEER fails to comply with any material provision of this agreement, the City may issue a written notice requiring ENGINEER to submit a corrective action plan (CAP) within such time as City directs. If ENGINEER fails to provide an acceptable CAP or does not cure the breach within the time frame specified, the City may invoke additional sanctions or terminate this CONTRACT.

XVIII. EFFECT OF DEFAULT ON FUTURE COMPETITIVE BIDDING

Failure by the ENGINEER to perform in accordance with the terms, conditions, and specifications of this agreement, including but not limited to failure to complete work within the specified time frame, failure to meet quality or safety standards, or abandonment of the project, and any other breach as defined herein, may be considered by City in evaluating the ENGINEER's status as a 'responsible bidder' as defined under Alabama law in future competitive bid determinations within the parameters of acceptable evaluation.

XIX. MISCELLANEOUS

A. This Agreement constitutes the sole and complete understanding between the parties and supersedes all agreements between them, whether oral or written with respect to the subject matter. No Amendment, change or addendum to this Agreement is enforceable unless agreed to in writing by both parties and incorporated into this Agreement.

B. The language of this Agreement shall be construed, in all cases, according to its fair meaning and not for or against any party hereto.

C. The parties hereto do not intend nor shall this Agreement be construed to grant any rights, privileges or interest to any third party.

D. Time is of the essence with regard to each and every aspect of the ENGINEER's performance under this AGREEMENT.

E. The rights and remedies of the City provided for under this CONTRACT are in addition to any other rights and remedies provided by law.

F. If the ENGINEER is comprised of more than one legal entity, each entity shall be jointly and severally liable hereunder.

G. The exercise by either party of any rights or remedies provided herein shall not constitute a waiver of any other rights or remedies available under this CONTRACT or any applicable law.

H. If any term, condition, or covenant of this CONTRACT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this CONTRACT shall be valid and binding on each party.

I. The parties covenant and agree that each is duly authorized to enter into and perform this Agreement and those executing this Agreement have all requisite power and authority to bind the parties.

J. Neither the City's review, approval or acceptance of, nor payment for, the services required under this CONTRACT shall be construed to operate as a waiver of any rights under this CONTRACT or of any cause of action arising out of the performance of this CONTRACT.

K. Paragraph headings are for the convenience of the parties and for reference purposes only and shall be given no legal effect.

L. In the event of conflicts or inconsistencies between the provisions of this agreement and those in any attachment or Exhibit hereto, then the provisions of this agreement will take precedence and be applicable, binding and enforceable.

M. Preparation of Agreement. All provisions of this CONTRACT have been subject to full and careful review by and negotiation between ENGINEER and City. Each such party has availed itself of such legal advice and counsel as it, respectively, has deemed appropriate. The parties hereto agree that neither one of them shall be deemed to be the drafter or author of this Agreement, and in the event this CONTRACT is subject to interpretation or construction by a court of law or panel of arbitration, such court or panel shall not construe this Agreement or any portion hereof against either party as the drafter of this Agreement.

N. Entire Agreement. This CONTRACT embodies the entire agreement and understanding between the parties pertaining to the subject matter of this CONTRACT, and supersedes all prior agreements, understandings, negotiations, representations and discussions, whether verbal or written, of the parties pertaining to that subject matter.

O. Binding Effect. The provisions of this Agreement shall bind and inure to the benefit of the parties and their respective successors and permitted assigns.

P. Counterparts. This CONTRACT may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute a single agreement.

Q. Amendment and Waiver. This CONTRACT may be amended, modified or supplemented only by a writing executed by each of the parties. Any party may in writing waive any provisions of this CONTRACT to the extent such provision is for the benefit of the waiving party. No action taken pursuant to this CONTRACT shall be deemed to constitute a waiver by that party of any other party's compliance with provisions of this CONTRACT. No waiver by any party of a breach of any provision of this CONTRACT shall be construed as a waiver of any subsequent or different breach, and no forbearance by a party to seek a remedy for noncompliance or breach by another party shall be construed as a waiver of any right or remedy with respect to such noncompliance or breach.

R. Attorney's Fees and Costs. If the City is required to take legal action to enforce this contract, the contractor agrees to reimburse the City for all reasonable attorney's fees and associated costs incurred.

S. Non-Waiver of Rights. Failure by the City to enforce any provision of this contract shall not be deemed a waiver of its rights to enforce any other provision or the same provision in the future.

T. Sovereign Immunity. Nothing in this CONTRACT shall be construed as a waiver of any governmental, sovereign, or other immunity by the City, its officials, or employees. All defenses and limitations of liability provided by law remain fully applicable.

[Signature Page to follow]

CITY OF MOBILE, A Municipal Corporation



MCCRORY & WILLIAMS, INC

By: Carah Vuncannon

Print: CARAH VUNCANNON

Its: President

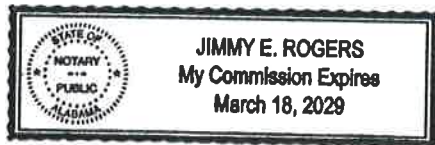
Address: 3207 International Drive
Suite G
Mobile, AL 36606

Telephone: 251-476-4720

STATE OF ALABAMA
CITY OF MOBILE

I, Jimmy E. Rogers, a Notary Public in and for said State and County, hereby
certify that CARAH VUNCANNON, whose name as President of
MCCRORY & WILLIAMS, INC is signed to the foregoing conveyance and who are known
to me acknowledged before me on this day, that, being informed of these contents of
the conveyance, he as such officer and with full authority, executed the same voluntary
on the day the same bears date.

Given under my hand and notarial seal on this the 21st day of MAY, 20 25



Jimmy E. Rogers
NOTARY PUBLIC

My Commission Expires: 3/18/2029

ATTEST:

By: _____
William S. Stimpson
Mayor

By: _____
It's City Clerk

Print: _____

EXHIBIT A:
PROJECT LOCATION



EXHIBIT B:

PROJECT ESTIMATE

PROJECT – (See Exhibit A for location.) **LANGAN PARK STORMWATER IMPROVEMENTS**, City of Mobile Project No. **2021-2045-01**

ESTIMATED PROJECT COST – Construction of the PROJECT is estimated to be **\$916,949.00** [Nine Hundred Sixteen Thousand Nine Hundred Forty-Nine Dollars and No Cents].

ESTIMATED PROFESSIONAL ENGINEERING SERVICES COST – Total fees to be paid to the ENGINEER shall not exceed **\$90,000.00** [Ninety Thousand Dollars and Zero Cents], unless authorized by the CITY.

CITY DISTRICT: District 7

FUNDING SOURCE: ADEM & City Capitol

EXHIBIT C:
PROPOSAL AND
ENGINEER'S SUMMARY OF HOURLY RATES

McCrory Williams
INCORPORATED
E n g i n e e r s S u r v e y o r s

April 25, 2025

Programs and Project Management
City of Mobile
205 Government Street
P.O. Box 1827
Mobile, Alabama 36633-1827

Attn: Ms. Jennifer Greene

RE: Langan Park Stormwater Improvements
 COM Project No. 2021-2045-01
 Proposal for CEI Services

Dear Ms. Greene:

As per your request in our recent discussions, we are providing this proposal related to the above referenced project. Our estimated fee below is for the construction engineering and inspection (CEI) services of the Langan Lake Stormwater Improvements project. Also included in our scope of work are bid phase services and project closeout phase services.

We can provide these services for a fee not-to-exceed \$90,000.00. A copy of our 2025 hourly billing rate sheet is attached.

Thank you for the opportunity to provide our services on this project. If you have any questions or need for further discussion, please feel free to contact me at any time.

Sincerely,

McCrory & Williams, Inc.



Carah Vuncannon, P.E.

McCrary Williams
INCORPORATED
Engineers Surveyors

HOURLY RATE SCHEDULE 2025

PRINCIPAL	\$175.00 PER HOUR
PROFESSIONAL ENGINEER / PROJECT MANAGER	\$160.00 PER HOUR
PROJECT ENGINEER / SENIOR ENGINEER	\$150.00 PER HOUR
PROFESSIONAL LAND SURVEYOR	\$145.00 PER HOUR
ENGINEER	\$130.00 PER HOUR
ENGINEERING INTERN / SENIOR ENGINEERING TECHNICIAN	\$110.00 PER HOUR
SENIOR CADD TECHNICIAN / EASEMENT TECHNICIAN	\$85.00 PER HOUR
ENGINEERING TECHNICIAN	\$100.00 PER HOUR
SENIOR SURVEY TECHNICIAN	\$85.00 PER HOUR
SURVEY TECHNICIAN / SURVEY CADD TECHNICIAN	\$70.00 PER HOUR
SENIOR CONSTRUCTION REPRESENTATIVE	\$95.00 PER HOUR
CONSTRUCTION REPRESENTATIVE	\$85.00 PER HOUR
<u>SURVEY CREW</u>	
2-MAN CREW	\$135.00 PER HOUR
3-MAN CREW	\$165.00 PER HOUR
4-MAN CREW	\$185.00 PER HOUR
5-MAN CREW	\$220.00 PER HOUR
CLERICAL	\$70.00 PER HOUR
MILEAGE	\$.70 PER MILE

EXHIBIT D:
PROJECT CLOSEOUT CHECKLIST

The following items must be submitted to the CITY for PROJECT closeout:

- Engineers Field Book
- Pictures of PROJECT site before, during & after construction
- As-built Drawings
 - Hard Copy
 - CADD File
 - PDF
- Hard Copy of Contract Documents:
 - Advertisement for Bids
 - Instructions to Bidders
 - Contractor Proposal
 - Contractor Bid Bond
 - Contractor Labor & Materials Bond
 - Contractor Performance Bond
 - Certificate of Contractor's & Subcontractor's Insurance
 - Special Provisions
 - Articles of Agreement
 - Supplemental Specifications
 - PROJECT Sign Detail
 - Addendums
- Electronic (Word) copy of the Contract Documents
- INSPECTOR 's Daily Reports
- Correspondence affecting Construction
- Quantity & Payment Documentation
 - Documents showing final quantities & payment
 - Product Specifications, if applicable
- All Haul Tickets
 - Separated by pay items & date. Then labeled with date, pay item #, total quantity for that day, & total quantity to date.
- All Test Reports
- Other electronic files
- Correspondence affecting Design and/or Construction
- Additional documentation as required by the grant

EXHIBIT E:

INSURANCE CERTIFICATIONS

Below is an example of a certificate of insurance (COI). Please note the verbiage in the “Description” area. Each COI must have this stated.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED	INSURER A:	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☐ OCCUR						EACH OCCURRENCE \$
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COM/OP AGG \$
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$
	DED ☐ RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project Name:
Project Number: 20xx-3005-xx

City of Mobile is included as an Additional Insured in respect to all policies (except Workers Compensation and Professional Liability when applicable), which coverage shall be Primary and Non-contributory. Waiver of Subrogation applies in favor of City of Mobile with respect to all policies. Thirty (30) Day Notice of Cancellation, non-renewal or material change shall apply (except 10 days for non-payment).

CERTIFICATE HOLDER

CANCELLATION

City of Mobile P.O. Box 1827 Mobile, Alabama 36633-1827	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/05/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER StateFarm  Lad Drago Insurance and Financial Services 7623 Spanish Fort Blvd Spanish Fort AL 36527	CONTACT NAME: Lad Drago PHONE (A/C, No, Ext): 251-626-1237 E-MAIL: Lad@LadDragoInsurance.com FAX (A/C, No): 251-243-4174 ADDRESS: Lad@LadDragoInsurance.com																					
INSURED McCrory & Williams Inc 3207 International Drive Suite G Mobile AL 36606	<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>State Farm Mutual Automobile Insurance Company</td><td>25178</td></tr><tr><td>INSURER B:</td><td>State Farm Fire and Casualty Company</td><td>25143</td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	State Farm Mutual Automobile Insurance Company	25178	INSURER B:	State Farm Fire and Casualty Company	25143	INSURER C:			INSURER D:			INSURER E:			INSURER F:		
INSURER(S) AFFORDING COVERAGE		NAIC #																				
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INSURER D:																						
INSURER E:																						
INSURER F:																						

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADD INSD	SUB WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y	Y	93-B1-Y007-7	08/08/2024	08/08/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY	Y	Y	413 5975-ENOL 593 3851-C10-01C 576 6063-D01-01E 599 0870-B21-01A	03/06/2025 03/10/2025 04/01/2025 02/21/2025	09/06/2025 09/10/2025 10/01/2025 08/21/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			93-38-0297-8	08/08/2024	08/08/2025	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ Y ☒ N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	93-B7-T512-6	08/08/2024	08/08/2025	☒ PER STATUTE ☐ OTH-ER \$ E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	AUTOMOBILE LIABILITY Autos (Additional Policies)	Y	Y	4135975, 3926159, 5913103	10/10/2024	10/10/2025	Combined Single Limit 1,000,000

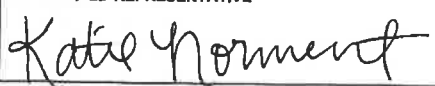
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project Name: Langan Park Storm Water CEI Services

Project Number: 2021-2045-01

City of Mobile is included as an Additional Insured in respect to all policies (except Workers Compensation and Professional Liability when applicable), which coverage shall be Primary and Non-contributory. Waiver of Subrogation applies in favor of City of Mobile with respect to all policies. Thirty (30) Day Notice of Cancellation, non-renewal or material change shall apply (except 10 days for non-payment).

CERTIFICATE HOLDER**CANCELLATION**

City of Mobile PO Box 1827 Mobile AL 36633-1827	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  
---	--



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/06/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER RSC Insurance Brokerage, Inc. 2081 Columbiana Road Birmingham AL 35242		CONTACT NAME: Jackie Murk PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: jmurk@risk-strategies.com	
INSURED McCrory & Williams, Inc. 3207 International Dr. Suite G Mobile AL 36606		INSURER(S) AFFORDING COVERAGE INSURER A: Beazley America Insurance Company, Inc. NAIC # 16510 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	☐ Y ☐ N	N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability		Y	C19478241001	08/08/2024	08/08/2025	Each Claim \$2,000,000 Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project: Langan Park Stormwater: Construction Engineering and Inspection Services
Project No.: 2021-2045-01

Waiver of Subrogation applies in favor of City of Mobile.
Thirty (30) Day Notice of Cancellation, non-renewal or material change shall apply (except 10 days for non-payment).
These provisions must be required and accepted by the insured in written contract or agreement.

CERTIFICATE HOLDER City of Mobile P.O. Box 180249 Mobile AL 36618-0249	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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EXHIBIT F:
SUBCONTRACTING PLAN, E-VERIFY AFFIDAVIT AND
DBE UTILIZATION REPORT

STATE OF ALABAMA
COUNTY OF MOBILE

AFFIDAVIT OF VENDOR / CONTRACTOR

Before me, a Notary public, personally appeared CARAH VUCCANON (affiant) who, being duly sworn says as follows:

President/CEO of McCRORY & W. H. AMES, INC.

As a condition for the award of a contract by the City of Mobile to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as President for McCRORY & W. H. AMES, INC. that said employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate Federal Immigration Law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

I further attest that said McCRORY & W. H. AMES, INC. is enrolled in the E-Verify program. The Company ID Number in the E-Verify program is as follows: 521538.

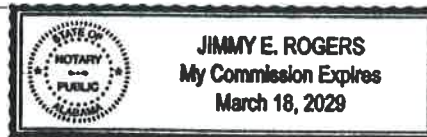
Carah Vuccanon

CEO of McCRORY & WILLIAMS, INC.

Sworn to and subscribed before me this the 21ST day of MAY, 2025.

I certify that the affiant is known to me to be the identical party he or she claims to be.

Jimmy E. Rogers
Signature and Seal of Notary Public





Company ID Number: 521538

THE E-VERIFY PROGRAM FOR EMPLOYMENT VERIFICATION MEMORANDUM OF UNDERSTANDING

ARTICLE I

PURPOSE AND AUTHORITY

This Memorandum of Understanding (MOU) sets forth the points of agreement between the Department of Homeland Security (DHS) and McCrorry & Williams, Inc. (Employer) regarding the Employer's participation in the Employment Eligibility Verification Program (E-Verify). This MOU explains certain features of the E-Verify program and enumerates specific responsibilities of DHS, the Social Security Administration (SSA), and the Employer. E-Verify is a program that electronically confirms an employee's eligibility to work in the United States after completion of the Employment Eligibility Verification Form (Form I-9). For covered government contractors, E-Verify is used to verify the employment eligibility of all newly hired employees and all existing employees assigned to Federal contracts or to verify the entire workforce if the contractor so chooses.

Authority for the E-Verify program is found in Title IV, Subtitle A, of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. 104-208, 110 Stat. 3009, as amended (8 U.S.C. § 1324a note). Authority for use of the E-Verify program by Federal contractors and subcontractors covered by the terms of Subpart 22.18, "Employment Eligibility Verification", of the Federal Acquisition Regulation (FAR) (hereinafter referred to in this MOU as a "Federal contractor with the FAR E-Verify clause") to verify the employment eligibility of certain employees working on Federal contracts is also found in Subpart 22.18 and in Executive Order 12989, as amended.

ARTICLE II

FUNCTIONS TO BE PERFORMED

A. RESPONSIBILITIES OF SSA

1. SSA agrees to provide the Employer with available information that allows the Employer to confirm the accuracy of Social Security Numbers provided by all employees verified under this MOU and the employment authorization of U.S. citizens.
2. SSA agrees to provide to the Employer appropriate assistance with operational problems that may arise during the Employer's participation in the E-Verify program. SSA agrees to provide the Employer with names, titles, addresses, and telephone numbers of SSA representatives to be contacted during the E-Verify process.
3. SSA agrees to safeguard the information provided by the Employer through the E-Verify program procedures, and to limit access to such information, as is appropriate by law, to individuals responsible for the verification of Social Security Numbers and for evaluation of the E-Verify program or such other persons or entities who may be authorized by SSA as governed



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by the Privacy Act (5 U.S.C. § 552a), the Social Security Act (42 U.S.C. 1306(a)), and SSA regulations (20 CFR Part 401).

4. SSA agrees to provide a means of automated verification that is designed (in conjunction with DHS's automated system if necessary) to provide confirmation or tentative nonconfirmation of U.S. citizens' employment eligibility within 3 Federal Government work days of the initial inquiry.

5. SSA agrees to provide a means of secondary verification (including updating SSA records as may be necessary) for employees who contest SSA tentative nonconfirmations that is designed to provide final confirmation or nonconfirmation of U.S. citizens' employment eligibility and accuracy of SSA records for both citizens and non-citizens within 10 Federal Government work days of the date of referral to SSA, unless SSA determines that more than 10 days may be necessary. In such cases, SSA will provide additional verification instructions.

B. RESPONSIBILITIES OF DHS

1. After SSA verifies the accuracy of SSA records for employees through E-Verify, DHS agrees to provide the Employer access to selected data from DHS's database to enable the Employer to conduct, to the extent authorized by this MOU:

- Automated verification checks on employees by electronic means, and
- Photo verification checks (when available) on employees.

2. DHS agrees to provide to the Employer appropriate assistance with operational problems that may arise during the Employer's participation in the E-Verify program. DHS agrees to provide the Employer names, titles, addresses, and telephone numbers of DHS representatives to be contacted during the E-Verify process.

3. DHS agrees to make available to the Employer at the E-Verify Web site and on the E-Verify Web browser, instructional materials on E-Verify policies, procedures and requirements for both SSA and DHS, including restrictions on the use of E-Verify. DHS agrees to provide training materials on E-Verify.

4. DHS agrees to provide to the Employer a notice, which indicates the Employer's participation in the E-Verify program. DHS also agrees to provide to the Employer anti-discrimination notices issued by the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice.

5. DHS agrees to issue the Employer a user identification number and password that permits the Employer to verify information provided by employees with DHS's database.

6. DHS agrees to safeguard the information provided to DHS by the Employer, and to limit access to such information to individuals responsible for the verification of employees' employment eligibility and for evaluation of the E-Verify program, or to such other persons or entities as may be authorized by applicable law. Information will be used only to verify the accuracy of Social Security Numbers and employment eligibility, to enforce the Immigration and

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Nationality Act (INA) and Federal criminal laws, and to administer Federal contracting requirements.

7. DHS agrees to provide a means of automated verification that is designed (in conjunction with SSA verification procedures) to provide confirmation or tentative nonconfirmation of employees' employment eligibility within 3 Federal Government work days of the initial inquiry.

8. DHS agrees to provide a means of secondary verification (including updating DHS records as may be necessary) for employees who contest DHS tentative nonconfirmations and photo non-match tentative nonconfirmations that is designed to provide final confirmation or nonconfirmation of the employees' employment eligibility within 10 Federal Government work days of the date of referral to DHS, unless DHS determines that more than 10 days may be necessary. In such cases, DHS will provide additional verification instructions.

C. RESPONSIBILITIES OF THE EMPLOYER

1. The Employer agrees to display the notices supplied by DHS in a prominent place that is clearly visible to prospective employees and all employees who are to be verified through the system.

2. The Employer agrees to provide to the SSA and DHS the names, titles, addresses, and telephone numbers of the Employer representatives to be contacted regarding E-Verify.

3. The Employer agrees to become familiar with and comply with the most recent version of the E-Verify User Manual.

4. The Employer agrees that any Employer Representative who will perform employment verification queries will complete the E-Verify Tutorial before that individual initiates any queries.

A. The Employer agrees that all Employer representatives will take the refresher tutorials initiated by the E-Verify program as a condition of continued use of E-Verify.

B. Failure to complete a refresher tutorial will prevent the Employer from continued use of the program.

5. The Employer agrees to comply with current Form I-9 procedures, with two exceptions:

- If an employee presents a "List B" identity document, the Employer agrees to only accept "List B" documents that contain a photo. (List B documents identified in 8 C.F.R. § 274a.2(b)(1)(B)) can be presented during the Form I-9 process to establish identity.) If an employee objects to the photo requirement for religious reasons, the Employer should contact E-Verify at 888-464-4218.

- If an employee presents a DHS Form I-551 (Permanent Resident Card) or Form I-766 (Employment Authorization Document) to complete the Form I-9, the Employer agrees to make a photocopy of the document and to retain the photocopy with the employee's Form I-9. The photocopy must be of sufficient quality to allow for verification of the photo



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and written information. The employer will use the photocopy to verify the photo and to assist DHS with its review of photo non-matches that are contested by employees. Note that employees retain the right to present any List A, or List B and List C, documentation to complete the Form I-9. DHS may in the future designate other documents that activate the photo screening tool.

6. The Employer understands that participation in E-Verify does not exempt the Employer from the responsibility to complete, retain, and make available for inspection Forms I-9 that relate to its employees, or from other requirements of applicable regulations or laws, including the obligation to comply with the antidiscrimination requirements of section 274B of the INA with respect to Form I-9 procedures, except for the following modified requirements applicable by reason of the Employer's participation in E-Verify: (1) identity documents must have photos, as described in paragraph 5 above; (2) a rebuttable presumption is established that the Employer has not violated section 274A(a)(1)(A) of the Immigration and Nationality Act (INA) with respect to the hiring of any individual if it obtains confirmation of the identity and employment eligibility of the individual in good faith compliance with the terms and conditions of E-Verify; (3) the Employer must notify DHS if it continues to employ any employee after receiving a final nonconfirmation, and is subject to a civil money penalty between \$550 and \$1,100 for each failure to notify DHS of continued employment following a final nonconfirmation; (4) the Employer is subject to a rebuttable presumption that it has knowingly employed an unauthorized alien in violation of section 274A(a)(1)(A) if the Employer continues to employ an employee after receiving a final nonconfirmation; and (5) no person or entity participating in E-Verify is civilly or criminally liable under any law for any action taken in good faith based on information provided through the confirmation system. DHS reserves the right to conduct Form I-9 and E-Verify system compliance inspections during the course of E-Verify, as well as to conduct any other enforcement activity authorized by law.

7. The Employer agrees to initiate E-Verify verification procedures for new employees within 3 Employer business days after each employee has been hired (but after the Form I-9 has been completed), and to complete as many (but only as many) steps of the E-Verify process as are necessary according to the E-Verify User Manual, or in the case of Federal contractors with the FAR E-Verify clause, the E-Verify User Manual for Federal Contractors. The Employer is prohibited from initiating verification procedures before the employee has been hired and the Form I-9 completed. If the automated system to be queried is temporarily unavailable, the 3-day time period is extended until it is again operational in order to accommodate the Employer's attempting, in good faith, to make inquiries during the period of unavailability. Employers may initiate verification by notating the Form I-9 in circumstances where the employee has applied for a Social Security Number (SSN) from the SSA and is waiting to receive the SSN, provided that the Employer performs an E-Verify employment verification query using the employee's SSN as soon as the SSN becomes available.

8. The Employer agrees not to use E-Verify procedures for pre-employment screening of job applicants, in support of any unlawful employment practice, or for any other use not authorized by this MOU. Employers must use E-Verify for all new employees, unless an Employer is a Federal contractor that qualifies for the exceptions described in Article II.D.1.c. Except as provided in Article II.D, the Employer will not verify selectively and will not verify employees hired before the effective date of this MOU. The Employer understands that if the Employer



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uses the E-Verify system for any purpose other than as authorized by this MOU, the Employer may be subject to appropriate legal action and termination of its access to SSA and DHS information pursuant to this MOU.

9. The Employer agrees to follow appropriate procedures (see Article III. below) regarding tentative nonconfirmations, including notifying employees in private of the finding and providing them written notice of the findings, providing written referral instructions to employees, allowing employees to contest the finding, and not taking adverse action against employees if they choose to contest the finding. Further, when employees contest a tentative nonconfirmation based upon a photo non-match, the Employer is required to take affirmative steps (see Article III.B. below) to contact DHS with information necessary to resolve the challenge.

10. The Employer agrees not to take any adverse action against an employee based upon the employee's perceived employment eligibility status while SSA or DHS is processing the verification request unless the Employer obtains knowledge (as defined in 8 C.F.R. § 274a.1(l)) that the employee is not work authorized. The Employer understands that an initial inability of the SSA or DHS automated verification system to verify work authorization, a tentative nonconfirmation, a case in continuance (indicating the need for additional time for the government to resolve a case), or the finding of a photo non-match, does not establish, and should not be interpreted as evidence, that the employee is not work authorized. In any of the cases listed above, the employee must be provided a full and fair opportunity to contest the finding, and if he or she does so, the employee may not be terminated or suffer any adverse employment consequences based upon the employee's perceived employment eligibility status (including denying, reducing, or extending work hours, delaying or preventing training, requiring an employee to work in poorer conditions, refusing to assign the employee to a Federal contract or other assignment, or otherwise subjecting an employee to any assumption that he or she is unauthorized to work) until and unless secondary verification by SSA or DHS has been completed and a final nonconfirmation has been issued. If the employee does not choose to contest a tentative nonconfirmation or a photo non-match or if a secondary verification is completed and a final nonconfirmation is issued, then the Employer can find the employee is not work authorized and terminate the employee's employment. Employers or employees with questions about a final nonconfirmation may call E-Verify at 1-888-464-4218 or OSC at 1-800-255-8155 or 1-800-237-2515 (TDD).

11. The Employer agrees to comply with Title VII of the Civil Rights Act of 1964 and section 274B of the INA, as applicable, by not discriminating unlawfully against any individual in hiring, firing, or recruitment or referral practices because of his or her national origin or, in the case of a protected individual as defined in section 274B(a)(3) of the INA, because of his or her citizenship status. The Employer understands that such illegal practices can include selective verification or use of E-Verify except as provided in part D below, or discharging or refusing to hire employees because they appear or sound "foreign" or have received tentative nonconfirmations. The Employer further understands that any violation of the unfair immigration-related employment practices provisions in section 274B of the INA could subject the Employer to civil penalties, back pay awards, and other sanctions, and violations of Title VII could subject the Employer to back pay awards, compensatory and punitive damages. Violations of either section 274B of the INA or Title VII may also lead to the termination of its participation in E-



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Verify. If the Employer has any questions relating to the anti-discrimination provision, it should contact OSC at 1-800-255-8155 or 1-800-237-2515 (TDD).

12. The Employer agrees to record the case verification number on the employee's Form I-9 or to print the screen containing the case verification number and attach it to the employee's Form I-9.

13. The Employer agrees that it will use the information it receives from SSA or DHS pursuant to E-Verify and this MOU only to confirm the employment eligibility of employees as authorized by this MOU. The Employer agrees that it will safeguard this information, and means of access to it (such as PINS and passwords) to ensure that it is not used for any other purpose and as necessary to protect its confidentiality, including ensuring that it is not disseminated to any person other than employees of the Employer who are authorized to perform the Employer's responsibilities under this MOU, except for such dissemination as may be authorized in advance by SSA or DHS for legitimate purposes.

14. The Employer acknowledges that the information which it receives from SSA is governed by the Privacy Act (5 U.S.C. § 552a(i)(1) and (3)) and the Social Security Act (42 U.S.C. 1306(a)), and that any person who obtains this information under false pretenses or uses it for any purpose other than as provided for in this MOU may be subject to criminal penalties.

15. The Employer agrees to cooperate with DHS and SSA in their compliance monitoring and evaluation of E-Verify, including by permitting DHS and SSA, upon reasonable notice, to review Forms I-9 and other employment records and to interview it and its employees regarding the Employer's use of E-Verify, and to respond in a timely and accurate manner to DHS requests for information relating to their participation in E-Verify.

D. RESPONSIBILITIES OF FEDERAL CONTRACTORS WITH THE FAR E-VERIFY CLAUSE

1. The Employer understands that if it is a subject to the employment verification terms in Subpart 22.18 of the FAR, it must verify the employment eligibility of any existing employee assigned to the contract and all new hires, as discussed in the Supplemental Guide for Federal Contractors. Once an employee has been verified through E-Verify by the Employer, the Employer may not reverify the employee through E-Verify.

a. Federal contractors with the FAR E-Verify clause agree to become familiar with and comply with the most recent versions of the E-Verify User Manual for Federal Contractors and the E-Verify Supplemental Guide for Federal Contractors.

b. Federal contractors with the FAR E-Verify clause agree to complete a tutorial for Federal contractors with the FAR E-Verify clause.

c. Federal contractors with the FAR E-Verify clause not enrolled at the time of contract award: An Employer that is not enrolled in E-Verify at the time of a contract award must enroll as a Federal contractor with the FAR E-Verify clause in E-Verify within 30 calendar days of contract award and, within 90 days of enrollment, begin to use E-Verify to initiate verification of employment eligibility of new hires of the Employer who are working in the United States,



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whether or not assigned to the contract. Once the Employer begins verifying new hires, such verification of new hires must be initiated within 3 business days after the date of hire. Once enrolled in E-Verify as a Federal contractor with the FAR E-Verify clause, the Employer must initiate verification of employees assigned to the contract within 90 calendar days from the time of enrollment in the system and after the date and selecting which employees will be verified in E-Verify or within 30 days of an employee's assignment to the contract, whichever date is later.

d. Employers that are already enrolled in E-Verify at the time of a contract award but are not enrolled in the system as a Federal contractor with the FAR E-Verify clause: Employers enrolled in E-Verify for 90 days or more at the time of a contract award must use E-Verify to initiate verification of employment eligibility for new hires of the Employer who are working in the United States, whether or not assigned to the contract, within 3 business days after the date of hire. Employers enrolled in E-Verify as other than a Federal contractor with the FAR E-Verify clause, must update E-Verify to indicate that they are a Federal contractor with the FAR E-Verify clause within 30 days after assignment to the contract. If the Employer is enrolled in E-Verify for 90 calendar days or less at the time of contract award, the Employer must, within 90 days of enrollment, begin to use E-Verify to initiate verification of new hires of the contractor who are working in the United States, whether or not assigned to the contract. Such verification of new hires must be initiated within 3 business days after the date of hire. An Employer enrolled as a Federal contractor with the FAR E-Verify clause in E-Verify must initiate verification of each employee assigned to the contract within 90 calendar days after date of contract award or within 30 days after assignment to the contract, whichever is later.

e. Institutions of higher education, State, local and tribal governments and sureties: Federal contractors with the FAR E-Verify clause that are institutions of higher education (as defined at 20 U.S.C. 1001(a)), State or local governments, governments of Federally recognized Indian tribes, or sureties performing under a takeover agreement entered into with a Federal agency pursuant to a performance bond may choose to only verify new and existing employees assigned to the Federal contract. Such Federal contractors with the FAR E-Verify clause may, however, elect to verify all new hires, and/or all existing employees hired after November 6, 1986. The provisions of Article II.D, paragraphs 1.a and 1.b of this MOU providing timeframes for initiating employment verification of employees assigned to a contract apply to such institutions of higher education, State, local and tribal governments, and sureties.

f. Verification of all employees: Upon enrollment, Employers who are Federal contractors with the FAR E-Verify clause may elect to verify employment eligibility of all existing employees working in the United States who were hired after November 6, 1986, instead of verifying only new employees and those existing employees assigned to a covered Federal contract. After enrollment, Employers must elect to do so only in the manner designated by DHS and initiate E-Verify verification of all existing employees within 180 days after the election.

g. Form I-9 procedures for existing employees of Federal contractors with the FAR E-Verify clause: Federal contractors with the FAR E-Verify clause may choose to complete new Forms I-9 for all existing employees other than those that are completely exempt from this process. Federal contractors with the FAR E-Verify clause may also update previously completed Forms I-9 to initiate E-Verify verification of existing employees who are not completely exempt as long as that Form I-9 is complete (including the SSN), complies with



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Article II.C.5, the employee's work authorization has not expired, and the Employer has reviewed the information reflected in the Form I-9 either in person or in communications with the employee to ensure that the employee's stated basis in section 1 of the Form I-9 for work authorization has not changed (including, but not limited to, a lawful permanent resident alien having become a naturalized U.S. citizen). If the Employer is unable to determine that the Form I-9 complies with Article II.C.5, if the employee's basis for work authorization as attested in section 1 has expired or changed, or if the Form I-9 contains no SSN or is otherwise incomplete, the Employer shall complete a new I-9 consistent with Article II.C.5, or update the previous I-9 to provide the necessary information. If section 1 of the Form I-9 is otherwise valid and up-to-date and the form otherwise complies with Article II.C.5, but reflects documentation (such as a U.S. passport or Form I-551) that expired subsequent to completion of the Form I-9, the Employer shall not require the production of additional documentation, or use the photo screening tool described in Article II.C.5, subject to any additional or superseding instructions that may be provided on this subject in the Supplemental Guide for Federal Contractors. Nothing in this section shall be construed to require a second verification using E-Verify of any assigned employee who has previously been verified as a newly hired employee under this MOU, or to authorize verification of any existing employee by any Employer that is not a Federal contractor with the FAR E-Verify clause.

2. The Employer understands that if it is a Federal contractor with the FAR E-Verify clause, its compliance with this MOU is a performance requirement under the terms of the Federal contract or subcontract, and the Employer consents to the release of information relating to compliance with its verification responsibilities under this MOU to contracting officers or other officials authorized to review the Employer's compliance with Federal contracting requirements.

ARTICLE III

REFERRAL OF INDIVIDUALS TO SSA AND DHS

A. REFERRAL TO SSA

1. If the Employer receives a tentative nonconfirmation issued by SSA, the Employer must print the notice as directed by the E-Verify system and provide it to the employee so that the employee may determine whether he or she will contest the tentative nonconfirmation. The Employer must review the tentative nonconfirmation with the employee in private.

2. The Employer will refer employees to SSA field offices only as directed by the automated system based on a tentative nonconfirmation, and only after the Employer records the case verification number, reviews the input to detect any transaction errors, and determines that the employee contests the tentative nonconfirmation. The Employer will transmit the Social Security Number to SSA for verification again if this review indicates a need to do so. The Employer will determine whether the employee contests the tentative nonconfirmation as soon as possible after the Employer receives it.

3. If the employee contests an SSA tentative nonconfirmation, the Employer will provide the employee with a system-generated referral letter and instruct the employee to visit an SSA office within 8 Federal Government work days. SSA will electronically transmit the result of the referral to the Employer within 10 Federal Government work days of the referral unless it



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determines that more than 10 days is necessary. The Employer agrees to check the E-Verify system regularly for case updates.

4. The Employer agrees not to ask the employee to obtain a printout from the Social Security Number database (the Numident) or other written verification of the Social Security Number from the SSA.

B. REFERRAL TO DHS

1. If the Employer receives a tentative nonconfirmation issued by DHS, the Employer must print the tentative nonconfirmation notice as directed by the E-Verify system and provide it to the employee so that the employee may determine whether he or she will contest the tentative nonconfirmation. The Employer must review the tentative nonconfirmation with the employee in private.

2. If the Employer finds a photo non-match for an employee who provides a document for which the automated system has transmitted a photo, the employer must print the photo non-match tentative nonconfirmation notice as directed by the automated system and provide it to the employee so that the employee may determine whether he or she will contest the finding. The Employer must review the tentative nonconfirmation with the employee in private.

3. The Employer agrees to refer individuals to DHS only when the employee chooses to contest a tentative nonconfirmation received from DHS automated verification process or when the Employer issues a tentative nonconfirmation based upon a photo non-match. The Employer will determine whether the employee contests the tentative nonconfirmation as soon as possible after the Employer receives it.

4. If the employee contests a tentative nonconfirmation issued by DHS, the Employer will provide the employee with a referral letter and instruct the employee to contact DHS through its toll-free hotline (as found on the referral letter) within 8 Federal Government work days.

5. If the employee contests a tentative nonconfirmation based upon a photo non-match, the Employer will provide the employee with a referral letter to DHS. DHS will electronically transmit the result of the referral to the Employer within 10 Federal Government work days of the referral unless it determines that more than 10 days is necessary. The Employer agrees to check the E-Verify system regularly for case updates.

6. The Employer agrees that if an employee contests a tentative nonconfirmation based upon a photo non-match, the Employer will send a copy of the employee's Form I-551 or Form I-766 to DHS for review by:

- Scanning and uploading the document, or
- Sending a photocopy of the document by an express mail account (paid for at employer expense).

7. If the Employer determines that there is a photo non-match when comparing the photocopied List B document described in Article II.C.5 with the image generated in E-Verify, the Employer must forward the employee's documentation to DHS using one of the means described in the preceding paragraph, and allow DHS to resolve the case.



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ARTICLE IV

SERVICE PROVISIONS

SSA and DHS will not charge the Employer for verification services performed under this MOU. The Employer is responsible for providing equipment needed to make inquiries. To access E-Verify, an Employer will need a personal computer with Internet access.

ARTICLE V

PARTIES

A. This MOU is effective upon the signature of all parties, and shall continue in effect for as long as the SSA and DHS conduct the E-Verify program unless modified in writing by the mutual consent of all parties, or terminated by any party upon 30 days prior written notice to the others. Any and all system enhancements to the E-Verify program by DHS or SSA, including but not limited to the E-Verify checking against additional data sources and instituting new verification procedures, will be covered under this MOU and will not cause the need for a supplemental MOU that outlines these changes. DHS agrees to train employers on all changes made to E-Verify through the use of mandatory refresher tutorials and updates to the E-Verify User Manual, the E-Verify User Manual for Federal Contractors or the E-Verify Supplemental Guide for Federal Contractors. Even without changes to E-Verify, DHS reserves the right to require employers to take mandatory refresher tutorials. An Employer that is a Federal contractor with the FAR E-Verify clause may terminate this MOU when the Federal contract that requires its participation in E-Verify is terminated or completed. In such a circumstance, the Federal contractor with the FAR E-Verify clause must provide written notice to DHS. If an Employer that is a Federal contractor with the FAR E-Verify clause fails to provide such notice, that Employer will remain a participant in the E-Verify program, will remain bound by the terms of this MOU that apply to participants that are not Federal contractors with the FAR E-Verify clause, and will be required to use the E-Verify procedures to verify the employment eligibility of all newly hired employees.

B. Notwithstanding Article V, part A of this MOU, DHS may terminate this MOU if deemed necessary because of the requirements of law or policy, or upon a determination by SSA or DHS that there has been a breach of system integrity or security by the Employer, or a failure on the part of the Employer to comply with established procedures or legal requirements. The Employer understands that if it is a Federal contractor with the FAR E-Verify clause, termination of this MOU by any party for any reason may negatively affect its performance of its contractual responsibilities.

C. Some or all SSA and DHS responsibilities under this MOU may be performed by contractor(s), and SSA and DHS may adjust verification responsibilities between each other as they may determine necessary. By separate agreement with DHS, SSA has agreed to perform its responsibilities as described in this MOU.

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D. Nothing in this MOU is intended, or should be construed, to create any right or benefit, substantive or procedural, enforceable at law by any third party against the United States, its agencies, officers, or employees, or against the Employer, its agents, officers, or employees.

E. Each party shall be solely responsible for defending any claim or action against it arising out of or related to E-Verify or this MOU, whether civil or criminal, and for any liability wherefrom, including (but not limited to) any dispute between the Employer and any other person or entity regarding the applicability of Section 403(d) of IIRIRA to any action taken or allegedly taken by the Employer.

F. The Employer understands that the fact of its participation in E-Verify is not confidential information and may be disclosed as authorized or required by law and DHS or SSA policy, including but not limited to, Congressional oversight, E-Verify publicity and media inquiries, determinations of compliance with Federal contractual requirements, and responses to inquiries under the Freedom of Information Act (FOIA).

G. The foregoing constitutes the full agreement on this subject between DHS and the Employer.

H. The individuals whose signatures appear below represent that they are authorized to enter into this MOU on behalf of the Employer and DHS respectively.



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To be accepted as a participant in E-Verify, you should only sign the Employer's Section of the signature page. If you have any questions, contact E-Verify at 888-464-4218.

Employer **McCrory & Williams, Inc.**

Teresa Dorriety

Name (Please Type or Print)

Title

Electronically Signed

Signature

03/16/2012

Date

Department of Homeland Security – Verification Division

USCIS Verification Division

Name (Please Type or Print)

Title

Electronically Signed

Signature

03/16/2012

Date

Information Required for the E-Verify Program

Information relating to your Company:

Company Name: **McCrory & Williams, Inc.**

Company Facility Address: **3207 International Drive, Suite G**

Mobile, AL 36606

Company Alternate
Address:

County or Parish: **MOBILE**

Employer Identification

Number: **630697109**



Company ID Number: 521538

North American Industry
Classification Systems
Code: 541

Administrator:

Number of Employees: 20 to 99

Number of Sites Verified
for: 2

Are you verifying for more than 1 site? If yes, please provide the number of sites verified for in each State:

- ALABAMA 2 site(s)

Information relating to the Program Administrator(s) for your Company on policy questions or operational problems:

Name: Teresa B Dorriety
Telephone Number: (251) 476 - 4720
E-mail Address: tdorriety@mcwinc.com

Fax Number: (251) 476 - 4721

OFFICE OF SUPPLIER DIVERSITY CITY OF MOBILE

Return to Office of Supplier Diversity
Via email: archnique.kidd@cityofmobile.org

or

P.O. Box 1948
Mobile, AL 36633

DBE Compliance DBE UTILIZATION REPORT

CONTRACTOR:		Certified DBE: YES NO		Contract Start Date:		Contract Completion Date:	
This report is for the month of: JAN FEB MARCH APR MAY JUNE JULY AUG SEPT OCT NOV DEC FINAL _____							
Original Contract Amount		Total Amount of Contract Changes (change orders or amendments)		Final Contract Amount (include contract changes)		Payments to Date from City of Mobile	
\$		\$		\$		OFFICE USE ONLY (Verification)	
Instructions: List all DBEs utilized on the contract, whether or not the firms were originally listed for DBE goal credit. List actual amount paid to each DBE firm. If the established Percentage is not being met, please include a narrative description of the progress being made in DBE participation.							
DBE SUBCONTRACTOR	DBE DESCRIPTION OF WORK	DBE SUBCONTRACT AMOUNT	DBE PAYMENTS THIS REPORT	PAYMENTS TO DATE	OFFICE USE ONLY (Verification)		
		\$	\$	\$			
		\$	\$	\$			
		\$	\$	\$			
		\$	\$	\$			
TOTALS		\$	\$	\$			

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. SUPPORTING DOCUMENTATION IS ON FILE AND IS AVAILABLE FOR INSPECTION BY CITY OF MOBILE OFFICE OF SUPPLIER DIVERSITY PERSONNEL AT ANY TIME.

PRINT NAME: _____

SIGNATURE: _____ (Title) _____ (Date)



OFFICE OF SUPPLIER DIVERSITY

CITY OF MOBILE

Subcontracting and Major Supplier Plan

Contact Office of Supplier Diversity for
questions on completing this form.
Via email: Archnique.kidd@cityofmobile.org
251.208.7967
205 Government Street, 5th Floor

Bidders and Proposers – Please complete and submit these forms as required by your City of Mobile Bid or Proposal Specification.

If you are submitting a proposal in response to a Request for Qualifications, Request for Proposal, or other solicitation ("Solicitations") issued by the City of Mobile, the bid specification may require you to utilize disadvantaged business enterprise ("DBE") subcontractors and suppliers. If DBE participation is required, you must complete and submit these forms with your proposal. If required, failure to submit this form will render your bid non-responsive. NOTE: To satisfy participation requirements for a federally funded project, you must utilize DBEs certified through the Alabama Unified Certification Program.

If DBE participation is required, and you fail to satisfy the participation requirement, you must show that you made a good faith effort to include such participation; you will be required to submit DBE Compliance Form 2 and include additional information if needed. When so required, failure to address adequately the good faith effort factors on Form 2 will render your bid or proposal non-responsive. The "good faith effort" factors on Form 2 are not intended to be a mandatory, exhaustive, or exclusive.

You are encouraged to work with the City of Mobile Supplier Diversity Manager when preparing this form. Please consult with the City Supplier Diversity Manager for a list of eligible DBEs. The "good faith effort" factors on **Form 2** are not intended to be mandatory, exhaustive, or exclusive; they are a tool to help you, and the City of Mobile, determine whether you made efforts which, by their scope, intensity, and appropriateness to the objective, would reasonably be expected to fulfill the participation requirement.

About **"DBEs"**: Disadvantaged business enterprise or DBE means a for-profit small business concern (1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

About **"Good Faith" Effort**: Good faith efforts means efforts to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement. The City of Mobile expects contractors holding large contracts to recruit and engage DBEs to be a part of their team.

Failure to submit this form, when so required by the bid or proposal specification, will render your bid non-responsive.



OFFICE OF SUPPLIER DIVERSITY

CITY OF MOBILE

Subcontracting and Major Supplier Plan

Contact Office of Supplier Diversity for
questions on completing this form.
Via email: Archtrique.kidd@cityofmobile.org
251.208.7967
205 Government Street, 5th Floor

Section I. Information about your company

FORM 1: Background and Plan

Company	McCRORY & WILLIAMS INC
Address	3207 INTERNATIONAL DRIVE SUITE C MOBILE, AL 36606
Telephone	251-476-4720
E-Mail	CVUNCANNON@MCWILLIAMS.COM

RFI/RFQ Solicitation Number	2021-2045-01
Project Description	LANGAN PARK STORMWATER CFT SERVICES
Is your company a DBE company?	Yes ☒ No ☐
Work force demographics	Male 21 Female 6 Minority 4 Non-minority 23 SDVO
Total # of Employees	27

Subcontractor/Major Supplier Plan submitted by:

Printed Name: CARAH VUNCANNON
Signature: Carah Vuncannon Date: 05-21-2025
Title: Pres; Dept

The following employee will be designated as the DBE Liaison for all communication regarding DBE participation including documentation for DBE participation and maintenance of records of Good Faith Efforts for this contract award:

Name: JANITA FINCH Title: DBE COORDINATOR
Email: jfinch@mcwilliams.com Phone: 251-476-4720



Subcontracting and Major Supplier Plan

Section II. Subcontractors/Major Vendors Supplier Plan submitted by:

I intend to use the following subcontractors: (Attach additional pages if necessary)

Page 3 of 5
Subcontractor/Supplier Plan rev. 7/29/2021

McCrory Williams
INCORPORATED
E n g i n e e r s S u r v e y o r s

April 25, 2025

Programs and Project Management
City of Mobile
205 Government Street
P.O. Box 1827
Mobile, Alabama 36633-1827

Attn: Ms. Jennifer Greene

RE: Langan Park Stormwater Improvements
 COM Project No. 2021-2045-01
 Proposal for CEI Services

Dear Ms. Greene:

As per your request in our recent discussions, we are providing this proposal related to the above referenced project. Our estimated fee below is for the construction engineering and inspection (CEI) services of the Langan Lake Stormwater Improvements project. Also included in our scope of work are bid phase services and project closeout phase services.

We can provide these services for a fee not-to-exceed \$90,000.00. A copy of our 2025 hourly billing rate sheet is attached.

Thank you for the opportunity to provide our services on this project. If you have any questions or need for further discussion, please feel free to contact me at any time.

Sincerely,

McCrory & Williams, Inc.



Carah Vuncannon, P.E.

McCrary Williams
INCORPORATED
Engineers Surveyors

HOURLY RATE SCHEDULE 2025

PRINCIPAL	\$175.00 PER HOUR
PROFESSIONAL ENGINEER / PROJECT MANAGER	\$160.00 PER HOUR
PROJECT ENGINEER / SENIOR ENGINEER	\$150.00 PER HOUR
PROFESSIONAL LAND SURVEYOR	\$145.00 PER HOUR
ENGINEER	\$130.00 PER HOUR
ENGINEERING INTERN / SENIOR ENGINEERING TECHNICIAN	\$110.00 PER HOUR
SENIOR CADD TECHNICIAN / EASEMENT TECHNICIAN	\$85.00 PER HOUR
ENGINEERING TECHNICIAN	\$100.00 PER HOUR
SENIOR SURVEY TECHNICIAN	\$85.00 PER HOUR
SURVEY TECHNICIAN / SURVEY CADD TECHNICIAN	\$70.00 PER HOUR
SENIOR CONSTRUCTION REPRESENTATIVE	\$95.00 PER HOUR
CONSTRUCTION REPRESENTATIVE	\$85.00 PER HOUR
<u>SURVEY CREW</u>	
2-MAN CREW	\$135.00 PER HOUR
3-MAN CREW	\$165.00 PER HOUR
4-MAN CREW	\$185.00 PER HOUR
5-MAN CREW	\$220.00 PER HOUR
CLERICAL	\$70.00 PER HOUR
MILEAGE	\$.70 PER MILE

CAPITAL CONTRACT SUMMARY SHEET

(2 COPIES REQUIRED)

CONTRACT #

PROJECT NAME: Langan Park Stormwater Improvements CE&I

PROJECT # C0647 DATE OF RECEIPT 05/21/2025

PROJECT DESCRIPTION Construction Engineering & Inspection for the
Langan Park Stormwater Improvement project

CONTRACT AMOUNT \$90,000

VENDOR NAME McCrory & Williams, Inc.

VENDOR NUMBER 132093

DEPT # 2045 DEPT NAME PPM

CONTRACT ADMINISTRATOR Cody Reed

Please Select by circling one (Type):

Architectural Engineering Testing Professional Services

Construction (Unit Price)* Construction** Non Contractual

Performance-Contributed Contractual

RETAINAGE INFORMATION:

SHOULD RETAINAGE BE WITHHELD? Y___ N X ; 5% of the 1st 50% ___ or If
different, indicate special rate _____

**Unit Price Contracts are estimates per F. Kessler - do not require Change Orders*

***General Construction requires Change Order for 10% overages.*

Prepared by:  Date 05/21/2025

Revised 11/14/2019 Marilyn McMillan



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Ricardo Woods, City Attorney

Sponsored by:

William Stimpson, Mayor

Purpose and Scope of Project:

To authorize the Settlement Agreement and Release of Claims; Mansilla

Amount of Contract:

Funding Source

ATTACHMENTS:

1. Resolution.Settlement Roxana Mansilla

REVIEWERS:

Patricia Primm

Cherlina Monteiro

James Barber

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Roxana Mansilla, as outlined in the Settlement Agreement and Release of Claims. A copy of the said settlement agreement is on file in the Office of the City Clerk.

Adopted:

City Clerk



CAPITAL CONTRACT SUMMARY SHEET



AGENDA ITEM SUMMARY SHEET

Agenda of: May 27, 2025

Submitted by:

Ricardo Woods, City Attorney

Sponsored by:

William Stimpson, Mayor

Purpose and Scope of Project:

Authorize Settlement Agreement and Release of Claims; Valderrama

Amount of Contract:

Funding Source

ATTACHMENTS:

1. Resolution.Settlement Valderrama Manuel

REVIEWERS:

Patricia Primm

Cherlina Monteiro

James Barber

RESOLUTION

Sponsored by: Mayor William S. Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Manuel Valderrama, as outlined in the Settlement Agreement and Release of Claims. A copy of the said settlement agreement is on file in the Office of the City Clerk.

Adopted:

City Clerk

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

Notice of Public Hearing to Consider the Proposed Rezoning
of Property Located at 5105, 5109, and 5111 Overlook Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted **May 27, 2025**, a public hearing will be held on the 1st day of **July, 2025**, at 10:30 a.m., to consider adoption of an ordinance for consider4r the proposed rezoning of property located at 5105, 5109, and 5111 Overlook Road from R-1, Single-Family Residential Suburban District, to B-2, Neighborhood Business Suburban District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

Lisa C. Lambert
City Clerk

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

LOTS 2 AND 3, BLOCK, C, DRUID HOMES, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 6, PAGE 538 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA.

ALSO, LOT FOUR (4), BLOCK C, DRUID HOMES, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 6, PAGES 538-539 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from R-1, Single-Family Residential Suburban District, to B-2, Neighborhood Business Suburban District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-2, Neighborhood Business Suburban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business Suburban District until all of the conditions set forth below have been complied with: 1. Completion of the Rezoning process prior to signing the Final Plat for the proposed subdivision; 2. Compliance with all Engineering, Traffic

Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and 3. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

NOTICE OF HEARING OF PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Government Plaza in Mobile, Alabama on the 1st day of July, 2025, at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Zoning Ordinance

The proposed amendment to the Unified Development Code was published in full on the 4th day of June, 2025 in the Lagniappe.

The proposed amendment to the Unified Development Code concerns the property within the City of Mobile, located at **5105, 5109, and 5111 Overlook Road.**

The proposed amendment to the Unified Development Code changes the classification of the subject property from **R-1, Single-Family Residential Suburban District**, to a **B-2, Neighborhood Business Suburban District**. Under the proposed amendment to the Unified Development Code, it shall hereafter be lawful to construct on the subject property any structures and to use the subject property for any use, as permitted in **B-2** districts under the terms of the Unified Development Code of July 12, 2022, as amended. Any construction or erection on the subject property shall be in compliance with the building laws of the City of Mobile, and shall be approved by the Building Inspector of the City of Mobile. Any such constructed or erected structure shall be erected or constructed in compliance with the laws of the City of Mobile, including without limitation the requirements of the Unified Development Code of July 12, 2022, as amended. Further, no lot or parcel shall be used for any use allowed in **B-2** districts until the following conditions have been complied with: **1. Completion of the Rezoning process prior to signing the Final Plat for the proposed subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and 3. Full compliance with all municipal codes and ordinances.**

This proposed amendment to the Unified Development Code shall be in full force and effect from after its publication and adoption by the Mobile City Council.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE.

Sponsored by: Councilmember Gina Gregory

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

LOTS 2 AND 3, BLOCK, C, DRUID HOMES, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 6, PAGE 538 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA.

ALSO, LOT FOUR (4), BLOCK C, DRUID HOMES, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 6, PAGES 538-539 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from **R-1, Single-Family Residential Suburban District**, to **B-2, Neighborhood Business Suburban District**, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a **B-2, Neighborhood Business Suburban District**, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a **B-2, Neighborhood Business Suburban District** until all of the conditions set forth below have been complied with: **1. Completion of the Rezoning process prior to signing the Final Plat for the proposed subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and 3. Full compliance with all municipal codes and ordinances.**

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

Adopted:

Lisa Lambert, City Clerk

**Lloyd Thomas
L Thomas Place Subdivision
5105, 5109, and 5111 Overlook Road
Council District 7
Gina Gregory**



THE CITY OF MOBILE, ALABAMA
PLANNING & ZONING DEPARTMENT
MOBILE CITY PLANNING COMMISSION

May 14, 2025

City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on December 19, 2024, considered the request of **Lloyd Thomas** for a change in zoning from **R-1, Single-Family Residential Suburban District**, to **B-2, Neighborhood Business Suburban District** for the property located at **5105, 5109, and 5111 Overlook Road**.

After discussion it was decided to recommend approval of the rezoning request to the City Council.

Copies of the application and reports are attached.

Sincerely,

Stephen Guthrie
Deputy Director, Planning & Zoning Department

maf
Attachments



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION
December 26, 2024
"CORRECTED"

Lloyd Thomas
5111 Overlook Road
Mobile, Alabama 36618

Re: 5105, 5109, 5111 Overlook Road
ZON-UDC-003059-2024
L Thomas Place Subdivision
Lloyd Thomas
District 7
Rezoning from Single-Family Residential Suburban District (R-1), to Neighborhood Business Suburban District (B-2).

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

After discussion the Planning Commission determined the following criteria prevail to support rezoning of the property to B-2, Neighborhood Business Suburban District:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan; and
- B) Compatibility. The proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would not adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- C) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of rezoning the property to B-2, Neighborhood Business Suburban District, subject to the following conditions:

- 1. Completion of the Rezoning process prior to signing the Final Plat for the proposed subdivision;
- 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and,
- 3. Full compliance with all municipal codes and ordinances.

The advertising fee for this application based on the current legal description is **\$315.40**. Upon receipt of this fee (*check made out to the "City of Mobile"*), your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

ZON-UDC-003059-2024 5105, 5109 and 5111 Overlook Road
December 26, 2024

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Ms. Jennifer Denson, Secretary

By: Stephen Guthrie
Stephen Guthrie
Deputy Director of Planning and Zoning



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 22, 2024

Lloyd Thomas
5111 Overlook Road
Mobile, Alabama 36618

Re: 5105, 5109, and 5111 Overlook Road
ZON-UDC-003059-2024
Lloyd Thomas
District 7
Rezoning from Single-Family Residential Suburban District (R-1), to Neighborhood Business Suburban District (B-2).

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

After discussion the Planning Commission heldover the request until the December 19th meeting to allow the Rezoning application to be heard concurrently with the proposed Subdivision.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By: Stephen Guthrie
Stephen Guthrie
Deputy Director of Planning and Zoning



Planning Commission Application

For hard copy submissions, **SEVEN (7) COPIES** of all the necessary information as required by the Zoning Ordinance, including the site plan, must be submitted along with seven (7) paper copies of this application by **NOON** on the deadline filing date. Otherwise, this application will not be accepted. Separate application packets and fees are required for each application type. Digital submissions are required by noon on the deadline filing date.

Fees

Conditional Use Permit	\$500
Conditional Use Permit for Above-Ground Oil Storage Tank*	\$1,500
Conditional Use Permit for Hazardous Substance Storage Tank*	\$1,500
Rezoning, Text Amendment, or Specific Area Plan	\$500
Planned Development	\$500
Planning Approval or Planned Unit Development	\$500

Notification fees: First Class Postage per property owner within 300', and each applicant/owner.

Additional fees: A legal advertisement fee will be required for each application, after consideration by the Planning Commission and prior to consideration by the City Council. If approved by the City Council, documentation must be recorded in Mobile County Probate Court at the expense of the applicant.

* For Above-Ground Oil Storage Tank or Hazardous Substance Storage Tank applications, please contact staff for additional information regarding fee, legal ad and notification requirements.

APPLICATION TYPE Please select the application type: Please complete the appropriate checklist (A, B, C, or D) for a full list of application requirements.

☐ **Conditional Use Permits**

Checklist A

☒ **Rezoning, Text Amendment, or Specific Area Plan Amendments**

Checklist B

☐ **Planned Development**

Checklist C

☐ **Previously approved Planning Approvals or Planned Unit Development**

Checklist D

Have you provided the required information on the corresponding checklist? ☐ Yes ☐ No

1. APPLICANT INFORMATION If other than the property owner, must furnish written authorization from owner. Owner must submit evidence, such as deed or tax assessment that the person has right of possession to the land and any structures thereon.

	Applicant	Agent (If Applicable)
Name:	Lloyd Thomas	N/A
Firm:	N/A	N/A
Phone:	251-654-5793	N/A
Email:	TLCthomas52@gmail.com	N/A
Address:	5111 Overlook Road Mobile, AL 36618	N/A

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information:

251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower
Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

	Owner	Design Professional
Name:	Lloyd & Lucious Thomas, Darlene Walker	John Farrior Crenshaw
Firm:	N/A	John Farrior Crenshaw
Phone:	251-654-5793	251-463-4931
Email:	TLCthomas52@gmail.com	jfcsurveyor@yahoo.com
Address:	5111 Overlook Road Mobile, AL 36618	8024 Murray Hill Road Irvington, AL 36544

2. PROPERTY INFORMATION Attach a brief description of the property location, parcel number, and legal description.

5109, 5111, & 5105 Overlook Road Mobile, AL 36618

0.74 acres

Property Address

02-28-02-10-10-02-002.000 & 02-28-02-10-10-02-003.000

Property Area (acres or square feet)

Parcel Number(s) or Key Number(s)

R-1

B-2

Present Zoning or Transect District

Proposed Zoning or Transect District (if applicable)

3. NEIGHBORHOOD MEETING Attach the Neighborhood Meeting Documentation if applicable.

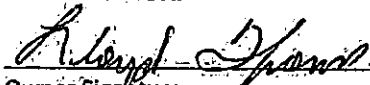
This requirement applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

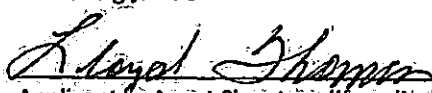
Have you provided the required Neighborhood Meeting Documentation, if applicable? ☐ Yes ☐ No

4. LABELS FOR NOTIFICATION Provide the names and complete addresses of owners of property lying within 300 feet of the property in this application, as shown by the latest assessment records of the Mobile County Revenue Commissioner's Office located in the plat and map room. ALL property ownership information provided for notification MUST be verified through Probate Court records. Each name and address must be TYPED on a standard size (approximately 1" x 2-5/8") white self-adhesive label. Include one (1) label with the APPLICANT'S name and address, plus one (1) label with the OWNER'S name and address (if applicant and owner differ). A PHOTOCOPY OF THE TYPED LABELS MUST ALSO BE SUBMITTED. (Please use 8 1/2" x 11" sheets of labels).

5. SIGNATURE It is warranted in good faith by the applicant whose name is signed hereto that all of the above facts are true and correct.


Owner Signature

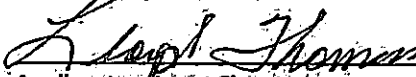
3/12/24
Date


Applicant or Agent Signature (if applicable)

3/12/24
Date

AGREEMENT ALLOWING THE CITY OF MOBILE TO POST PUBLIC NOTICE SIGNS ON PROPERTY PENDING BEFORE THE MOBILE CITY PLANNING COMMISSION

I hereby agree to allow the City of Mobile to post on my property, which is under consideration for Planning Commission/City Council approval, a sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.


Applicant or Agent Signature

3/12/24
Date

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information:

(251) 208-5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower
Monday, Tuesday, Thursday, Friday: 8 am - 3 pm; Wednesday: 8 am - 1 pm

CHECKLIST B

Rezoning, Text Amendments, or Specific Area Plan Amendments

The following information is required to evaluate applications for Rezoning, Text Amendments, or Specific Area Plan Amendments. Please provide a statement for all items.

The following information is required for Rezoning Applications. Please refer to _____ for a full description of the requirements and verify that the following documentation is provided:

- | | |
|---|---|
| ☒ Planning Commission Application

☐ Neighborhood Meeting documentation
☒ Boundary Plan | ☒ A Concept Plan or Site Plan due to complexity of project or if required by Planning Commission.
☐ Traffic Impact Studies, as prescribed by the Traffic Engineer |
|---|---|

A. JUSTIFICATION FOR THE PROPOSED AMENDMENT

1. Describe how the proposal aligns with the _____
 Facilities and services are vital to the smooth operation of any city. A daycare will influence the option to create quality services and facilities where they are lacking.
 By prioritizing development in areas with existing infrastructure, maintenance becomes more efficient.

Low density residential

Future Land Use Map (FLUM) Designation

B-2

Requested Zoning

2. Was there a mistake or error in the original zoning map? ☒ Yes ☐ No

If yes, describe the error

The properties were zoned as R-1 with an existing daycare and seamstress shop prior to the current owner purchasing it.

3. Describe how this proposal promotes the community's health, safety, and welfare.

This type of establishment has the potential to create and promote a more connected community atmosphere. It creates job opportunities as well as enabling parents to to work without worrying about their children.

4. Describe what changed or changing conditions in the area make an amendment necessary and desirable.
 changing to a B-2 will support the existing businesses on the property.

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information:

| 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower
 Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

B. SITE AND NEIGHBORHOOD COMPATIBILITY The following will be considered when evaluating application for compatibility with surrounding uses.

1. Describe the current development trends in the area of the property.

The current development trends in the area are as follows: greater connectivity to the community, eventual increase in density with residential above retail and services, improve traffic flow

2. Describe the surrounding land uses:

surrounding the property are residential houses and across the street are multiple businesses

3. Describe any potential adverse impacts on neighboring properties and how they will be mitigated.

No potential adverse impacts on the neighboring properties as these building have existed here for years.

4. Describe if there is adequate infrastructure in place to accommodate the proposed request.

currently the properties are connected to City of Mobile Water and sewer pipes and also has underground utilities already in place

5. Describe how the proposal is in the City's or the larger community's best interest and what needs, benefits, or public purposes it serves.

This proposal benefits the larger community's best interest by providing a connected community while also creating job opportunities and providing working parents a way to take care of their children while they work.

C. SPECIFIC AREA PLANS For Specific Area Plans (regulating plans, Neighborhood Plans, and overlay districts), describe proposed changes to area plan.

N/A

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information:

| 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower
Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Lloyd & Lucious Thomas
5111 Overlook Road Mobile, AL
Date: January 22, 2024

ATTN: City of Mobile Planning and Zoning

To whom it may concern,

A few years back, Mr. Thomas bought the properties at 5109 & 5111 Overlook Road Mobile, AL. Before purchasing, the property was already established as a day care and has continued in business since. Recently, Mr. Thomas bought the property next to him at 5105 Overlook Road Mobile, AL. Before purchasing, the property was already established as a seamstress shop. Mr. Thomas would like to combine the three lots into one lot. At the time of the purchases, all lots were zoned as R-1. We would like to request a zone amendment for all properties as a B-2. A zoning amendment is necessary according to condition #4 (the subdivision of land into urban building sites makes reclassification necessary and desirable). The zone amendment will not affect the surrounding properties.

Your attention to this matter is greatly appreciated.

Notice of Neighborhood Meeting
September 5th, 2024

Dear Property Owner(s)

This letter is to inform you that a Neighborhood Meeting has been scheduled to discuss the following application(s) that Lloyd Thomas will be submitting to the Mobile City Planning Commission:

- (1) Application Zoning Change to rezone the property at 5111 Overlook Road Mobile, AL 36618 from Single-Family Residential Suburban District (R-1) to Buffer Business Suburban District (B-1)

The Neighborhood Meeting will be held at the following time, date, and location:

Date: September 18, 2024

Time: 4:30-6:00pm

Location: Overlook Presbyterian
Church, 5311 Overlook Road
Mobile, Alabama

You are receiving this notice because your property is within 300 feet of 5109, 5111, and 5105 Overlook Road Mobile, AL 36618, in compliance with the notification requirements of Article 5 of the city's Unified Development Code (UDC). You or your agent are invited to attend the Neighborhood Meeting to learn more about the above-referenced application(s), ask questions, and present your views.

Sincerely,



Lloyd Thomas
TLC Learning Center
5111 Overlook Road Mobile, AL 36618
TLCthomas52@gmail.com



2016040198 1/3
Bk: LR7405 Pg:326
Document Type: D

Warranty Deed

JOINTLY FOR LIFE
WITH REMAINDER TO SURVIVOR

850
5000
5850
1000
6850
700
7050
STATE OF ALABAMA

COUNTY OF MOBILE

Know all Men by these Presents: That, in consideration of Fifty Thousand and no/100 Dollars (\$50,000.00) and other good and valuable consideration to it in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **COMMONWEALTH NATIONAL BANK**, (herein referred to as "Grantor") does by these presents grant, bargain, sell and convey unto **LLOYD THOMAS AND LUCIOUS THOMAS** (herein referred to as "Grantees") for and during their joint lives and, upon the death of either of them, then to the survivor, in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion, the following described real estate situated in Mobile County, Alabama, to-wit:

Lots 2 and 3, Block, C, Druid Homes, according to plat thereof recorded in Map Book 6, Page 538 of the records in the Office of the Judge of Probate of Mobile County, Alabama.

Property Address: 5109 & 5111 Overlook Road, Mobile, Alabama 36618

This conveyance is subject to subdivision restrictions, utility, drainage and sewer easements, and minimum setback lines, if any, applicable to the aforesaid property appearing of record in the Office of the Judge of Probate of Mobile County, Alabama. This conveyance is also subject to any prior reservation, severance or conveyance of minerals or mineral rights.

1. Building setback line, drainage and utility line easements and notes or restrictions as shown on recorded plat of said subdivision.
2. Restrictive covenants dated June 20, 1955 and recorded in Deed Book 633, page 183.
3. Easement granted Alabama Power Company and Southern Bell Telephone and Telegraph Company by Druid Hoes, Inc., dated June 27, 1955, and recorded in Deed Book 647, Page 8.

4. Easement granted Alabama Power Company by Stephen H. Beck and Daisy I. Beck dated April 1, 1961 and recorded in Real Property Book 241, Page 608.
5. Easement granted Alabama Power Company by Druid Homes, Inc., dated April 26, 1961, and recorded in Real Property Book 243, Page 40.

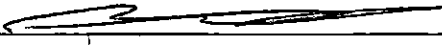
To Have and To Hold the aforegranted premises to the said Grantees for and during their joint lives and, upon the death of either of them, then to the survivor, in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And the said Grantor does, for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that it is free from all encumbrances, except as otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall **Warrant and Defend** the premises to the said Grantees, their heirs, personal representatives and assigns forever, against the lawful claims of all persons.

In Witness Whereof, the said Grantor has set its hand and seal this 22nd day of July, 2016.

Mobile County, Alabama
I hereto certify this instrument
filed on : 07/26/2016 09:00:00 AM
Don Davis, Probate Judge
Deed Tax: \$50.00
Mortgage Tax: \$.00
Mineral Tax: \$.00
No Tax: \$.00
Judge Fee: \$.00
S.R. Fee: \$2.00
Surcharge Fee: \$10.00
Recording Fee: \$8.50
TOTAL: \$70.50

COMMONWEALTH NATIONAL BANK

By: 
Yvette Foster E. O. P. (name/title)

STATE OF ALABAMA

COUNTY OF MOBILE

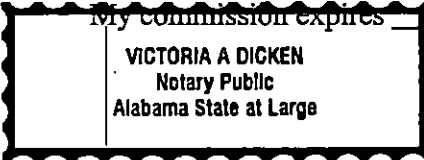
I, the undersigned notary public, in and for said county and state, hereby certify that Yvette Foster, whose name as E.V.P. of Commonwealth National Bank, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and seal this 22nd day of July, 2016.

Victoria A. Dicken
Notary Public

My commission expires

3-31-19



GRANTEES' MAILING ADDRESS:

PO Box 17491
Spanish Fort AL 36577

GRANTOR'S MAILING ADDRESS:

PO Box 2326
Mobile, AL 36652

THIS INSTRUMENT PREPARED BY:

Douglas K. Dunning, P.C.
328 S. Sage Ave #214
Mobile, AL 36606
Telephone: 251-478-6031
File # R16-050

REAL ESTATE SALES VALIDATION

The following information is provided pursuant to Alabama Code §40-22-1, and is verified by the signature of Grantor below:

Grantor's Name:	Angelia Autrey, individually and as Conservator of the Estate of Michael Douglas Autrey, an incapacitated person	Grantee's Name:	Lloyd Thomas Darlene Walker
Mailing Address:	PO BOX 8854 Mobile AL 36608	Mailing Address:	29659 Douglas Rd. Daphne AL 36526
Property Address:	5105 Overlook Road Mobile, Alabama 36618	Date of Sale:	11-29-21
		Purchase Price:	\$38,000.00

The purchase price or actual value claimed on this instrument can be verified in the following documentary evidence: (Check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale ☒ Sales Contract ☐ Closing Statement ☐ Appraisal ☐ Other _____

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF MOBILE

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration herein to the undersigned Grantor in hand paid by the Grantees herein, the receipt whereof is acknowledged, ANGELIA AUTREY and MICHAEL DOUGLAS AUTREY, by and through his wife, Angelia Autrey, and ANGELIA AUTREY, as Conservator of the ESTATE OF MICHAEL DOUGLAS AUTREY, an incapacitated person, (hereinafter referred to as "GRANTOR") does hereby GRANT, BARGAIN, SELL and CONVEY unto LLOYD THOMAS and DARLENE WALKER (hereinafter referred to as "GRANTEES"), as tenants in common with equal interests during the period of their concurrent lives, and upon the death of either of them, the remainder to the survivor of said Grantees, in fee simple, forever, together with every contingent remainder and right of reversion, the following described real property situated in Mobile County, Alabama, to-wit:

Lot Four (4), Block C, Druid Homes, according to plat thereof recorded in Map Book 6, Pages 538-539 of the records in the Office of the Judge of Probate, Mobile County, Alabama.

This conveyance is subject to all easements, matters of zoning, setback line requirements, reservations and restrictions which are of public record in the office of the Probate Judge of Mobile County, Alabama, to any present encroachments thereon, if any, and to the lien of real property taxes hereinafter falling due. All recording references herein refer to the Office of the Judge of Probate, Mobile County, Alabama.

FURTHER SUBJECT TO THE FOLLOWING:

1. Prior leases, grants, sales, exceptions, or reservations of minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the land, together with all mining and other rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records.

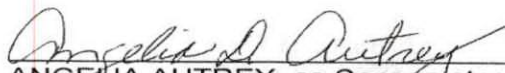
TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD to the said Grantees, as tenants in common with equal interests during the period of their concurrent lives, and, upon the death of either of them, the remainder to the survivor of said Grantees, and to the heirs and assigns of said survivor, together with every contingent remainder and right of reversion, in fee simple, forever.

AND, except as to taxes hereafter falling due, which are assumed by the Grantees and except as to the above-mentioned exceptions, the Grantor does, for Grantor and for Grantor's heirs, administrators, executors and assigns, hereby covenant with the said Grantees, and Grantees' heirs and assigns, that Grantor is seized in fee simple of said premises; that said property is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will, and Grantor's heirs, administrators, executors and assigns shall warrant and defend the same to the said Grantees, and Grantees' heirs and assigns forever, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto caused this instrument to be executed this the 29 day of NOV, 2021.

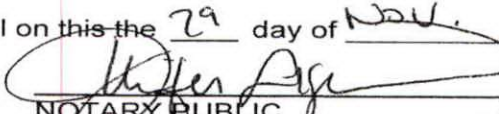

ANGELIA AUTREY


ANGELIA AUTREY, as Conservator of the
ESTATE OF MICHAEL DOUGLAS AUTREY,
an incapacitated person

STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned, a Notary Public, in and for said State and County hereby certify that ANGELIA AUTREY, whose name, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she executed the same voluntarily.

GIVEN under my hand and seal on this the 29 day of NOV, 2021.

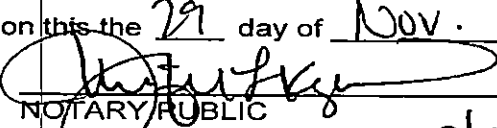

NOTARY PUBLIC
MY COMMISSION EXPIRES: 9/4/23



STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned, a Notary Public, in and for said State and County hereby certify that ANGELIA AUTREY, whose name, as Conservator of the ESTATE OF MICHAEL DOUGLAS AUTREY, an incapacitated person, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she, as Conservator of said estate, executed the same voluntarily.

GIVEN under my hand and seal on this the 29 day of NOV., 2021.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 9/4/23

THIS INSTRUMENT PREPARED BY:

DAVID VAUGHN, ESQ.
Post Office Box 1678
Daphne, Alabama 36526
(251) 626-2688





Neighborhood Meeting Cover Sheet

Please complete this cover sheet to submit with all required meeting documentation

Date of Submittal: 9/23/24

The following documentation has been collected, signed, and submitted with this cover sheet to the City of Mobile Planning and Zoning Department for the proposed application(s) (i.e. Rezoning, Planned Development, Conditional Use Permit):

Rezoning

Neighborhood Meeting Date: 9/18/24

Neighborhood Meeting Time: 4:30-6:00pm

Neighborhood Meeting Location: Overlook Presbyterian Church

5311 Overlook Road Mobile, AL 36618

The following documents are enclosed (place a checkmark where applicable):

- ☒ Dated photograph(s) of the posted sign(s)
- ☒ The verified address list of surrounding property owners to whom notification was provided
- ☒ A copy of the notice advertising the Neighborhood Meeting
- ☒ A sign-in sheet documenting meeting attendance
- ☒ A written summary or minutes of the meeting
- ☒ Copies of any site plans, building elevations or other documents provided or referenced at the meeting
- ☐ Additional documents (Describe: _____)

Applicant's Name: Lloyd Thomas

(First Name & Last Name)

Applicant's signature attesting to the accuracy of the documentation provided:

Lloyd Thomas

Date: 9/18/24

All required meeting documentation must be submitted to the Planning and Zoning Department not less than 15 days before the applicable Planning Commission meeting date. Failure to do so will require the associated application(s) to be heldover to a later meeting date.

Neighborhood Meeting Summary

Meeting Date: 9/18/24

Meeting Time: 4:30-6:00 PM

Meeting Location: Overlook Presbyterian Church - 5311 Overlook Rd

Below is a summary of the proposed project presented at the Neighborhood Meeting:

We are trying to rezone the properties from a R-1 to B-2 to support a subdivision to combine the lots into one.

The following information was distributed (e.g. site plan, building elevation drawings, traffic study, etc.):

N/A

Please attach copies of the distributed information to this summary.

Below is a summary of what occurred at the meeting (please provide the names of anyone who spoke, summarize any questions and responses, summarize any pertinent information discussed or any important activities that occurred):

We arrived at the church to prepare at 4:15. The church had a representative with us as well. We discussed upcoming steps and the subdivision with our surveyor. No neighbors showed to our meeting. We stayed until 6:00 PM.

Neighborhood Meeting Summary

Date: 9/18/24

Applicant: Lloyd Thomas

Meeting Location: 5311 Overlook Rd

Application: Rezone R1 - B2

(Meeting summary, continued)

N/A

If meeting minutes were recorded, please provide a copy of the written minutes with this summary.

The Neighborhood Meeting ended at the following time: 6:00 PM

Applicant's signature attesting to the accuracy of this summary:

x Lloyd Thomas

Date: 9/18/24

Neighborhood Meeting

Date: 9/18/24

Time: 4:30 - 6:00 PM

Location of Neighborhood Meeting: Overlook Presbyterian Church - 5311 Overlook Road Mobile, AL

Project Location: 5111, 5109, 5105 Overlook Rd

Project/Application (e.g. Rezoning from R-1 to B-1):
Rezoning R-1 - B2

Applicant's Signature Attesting to the Accuracy of This Sheet:

Michael Shannon
Date: 9/18/24

Please Sign In:

Name: John Crenshaw
Address: 8024 Murray Hill Rd
Email: jfcswetjor@yahoo.com
Phone: 251 463 4931

Name: Megan Crenshaw
Address: 8024 Murray Hill Rd
Email: MeganCrenshaw532@icloud.com
Phone: 251 376 8866

Name: Henry Crenshaw
Address: 8024 Murray Hill Rd
Email: N/A
Phone: N/A

Name: John W. Gulp
Address: 2675 Windward Drive
Email: jwgulp080490@gmail.com
Phone: 601-497-8150
(GAUTIER, MS 39553 (church representative))

Neighborhood Meeting Sign-In Sheet

Date: 9/18/24

Applicant: Lloyd Thomas

Meeting Location: 5311 Overlook Rd

Application(s): Region B1 - B2

Name: Lloyd Thomas

Email: TLCthomas52@gmail

Address: 5111 Overlook Rd

Phone: 251 654 5793

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

Name: _____

Email: _____

Address: _____

Phone: _____

**Notice of Neighborhood Meeting
September 5th, 2024**

Dear Property Owner(s)

This letter is to inform you that a Neighborhood Meeting has been scheduled to discuss the following application(s) that Lloyd Thomas will be submitting to the Mobile City Planning Commission:

- (1) Application Zoning Change to rezone the property at 5111 Overlook Road Mobile, AL 36618 from Single-Family Residential Suburban District (R-1) to Buffer Business Suburban District (B-1)

The Neighborhood Meeting will be held at the following time, date, and location:

Date: September 18, 2024

Time: 4:30-6:00pm

Location: Overlook Presbyterian
Church, 5311 Overlook Road
Mobile, Alabama

You are receiving this notice because your property is within 300 feet of 5109, 5111, and 5105 Overlook Road Mobile, AL 36618, in compliance with the notification requirements of Article 5 of the city's Unified Development Code (UDC). You or your agent are invited to attend the Neighborhood Meeting to learn more about the above-referenced application(s), ask questions, and present your views.

Sincerely,



Lloyd Thomas
TLC Learning Center
5111 Overlook Road Mobile, AL 36618
TLCthomas52@gmail.com



POSTED SEPT 8TH 2024

SIGN WAS TAKEN DOWN SEPT 19TH 2024

NEIGHBORHOOD MEETING NOTICE
FOR PLANNING COMMISSION APPLICATION
REQUEST: REZONE
APPLICANT: TLD LEARNING CENTER
PHONE #: 251-654-5793
MEETING INFORMATION:
OVERLOOK PRESBYTERIAN CHURCH
5311 OVERLOOK ROAD MOBILE, AL
SEPT 18, 2024 4:30PM - 6:00PM

**Notice of Neighborhood Meeting
September 5th, 2024**

Dear Property Owner(s)

This letter is to inform you that a Neighborhood Meeting has been scheduled to discuss the following application(s) that Lloyd Thomas will be submitting to the Mobile City Planning Commission:

- (1) Application Zoning Change to rezone the property at 5111 Overlook Road Mobile, AL 36618 from Single-Family Residential Suburban District (R-1) to Buffer Business Suburban District (B-1)

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Time: 4:30-6:00pm

Location: Overlook Presbyterian
Church, 5311 Overlook Road
Mobile, Alabama

You are receiving this notice because your property is within 300 feet of 5109, 5111, and 5105 Overlook Road Mobile, AL 36618, in compliance with the notification requirements of Article 5 of the city's Unified Development Code (UDC). You or your agent are invited to attend the Neighborhood Meeting to learn more about the above-referenced application(s), ask questions, and present your views.

Sincerely,



Lloyd Thomas
TLC Learning Center
5111 Overlook Road Mobile, AL 36618
TLCthomas52@gmail.com

Lloyd & Lucious Thomas
5111 Overlook Rd
Mobile, AL 36618

Lloyd & Lucious Thomas
5111 Overlook Rd
Mobile, AL 36618

Lloyd & Lucious Thomas
5111 Overlook Rd
Mobile, AL 36618

Darlene Walker
29659 Douglas Road
Daphne, AL 36526

Darlene Walker
29659 Douglas Road
Daphne, AL 36526

Darlene Walker
29659 Douglas Road
Daphne, AL 36526

Eleanor A Busby
185 S University BLVD
Mobile, AL 36608

Eleanor A Busby
185 S University BLVD
Mobile, AL 36608

Eleanor A Busby
185 S University BLVD
Mobile, AL 36608

Melva Wiggins
1206 Sadie Circle
Prattville, AL 36066

Melva Wiggins
1206 Sadie Circle
Prattville, AL 36066

Melva Wiggins
1206 Sadie Circle
Prattville, AL 36066

Dennis E Rich
5708 Foxfire Lane
Mobile, AL 36618

Dennis E Rich
5708 Foxfire Lane
Mobile, AL 36618

Dennis E Rich
5708 Foxfire Lane
Mobile, AL 36618

Jerry L Laster
3801 Ching Dairy Road
Mobile, AL 36618

Jerry L Laster
3801 Ching Dairy Road
Mobile, AL 36618

Jerry L Laster
3801 Ching Dairy Road
Mobile, AL 36618

Harry Lehman
2180 Taddish Drive
Mobile, AL 36695

Harry Lehman
2180 Taddish Drive
Mobile, AL 36695

Harry Lehman
2180 Taddish Drive
Mobile, AL 36695

Shvonda Bassett
5112 Garland Street N
Mobile, AL 36618

Shvonda Bassett
5112 Garland Street N
Mobile, AL 36618

Shvonda Bassett
5112 Garland Street N
Mobile, AL 36618

Gloria Briggs
5113 overlook Road
Mobile, AL 36616

Gloria Briggs
5113 overlook Road
Mobile, AL 36616

Gloria Briggs
5113 overlook Road
Mobile, AL 36616

New Generation International
Church
300 E 9th Street Suite 1605
Cleveland, OH 44114

New Generation International
Church
300 E 9th Street Suite 1605
Cleveland, OH 44114

New Generation International
Church
300 E 9th Street Suite 1605
Cleveland, OH 44114

Special Assests Company LLC
5033 Ponitz Parkway
Pace, FL 32571

Alabama Power Company
150 St Joseph Street
Mobile, AL 36602

Century Link
206 West Troy St
Dothan, AL 36303

Comcast
3248 Springhill Ave
Mobile, AL 36607

M.A.W.S.S.
4725 Moffett Rd
Mobile, AL 36618

Waste Management
4770 Hamilton Blvd
Mobile, AL 36606

AT&T
2155 old Shell Rd
Mobile, AL 36607

Mediacom
2502 Schillinger Rd S Suite 11
Mobile, AL 36607

Spire Inc
2828 Dauphin St
Mobile, AL 36607

John Crenshaw
8024 Murray Hill Rd
Irvington, AL 36544

Special Assests Company LLC
5033 Ponitz Parkway
Pace, FL 32571

Alabama Power Company
150 St Joseph Street
Mobile, AL 36602

Century Link
206 West Troy St
Dothan, AL 36303

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Mediacom
2502 Schillinger Rd S Suite 11
Mobile, AL 36607

Spire Inc
2828 Dauphin St
Mobile, AL 36607

John Crenshaw
8024 Murray Hill Rd
Irvington, AL 36544



City of Mobile • Planning & Zoning
Owner's Letter of Authorization

I, Lucious Thomas, give authority for the following person(s) to execute all documents and activities (including but not limited to: submitting and signing for associated applications for consideration by the Mobile City Planning Commission and/or Board of Zoning Adjustment) with the City of Mobile Planning & Zoning Department, on my behalf for my property, located within the city limits of Mobile, Alabama at 5111 & 5109 Overlook Road Mobile, AL 36618.

Furthermore, I hereby agree to allow the City of Mobile to post on my property, which is under consideration for a Planning Commission and/or Board of Zoning Adjustment application, a public notice sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.

Lucious Thomas
Designee (1)

N/A
Email

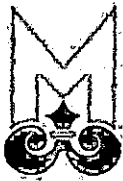
Phone Number
(251) 776-6683
Signature of Property Owner

Lucious Thomas

Lloyd Thomas
Designee (2)

TLCHOMAS52@gmail.com
Email

251-654-5793
Phone Number
1/23/24
Date



City of Mobile • Planning & Zoning
Owner's Letter of Authorization

I, Darlene Walker, give authority for the following person(s) to execute all documents and activities (including but not limited to: submitting and signing for associated applications for consideration by the Mobile City Planning Commission and/or Board of Zoning Adjustment) with the City of Mobile Planning & Zoning Department, on my behalf for my property, located within the city limits of Mobile, Alabama at 5105 Overlook Road Mobile, AL 36618.

Furthermore, I hereby agree to allow the City of Mobile to post on my property, which is under consideration for a Planning Commission and/or Board of Zoning Adjustment application, a public notice sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.

Darlene Walker
Designee (1)

N/A

Email

(251) 423-3958

Phone Number

Darlene Walker
Signature of Property Owner

Lloyd Thomas
Designee (2)

TLCthomas52@gmail.com

Email

251-654-5793

Phone Number

1/23/24

Date

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251-208-5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower

Revised February 2022

**Application Submission
Contact Information**

Name of Project L Thomas Place

Address 5109, 5111, & 5105 Overlook Road Mobile, AL 36618

Owner Lloyd & Lucious Thomas & Darlene Walker

Address 5111 Overlook Road Mobile, AL Zip Code 36618

Phone 251-654-5793 Fax N/A Email tlcthomas@gmail.com

Authorized Agent Lloyd Thomas

Address 5111 Overlook Road Mobile, AL Zip Code 36618

Phone 251-654-5793 Fax N/A Email tlcthomas@gmail.com

Contractor N/A

Address N/A Zip Code N/A

Phone N/A Fax N/A Email N/A

Civil Engineer N/A

Address N/A Zip Code N/A

Phone N/A Fax N/A Email N/A

Architect N/A

Address N/A Zip Code N/A

Phone N/A Fax N/A Email N/A

Submitted by:

Lloyd Thomas
Signature

Lloyd Thomas
Print

Date

1-19-24

Owner

Affiliation to project/Organization

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895
Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower.

Revised May 2020

Lloyd & Lucious Thomas

5111 Overlook Rd
Mobile, AL 36618

Melva Wiggins
1206 Sadie Circle
Prattville, AL 36066

Harry Lehman
2180 Taddish Drive
Mobile, AL 36695

New Generation
International Church
300 E 9th Street Suite 1605
Cleveland, OH 44114

Don F Gardner
PO Box 1035
Semmes, AL 36575

Caroline Choe
1441 Garland St
Mobile, AL 36618

MYMS INC
PO BOX 160812
Mobile, AL 36619

Timothy G Hogan
4520 Dresden rd
Theodore, AL 36582

Lloyd T Formby
1451 Forest Dale Dr
Mobile, AL 36608

Carla J Johnson
1424 Forest Dale Dr
Mobile, AL 36618

Darlene Walker

29659 Douglas Road
Daphne, AL 36526

Dennis E Rich
5708 Foxfire Lane
Mobile, AL 36618

Shvonda Bassett
5112 Garland Street N
Mobile, AL 36618

Special Assests Company
LLC
5033 Ponitz Parkway
Pace, FL 32571

Patricia E Hewitt
5105 Garland St N
Mobile, AL 36618

John W Williams
1437 Garland St
Mobile, AL 36618

Stonewood apartments INC
PO BOX 22845
Oklahoma City, OK 73123

Sandra B Simison
1455 Forest Dale Dr
Mobile, AL 36618

Forwood Brothers Rentals
INC
1086 Southern Way
Mobile, AL 36609

Shannon Love
1425 Forest Dale Dr
Mobile, AL 36618

Eleanor A Busby
185 S University BLVD
Mobile, AL 36608

Jerry L Laster
3801 Ching Dairy Road
Mobile, AL 36618

Gloria Briggs
5113 overlook Road
Mobile, AL 36616

Dennis E Rich
5708 Foxfire Lane
Mobile, AL 36618

Shawn Williams
5109 Garland St N
Mobile, AL 36618

David H Smith
2906 Circle Ct
Mobile, AL 36605

Net 1 L P A Delaware
PO BOX 2109
Memphis, TN 38101

Rosemary S Mittal
6128 Lindholms Dr S
Mobile, AL 36693

Bensan Proporties LLC
7744 Lukoli Ln
Saraland, AL 36571

Brenden A Davis
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Mobile, AL 36618

Janel H Cooks
1421 Forest Dale Dr
Mobile, AL 36618

Mary A Laird
1460 Druid Dr
Mobile, AL 36618

Sylvia F Williams
5804 Fern Valley Rd
Mobile, AL 36618

M & B Builders LLC
2321 Airport Blvd
Mobile, AL 36606

Crider Properties LLC
PO BOX 91242
Mobile, AL 36619

Tyieka Pettaway
1434 Druid Dr
Mobile, AL 36618

Tangala Pettaway
1430 Druid Dr
Mobile, AL 36618

John Crenshaw
8024 Murray Hill Rd
Irvington, AL 36544

Lloyd & Lucious Thomas
5111 Overlook Rd
Mobile, AL 36618

Melva Wiggins
1206 Sadie Circle
Prattville, AL 36066

Harry Lehman
2180 Taddish Drive
Mobile, AL 36695

New Generation
International Church
300 E 9th Street Suite 1605
Cleveland, OH 44114

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8024 Murray Hill Rd
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Agenda Item # 09
SUB-003145-2024 & ZON-UDC-003059-2024

View additional details on this proposal and all application materials using the following link:

[**Applicant Materials for Consideration – Subdivision**](#)
[**Applicant Materials for Consideration – Rezoning**](#)

DETAILS

Location:
5105, 5109, and 5111 Overlook Road

Subdivision Name:
L Thomas Place Subdivision

Applicant / Agent:
Lloyd Thomas

Property Owners:
Lloyd Thomas, Darlene Walker, and Lucious Thomas

Current Zoning:
R-1, Single-Family Residential Suburban District

Proposed Zoning:
B-2, Neighborhood Business Suburban District

Future Land Use:
Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Subdivision approval to create one (1) legal lot of record from three (3) existing legal lots of record.
- Rezoning from B-2, Neighborhood Business Suburban District
 - Any use permitted in the proposed district would be allowed at this location if the zoning is approved. The Planning Commission may consider other zoning districts than the proposed sought by the applicant for this property.

Commission Considerations:

1. Subdivision proposal with nine (9) conditions; and
2. Rezoning with three (3) conditions.

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units to the south and commercial units to the north.

APPLICATION NUMBER 9 DATE December 19, 2024
 APPLICANT Lloyd Thomas
 REQUEST Subdivision, Rezoning from R-1 to B-2



SITE HISTORY

The subject site is comprised of three (3) parcels which have been included in various Subdivision and Variance requests throughout their history.

The site first came before the Planning Commission as part of the Druid Homes Subdivision, the plat for which was subsequently recorded in Mobile County Probate Court in 1952.

In August 1965 the Board of Zoning Adjustment approved a Use Variance for a child day care center in an existing residence located at 5109 Overlook Road. The Board approved a similar Use Variance for 5111 Overlook Road at its meeting on May 3, 1992.

In December 1974 the Board of Zoning Adjustment approved a Front Yard Setback Variance to allow construction of a carport within the required front yard of 5111 Overlook Road.

At its meeting on May 31, 1998 the Board of Zoning Adjustment approved a Use Variance to allow a screen printer/embroidery gift shop located at 5105 Overlook Road.

Lastly, at its meeting on November 21, 2024 the Planning Commission heldover a request to rezone the subject properties until the December 19th meeting to allow the Rezoning application to be heard concurrently with the proposed Subdivision request.

There are no other Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

Subdivision:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- 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 "WBF" to the LEGEND.
- C. Revise NOTE #5 – Delete "... (FLIGHT 28 - #70) ...".
- D. Revise NOTE #5 – Revise "... LOT 1 – 2,400 SQ FT." to read "... LOT 1 – 13,800 sf."
- 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.

Rezoning:

- 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 (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).

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 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.

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 Article 3, Section 64-3-12 of the City's Unified Development Code.

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.

Fire 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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

Subdivision

The purpose of this application is to create one (1) legal lot of record from three (3) existing legal lots of record. The site is served by public water and sanitary sewer.

Access to the site is from Overlook Road, a Minor Arterial Street with an 80-foot-wide right-of-way at this location. This information is depicted on the preliminary plat and should be retained on the Final Plat, if approved, as no additional dedication is required by the Major Street Plan at this time.

The lot will exceed the minimum size requirement for lots served by public water and sanitary sewer in the R-1 zoning district, as well as in the B-2 zoning district if rezoning of the property is approved with a B-2 classification. The size of the lot is labeled in both square feet and acres on the preliminary plat, as required by Section 5.A.2(f) of the Subdivision Regulations. This information should be retained on the Final Plat, if approved; or provision of a table with the same information on the Final Plat will suffice.

The lot exceeds the minimum width requirements of Section 6.C.2(b)(4) of the Subdivision Regulations for non-residential lots.

The preliminary plat illustrates a 25-foot front setback for Lot 1 in compliance with Section 6.C.8. of the Subdivision Regulations. This information should be retained on the Final Plat.

A 10-foot telephone and power easement is illustrated on the preliminary plat, along the South property line. If approved, a note should be placed on the Final Plat stating no structures shall be constructed in any easement without permission of the easement holder.

Rezoning

A detailed description of the proposed request is available via the link on Page 1 of this report. In summary, the applicant is requesting to rezone the subject sites from R-1, Single-Family Residential Suburban District to B-2, Neighborhood Business Suburban District.

The site is adjacent to properties that are currently zoned B-2 and B-3, to the North and are developed with a fast-food restaurant and two (2) vacant commercial structures. Abutting properties to the East, South, and West are all zoned R-1 and developed with single-family dwellings.

The site plan provided with the rezoning application depicts existing single-family dwellings converted for commercial use and associated, un-delineated parking areas on each site. While full compliance with the development standards of Article 3 is neither depicted nor required at this time, redevelopment of the site will require full compliance with applicable provision of the Unified Development Code (UDC). Any signage placed on the property will also need to meet the requirements of the UDC, and be permitted separately through the Planning and Zoning Department.

The site's history of commercial use and the fact that it abuts a predominantly commercial portion of Overlook Road may suggest an error in the zoning map, such that rezoning is necessary and desirable.

SUBDIVISION CONSIDERATIONS

Standards of Review:

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

Considerations:

If the Planning Commission considers approving the Subdivision request, the following conditions could apply:

1. Retention of the existing right-of-way width on the Final Plat, as depicted on the preliminary plat;
2. Retention of the lot's size in both square feet and acres on the Final Plat;
3. Retention of the 25-foot front yard setback along Overlook Road, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2 of the Unified Development Code;
4. Placement of a note on the Final Plat stating that future development or redevelopment of the site shall comply with the development provisions of Article 3 of the Unified Development Code;
5. Placement of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
6. Compliance with all Engineering comments noted in this staff report;
7. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
8. Compliance with all Urban Forestry comments noted in this staff report; and,
9. Compliance with all Fire Department comments noted in this staff report.

REZONING CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezoning is intended to carry out the objective of a sound, stable and desirable development and that casual change or amendment would be detrimental to the achievement of that objective.

The UDC goes on to say that zoning changes should be consistent with the Comprehensive Plan. However, the Comprehensive Plan and Future Land Use Plan (FLUP) and Map (FLUM) are meant to serve as a general guide, not a detailed lot and district plan; they are not a legal mandate for development. The FLUP and FLUM allow the Planning Commission and City Council to consider individual cases based on several factors including: surrounding development, classification requested, timing of the request, and the appropriateness and compatibility of the proposed use the zoning classification.

The UDC states that an application for rezoning shall include a statement of the justification for the proposed amendment that addresses all of the following:

- A) Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
- B) Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
- C) Compatibility. Whether the proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- D) Health, Safety and General Welfare. Whether the proposed amendment promotes the community's public health, safety, and general welfare;
- E) Capacity. Whether the infrastructure is in place to accommodate the proposed amendment; and
- F) Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.

G) Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

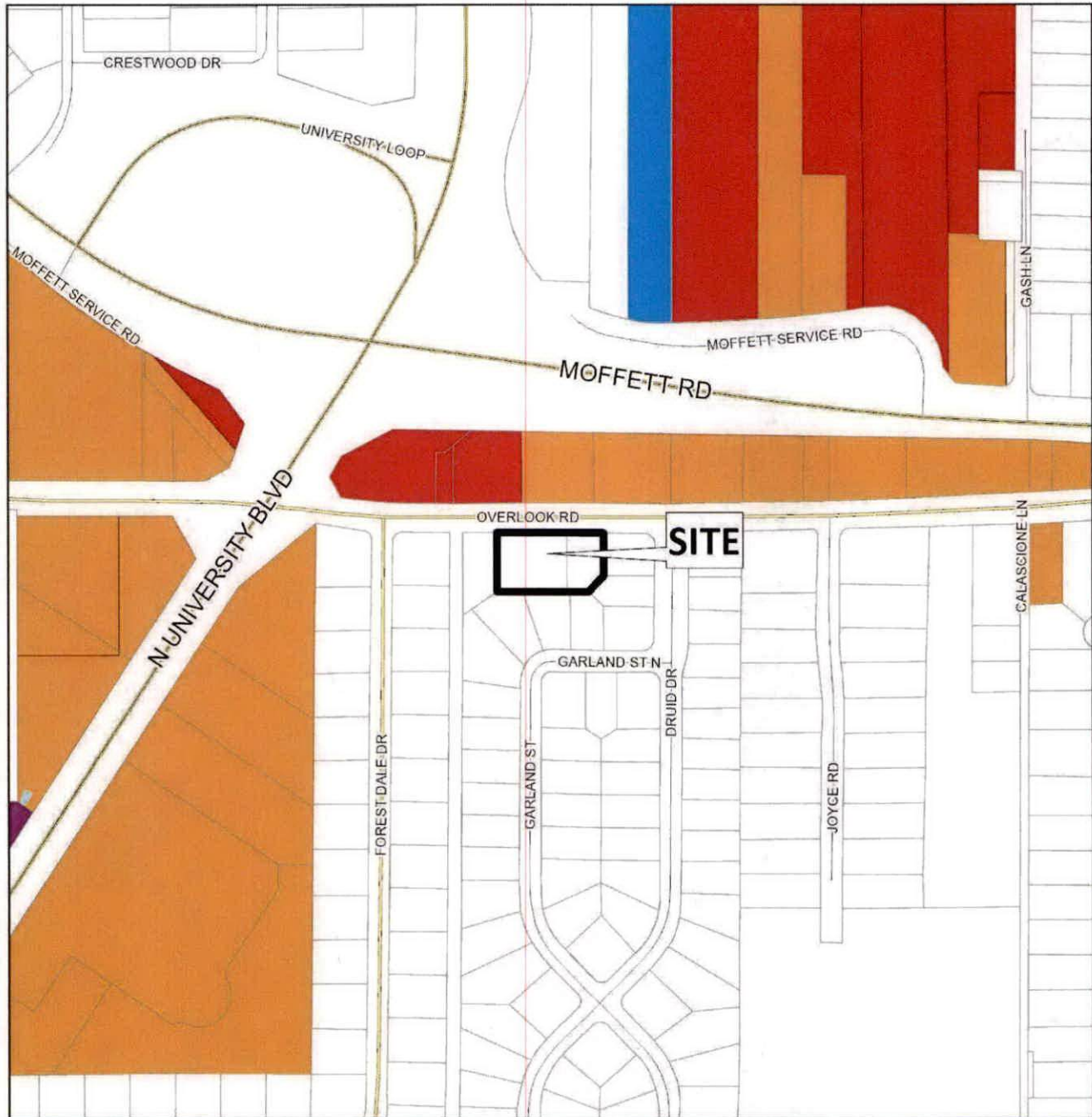
The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

If the Planning Commission considers a recommendation of approval of the Rezoning request to the City Council, the following conditions could apply:

1. Completion of the Subdivision process;
2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report; and,
3. Full compliance with all municipal codes and ordinances.

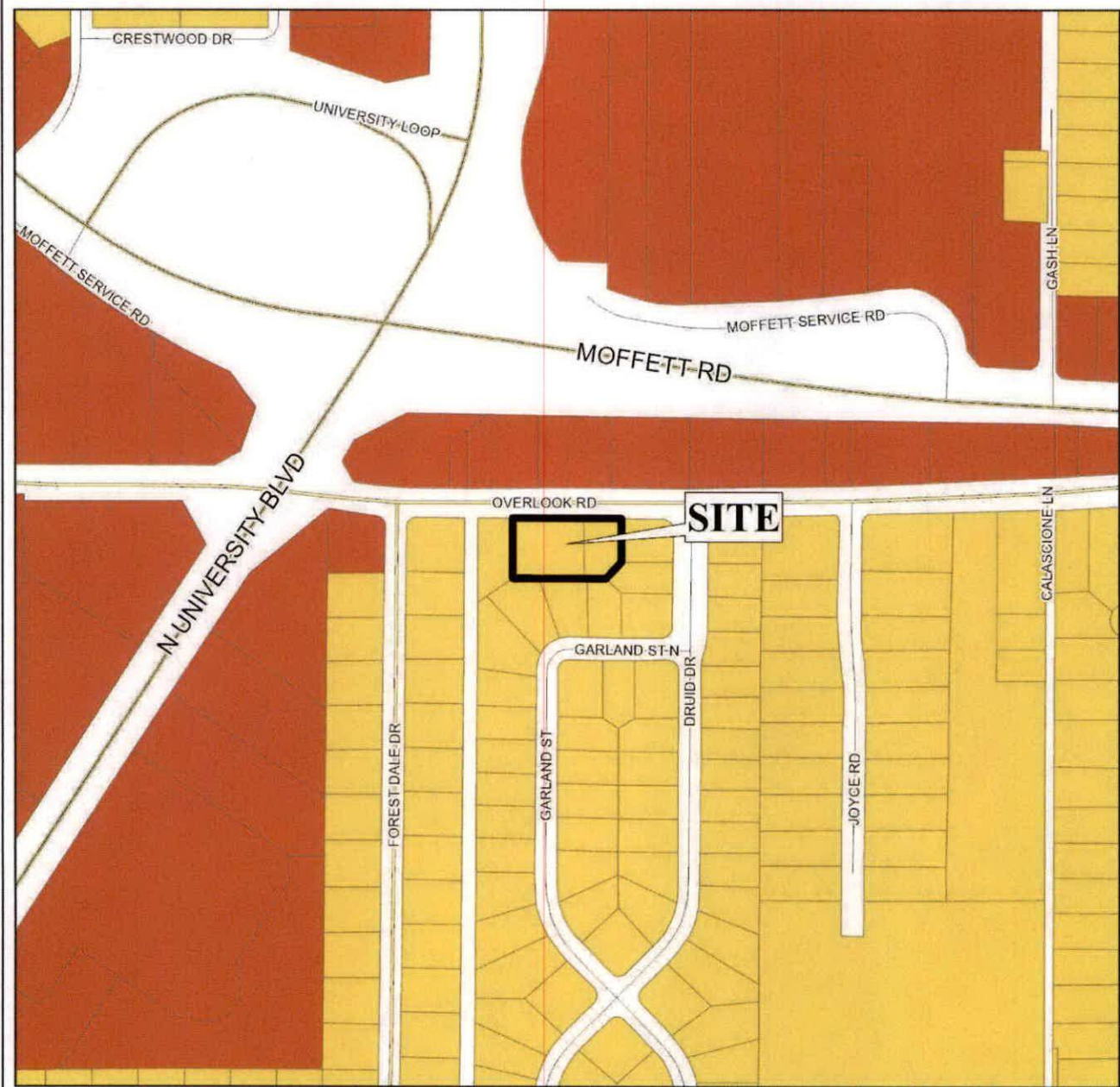
LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE December 19, 2024
 APPLICANT Lloyd Thomas
 REQUEST Subdivision, Rezoning from R-1 to B-2



FLUM LOCATOR MAP



APPLICATION NUMBER 9 DATE December 19, 2024

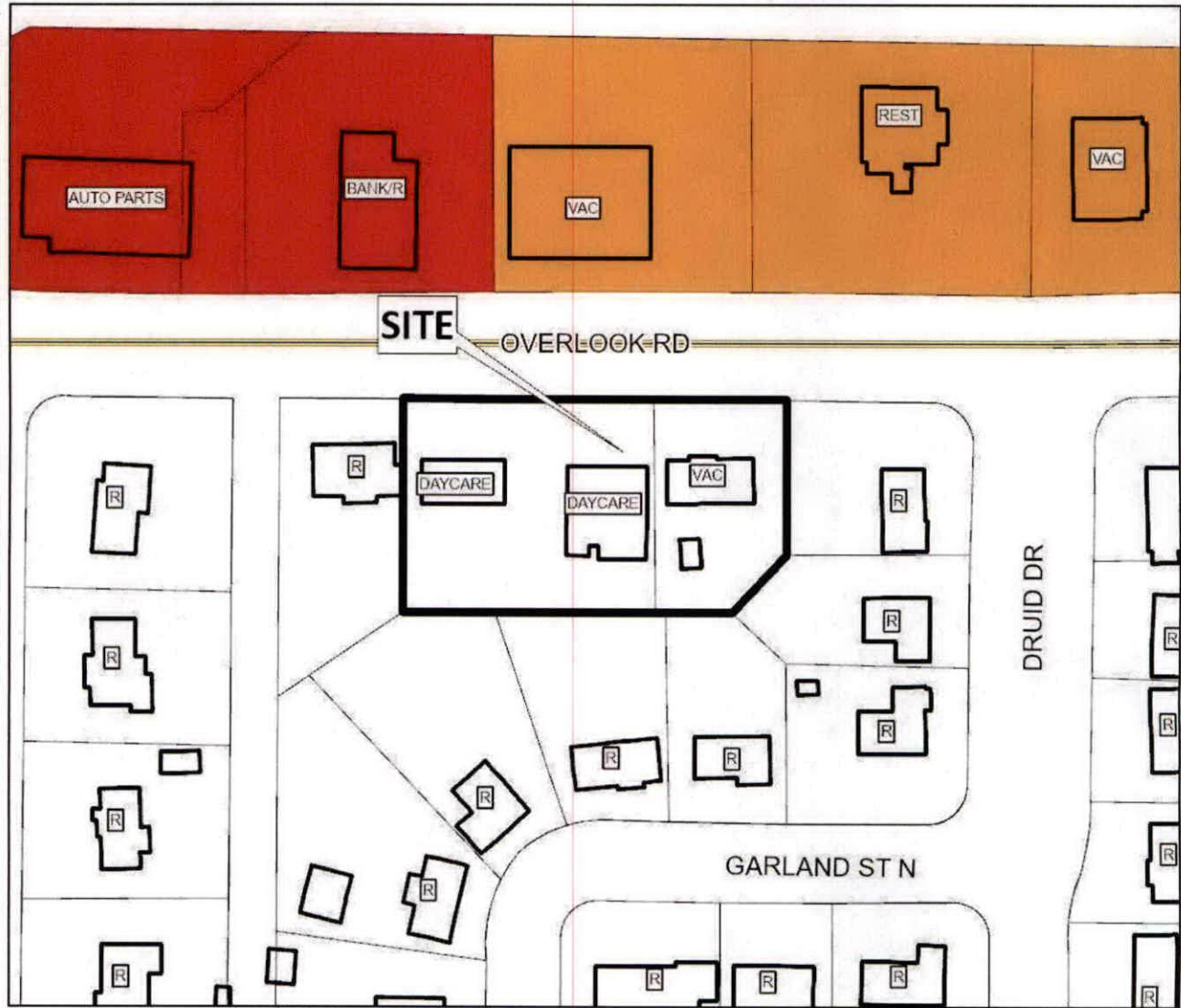
APPLICANT Lloyd Thomas

REQUEST Subdivision, Rezoning from R-1 to B-2

- | | | | |
|---|--|--|---|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the south and commercial units to the north.

APPLICATION NUMBER 9 DATE December 19, 2024

APPLICANT Lloyd Thomas

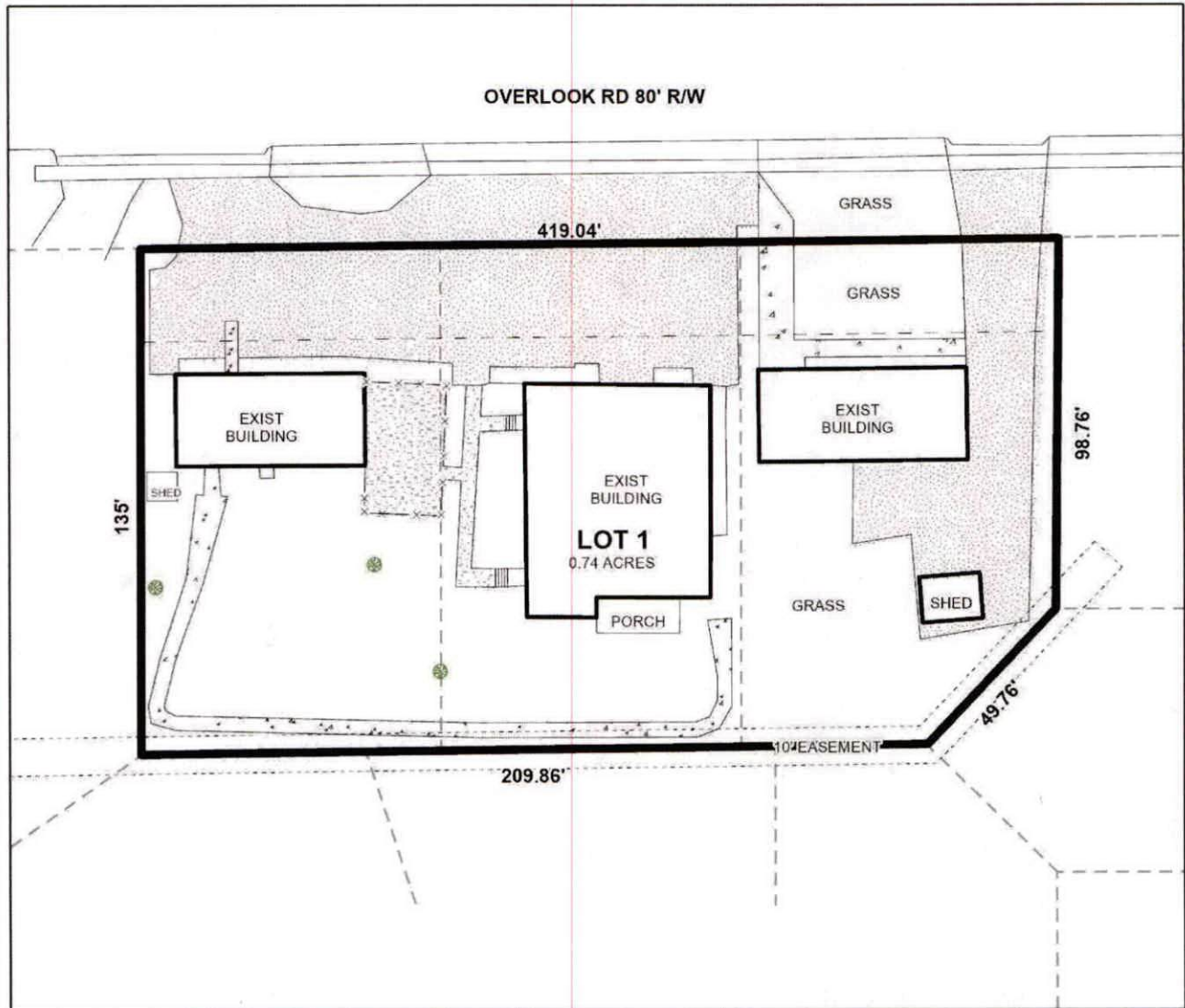
REQUEST Subdivision, Rezoning from R-1 to B-2

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



NTS

SITE PLAN



The site plan illustrates the existing buildings, setback, and easements.

APPLICATION NUMBER 9 DATE December 19, 2024

APPLICANT Lloyd Thomas

REQUEST Subdivision, Rezoning from R-1 to B-2



NTS

ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A												☐		
ONE-FAMILY RESIDENCE	R-1	■				■		■					☐		
TWO-FAMILY RESIDENCE	R-2	■				■		■					☐	☐	
MULTIPLE-FAMILY	R-3	○	■			■	■						☐	☐	
RESIDENTIAL-BUSINESS	R-B		○			■		■					☐	☐	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					☐		
HISTORIC BUSINESS	H-B			■		■		■					☐		
VILLAGE CENTER	TCD					■	■						☐		
NEIGH. CENTER	TCD					■	■						☐		
NEIGH. GENERAL	TCD					■							☐		
DOWNTOWN DEV. DDD	T-6			■									☐		
DOWNTOWN DEV. DDD	T-5.1			■		■		☐					☐		
DOWNTOWN DEV. DDD	T-5.2			■		■							☐		
DOWNTOWN DEV. DDD	T-4			■		■		☐					☐		
DOWNTOWN DEV. DDD	T-3			■		■							☐		
DOWNTOWN DEV. DDD	SD-WH									○	○		☐		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		☐		
BUFFER BUSINESS	B-1		☐			☐	■	■	■				☐	☐	
NEIGH. BUSINESS	B-2		○			☐	■	■	■				☐	☐	
LIMITED BUSINESS	LB-2		○			☐	■	■	■				☐	☐	
COMMUNITY BUSINESS	B-3				■				■			○	☐	☐	
GEN. BUSINESS	B-4			■					■			○	☐	☐	
OFFICE-DISTRIBUTION	B-5								■	■			☐	☐	
LIGHT INDUSTRY	I-1									■			☐	☐	☐
HEAVY INDUSTRY	I-2										■		☐		☐

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- ☐ Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district).

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context.

The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.



Agenda Item # 7

ZON-UDC-003059-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

5105, 5109, and 5111 Overlook Road

Applicant / Agent:

Lloyd Thomas

Property Owner:

Lloyd Thomas

Current Zoning:

R-1, Single Family Residential Suburban District

Proposed Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Map for Mobile Comprehensive Plan

Proposal:

- Rezoning from R-1 to B-2, Neighborhood Business Suburban District

Any use permitted in the proposed district would be allowed at this location if the zoning is approved. The Planning Commission may consider other zoning districts than the proposed sought by the applicant for this property.

Commission Considerations:

1. Holdover

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PLANNING COMMISSION **VICINITY MAP - EXISTING AERIAL**



The site is surrounded by residential units.

APPLICATION NUMBER	7	DATE	November 21, 2024
APPLICANT	Lloyd Thomas		
REQUEST	Rezoning from R-1 to B-2		

SITE HISTORY

The subject site is comprised of three (3) parcels which have been included in various Subdivision and Variance requests throughout their history.

The site first came before the Planning Commission as part of the Druid Homes Subdivision, the plat for which was subsequently recorded in Mobile County Probate Court in 1952.

In August 1965 the Board of Zoning Adjustment approved a Use Variance for a child day care center in an existing residence located at 5109 Overlook Road. The Board approved a similar Use Variance for 5111 Overlook Road at its meeting on May 3, 1992.

In December 1974 the Board of Zoning Adjustment approved a Front Yard Setback Variance to allow construction of a carport within the required front yard of 5111 Overlook Road.

Lastly, at its meeting on May 31, 1998 the Board of Zoning Adjustment approved a Use Variance to allow a screen printer/embroidery gift shop located at 5105 Overlook Road.

There are no other Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

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 (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
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 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.

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 Article 3, Section 64-3-12 of the City's Unified Development Code.

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.

Fire 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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

A detailed description of the proposed request is available via the link on Page 1 of this report. In summary, the applicant is requesting to rezone the subject sites from R-1, Single-Family Residential Suburban District to B-2, Neighborhood Business Suburban District.

The site abuts properties to the North, across Overlook Road, that are currently zoned B-2 and B-3 and are developed with a fast-food restaurant and two (2) vacant commercial structures. Abutting properties to the East, South, and West are all currently zoned R-1 and developed with single-family dwellings.

The site plan provided with the rezoning application depicts existing single-family dwellings converted for commercial use and associated, un-delineated parking area on each site. While full compliance with development standards set forth in Article 3 is not depicted, nor required at this time, redevelopment of the site will require full compliance with the Unified Development Code (UDC). Any signage placed on the property will also need to meet the requirements of the UDC, and be permitted separately through the Planning and Zoning Department.

It should be noted that a recent Subdivision application was submitted to Staff proposing to consolidate the three parcels into a single lot and is currently scheduled to be heard by the Planning Commission at its December 19, 2024 meeting. While the request to rezone the properties is not affected by the proposed Subdivision, the Subdivision request would be contingent upon the zoning change being adopted by the City Council. This is due to the fact that each lot is currently developed with a single-family dwelling (converted for commercial use) and there are no active permits for their demolition. If all three lots are combined into a single parcel and the dwellings remain, the site would become non-compliant until such time the zoning change was adopted. As such, the current application should be heldover to allow for the Rezoning and Subdivision applications to be heard concurrently by the Planning Commission at its December 19, 2024 meeting.

REZONING CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezoning is intended to carry out the objective of a sound, stable and desirable development and that casual change or amendment would be detrimental to the achievement of that objective.

The UDC goes on to say that zoning changes should be consistent with the Comprehensive Plan. However, the Comprehensive Plan and Future Land Use Plan (FLUP) and Map (FLUM) are meant to serve as a general guide, not a detailed lot and district plan; they are not a legal mandate for development. The FLUP and FLUM allow the Planning Commission and City Council to consider individual cases based on several factors including: surrounding development, classification requested, timing of the request, and the appropriateness and compatibility of the proposed use the zoning classification.

The UDC states that an application for rezoning shall include a statement of the justification for the proposed amendment that addresses all of the following:

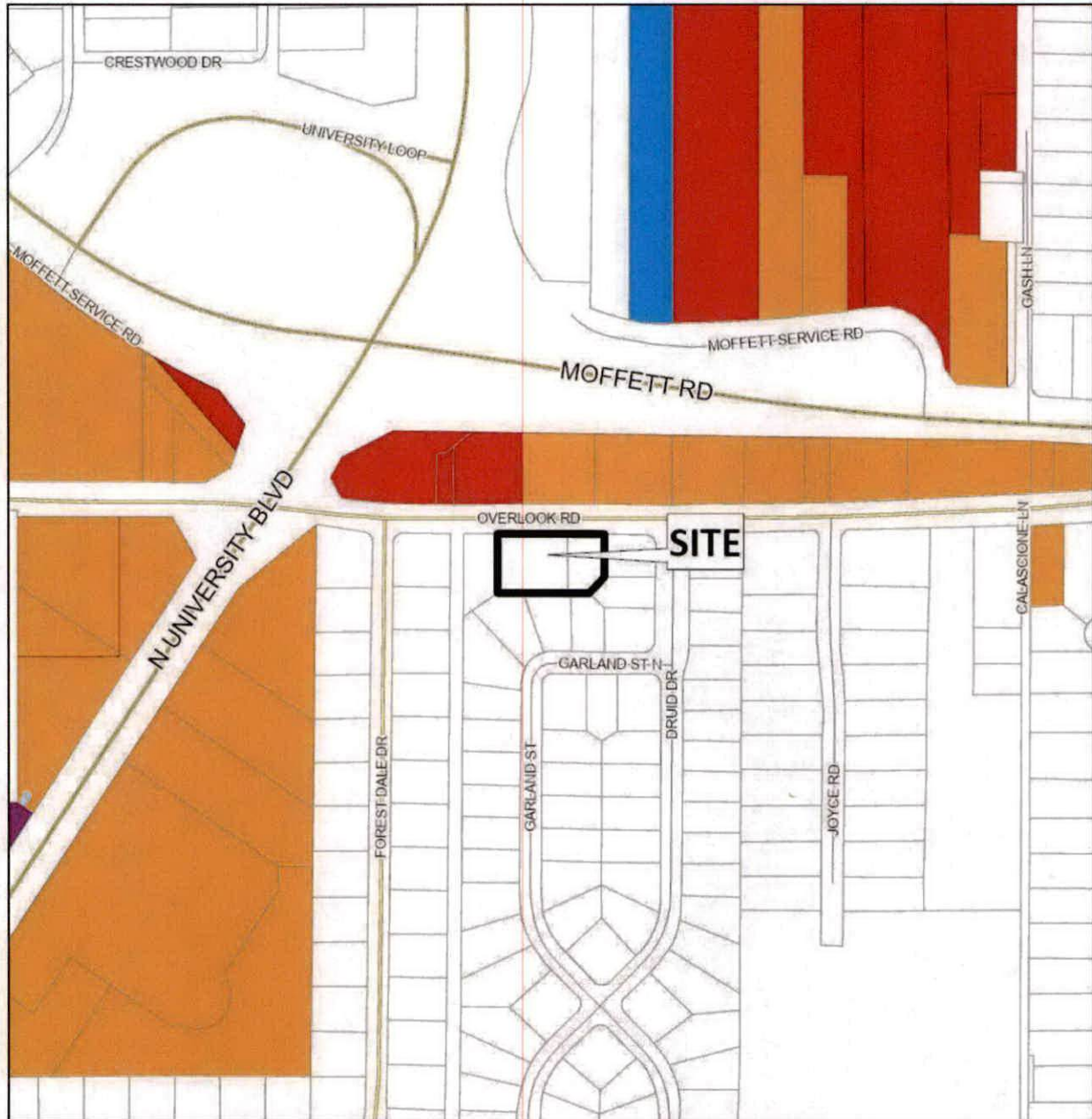
- A. Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
- B. Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
- C. Compatibility. Whether the proposed amendment is compatible with:
 - The current development trends, if any, in the vicinity of the subject property;
 - Surrounding land uses;
 - Would adversely impact neighboring properties; or
 - Cause a loss in property values.
- D. Health, Safety and General Welfare. Whether the proposed amendment promotes the community's public health, safety, and general welfare;
- E. Capacity. Whether the infrastructure is in place to accommodate the proposed amendment; and
- F. Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.
- G. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

The Planning Commission should consider holdover of the request until the December 19th meeting to allow the Rezoning application to be heard concurrently with the proposed Subdivision.

LOCATOR ZONING MAP



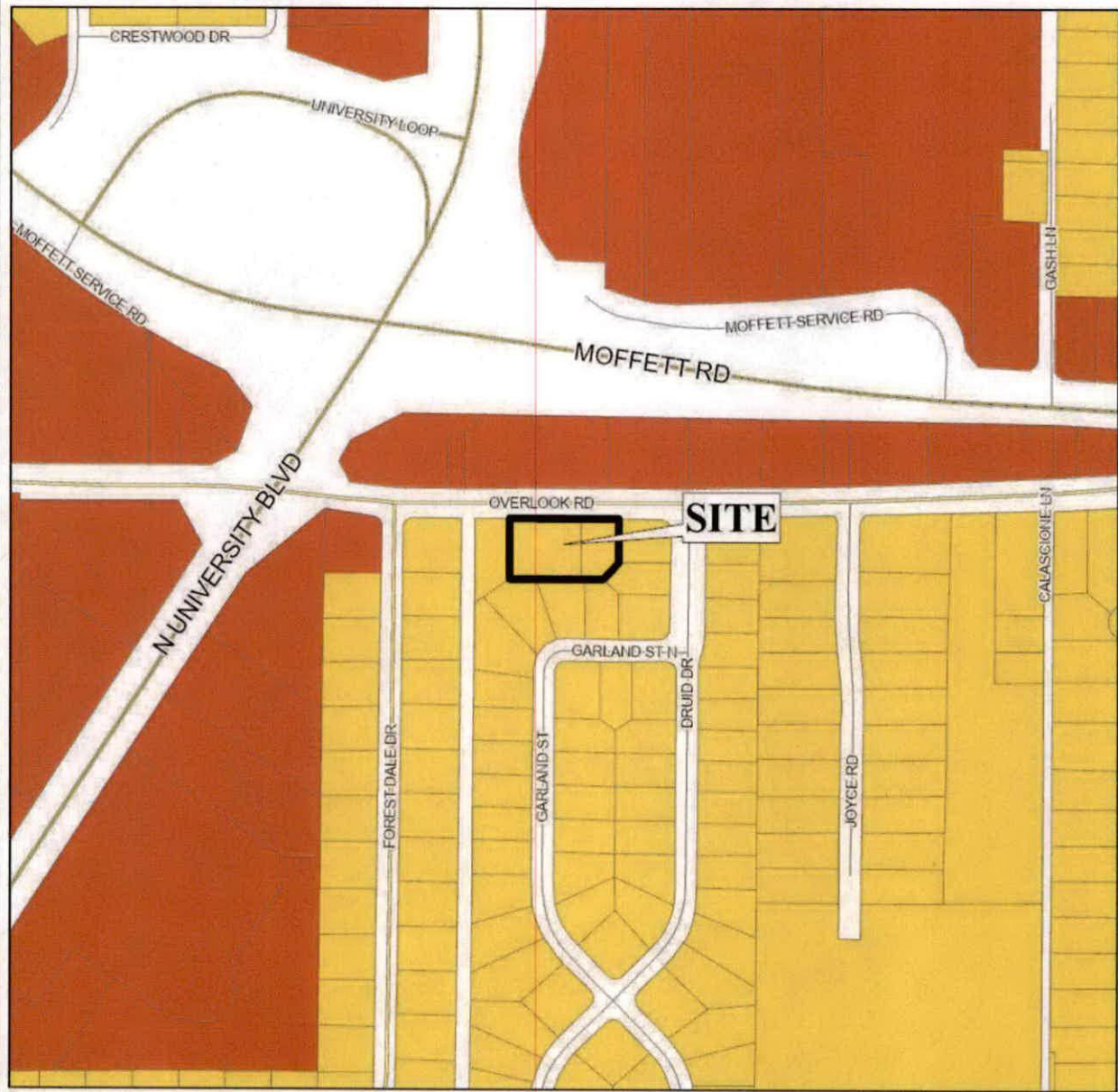
APPLICATION NUMBER 7 DATE November 21, 2024

APPLICANT Lloyd Thomas

REQUEST Rezoning from R-1 to B-2



FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE November 21, 2024
 APPLICANT Lloyd Thomas
 REQUEST Rezoning from R-1 to B-2

- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



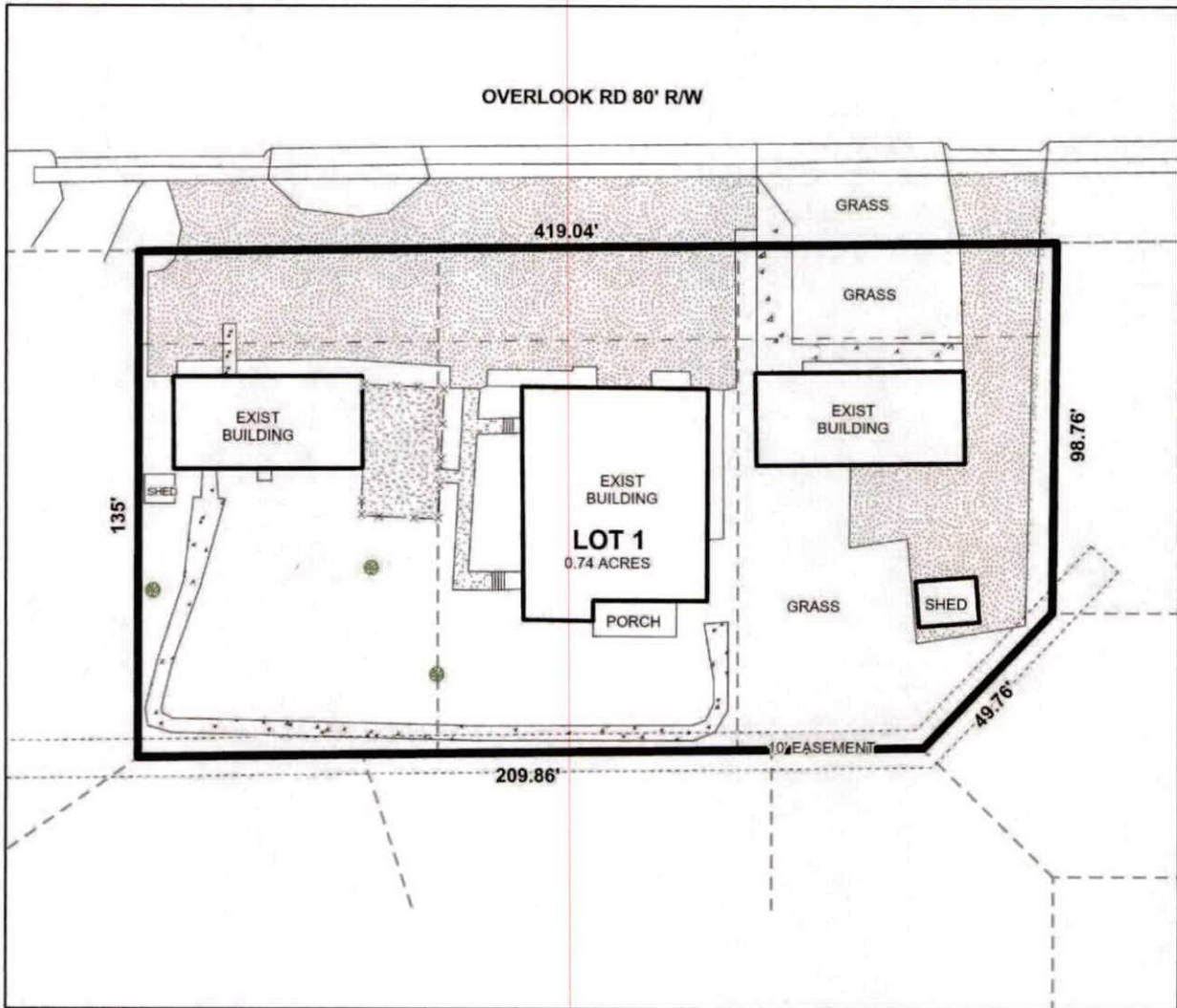
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER <u>7</u> DATE <u>November 21, 2024</u>		
APPLICANT <u>Lloyd Thomas</u>		
REQUEST <u>Rezoning from R-1 to B-2</u>		
R-A R-3 B-1 B-2 B-5 ML I-2 OPEN T-3 R-1 R-B T-B B-3 CW MH PD SD T-4 R-2 H-B LB-2 B-4 MM I-1 MUN SD-WH T-5.1 T-5.2 T-6		

SITE PLAN



The site plan illustrates the existing buildings, setback, and easements.

APPLICATION NUMBER	7	DATE	November 21, 2024
APPLICANT	Lloyd Thomas		
REQUEST	Rezoning from R-1 to B-2		



ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Adopted:

City Clerk

Notice of Public Hearing for the Proposed Modification of a
Previously Approved Planned Unit Development for Property
Located at 6109 Howells Ferry Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted **May 27, 2025**, a public hearing will be held on the **1st** day of **July**, 2024, at 10:30 a.m., to consider adoption of an ordinance for the modification of a Previously Approved Planned Unit Development for property located at 6109 Howells Ferry Road to allow multiple buildings on a single building site.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

Lisa C. Lambert
City Clerk

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

Sponsored by: Councilmember Gina Gregory

WHEREAS, a Planned Unit Development (PUD) was approved on December 21, 2023 to allow multiple buildings on a single building site on property located at 6109 Howells Ferry Road and described as follows:

LOT 1, ST. MARK'S EPISCOPAL CHURCH SUBDIVISION, AS RECORDED IN MAP BOOK 93, PAGE 45, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

WHEREAS, the owner of said property applied for a Major Modification of the PUD on February 19, 2024 allowing multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on March 21, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;

9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- a. Is consistent with all applicable requirements of this Chapter;
- b. Is compatible with the character of the surrounding neighborhood;
- c. Will not impede the orderly development and improvement of surrounding property;
- d. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- g. Shall not be detrimental or endanger the public health, safety or general welfare.
- h. Benefits Consideration. The request will be in the City's and the larger community's best interests.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the PUD is hereby approved with the following required conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

NOTICE OF HEARING OF PROPOSED AMENDMENT TO THE UNIFIED DEVELOPMENT CODE

Notice is hereby given that the Mobile City Council proposes to consider the adoption of the below synopsisized amendment to the Ordinance adopted on the 12th day of July, 2022, and known as the "Unified Development Code". The adoption of such amendment will be considered by the Mobile City Council in the Auditorium of the Government Plaza in Mobile, Alabama on the 1st day of July, 2025 at 10:30 AM. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the amendment.

Synopsis of Proposed Amendment to the Unified Development Code

The proposed amendment to the Unified Development Code was published in full on the 4th day of June, 2025 in the Lagniappe.

The proposed amendment to the Unified Development Code concerns the property within the City of Mobile, located at **6109 Howells Ferry Road**.

The proposed amendment will modify a Planned Unit Development (PUD) that was approved for said location on December 21, 2023. The owner of said property has applied for a **Major Modification of the allowing multiple buildings on a single building site**. If approved, the Major Modification will allow multiple buildings on a single building site subject to the following proposed conditions: 1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.; 2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC; 3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court; 4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council; 5. Compliance with all Engineering comments noted in the staff report; 6. Compliance with all Traffic Engineering comments noted in the staff report; 7. Compliance with all Urban Forestry comments noted in the staff report; 8. Compliance with all Fire Department comments noted in the staff report; 9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and, 10. Full compliance with all municipal codes and ordinances.

This proposed amendment to the Unified Development Code will be in full force and effect from after its publication and adoption by the Mobile City Council.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

Sponsored by: Councilmember Gina Gregory

WHEREAS, a Planned Unit Development (PUD) was approved on December 21, 2023 to allow multiple buildings on a single building site on property located at 6109 Howells Ferry Road and described as follows:

LOT 1, ST. MARK'S EPISCOPAL CHURCH SUBDIVISION, AS RECORDED IN MAP BOOK 93, PAGE 45, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

WHEREAS, the owner of said property applied for a Major Modification of the PUD on February 19, 2024 allowing multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on March 21, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- a. Is consistent with all applicable requirements of this Chapter;
- b. Is compatible with the character of the surrounding neighborhood;
- c. Will not impede the orderly development and improvement of surrounding property;

- d. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- g. Shall not be detrimental or endanger the public health, safety or general welfare.
- h. Benefits Consideration. The request will be in the City's and the larger community's best interests.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the PUD is hereby approved with the following required conditions:

- 1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
- 2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
- 3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
- 4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
- 5. Compliance with all Engineering comments noted in the staff report;
- 6. Compliance with all Traffic Engineering comments noted in the staff report;
- 7. Compliance with all Urban Forestry comments noted in the staff report;
- 8. Compliance with all Fire Department comments noted in the staff report;
- 9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
- 10. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

Adopted:

Lisa Lambert, City Clerk

Claude & Melody Hall

**6109 Howells Ferry Road
Council District 7
Gina Gregory**



THE CITY OF MOBILE, AL
Planning & Zoning Department

MOBILE CITY PLANNING COMMISSION

May 21, 2025

City Council
Mobile Government Plaza
Mobile, Alabama 36644

Dear Council Members:

The Mobile City Planning Commission at its meeting on **March 21, 2024**, considered the request of **Claude & Melody Hall**, for a Major Modification of a previously approved Planned Unit Development (PUD) **allowing multiple buildings on a single building site**, for the property located at **6109 Howells Ferry Road**.

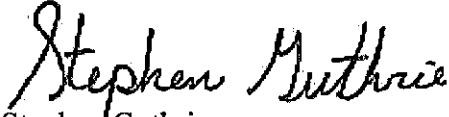
After discussion it was decided to recommend approval of the modification request to the City Council subject to the following conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;

9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

Copies of the application and reports are attached.

Sincerely,

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

Stephen Guthrie
Deputy Director, Planning & Zoning Department

maf
Attachments



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION
March 25, 2024

Claude and Melody Hall
812 Brighton Place
Mobile, Alabama 36693

Re: 6109 Howells Ferry Road
MOD-002859-2024
Claude & Melody Hall
District 7
Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site.

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

At its meeting on March 21, 2024, the Planning Commission considered the above referenced application.

After discussion, the Planning Commission determined the following Findings of Fact to support modification of the previously approved Planned Unit Development:

- a. The request is consistent with all applicable requirements of this Chapter;
- b. The Request is compatible with the character of the surrounding neighborhood;
- c. The request will not impede the orderly development and improvement of surrounding property;
- d. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads; and
- f. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- g. The request shall not be detrimental or endanger the public health, safety or general welfare.
- h. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

The advertising fee for this application based on the current legal description is \$521.74. Upon receipt of this fee (*check made out to the "City of Mobile"*), your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

Once the application has been approved by the City Council, the approved site plan illustrating compliance with all required conditions must be recorded in Probate Court. A copy of the recorded document in pdf format must be submitted to the Planning and Zoning Department via email (planning@cityofmobile.org) or uploaded to the case via CSS. If no construction permit is obtained to implement the approved modification within two (2) years of approval, the modification shall expire, unless an extension request is filed and approved by the Planning Commission and City Council.

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

Sincerely,

MOBILE CITY PLANNING COMMISSION

Ms. Jennifer Denson, Secretary

By:



Margaret Pappas
Deputy Director of Planning and Zoning

MOBILE CITY PLANNING COMMISSION

February 27, 2024

PUBLIC HEARING NOTICE



Re: 6109 Howells Ferry Road
MOD-002859-2024
Claude & Melody Hall
District 7
Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site.

Dear Applicant(s) / Owner(s):

The Mobile City Planning Commission will hold a Public Hearing on Thursday, March 21, 2024, at 2:00 p.m. to consider your above referenced application.

The meeting will be held in the Auditorium at 205 Government Street, Mobile, Alabama.

Your presence, or that of your agent, is required at this hearing. Failure to participate in the hearing may result in a denial of your request. Please be prepared to present your application to the Commission and respond to any questions they might have.

If you wish to comment on the application, you may email your comments to planning@cityofmobile.org or upload your comments to the case, which can be found under the meeting date on the web portal at <https://www.buildmobile.org/planning-commission/>. You may also submit comments by letter:

Planning & Zoning/City of Mobile
P.O. Box 1827
Mobile, Alabama 36633-1827

Include your full name and address with any comments. All comments must be submitted via email or uploaded to the portal, or received via mail, by 2:00 p.m. on Wednesday, March 20, 2024, to allow adequate time for the Commission members to review the information.

For additional information or assistance, please contact a Planner at (251) 208-5895.

MOBILE CITY PLANNING COMMISSION
February 27, 2024
PUBLIC HEARING NOTICE



Re: 6109 Howells Ferry Road
MOD-002859-2024
Claude & Melody Hall
District 7
Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site.

Dear Property Owner(s):

This letter is to advise property owners within 300' feet, as required by City Code, that the Mobile City Planning Commission will hold a Public Hearing on Thursday, March 21, 2024, at 2:00 p.m., to consider the above referenced application.

The meeting will be held in the Auditorium at 205 Government Street, Mobile, Alabama.

While your presence is not required, this notice is to advise you of the meeting so that you may participate and if you wish, present your views concerning this application to the Planning Commission. Please note, this application will not re-subdivide your property, and when hearing requests for subdivision, the Planning Commission does not consider matters of zoning or use for the proposed lots.

If you wish to comment on the application, you may email your comments to planning@cityofmobile.org or upload your comments to the case, which can be found under the meeting date on the web portal at <https://www.buildmobile.org/planning-commission/>. You may also submit comments by letter:

Planning & Zoning/City of Mobile
P.O. Box 1827
Mobile, Alabama 36633-1827

Include your full name and address with any comments. All comments must be submitted via email or uploaded to the portal, or received via mail, by 2:00 p.m. on Wednesday, March 20, 2024, to allow adequate time for the Commission members to review the information.

If you wish to present your views to the Commission in person, the Commission's Operating Rules and Procedures limit both the proponent and opposition to four (4) speakers each, for a maximum of five (5) minutes.

For additional information or assistance, please contact a Planner at (251) 208-5895.



City of Mobile • Planning & Zoning

Planning Commission Application

For hard copy submissions, **SEVEN (7) COPIES** of all the necessary information as required by the Zoning Ordinance, including the site plan, must be submitted along with **seven (7) paper copies of this application by NOON** on the deadline filing date. Otherwise, this application will not be accepted. Separate application packets and fees are required for each application type. Digital submissions are required by noon on the deadline filing date.

Fees

Conditional Use Permit	\$500
Conditional Use Permit for Above-Ground Oil Storage Tank*	\$1,500
Conditional Use Permit for Hazardous Substance Storage Tank*	\$1,500
Rezoning, Text Amendment, or Specific Area Plan	\$500
Planned Development	\$500
Planning Approval or Planned Unit Development	\$500

Notification fees: First Class Postage per property owner within 300', and each applicant/owner.

Additional fees: A legal advertisement fee will be required for each application, after consideration by the Planning Commission and prior to consideration by the City Council. If approved by the City Council, documentation must be recorded in Mobile County Probate Court at the expense of the applicant.

* For Above-Ground Oil Storage Tank or Hazardous Substance Storage Tank applications, please contact staff for additional information regarding fee, legal ad and notification requirements.

APPLICATION TYPE Please select the application type. Please complete the appropriate checklist (A, B, C, or D) for a full list of application requirements.

☐ Conditional Use Permits

Checklist A

☐ Rezoning, Text Amendment, or Specific Area Plan Amendments

Checklist B

☐ Planned Development

Checklist C

☒ Previously approved Planning Approvals or Planned Unit Development

Checklist D

Have you provided the required information on the corresponding checklist? ☒ Yes ☐ No

1. APPLICANT INFORMATION If other than the property owner, must furnish written authorization from owner. Owner must submit evidence, such as deed or tax assessment that the person has right of possession to the land and any structures thereon.

	Applicant	Agent (If Applicable)
Name:	Claude & Melody Hall	N/A
Firm:	N/A	
Phone:	251-656-3400 / 251-648-3327	
Email:	claudehall06@gmail.com	
Address:	812 Brighton Place, Mobile, AL 36693	

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower

Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Revised February 2023

	Owner	Design Professional
Name:	Claude & Melody Hall	N/A
Firm:	N/A	
Phone:	251-656-3400 / 251-648-3327	
Email:	claudhall06@gmail.com	
Address:	812 Brighton Place, Mobile, AL 36693	

2. PROPERTY INFORMATION Attach a brief description of the property location, parcel number, and legal description.

6109 Howells Ferry Road, Mobile, AL 36618

10.2 ac +/-

Property Address
00451335

Property Area (acres or square feet)

Parcel Number(s) or Key Number(s)
R-1

N/A

Present Zoning or Transect District

Proposed Zoning or Transect District (if applicable)

3. NEIGHBORHOOD MEETING Attach the Neighborhood Meeting Documentation if applicable.

This requirement applies to any of the following applications:

- a) Any Rezoning to a higher classification;
- b) Any application to create or modify a Planned Development; or
- c) Any Conditional Use Permit.

Have you provided the required Neighborhood Meeting Documentation, if applicable? ☐ Yes ☐ No

4. LABELS FOR NOTIFICATION Provide the names and complete addresses of owners of property lying within 300 feet of the property in this application, as shown by the latest assessment records of the Mobile County Revenue Commissioner's Office located in the plat and map room. ALL property ownership information provided for notification MUST be verified through Probate Court records. Each name and address must be TYPED on a standard size (approximately 1" x 2-5/8") white self-adhesive label. Include one (1) label with the APPLICANT'S name and address, plus one (1) label with the OWNER'S name and address (if applicant and owner differ). A PHOTOCOPY OF THE TYPED LABELS MUST ALSO BE SUBMITTED. (Please use 8_1/2" x 11" sheets of labels).

5. SIGNATURE It is warranted in good faith by the applicant whose name is signed hereto that all of the above facts are true and correct.

Owner Signature

2/19/2024

Date

Applicant or Agent Signature (if applicable)

2/19/2024

Date

AGREEMENT ALLOWING THE CITY OF MOBILE TO POST PUBLIC NOTICE SIGNS ON PROPERTY PENDING BEFORE THE MOBILE CITY PLANNING COMMISSION

I hereby agree to allow the City of Mobile to post on my property, which is under consideration for Planning Commission/City Council approval, a sign notifying the general public of said request. I understand that the City of Mobile will erect and maintain said sign for the prescribed period of time.

Applicant or Agent Signature

2/19/2024

Date

Build Mobile, PO Box 1827, Mobile, Alabama 36633

For more information: www.BuildMobile.org | planning@cityofmobile.org | 251.208.5895

Visit our help window: Mobile Government Plaza, 205 Government Street, Third Floor South Tower

Monday, Tuesday, Thursday, Friday: 8 am – 3 pm; Wednesday: 8 am – 1 pm

Revised February 2023

CHECKLIST D

Previously approved Planning Approvals and Planned Unit Developments

The following are required to evaluate applications for Previously approved Planning Approvals and Planned Unit Developments. Please provide a statement for all items.

The following information is required for Planned Development Applications. Please refer to [Article 10](#) for a full description of the requirements and verify that the following documentation is provided:

- ☐ Planning Commission Application
- ☐ A site plan that shows existing and proposed improvements and indicates proposed modification of prior approval

1. Describe how the proposal aligns with the [Comprehensive Plan, Map for Mobile](#).

The proposed day care facility has been approved by the Planning Commission (MOD-002751-2023). This request is to modify the building size of one of the two proposed buildings and to increase the number of possible students and staff.

Low Density Residential

Future Land Use Map (FLUM) Designation

2. Describe how is the proposal and plan compatible with the character of the surrounding neighborhood.

The proposed project will sit on a large parcel and will offer day care services for the surrounding residences.

3. Describe how the proposal prevents impacts on the development or improvement of adjacent property.

The location of existing and proposed structures are well within the property and will not adversely affect adjacent property.

4. Does the site design include adequate public facilities and utilities? ☒ Yes ☐ No

5. Does the plan provide appropriate ingress and egress? (Please provide a site plan showing ingress and egress)

☒ Yes ☐ No

6. Please provide the following information:

- ☐ The location, type and height of buildings or structures: (e.g., The existing structure is 24 feet tall)

Proposed buildings to be phased. The first building will be a 8,750 sq ft metal building with stucco front.

- ☐ The type and location of landscaping and screening: (e.g., A row of shrubs is located along the western edge of the property)

N/A

- ☐ Lighting:

N/A

- ☐ Hours of operation:

- ☐ Other conditions that are unique to the use of the property:

N/A

7. Describe how the proposal will minimize elements that may be noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; or have elements that are detrimental to the public health, safety or general welfare. This property will be used as a day care and will not omit offensive elements.

8. Describe how the proposal is in the City's or the larger community's best interest and what needs, benefits, or public purposes it serves.

This new facility will benefit the community by providing child care in a residential area and near their respective homes.

**Application Submission
Contact Information**

Name of Project 6109 Howells Ferry Road

Address 6109 Howells Ferry Road, Mobile, AL 36618

Owner Claude & Melody Hall

Address 812 Brighton Place, Mobile, AL

Zip Code 36693

Phone 251-656-3400 / 251-648-3327

Fax N/A

Email claudenhall06@gmail.com

Authorized Agent N/A

Address _____

Zip Code _____

Phone _____

Fax _____

Email _____

Contractor N/A

Address _____

Zip Code _____

Phone _____

Fax _____

Email _____

Civil Engineer Rowe Engineering & Surveying

Address 3502 Laughlin Drive, Suite B, Mobile, AL

Zip Code 36693

Phone 251-666-2766

Fax 251-660-1040

Email zeke@roweengineering.com

Architect N/A

Address _____

Zip Code _____

Phone _____

Fax _____

Email _____

Submitted by:

Signature

2/19/2024

Date

Cecil "Zeke" Hudson

Print

PLS/Rowe Engineering & Surveying

Affiliation to project/Organization

A PUD modification was granted for this site in 2023 by the Planning Commission application (MOD-002751-2023). This request is to modify the building size of one of the two proposed buildings and to increase the number of possible students and staff.

The property consists of a vacant church and parking area right now. A private day care facility is proposed for the site. Two metal buildings and additional parking are proposed for the site. The proposed Northern metal building will be constructed within 6-8 months and the second will be constructed 1 year after the completion of the first building.

The hours of operation will be 6am to 6pm. The day care will have 25 employees and 180 to 200 kids per day at the facility. Gross square footage of the buildings is 16,250 with 70 parking spaces. The property is currently zoned R-1. The property has been used as a church and has never been used as residential. Given the large size of the parcel we believe the addition of the two new metal buildings and parking would be acceptable as they will be set back far off of Howells Ferry Road.

STATE OF ALABAMA

COUNTY OF MOBILE

SLT 181332

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF THE CENTRAL GULF COAST, INC.**, a religious corporation, the Grantor, for and in consideration of the sum of **FOUR HUNDRED TEN THOUSAND AND 00/100 DOLLARS (\$410,000.00)** and other good and valuable consideration hereby acknowledged to have been paid to the said Grantor by **CLAUDE DOUGLAS HALL and MELODY MESHANE HALL**, the Grantees, does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto the said Grantees, as joint tenants during their joint lives and upon the death of either of them, then to the survivor of them, and to the heirs and assigns of such survivor, subject to the provisions hereinafter contained, all that real property in the County of Mobile, State of Alabama, described as follows:

Lot 1, St. Mark's Episcopal Church Subdivision, according to plat thereof recorded in Map Book 93, page 45 of the records in the Office of the Judge of Probate of Mobile County, Alabama.

EXCEPTING THEREFROM such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed to others; it being the intention of the Grantor to convey to Grantees only the interest Grantor owns therein, if any.

PROPERTY ADDRESS: 6109 Howells Ferry Road, Mobile, AL 36618.

Together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining: **TO HAVE AND TO HOLD** the same unto the said Grantees, as joint tenants during their joint lives and upon the death of either of them, then to the survivor of them, and to the heirs and assigns of such survivor, **FOREVER.**

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

1. Building setback line, drainage and utility line easements and notes or restrictions as shown on recorded plat of said subdivision.
2. Right of way granted to Alabama Power Company by instrument recorded in Real Property Book 5074, page 1402.

3. Right of way easement granted Mobile County by C. L. Warren and Margaret Warren, instrument dated October 5, 1948 and recorded in Deed Book 474, page 697.
4. Any portion of the above-described property lying within the right of way of any public road or utility.
5. Any future penalties and taxes property as a result of assessment for Current Use of Religious purposes.
6. Boundary lien agreement by and between Margaret Fisher Warren and Laura Ellen Middlebrooks Smith dated December 16, 1977 and recorded in Real Property Book 1794, page 453.
7. Boundary line agreement by and between Margaret Fisher Warren and Mitchell Homes dated May 6, 1981 and recorded in Real Property Book 2237, page 441.
8. Permit granted Alabama Power Company by instrument dated September 27, 1946 and recorded in Deed Book 415, page 696.

RECORDING REFERENCES HEREIN REFER TO THE RECORDS IN THE
OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

And, except as to the above and the taxes hereafter falling due, the said Grantor, for itself and for its successors and assigns, hereby covenants with the said Grantees, their heirs and assigns, that it is seized of an indefeasible estate in fee simple in and to said property; that it has a good and lawful right to sell and convey the same in fee simple; that said property is free and clear of all liens and encumbrances; that it is in the quiet and peaceable possession of said property; and that it does hereby WARRANT AND WILL FOREVER DEFEND the title to said property, and the possession thereof, unto the said Grantees, and the survivor of them, and the heirs and assigns of such survivor, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on this the 30th
day of January, 2024.

THE PROTESTANT EPISCOPAL CHURCH IN THE
DIOCESE OF THE CENTRAL GULF COAST, INC.,

By: _____

Its: _____

President and Bishop

STATE OF Florida

COUNTY OF Escambia

I, the undersigned notary public in and for said state and county, hereby certify that J. Russell Kendrick, whose name as President/Bishop of THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF THE CENTRAL GULF COAST, INC., is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of said conveyance, he/she, in such capacity and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and notarial seal on this the 29 day of January, 2024.

Mary R Poss
Notary Public, State at Large
My Commission expires: 26 April 2025

The Grantor's address is:

201 N Baylen St.
Pensacola FL
32502



The Grantees' address is:

812 Brighton Pl
Mobile, AL 36693-2931

This instrument was prepared by:

Beth McFadden Rouse
McFadden, Rouse & Bender, LLC
718 Downtowner Boulevard
Mobile, Alabama 36609
(251) 342-9172

Tracey Lowe
5297 Lott Rd
Eight Mile, AL 36613-9113

James Rockett
11739 Madrone Ln
Spanish Fort, AL 36527-5795

Ted Rainwater
C/o Robert Sheldt Jr
5720 Marquis Ct
Mobile, AL 36609

Christopher & Jennifer Johnson
6266 Woodcrest Dr
Mobile, AL 36608-4121

American Classic Homes
C/o Barbara Williams
8275 Easley Rd
Grand Bay, AL 36541-4043

Mobile County Board of School
Commissioners
1 Magnum Pass
Mobile, AL 36618

Claude & Melody Hall
812 Brighton Place
Mobile, AL 36618

Joseph & Nina Kyles
C/o Lori Meadows
24407 Lauder Pl
Orange Beach, AL 36561-3803

South Properties, LLC
6406 Airport Blvd, Ste C
Mobile, AL 36608-3793

Christie Williams
1918 Autry Ct
Arlington, TX 76017

Lynn Hollins
4920 Janice Dr
Mobile, AL 36618

Kenneth & Gerrell Stallworth
3021 Pretty Branch Dr W
Mobile, AL 36618-4163

Jerome Sumlin & Annette King
3021 Pretty Branch Dr W
Mobile, AL 36618-4163

Antonio Alvidrez
1612 Pine Isle Ct
Mobile, AL 36618-3075

Cassandra Brown
7430 Grey Wolf Circle
Anchorage, AK 99507-4811

A Prime Properties Group, LLC
C/o Ellen Lizotte
5517 Ashton Way
Sarasota, FL 34231-6231

LB & A Investments, LLC
P.O. Box 8058
Mobile, AL 36689-0058

Mobile Mental Health Center, Inc
2400 Gordon Smith Dr
Mobile, AL 36617

Belinda Richardson
1709 Princess Helen Rd
Mobile, AL 36618-3013

Yellowhammer Rentals, LLC
15 S Florida St
Mobile, AL 36606-1934

Edward Goldsmith
872 Tee St
Biloxi, MS 39532-4202

Jadasha Bowman
1617 Princess Helen Rd W
Mobile, AL 36618-3014

Joseph Crowell
1613 Princess Helen Rd W
Mobile, AL 36618-3014

Thomas Bryant
72 Ivy St
Mobile, AL 36607-2617

Tommy Richardson
6118 Howells Ferry Rd
Mobile, AL 36618-3150

Joseph Smith
6054 Howells Ferry Rd
Mobile, AL 36618

Vincent & Betty Nye
7120 Cedar St
Mobile, AL 36608-4538

Mary Gardner
1620 Princess Helen Rd W
Mobile, AL 36618-3043

Brenda King, Brandi Turner & Wendi King
1624 Princess Helen Rd W
Mobile, AL 36618-3043

Dave Young
1616 Masters Dr
Mobile, AL 36618

Hollis Jenkins
1604 Masters Dr
Mobile, AL 36618-5076

Pauline Ransom
1609 Pine Isle Ct
Mobile, AL 36618

Angela McCovery
1613 Pine Isle Ct
Mobile, AL 36618-3075

Geraldine Smith
1628 Princess Helen Rd W
Mobile, AL 36618-3043

Joyce Thomas
1617 Pine Isle Ct
Mobile, AL 36618-3075

Tyrone Sewell
1620 Pine Isle Ct
Mobile, AL 36618-3075

Jeffrey & Deborah Fountain
1608 Pine Isle Ct
Mobile, AL 36618

Marquilla Lundy
1632 Princess Helen Rd W
Mobile, AL 36618

Jeannette Matchett
1636 Princess Helen Rd W
Mobile, AL 36618-3043

Kendric Hayes & Tomzie Taylor-Haynes
3712 Longridge Dr E
Mobile, AL 36693-5051

Duane & Elsie Degrave
1648 Princess Helen Rd W
Mobile, AL 36618

Temieka Woodson
1660 Princess Helen Rd W
Mobile, AL 36618-3043

Deborah Carter
C/o Thurston Padgett
1700 Princess Helen Rd W
Mobile, AL 36618-3042

Patricia Ann Smith
1708 Princess Helen Rd W
Mobile, AL 36618

Nacole Grayson
1713 Princess Helen Rd W
Mobile, AL 36618-3013

Willie & Virginia Patterson
C/o Willie Patterson III
1751 Myland Ave
Mobile, AL 36618-3349

Karen Reed
1701 Princess Helen Rd W
Mobile, AL 36618

Mildred Bishop
1657 Princess Helen Rd W
Mobile, AL 36618

Deirdre Nealy-Hamilton
1649 Princess Helen Rd W
Mobile, AL 36618-3014

Felicia Adams, Barbara Smith, Willie Mae
Perdue & Brenda Andrews
2909 Persons St
Mobile, AL 36612-1969

Eddie Ervin, Jr
1641 Princess Helen Rd
Mobile, AL 36618-3014

Shirell Dortch Life Estate
1637 Princess Helen Rd W
Mobile, AL 36618-3014

Bonnie Falconer
1633 Princess Helen Rd W
Mobile, AL 36618-3014

Linda & Sandra Williams
1625 Princess Helen Rd W
Mobile, AL 36618

Vincentine Hollings
1621 Princess Helen Rd W
Mobile, AL 36618-3014

Rose Marie Pettaway
1608 Emil Ct
Mobile, AL 36618-3077

Erma Patterson
Aka Erma Mosley
1604 Emil Ct
Mobile, AL 36618-3077

Donna Stallworth
1605 Masters Dr
Mobile, AL 36618-3076

Sheila Williams
1609 Masters Dr
Mobile, AL 36618-3076

Alexandria Timmons
1613 Masters Dr
Mobile, AL 36618-3076

Rowe Engineering & Surveying
3502 Laughlin Drive, Suite B
Mobile, AL 36693



Agenda Item # 7 MOD-002859-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – PUD Modification](#)

DETAILS

Location:

6109 Howells Ferry Road

Applicant / Agent:

Claude & Melody Hall

Property Owner:

Claude & Melody Hall

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code (UDC)
- Map for Mobile Comprehensive Plan

Schedule for Development:

- Upon approval

Proposal:

- Modification of a previously approved Planned Unit Development

Commission Considerations:

1. Modification of a previously approved Planned Unit Development with ten (10) conditions.

Report Contents:

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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by single family residential units.

APPLICATION NUMBER	7	DATE	March 21, 2024
APPLICANT	Claude & Melody Hall		
REQUEST	PUD Modification		



SITE HISTORY

Subdivision of the site to create a single lot of record was approved in August 2001, along with Planning Approval to allow a church to operate in an R-1 zoning district, and Planned Unit Development approval to allow multiple buildings on a single building site.

The Board of Zoning Adjustment approved a Use Variance at its November 6, 2023 meeting to allow use of the site as a commercial day care in an R-1, Single-Family Residential Suburban District.

Most recently, at its December 21, 2023 meeting, the Planning Commission approved a modification to the previously approved Planned Unit Development to allow the construction of additional buildings on the site.

STAFF COMMENTS

Engineering Comments:

1. Submit an updated drawing that is labeled PUD SITE PLAN. The plan submitted is labeled "ZONING VARIANCE REQUEST".
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 require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
 - b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
 - c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
 - d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded 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.

Traffic Engineering Comments:

A traffic impact study will be required. 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 Article 3, Section 64-3-12 of the City's Unified Development Code.

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.

Fire 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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

A Use Variance was recently approved to allow use of the site as a commercial day care in a residential zoning district. A condition of the use variance required submission and approval of a Major Modification to the previously approved Planned Unit Development (PUD), which was granted by the Planning Commission at its December 21, 2023 meeting. The applicant is now requesting to amend the recently approved modification to alter the building size of one (1) of the two (2) proposed buildings, and to increase the number of possible students and staff.

The original PUD allowed for multiple buildings on a single building site for use by a church that was permitted with concurrent Planning Approval by the Planning Commission. Aerial photos depict that the site has operated in its current footprint since that time. The applicant is now proposing to further develop the property for use as a day care.

The site plan provided depicts a vacant, 3,400 square-foot church building and two proposed metal buildings, one (1) 7,500 square feet in size, and the other 8,750 square feet in size. Two (2) proposed parking lots are illustrated to the North and South of the proposed buildings, for a total of three (3) parking areas. The total building footprint of the existing and proposed buildings is 19,650 square feet, which requires 57 parking spaces per Table 64-3-12.1 of the UDC. There are 54 parking spaces proposed and 16 existing parking spaces, per a note on the site plan, for a total of 70 parking spaces.

It should be noted that, as illustrated, the proposed parking lots will not comply with the parking lot landscaping requirements of Article 3, Section 64-3-7.A.3(c)(2).c. of the UDC with respect to the landscape islands that are required for every 12 contiguous parking spaces. If approved, revision of the site plan will be required to illustrate compliance with these requirements.

Development of the property with the proposed buildings will result in a building footprint greater than 50% of the existing building footprint. As such, if approved, full compliance with the development standards of Article 3 of the UDC will be required. This includes, but is not limited to:

- the provision of a sidewalk along Howells Ferry Road;
- the provision of on-site pedestrian walkway connections;

- compliance with building design and height variation requirements;
- compliance with tree planting and landscape area requirements;
- the provision of a residential protection buffer where the site abuts residentially zoned or utilized property;
- compliance with parking lot lighting requirements and the provision of a photometric plan;
- the provision of off-street loading facilities; and
- the provision of bicycle parking.

Prior to recording of the site plan in Mobile County Probate Court, a revised plan reflecting compliance with the aforementioned development standards should be submitted to the Planning and Zoning Department for review; or notes should be placed on the recorded site plan stating the site will comply with all listed development requirements, with each one listed.

The applicant states in their narrative that the hours of operation of the proposed day care are from 6:00 a.m. until 6:00 p.m. The applicant also states that the day care will accommodate 180-200 children, and employ 25 people. The applicant does not state the days the day care will operate.

It should be noted that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council. A note stating as much should be placed on the recorded site plan, if approved.

PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-8-B.(5) states the following concerning Planned Unit Development Modifications:

Approval Criteria. The Planning Commission shall not recommend a major modification for approval, and the City Council shall not approve the modification, unless the proposed modification:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 - a. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - b. Includes adequate public facilities and utilities;
5. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
6. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
7. Shall not be detrimental or endanger the public health, safety or general welfare.

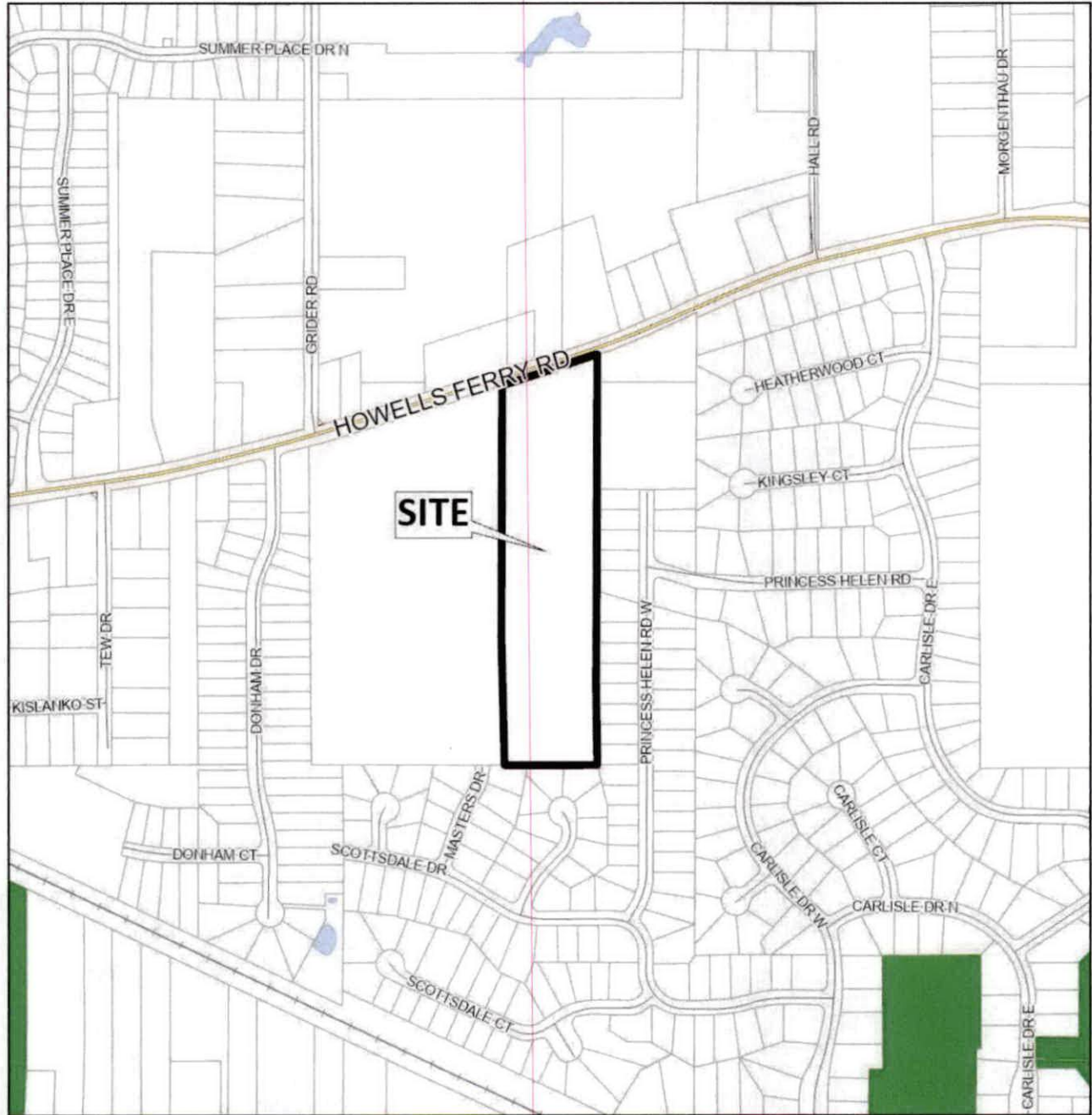
8. **Benefits Consideration.** In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

Considerations:

If the Planning Commission considers a recommendation of approval for the Modified Planned Unit Development, the following conditions could apply:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 and Page 5 of this report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
4. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in this staff report;
6. Compliance with all Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report;
8. Compliance with all Fire Department comments noted in this staff report;
9. Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

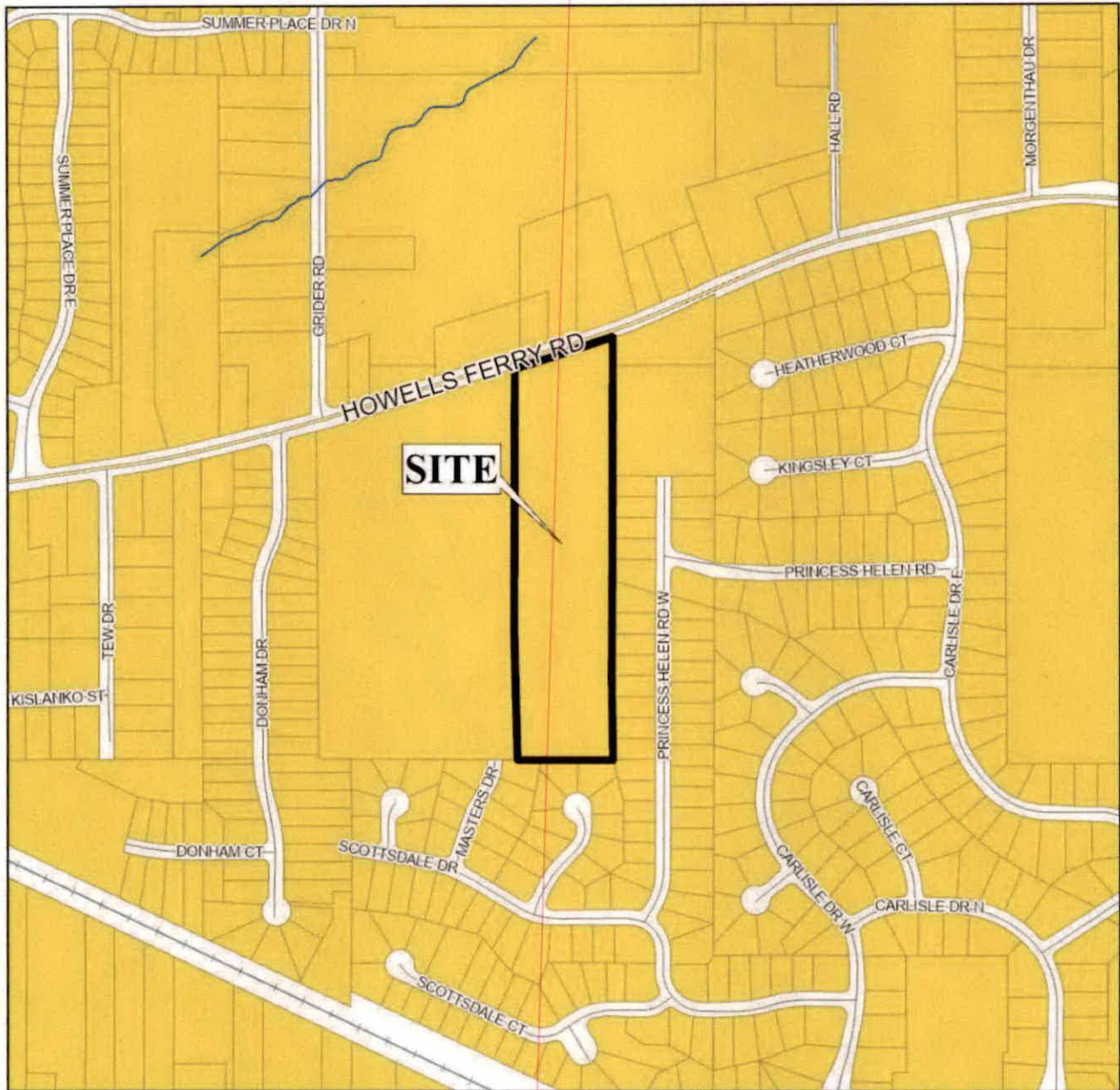
LOCATOR ZONING MAP



APPLICATION NUMBER	7	DATE	March 21, 2024
APPLICANT	Claude & Melody Hall		
REQUEST	PUD Modification		



FLUM LOCATOR MAP

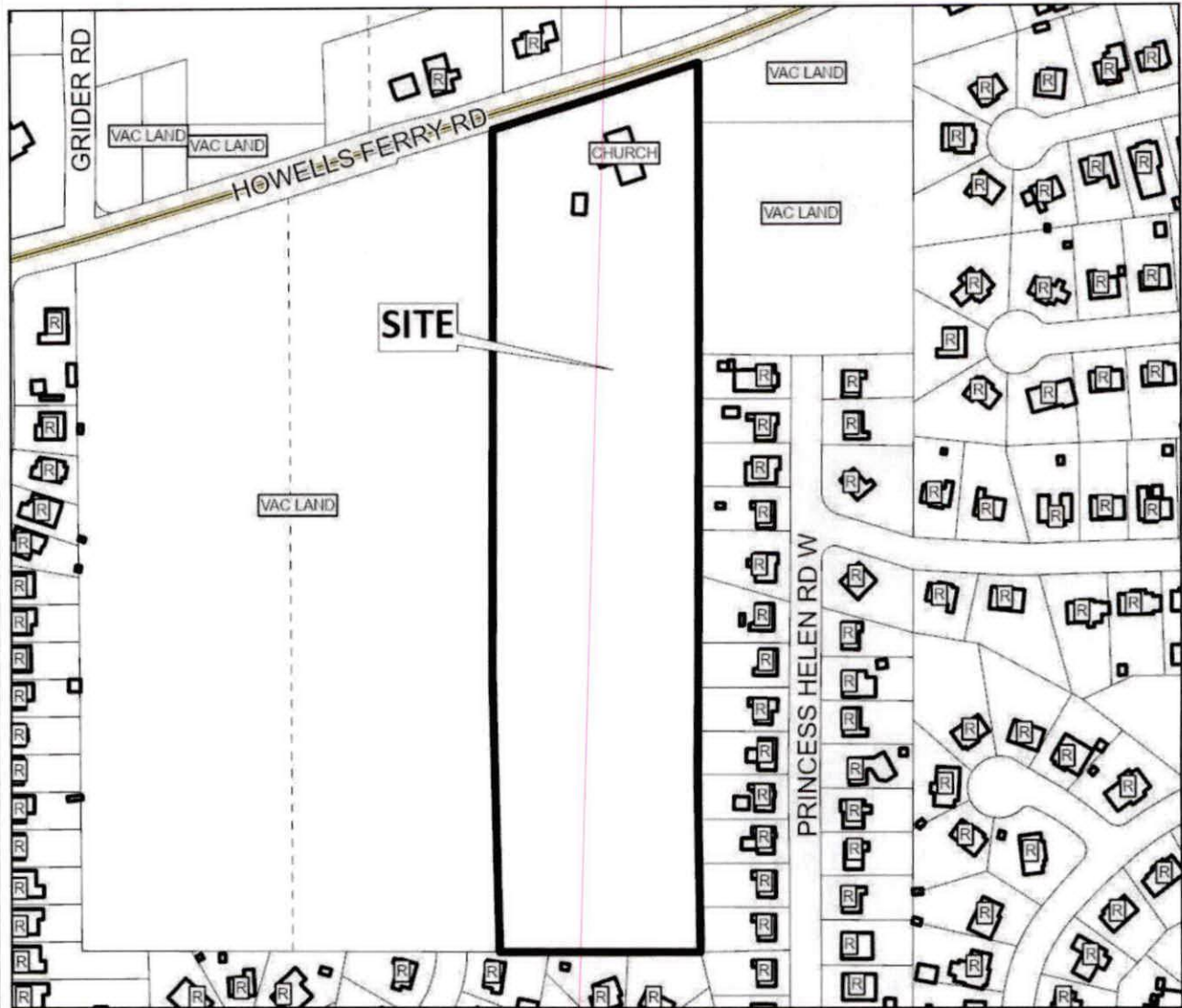


APPLICATION NUMBER 7 DATE March 21, 2024
 APPLICANT Claude & Melody Hall
 REQUEST PUD Modification

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 7 DATE March 21, 2024

APPLICANT Claude & Melody Hall

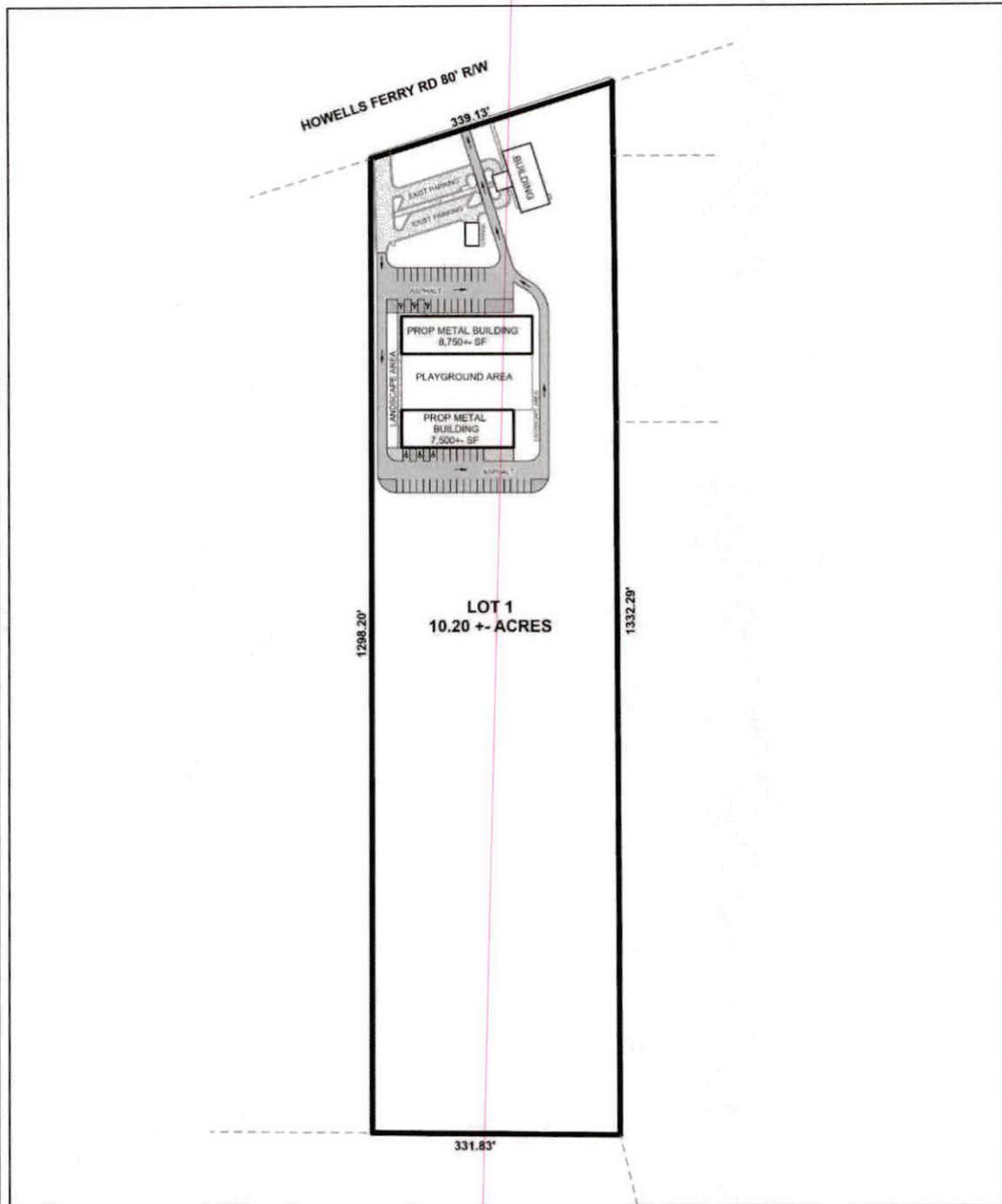
REQUEST PUD Modification

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



NTS

SITE PLAN



The site plan illustrates the existing parking and building, proposed buildings, and proposed parking.

APPLICATION NUMBER	7	DATE	March 21, 2024	 NTS
APPLICANT	Claude & Melody Hall			
REQUEST	PUD Modification			

ZONING DISTRICT CORRESPONDENCE MATRIX																
RESIDENTIAL - AG	R-A		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
ONE-FAMILY RESIDENCE	R-1	■					■		■					■	■	
TWO-FAMILY RESIDENCE	R-2	■					■		■					■	○	
MULTIPLE-FAMILY	R-3	○	■				■	■						■	○	
RESIDENTIAL-BUSINESS	R-B			○			■	■	■					■	○	
TRANSITIONAL-BUSINESS	T-B			○			■	■	■					■		
HISTORIC BUSINESS	H-B				■		■		■					■		
VILLAGE CENTER	TCD						■	■						■		
NEIGH. CENTER	TCD						■	■						■		
NEIGH. GENERAL	TCD						■							■		
DOWNTOWN DEV. DDD	T-6				■									■		
DOWNTOWN DEV. DDD	T-5.1				■		■							■		
DOWNTOWN DEV. DDD	T-5.2				■		■	■						■		
DOWNTOWN DEV. DDD	T-4				■		■							■		
DOWNTOWN DEV. DDD	T-3				■		■							■		
DOWNTOWN DEV. DDD	SD-WH							■						■		
DOWNTOWN DEV. DD	SD	○		○	○	○	○	○	○		○	○		■		
BUFFER BUSINESS	B-1			□			□	□	□					□		
NEIGH. BUSINESS	B-2			○			□	■	■					□	○	
LIMITED BUSINESS	LB-2			○			□	■	■					□	○	
COMMUNITY BUSINESS	B-3					■			■					□	○	
GEN. BUSINESS	B-4				■									□	○	
OFFICE-DISTRIBUTION	B-5									■				□	○	
LIGHT INDUSTRY	I-1										■			□	□	
HEAVY INDUSTRY	I-2											■		□	□	

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.