

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF FEBRUARY 6, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Roosevelt Turner
Tracie Lee-Roberson
John Vallas
Scott Webster
James F. Watkins, III
Don Hembree
John Williams

Members Absent

William G. DeMouy, Jr.
Jarrett Wingfield
Carlos Gant

Urban Development Staff Present

Bert Hoffman,
Planner II
Carla Davis,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Jessica Watson
Secretary II

Others Present

Doug Anderson,
Assistant City Attorney
George Davis,
City Engineering
Marybeth Bergin,
Traffic Engineering

Fire-Rescue Department

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

ROLL CALL:

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

HOLDOVERS:

1. **Case #SUB2013-00078 (Subdivision)**
(&2 **Blue Creek Coal Terminal Subdivision**
&3) 80 Virginia Street
(Area bounded by CSX Railroad, New Jersey Street, Old Water Street, and Mobile River, extending to the North side of Virginia Street, 465'± East of Conception Street).
Number of Lots / Acres: 1 Lot / 36.9± Acres
Engineer / Surveyor: Cowles, Murphy, Glover & Associates
Council District 2

February 6, 2014

Planning Commission Meeting

Mr. Watkins and Ms. Roberson recused themselves from discussion and voting on the matter.

The Chair announced the applications had been recommended for holdover. He added if anyone wished to speak on the matter they should do so at that time.

Gary Cowles, 457 St. Michael Street, spoke on behalf of the applicant. He requested that the application be heldover until the March 20th meeting.

The following people spoke in opposition to the matter:

- Wanda Cochran, 465 Dauphin Street;
- Edward Walters, 310 South Monterey;
- Dr. Rodney, Professor at University of South Alabama
- Pete Burns, 255 N. Jackson Street;

They made the following points against the application:

- A. coal is not allowed by right in any zone in the City of Mobile;
- B. this Commission is the only body with the jurisdiction to determine the appropriateness of this business at this location;
- C. there is no specific legislative guidance in the city code or the zoning ordinance for coal stockpiling and handling;
- D. coal is a dirty business;
- E. pollution is a cause of asthma;
- F. a philosophy in medicine is “Primum non nocer” which means First I do no harm;
- G. if you operate on a patient that has been exposed to this particular matter you can see the blackness of the tissue;
- H. not in harmony with the development of downtown Mobile;
- I. a coal terminal will not help with the New Plan for Mobile;

In rebuttal, Mr. Cowles stated that he does believe that the applicant has some educational information that they can provide to the community and will do that during the holdover.

Mr. Vallas stated that the he would like to know how Blue Creek will be better than McDuffie as well as how it will be different. He stated that he would like to know what McDuffie does versus what Blue Creek will do; it is the same operation. Mr. Vallas also mentioned that he would like to know what type of coal Blue Creek will be handling and what type McDuffie handles.

Mr. Plauche stated that he would like to see evidence of a public meeting.

Mr. Turner stated that he would like Mr. Cowles to elaborate more if all of the dust will be taken care or just a percentage of it.

February 6, 2014
Planning Commission Meeting

Mr. Williams stated that he felt as if both sides had some proving to do and that he is convinced that there is information on Mr. Cowles side that the Commission still does not know. He also noted that Mr. Cowles still has not provided exact information; the Commission has only seen generic information. He also stated that he would like to know how many community meetings are scheduled and what the idea behind the meeting is; what exactly will be explained.

Mr. Cowles responded that they are looking for a venue; such as a church or reception hall. He noted that they would prefer to have the meeting within the community and in the area of concern and they would like to take a hand-on approach to the meeting.

Mr. Anderson stated that he had spoke with Ms. Cochran before the meeting and she had expressed questions and procedural concerns on this Commissions right to hold this application over.

Ms. Cochran stated that she had looked at the zoning ordinance that morning to see if it had any guidance on the Commission handles requests for postponements of applications; she found that it does discuss the procedure that is applicable to applications of Planning Approval and Planned Unit Developments. For PUD's the Commission is authorized to approve, deny and holdover applications. But, when you look at the Planning Approval section it states that the Planning Commission shall consider such application and approve or disapprove the application. But, it does not authorize the Commission to hold over the application.

Mr. Anderson responded that he goes on a lot of the history and procedure that the Commission has followed for the past 25 years. Historically, this Commission has honored request for holdovers if the request has been put in by noon on the Tuesday prior to the meeting. He stated that he felt as if Ms. Cochran's interpretation of the ordinance is carrying the interpretation a little far and unreasonable.

Hearing no further opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Webster hold the matter over until the March 20, 2014 meeting, with any revised information specifically requested by Planning Commissioners to be submitted by March 5, 2014. The applicant was additionally advised that the Planning Commission would be hesitant to consider any additional holdover requests.

The motion carried with Mr. Watkins and Ms. Roberson recusing.

2. **Case #ZON2013-01814 (Planned Unit Development)**
(&1 **Blue Creek Coal Terminal Subdivision**
&3) 80 Virginia Street
(Area bounded by CSX Railroad, New Jersey Street, Old Water Street, and Mobile River, extending to the North side of Virginia Street, 465'± East of Conception Street).
Planned Unit Development Approval to allow multiple buildings on a single building site.
Council District 2

Mr. Watkins and Ms. Roberson recused themselves from discussion and voting on the matter.

The Chair announced the applications had been recommended for holdover. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no further opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Webster hold the matter over until the March 20, 2014 meeting, with any revised information specifically requested by Planning Commissioners to be submitted by March 5, 2014. The applicant was additionally advised that the Planning Commission would be hesitant to consider any additional holdover requests.

The motion carried with Mr. Watkins and Ms. Roberson recusing.

3. **Case #ZON2013-01813 (Planning Approval)**
(&1 **Blue Creek Coal Terminal Subdivision**
&2) 80 Virginia Street
(Area bounded by CSX Railroad, New Jersey Street, Old Water Street, and Mobile River, extending to the North side of Virginia Street, 465'± East of Conception Street).
Planning Approval to allow a coal handing terminal in an I-2, Heavy-Industry District.
Council District 2

Mr. Watkins and Ms. Roberson recused themselves from discussion and voting on the matter.

The Chair announced the applications had been recommended for holdover. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no further opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Webster hold the matter over until the March 20, 2014 meeting, with any revised information specifically requested by Planning Commissioners to be submitted by March 5, 2014. The applicant was additionally advised that the Planning Commission would be hesitant to

consider any additional holdover requests.

The motion carried with Mr. Watkins and Ms. Roberson recusing.

4 **Case #SUB2013-00093 (Subdivision)**
(&5) **Storrs Manor Subdivision**

115 Providence Street and 118 Catherine Street North
(West side of Providence Street, 280'± South of Spring Hill Avenue extending to the East side of Catherine Street North, 230'± South of Spring Hill Avenue).
Number of Lots / Acres: 1 Lot / 0.6± Acre
Engineer / Surveyor: Byrd Surveying, Inc.
Council District 2

The Chair announced the applications had been recommended for withdrawal. He added if anyone wished to speak on the matter they should do so at that time.

Mr. Hoffman addressed the Commission on behalf of the City. He stated that the Storrs have obtained an attorney to try and work out the ownership issues between the property that they are trying to create into a single lot and Mr. Byrd has also been working on trying to get the issue resolved. He stated that on behalf of the City that he would request a holdover until March 6th.

Jerry Byrd, Byrd Surveying Company, spoke on behalf of the owner. Would like to see the Rezoning application be voted on even if the Subdivision application is held over.

Mr. Hoffman responded that he would not recommend that; the Staff prefers that they be held over together.

Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Mr. Vallas to hold the matter over until the March 6 meeting, at the request of the applicant, so that new labels and postage could be provided regarding the additional rezoning request from B-2 to R-1.

The motion carried unanimously.

5 **Case #ZON2013-02189 (Rezoning)**
(&4) **Storrs Manor Subdivision**

115 Providence Street and 118 Catherine Street North
(West side of Providence Street, 280'± South of Spring Hill Avenue extending to the East side of Catherine Street North, 230'± South of Spring Hill Avenue).
Rezoning from R-1, Single-Family Residential District, and B-1, Buffer-Business District, to R-1, Single-Family Residential District, to eliminate split zoning.
Council District 2

The Chair announced the applications had been recommended for withdrawal. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Mr. Vallas to hold the matter over until the March 6 meeting, at the request of the applicant, so that new labels and postage could be provided regarding the additional rezoning request from B-2 to R-1.

The motion carried unanimously.

6. Case #SUB2013-00131 (Subdivision)

(&7 Kirby Subdivision

&8) 7049 Dickens Ferry Road and 7060 & 7068 Airport Boulevard
(North side of Airport Boulevard extending to the South side of Dickens Ferry Road, 550[±] East of Cody Road).

Number of Lots / Acres: 1 Lot / 1.4[±] Acre

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 7

The Chair announced the applications had been recommended for denial. He added if anyone wished to speak on the matter they should do so at that time.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that the 2 lot Subdivision is being brought before the Commission to add a portion of the property to Spectrum Collision's site for their operation and their existing lot of record. He also noted that they do meet the parking requirements of the zoning ordinance but cannot meet the landscape requirements to the front because the site is already developed.

Mr. Hoffman noted that the Staff has conditions of approval prepared.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Turner, to approve the above referenced matter, subject to the following conditions:

- 1) **retention of the dedication to provide 30' from the centerline of Dickens Ferry Road;**
- 2) **illustration of the 25' minimum building setback from all frontages;**
- 3) **retention of the lot sizes in square feet and acres;**
- 4) **placement of a note stating that commercial access is denied to Dickens Ferry Road;**
- 5) **placement of a note stating that Lot 1 is limited to one curb cut to Dickens Ferry Road, and Lot 2 is limited to the existing curb cuts to Airport Boulevard;**

- 6) retention of a note stating that no structures are to built in any easement;
- 7) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 8) compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Add a note to the Plat stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. b. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. c. Show and label the MFFE (Minimum Finished Floor Elevation). d. Provide and label the monument set or found at each subdivision corner. e. Provide the Surveyor's, Owner's (notarized), and Planning Commission signatures. f. Provide a signature block and signature for the Traffic Engineer. g. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. h. Provide a drainage easement for the existing drainage ditch on the LOT 1. Size and location to be approved by the City Engineer.*);
- 9) compliance with Traffic Engineering comments (*Cross access to the existing Lot 1 of Spectrum Subdivision, a residential lot, from the proposed commercial lot, is denied. Commercial access to Dickens Ferry is denied. Proposed Lot 1 is limited to one curb cut to Dickens Ferry Road, and proposed Lot 2 is limited to the existing curb cuts to Airport Boulevard, with the size, design and location of any new curb-cuts to be approved by Traffic Engineering, and to comply with AASHTO standards.*);
- 10) compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Need revised site plan showing Live Oak Trees 24" and larger. Also show on the site plan the removal of existing gravel from the Critical Root Zone of the existing Live Oak Trees 24" and larger.*);
- 11) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;

- 12) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and
- 13) provision of two (2) revised Planned Unit Development site plans prior to the signing of the Final Plat.

The motion carried unanimously.

7. **Case #ZON2013-02718 (Planned Unit Development)**

(&6) **Kirby Subdivision**

(&8) 7049 Dickens Ferry Road and 7060 & 7068 Airport Boulevard
(North side of Airport Boulevard extending to the South side of Dickens Ferry Road, 550'± East of Cody Road).

Planned Unit Development Approval to allow multiple buildings on a single building site and shared access between two building sites.

Council District 7

The Chair announced the applications had been recommended for denial. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Turner to approve the above referenced matter, subject to the following conditions:

- 1) removal of all improvements within the floodzones and floodway, and restoration with grass sod;
- 2) retention of the dedication to provide 30' from the centerline of Dickens Ferry Road;
- 3) placement of a note stating that commercial access is denied to Dickens Ferry Road;
- 4) placement of a note stating that the PUD is limited to the existing curb cut to Airport Boulevard;
- 5) retention of a note stating that no structures are to be built in any easement;
- 6) notation on the site plan of the types of businesses in each existing structure, their sizes, and number of warehouse employees;
- 7) provision of full compliance with perimeter and parking trees for entire PUD;
- 8) full compliance with total landscape area requirements, with the provided frontage landscape area to remain as is, and the remainder of any required landscape areas to be provided elsewhere on the site;
- 9) illustration of all dumpsters to be compliant with Section 64-4.D.9 of the Zoning Ordinance;
- 10) illustration of the required residential buffer per Section 64-4.D.1.

- of the Zoning Ordinance;
- 11) removal of the existing residential structure with appropriate permits, within six (6) months;
 - 12) provision of compliant asphalt or concrete surface instead of aggregate surfacing, if the pending aggregate surfacing request is not approved by the Board of Zoning Adjustment;
 - 13) removal of all wrecked vehicles not to undergo repair from the site within 180 days of placement on the site, and the prohibition of the sale of salvage parts from the wrecked vehicles;
 - 14) removal of all single tenant free-standing signs, and provision of one permitted multi-tenant free-standing sign;
 - 15) illustration of the 25' minimum building setback along all street frontages;
 - 16) compliance with Engineering comments (*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 Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). Any and all proposed land disturbing activity will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, 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. Add a note to the Plat stating that the proposed development must comply with all Engineering Department Policy letters.*);
 - 17) compliance with Traffic Engineering comments (*Cross access to the existing Lot 1 of Spectrum Subdivision, a residential lot, from the commercial Planned Unit Development, is denied. Commercial access to Dickens Ferry is denied. Proposed Lot 1 is limited to one curb cut to Dickens Ferry Road, and proposed Lot 2 is limited to the existing curb cuts to Airport Boulevard, with the size, design and location of any new curb-cuts to be approved by Traffic Engineering, and to comply with AASHTO standards.*);
 - 18) compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Need revised site plan showing Live Oak Trees 24" and larger. Also show on the site plan the removal of existing gravel from the Critical Root Zone of the existing*

Live Oak Trees 24" and larger.);

- 19) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 20) obtaining an after-the-fact land disturbance permit;
- 21) provision of two (2) revised Planned Unit Development site plans prior to the signing of the Final Plat and prior to any requests for permits; and
- 22) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

8. **Case #ZON2013-02731 (Rezoning)**
(**&6**) **John Kirby**
(**&7**) 7049 Dickens Ferry Road

(South side of Dickens Ferry Road, 550'± East of Cody Road).
Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to eliminate split zoning.
Council District 7

The Chair announced the applications had been recommended for denial. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Turner to approve the above referenced matter, subject to the following conditions:

- 1) limited to an approved Planned Unit Development;
- 2) completion of the Subdivision process; and
- 3) full compliance with all municipal codes and regulations.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

9. **Case #SUB2014-00001**
Headwaters Subdivision, Unit Two, Resubdivision of Lots 36 – 39 & 50

North side of Crepe Myrtle Court, extending to the West side of an unopened public right-of-way at the West terminus of Nugget Drive.

Number of Lots / Acres: 5 Lots / 14.2± Acres

Engineer / Surveyor: Byrd Surveying, Inc.
County

The Chair announced the application had been recommended for approval and stated the applicant was agreeable with the recommendations. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Vallas, with second by Ms. Roberson, to waive Sections V.D.1., and V.D.3 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **illustration of the 25' minimum building setback line along all street frontages;**
- 2) **revision of the plat to also illustrate a 30' minimum building setback line on Lots 36 and 37 along the unopened public right-of-way along the East side of the site, to accommodate existing drainage and utility easements;**
- 3) **revision of the plat to label each lot with its size in both acres and square feet, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **placement of a note on the Final Plat stating that Lot 36 is limited to two curb cuts, with one of the two for the Common Area access easement;**
- 5) **placement of a note on the Final Plat stating that Lot 37 is limited to one curb cut to the cul-de-sac and denied access to the unopened public right-of-way until such time it is developed to County standards;**
- 6) **placement of a note on the Final Plat stating that Lots 38, 39 and 50 are limited to one curb cut each to the cul-de-sac;**
- 7) **placement of a note on the Final Plat stating that the size, design and location of all curb cuts should be approved by County Engineering and conform to AASHTO standards;**
- 8) **placement of a note on the Final Plat stating that no structures are to be built within any easement;**
- 9) **placement of a note on the Final Plat stating that the maintenance of the Common Area is the responsibility of the property owners;**
- 10) **placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required for wetlands prior to the issuance of any permits or land disturbance activities;**
- 11) **placement of a note on the Final Plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;**
- 12) **placement of a note on the Final Plat stating that the development will be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of a letter from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the commencement of any land disturbing activities, issuance of any**

permits/approvals for road construction, or signing of the final plat. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;

- 13) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8 of the Subdivision Regulations; and
- 14) compliance with the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*.

The motion carried unanimously.

GROUP APPLICATIONS:

**10. Case #ZON2014-00021 (Planned Unit Development)
(&11) Mercedes – Benz of Mobile**

3050 and 3060 Dauphin Street

(North side of Dauphin Street, 535'± West of North Sage Avenue).

Planned Unit Development Approval to amend two previous Planned Unit Development Approvals to allow shared access and parking between two lots, and allow multiple buildings on a single building site.

Council District 1

The Chair announced the applications had been recommended for holdover. He added if anyone wished to speak on the matter they should do so at that time.

Mr. Hoffman stated that he had spoke with Mr. Adams earlier in the week and they had been able to resolve some of the issues of concern about the PUD site plan.

Eric Adams, with Clark, Geer & Latham, spoke on behalf of the applicant. He requested a waiver on the frontage landscaping; he noted that they meet the overall landscaping requirements just not the frontage.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with second by Mr. Turner to approve the above referenced matter, subject to the following conditions:

- 1) placement of a note on the site plan stating the proposed PUD approval is site plan specific, and limited to the subject site plan, with required revisions;
- 2) revision of the site plan to eliminate parking spaces along the East property line of the existing Mercedes-Benz Lot 2A to provide a 20'

- wide access and maneuverability for a fire apparatus;
- 3) revision of the site plan to illustrate fencing to prevent cross access from the existing Mercedes-Benz Lot 2A and proposed Lot A, to be approved by staff;
 - 4) retention of right-of-way widths of Dauphin Street and Dauphin Square Connector on the site plan;
 - 5) revisions to site plan to show fencing/ gates to prevent unauthorized access to the private street, if proposed, to be approved by staff;
 - 6) retention of the frontage landscaping depicted on the PUD site plan;
 - 7) revision of the site plan to show all existing or proposed fences or gates that currently or will be used to control access between Mercedes-Benz, McConnell, proposed Lot A and the private street to the East of the proposed Lot B with any new fencing or gates to be approved by staff;
 - 8) revision of site plan to depict a total of 59 trees;
 - 9) compliance with 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 Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed land disturbing activity will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Each Lot Owner shall be required to submit a Land Disturbance Permit application for any proposed land disturbing activity. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, 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. 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer. 5. Add a note to the PUD Plan stating that the proposed development must comply with all Engineering Department Policy Letters. Including 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System); and, 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping)."*
 - 10) compliance with Traffic Engineering comments: *"Driveway number, size, location and design to be approved by Traffic Engineering and*

conform to AASHTO standards.”;

- 11) compliance with Urban Forestry comments: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;*
- 12) compliance with Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.”;*
and
- 13) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

11. **Case #SUB2013-00148 (Subdivision) (Holdover)**
(**&10**) **Northside / Joint Venture Suddivision and American Red Cross**
Subdivision, Lot 2, Resubdivision of Lot 1

3050 Dauphin Street

(North side of Dauphin Street, 355'± West of North Sage Avenue, extending to the West side of North Sage Avenue , 180'± North of Dauphin Street).

Number of Lots / Acres: 2 Lots / 4.7± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, Inc.

Council District 1

The Chair announced the applications had been recommended for holdover. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with second by Mr. Turner to approve the above referenced matter, subject to the following conditions:

- 1) retention of 25' minimum building setback line on Final Plat;
- 2) placement of a note on the Final Plat stating Lot B is be limited to one curb-cut to Dauphin Street with all the curb-cut size, designs and locations to be approved by Traffic Engineering, and conform to AASHTO standards;
- 3) placement of a note of the Final Plat stating Lot A is limited to one curb-cut to Dauphin Square Connector, with all the curb-cut size, designs and locations to be approved by Traffic Engineering, and conform to AASHTO standards;
- 4) retention of right-of-way widths of Dauphin Street and Dauphin Square Connector on the Final Plat;
- 5) retention of the lot sizes in square feet and acres on the Final Plat, or a table furnished on the Final Plat providing the same information;
- 6) placement of a note on the Final Plat stating no structures shall be

- constructed or placed in any easements;
- 7) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species;
 - 8) compliance with Engineering comments: *“a. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. b. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. c. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. d. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.”;*
 - 9) compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”;*
 - 10) compliance with Urban Forestry comments: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;*
 - 11) compliance with Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.”;*
and
 - 12) submission of 2 copies of revised PUD site plans prior to the signing of the Final Plat.

The motion carried unanimously.

12. Case #ZON2014-00022 (Planned Unit Development)
(&13) St. Dominic Parish Mobile

4068, 4156 & 4160 Burma Road, and 1168 Santa Maria Court
(North side of Burma Road, between Santa Maria Court and St. Dominic Place).

Planned Unit Development approval to amend the Master Plan of an existing church school to allow multiple buildings on a single building site.
Council District 4

The Chair announced the applications had been recommended for approval and stated the applicant was agreeable with the recommendations. He added if anyone wished to speak on the matter they should do so at that time. Hearing no opposition or further discussion, a motion was made by Mr. Turner,

with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **submittal of a Traffic Impact Study for all new applications which will increase building area, sports field area, number of students, or scope of operations; and**
- 2) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

13. **Case #ZON2014-00019 (Planning Approval)**
(&12) **St. Dominic Parish Mobile**

4068, 4156 & 4160 Burma Road, and 1168 Santa Maria Court
(North side of Burma Road, between Santa Maria Court and St. Dominic Place).

Planning Approval to amend a previously approved Planning Approval to allow the construction of a new administration building and resource center at an existing church school in an R-1, Single-Family Residential District.
Council District 4

The Chair announced the applications had been recommended for approval and stated the applicant was agreeable with the recommendations. He added if anyone wished to speak on the matter they should do so at that time.


Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **submittal of a Traffic Impact Study for all new applications which will increase building area, sports field area, number of students, or scope of operations; and**
- 2) **full compliance with all municipal codes and ordinances.**

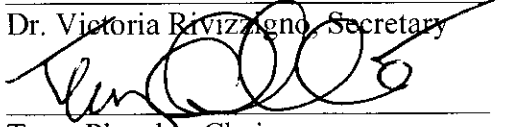
The motion carried unanimously.

OTHER BUSINESS:

APPROVED: April 03, 2014



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

/jpw