

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF MARCH 20, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
John Vallas
Don Hembree
Roosevelt Turner
Tracie Lee-Roberson
John Williams
Carlos Gant
James F. Watkins, III

Members Absent

William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Scott Webster
Jarrett Wingfield

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
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.

APPROVAL OF MINUTES:

Mr. Plauche moved, with second by Mr. Roosevelt, to approve the minutes from the following, regularly held, Planning Commission meetings:

- January 02, 2014

The motion carried unanimously.

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

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

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

Mr. Williams stated that it was his belief that the Commission had heard all that they were going to hear at the previous meetings. By rules of the Planning Commission he requested of his colleagues to move to a vote and forgo an additional public hearing; recognizing that today is not the end of the discussion, it will be appealed to the City Council.

Mr. Plauche informed the Commission that vote is recommended in the Planning Commission rules, but the vote has to be unanimous.

Hearing no opposition or discussion, a motion was made by Mr. Williams, with second by Mr. Vallas to forgo an additional public hearing.

Mr. Turner then stated that he did not believe it was true that there would not be any additional information provided at the meeting.

The motion failed to carry.

David Smith, Maynard Cooper & Gale, spoke on behalf of the applicant. He stated that the applicant would be willing to speak after the opposition.

The following people spoke in opposition to the matter:

- Pete Burns, 255 N. Jackson Street;
- Karlos Finley, 204 S. Lawrence Street;
- Wayne Askew, Paint & Remodeling Contractor;
- John Serda, Owner of Serda's Coffee Company;
- Jeff Marrow, 256 S. Lawrence Street;
- Cassi Callaway, Executive Director of Mobile Baykeeper;

March 20, 2014
Planning Commission Meeting

- Rev. David Powers;
- Renay G. Phifer, 454 Augusta Street;
- Greg Vaughn

They made the following points against the application:

- A. the proposed coal terminal is not in harmony with the orderly and appropriate development of the district;
- B. the tax benefit to the City in year 3 of the coal terminal will only be \$220,669 a year in total tax revenue, which is a very small price for what they are asking of the surrounding community;
- C. they will have 2 coal piles that will be 80-90 feet high;
- D. concerned about the dust that will come off of the coal piles;
- E. they do not plan to cover the 90ft coal piles;
- F. it's estimated that 1 ton of coal dust per year will be distributed from the coal pile;
- G. would like to see the coal terminal be domed;
- H. our future as well as our history will be breathing in the coal dust;
- I. it's a travesty to add additional coal dust to our air and to our community;
- J. believes that they're better places in the area for a coal terminal to go;
- K. has customers requesting that the outside of his business be cleaned, but it's not dirt it's coal dust;
- L. unsure how Walter Energy will be able to handle the capacity of coal with the footprint that they have;
- M. does not believe that Walter Energy will be a good neighbor;
- N. we do not have any information what their storm water management plan will be for this site;
- O. Mr. Cowles has never designed a coal handling facility from the ground up.

The following people spoke in favor of the application:

- David Smith, Maynard Cooper & Gale;
- Gary Cowles, 457 St. Michael Street;
- Dr. Al Dittenhofer, 350 Summerset Trace Birmingham, Al;
- Dan Gruzca, VP of Environmental Walter Energy;

They made the following points in favor of the application:

- A. had countless positive discussions with concerned citizens at the open house;
- B. has met with environmental leaders in the community;
- C. the legal requirements for each of the approvals requested is entirely satisfied;
- D. has accepted the Staff report conditions;

March 20, 2014
Planning Commission Meeting

- E. the site even appears heavy industry other than when you are looking out into the water itself;
- F. the coal will be delivered via a river barge, conveyed to the stockpile, removed from the bottom of the stockpile into a concrete tunnel, and the conveyor will then convey the coal to the ship loader for loading onto the vessel;
- G. over 90% of all dust emissions are generated at transitions or transfers;
- H. there will be fog canons at every transition throughout the facility;
- I. fog canons provide a water vapor barrier to prevent particulate omissions at these locations;
- J. all of the conveyors will be covered;
- K. the transitions towers will be enclosed;
- L. misting canons will be located on each stockpile;
- M. the misting canons will completely cover the surface of the stockpiles to prevent erosion of the coal during wind events;
- N. a comprehensive air quality impact assessment was completed;
- O. the assessment stated that the air quality in Mobile County is healthy;
- P. Walter Energy commits to being a good neighbor and a responsible corporate citizen;
- Q. will be using the latest technology at the facility;
- R. will be controlling the dust at its source;
- S. a coal storage dome in North Korea exploded earlier this year;
- T. will recycle up to 75% of the water in retention ponds.

Mr. Hembree stated that there was some strict guidelines that were to be followed by the ADEM permit and asked Mr. Cowles if they had team in place to be responsible for making sure that those requirements are met.

Mr. Cowles responded that they do have a team in place.

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

- 1) **Revision, if necessary, to label the correct size of the lot in square feet and acres;**
- 2) **Revision of the plat to remove or label all abutting vacated rights-of-way, as appropriate;**
- 3) **Revision of the plat to label the abutting railroad as CSX;**
- 4) **Placement of a note on the plat stating that the lot is limited to one curb-cut to Virginia Street, with the size, design and location to be approved by Traffic Engineering, and to comply with AASHTO standards;**
- 5) **Full compliance with all local, state and federal regulations regarding development within a flood zone;**
- 6) **Compliance with Traffic Engineering comments (Driveway**

- number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 7) **Compliance with Engineering comments (The following comments should be addressed prior to acceptance and signature by the City Engineer: 1) Provide all of the required information on the Plat (i.e. signature blocks, signatures, required notes). 2) Add a note to the Plat stating that storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). 3) Add a signature block for the Owner, Notary, Planning Commission and Traffic Engineer. 4) Provide and label the monument set or found at each subdivision corner. 5) Show and label the existing parcel lines. 6) Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 7) 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) would be required prior to the issuance of a permit for any land disturbance activity.);**
 - 8) **Compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);**
 - 9) **Compliance with Fire 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**
 - 10) **Submission of revised PUD and Planning Approval site plans prior to the signing of the final plat.**

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 approval. 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. Williams, with second by Mr. Hembree to approve the above referenced matter, subject to the following conditions:

- 1) **Revision, if necessary, to label the correct size of the lot in square feet and acres, to match that on the final plat;**
- 2) **Revision of the site plan to depict any proposed entrance gate at least 60 feet from the edge of the Virginia Street right-of-way;**
- 3) **Revision of the site plan to depict the 25-foot minimum building setback line from Virginia Street;**
- 4) **Revision of the site plan to depict 14 frontage trees located within the 25-foot minimum building setback;**
- 5) **Revision of the site plan and landscape area calculations to only provide frontage and total landscape area based upon only that portion of the site that is actual land (that is, behind the bulkhead);**
- 6) **Compliance with Traffic Engineering comments (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);**
- 7) **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 development 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. Additional requirements may be added during the Land Disturbance Permit review process depending on the proposed containment and CBMPP related to for water quality issues related to runoff. 3) A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted**

- and approved prior to beginning any of the construction work.
- 4) According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on PUD Site Plan. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for the Lot.
- 5) No Land Disturbance Permit will be issued until any on-site remediation is complete.
- 6) Must comply with all Engineering Department Policy Letters: A) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System); B) 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping); C) 3-18-2004 Policy Letter (Additional subdivision street requirements.);
- 8) Compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);
- 9) Compliance with Fire 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.);
- 10) Development of the site must comply with all local, state and federal regulations regarding development within a flood zone;
- 11) Revision of the site plan to indicate which portions of the on-site access road and parking area will be paved in asphalt, concrete or similar, versus aggregate;
- 12) Depiction of concrete wheel stops in the parking area if no curb-and-gutter will be provided;
- 13) Submission of a revised site plan to the Planning Section prior to the signing of the final plat; and
- 14) Full compliance with all other municipal codes and ordinances, including the obtaining of the appropriate permits for land disturbance and new construction.

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 approval. 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. Williams, with second by Mr. Hembree to approve the above referenced matter, subject to the following conditions:

- 1) **Use of “best management practices” to include dust mitigation technology and coal handling operations as proposed by the applicant, including: a) continuous barge unloader with covered conveyor, enclosed transfer chutes and fog mist equipment; b) storage pile shuttle conveyor with enclosed transfer chutes, fog mist equipment and a telescoping discharge chute; c) Misting cannon equipment on the shuttle conveyor structure for fog coverage on the storage pile; d) portable misting cannon equipment for storage pile coverage during pile maintenance; e) underground storage pile feeders; f) tunnel reclaim conveyors and vibratory feed structures below the storage piles; g) covered travelling tripper equipment and enclosed transfer chutes that deliver coal to the ship loader; h) ship loader with covered conveyor, enclosed transfer chutes, fog mist equipment and telescoping cascading loading chute; i) use of non-toxic surfactants; j) use of real-time weather monitoring software to control misting/fogging operations to minimize coal dust off-site; and k) ceasing of coal handling operations when winds exceed 35 miles per hour;**
- 2) **Subject to approvals by state and national environmental agencies of the proposed use, as required, including ongoing reporting, monitoring and stormwater water quality sampling as required or proposed;**
- 3) **Revision, if necessary, to label the correct size of the lot in square feet and acres, to match that on the final plat;**
- 4) **Revision of the site plan to depict any proposed entrance gate at least 60 feet from the edge of the Virginia Street right-of-way;**
- 5) **Revision of the site plan to depict the 25-foot minimum building setback line from Virginia Street;**
- 6) **Revision of the site plan to depict 14 frontage trees located within the 25-foot minimum building setback;**
- 7) **Revision of the site plan and landscape area calculations to only provide frontage and total landscape area based upon only that portion of the site that is actual land (that is, behind the bulkhead);**
- 8) **Compliance with Traffic Engineering comments (Driveway**

- number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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 development 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. Additional requirements may be added during the Land Disturbance Permit review process depending on the proposed containment and CBMPP related to for water quality issues related to runoff. 3) A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4) According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on PUD Site Plan. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for the Lot. 5) No Land Disturbance Permit will be issued until any on-site remediation is complete. 6) Must comply with all Engineering Department Policy Letters: A) 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System); B) 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping); C) 3-18-2004 Policy Letter (Additional subdivision street requirements).);**
- 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 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.);**
- 12) **Development of the site must comply with all local, state and federal regulations regarding development within a flood zone;**

- 13) **Revision of the site plan to indicate which portions of the on-site access road and parking area will be paved in asphalt, concrete or similar, versus aggregate;**
- 14) **Depiction of concrete wheel stops in the parking area if no curb-and-gutter will be provided;**
- 15) **Submission of a revised site plan to the Planning Section prior to the signing of the final plat; and**
- 16) **Full compliance with all other municipal codes and ordinances, including the obtaining of the appropriate permits for land disturbance and new construction.**

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

4. **Case #SUB2014-00009**

Rangeline Crossing Subdivision

5100 Rangeline Service Road North

(Northeast corner of Rangeline Service Road North and Halls Mill Road, extending to the Northwest corner of Rangeline Service Road North and Demetropolis Road).

Number of Lots / Acres: 2 Lots / 82.7

Engineer / Surveyor: Joseph N. Asarisi, P.E.

Council District 4

Mr. Vallas and Mr. Plauche recused themselves from discussion and voting on the matter.

Mr. Watkins 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. Turner, with second by Mr. Gant to waive Section V.B.6 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **dedication of sufficient right-of-way to provide 35' from the centerline of Halls Mill Road along Lot 1 where no previous dedication was recorded;**
- 2) **dedication of sufficient right-of-way to provide 30' from the centerline of Demetropolis Road;**
- 3) **placement of a note on the Final Plat stating that each lot is limited to two curb cuts per street frontage, including the future right-of-way, with the size, location, and design of all curb cuts to be approved by Traffic Engineering and ALDOT (where applicable) and conform to AASHTO standards;**
- 4) **construction of the internal street to City standards prior to signing the Final Plat;**

- 5) revision of the plat to illustrate a minimum building setback line along Demetropolis Road as necessary to also include the 15' water and sewer easement and measured from any required dedication;
- 6) illustration of the 25' minimum building setback line along all street frontages as measured from any required right-of-way dedication;
- 7) revision of the plat to illustrate a 25' minimum building setback line along the future right-of-way connection between the cul-de-sac and the Demetropolis Road/Rangeline Road intersection;
- 8) labeling of each lot with its square feet and acres, after any required right-of-way dedication, or the furnishing of a table on the Final Plat providing the same information;
- 9) placement of a note on the Final Plat stating that the maintenance of the common areas is the responsibility of the property owners;
- 10) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 11) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities;
- 12) subject to the Engineering comments: (The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Provide additional line weight to the exterior boundary lines and the metes and bounds labels of the proposed subdivision. B. Revise the west end of the north line of the proposed 60 ft. ROW between Common Area No. 1 and No. 2. Maintain a constant 60 foot width by removing the proposed 100.82' long segment and curve C22 (or as approved by the City Engineer and Traffic Engineer). C. Provide the Surveyor's Certificate and Signature. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, and, along each common area with the construction of the subdivision roadway, unless a sidewalk waiver is approved);
- 13) subject to the Traffic Engineering comments: (Each lot is limited to two curb-cuts per street frontage (including future right-of-way) with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards.);
- 14) subject to the Urban Forestry comments: [Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64); and
- 15) subject to 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 with Mr. Vallas and Mr. Plauche recusing.

EXTENSIONS:

5. **Case #SUB2013-00006**
Cambridge Place Subdivision, Phases 2-4
West side of Eliza Jordan Road at the West terminus of Laura Court.
Number of Lots / Acres: 90 Lots / 36.0± Acres
Engineer / Surveyor: Preble-Rish LLC
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. Plauche, with second by Mr. Turner to approve the request for an extension and advised the applicant that future extensions will be unlikely.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

- 6 **Case #SUB2014-00016**
AS Subdivision, East Addition
9901, 9941 and 9943 Airport Boulevard
(South side of Airport Boulevard, 190'± West of Snow Road).
Number of Lots / Acres: 1 Lot / 4.6± Acres
Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams
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. Watkins, with second by Ms. Roberson to approve the above referenced matter, subject to the following conditions:

- 1) **placement of a note on the Final Plat limiting the lot to 2 curbs-cuts with the location, size and design to be approved by Mobile**

- County Engineering and to conform to AASHTO standards;
- 2) retention of right-of-way width as depicted on preliminary plat;
 - 3) revision of the 25-foot minimum building setback line to include the entire lot on the Final Plat;
 - 4) retention of the lot size in square feet and acres on the Final Plat;
 - 5) 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;
 - 6) 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;
 - 7) placement of a note on the Final Plat stating that development *“Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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 certification 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 issuance of any permits.”* and
 - 8) compliance with Fire 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.

7. **Case #SUB2014-00019**
Bellingrath Subdivision, Steiner’s First Addition to
9262 Bellingrath Road
(West side of Bellingrath Road, 2/10± mile South of Half Mile Road).
Number of Lots / Acres: 1 Lot /1.7± Acre
Engineer / Surveyor: Polysurveying Engineering-Land Surveying
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. Tumer, with second by Mr. Williams to approve the above referenced matter, subject to the following conditions:

- 1) dedication to provide 50’ from the centerline of Bellingrath Road

- along the front of Lot 1;
- 2) placement of a note on the Final Plat stating that Lot 1 is limited to the existing curb cut to Bellingrath Road, with the size, location and design to be approved by County Engineering and conform to AASHTO standards;
 - 3) revision of the plat to illustrate the 25' minimum building setback line along Bellingrath Road for Lot 1 as measured from any required dedication;
 - 4) revision of the plat to label the lot size for Lot 1 in both square feet and acres after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
 - 5) retention of the labeling of the remaining 20.6 acres as Reserved for Future Development;
 - 6) placement of a note on the Final Plat stating that the site must 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 certification 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 issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;
 - 7) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required for threatened or endangered species prior to the issuance of any permits or land disturbance activities;
 - 8) 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
 - 9) 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.

8. **Case #SUB2014-00018**

Boben-Schillinger Subdivision

4020 & 4040 Schillinger Road South

(West side of Schillinger Road South, 445'± South of Castlewood Way).

Number of Lots / Acres: 2 Lots / 3.3± Acres

Engineer / Surveyor: Hatch Mott McDonald
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. Turner, with second by Mr. Williams to approve the above referenced matter, subject to the following conditions:

- 1) retention of dedication to provide a minimum of 50' from the centerline of Schillinger Road South;
- 2) illustration of the 25' minimum building setback line along the entire frontage of both lots;
- 3) placement of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 4) 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;
- 5) placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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 certification 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 issuance of any permits.);*
- 6) 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.);*
- 7) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland and flood zone issues, if any, prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the Final Plat limiting Lot 1 to its one existing curb cut and Lot 2 to two curb cuts to Schillinger Road South, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and
- 9) 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.

The motion carried unanimously.

9. **Case #SUB2014-00020**

Dewitt Family Division Subdivision

6993 Bay Road

(East side of Bay Road, 2/10± mile South of Island Drive).

Number of Lots / Acres: 2 Lots / 1.3± Acre

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
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 Ms. Roberson, with second by Mr. Watkins to waive Sections V.D.1 and V.D.3 of the Subdivision Regulations to approve the above referenced matter, subject to the following conditions:

- 1) **placement of a note on the Final Plat stating that each lot is limited to one curb cut to Bay Road, with the size, location and design to be approved by County Engineering and conform to AASHTO standards;**
- 2) **retention of the 25' minimum building setback line along Bay Road on the Final Plat;**
- 3) **retention of the labeling of the lot sizes in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **placement of a note on the Final Plat stating that no further resubdivision of Lot 2 will be allowed until additional public street frontage is provided;**
- 5) **placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required for wetland and flood plain issues prior to the issuance of any permits or land disturbance activities;**
- 6) **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;**
- 7) **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;**
- 8) **compliance with Engineering comments: *“Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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 certification***

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 issuance of any permits.”; and

- 9) **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.

10. **Case #SUB2014-00017**
The Plantation Subdivision

10795 Thomas Road

(Northeast corner of Thomas Road and Fowl River Road).

Number of Lots / Acres: 3 Lots / 9.1± Acres

Engineer / Surveyor: Stewart 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 Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) **dedication of the corner radii at Thomas Road and Fowl River Road per Section V.D.6. of the Subdivision Regulations should be required;**
- 2) **illustration of the 25’ minimum building setback line along all frontages;**
- 3) **placement of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;**
- 4) **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;**
- 5) **placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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 certification 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 issuance of any permits.);*
- 6) 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.);*
 - 7) placement of a note on the Final Plat limiting each lot to two curb cuts, each with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and
 - 8) 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.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

11. **Case #ZON2014-00379**

Dean McCrary

1757 East I-65 Service Road South
(Southeast corner of East I-65 Service Road South and I-65 Commerce Drive)
Planned Unit Development Approval to allow multiple buildings on a single building site.
Council District 4

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. Watkins, with second by Mr. Vallas to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the site plan to illustrate a permanent closure of the southern curb-cut to East I-65 Service Road South with curbing and landscaping. If the curb-cut is allowed to remain, the submission of written documentation from ALDOT is required with any changes to the existing curb-cut to be approved by ALDOT and conform to AASHTO Standards;**
- 2) **Revision of the site plan to depict a permanent closure of the curb-cut/vehicular access to the adjacent property to the east with curb and landscaping, or the submission of an amended PUD for shared access;**

- 3) Revision of the site plan to illustrate the correct dimensions of the proposed one curb-cut to I-65 Commerce Road;
- 4) Revision of the site plan so show the proposed vehicle circulation throughout the site;
- 5) Revision of the site plan to illustrate the location of a dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance or a note stating that garbage collection will be via curb-side pick-up;
- 6) Revision of the site plan to comply with the Frontage Tree requirements of the Zoning Ordinance;
- 7) Revision of the site plan to illustrate live oak trees within 15' of above-ground utility lines. All other frontage trees should be depicted a minimum distance of 15' from said utilities;
- 8) Placement of a note on the site plan stating that any new lighting on the site must comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance and submission of a photometric plan of the entire site at time of permitting;
- 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. A Land Disturbance Permit application is required to be submitted 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. Add a note to the PUD Site Plan stating that the proposed development must comply with all Engineering Department Policy Letters.);*
- 10) Compliance with Traffic Engineering Comments: *(The applicant and ALDOT have entered into an agreement regarding the temporary use of the existing driveways on the East I-65 Service Road. The agreement is based upon a site specific plan made part of the Memorandum of Understanding. Prior to the issuance of a land disturbance permit for the proposed work, the applicant must provide documentation that ALDOT has accepted the revised plan. Site is allowed one curb cut to Commerce Road, with 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.);*
- 13) **Submission of an approved, revised PUD site plan prior to any request for Land Disturbance;**
- 14) **Compliance with all sign regulations prior to any request for final inspections associated with building permits;**
- 15) **Obtaining a Zoning Clearance prior to any request for permits; and**
- 16) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

GROUP APPLICATIONS:

- 12 Case #SUB2014-00004 (Holdover)
(&13) **MAC Business Park Subdivision (A private road Subdivision)**
3265 Hamilton Boulevard
(South side of Hamilton Boulevard, 0.5± mile East of Rangeline Road).
Number of Lots / Acres: 1 Lot / 6.8± Acres
Engineer / Surveyor: Douglas A. Bryant
Council District 4

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

Doug Bryant, Mobile Asphalt Company, spoke on behalf of the applicant. He stated that all of the structures were shown on the site plan, with the exception of a few light poles and the detention pond.

Mr. Olsen stated that it appeared that there were some office trailers on lots 2 and 3.

Mr. Bryant responded that the trailers were still there.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Turner to hold the matter over until the April 17th meeting to be heard in conjunction with the associated PUD, and so that the following can be added to the plat:

1) Notes required by Section VIII.E.2. of the Subdivision Regulations, specifically items h. and j.

The motion carried unanimously.

13 Case #ZON2014-00499 (Planned Unit Development)
(&12) MAC Business Park Subdivision (A private road Subdivision)

3265 Hamilton Boulevard

(South side of Hamilton Boulevard, 0.5± mile East of Rangeline Road).

Planned Unit Development Approval to allow a private road subdivision.

Council District 4

The Chair announced the application 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 Mr. Plauche, with second by Mr. Turner to hold the matter over until the April 17th meeting with revisions by March 26, 2014 to address the following:

- 1) revise the site plan to illustrate all existing and proposed structures;**
- 2) revise the site plan to illustrate paved parking lots (for required parking), entrance drives, and access and maneuvering aisles;**
- 3) revise site plan to illustrate frontage trees and full landscaping compliance for Lots 2 and 3;**
- 4) placement of a note on the site plan 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;**
- 5) revise the site plan to indicate a dumpster will be provided in compliance with Section 64-4.D.9. or a note on the plan stating that curbside pickup will be utilized;**
- 6) subject to Engineering comments: “1. Any work performed in the existing Hamilton Blvd 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). Also, the applicant may need to coordinate with ALDOT. 2. Add a note to the PUD Site Plan that any and all proposed land disturbing activity within the property will need to be submitted for review and 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. Add a note to the PUD Site Plan that each Lot Owner shall be required to submit a Land Disturbance Permit application for any proposed land disturbing activity with the property, including the construction of the proposed PRIVATE ROAD. 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. Add a note to the PUD Site Plan stating that the proposed development must comply with all Engineering Department Policy Letters: i.5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System) ii.8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) 3-18-2004 Policy Letter (Additional subdivision street requirements)

7) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

14 **Case #SUB2014-00021 (Subdivision)**
(&15 **Emerald Oaks LLC, Subdivision**
&16) 2350 Demetropolis Road
 (West side of Demetropolis Road, 400'+ North of Brookfield Drive North).
 Number of Lots / Acres: 1 Lot / 12.5± Acres
 Engineer / Surveyor: Driven Engineering
 Council District 4

The Chair announced the applications had been recommended for holdover 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. Plauche, with second by Ms. Roberson to hold the matter over until the April 17th meeting to coincide with the timetable of the PUD request.

The motion carried unanimously.

15 **Case #ZON2014-00392 (Planned Unit Development)**
(&14 **Emerald Oaks LLC, Subdivision**
&16) 2350 Demetropolis Road
 (West side of Demetropolis Road, 400'+ North of Brookfield Drive North).

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

Council District 4

The Chair announced the applications had been recommended for holdover 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. Plauche, with second by Ms. Roberson to hold the matter over until the April 17th meeting, with revisions due by April 3rd, to address the following:

- 1) **Submittal of the total number of proposed dwelling units;**
- 2) **Submittal of a site plan to scale;**
- 3) **Revision of the site plan to illustrate a sidewalk along Demetropolis Road or the submittal of a Sidewalk Waiver request;**
- 4) **Revision of the site plan to illustrate and quantify full compliance with the tree and landscaping requirements of Section 64-4.E. of the Zoning Ordinance;**
- 5) **Revision of the site plan to depict a 10' residential buffer in compliance with Section 64-4.D. of the Zoning Ordinance where the site abuts R-1, Single-family Residential;**
- 6) **Revision of the site plan depicting a dumpster(s) connected to sanitary sewer as required by Section 64-4.D.9 of the Zoning Ordinance;**
- 7) **Revision of layout, as necessary, to reflect Engineering, Traffic Engineering and Urban Forestry comments; and**
- 8) **Completion of a traffic impact study, as required by Traffic Engineering.**

The motion carried unanimously.

- 16** **Case #ZON2014-00394 (Rezoning)**
(&14 **Emerald Oaks LLC, Subdivision**
&15) 2350 Demetropolis Road
 (West side of Demetropolis Road, 400'+ North of Brookfield Drive North).
 Rezoning from R-1, Single-Family Residential District, to R-3, Multiple-Family
 District to allow a multi family development.
 Council District 4

The Chair announced the applications had been recommended for holdover 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. Plauche, with second by Ms. Roberson to hold the matter over until the April 17th meeting to

March 20, 2014
Planning Commission Meeting

coincide with the timetable of the PUD request.

The motion carried unanimously.

OTHER BUSINESS:

APPROVED: June 19, 2014



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

/jpw