

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF APRIL 3, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

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

Members Absent

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. DeMouy, to approve the minutes from the following, regularly held, Planning Commission meetings:

- January 16, 2014
- February 6, 2014

The motion carried unanimously.

HOLDOVERS:

1. **Case #ZON2014-00231**

Westwood Plaza, LLC

7765 Airport Boulevard

(Southeast corner of Airport Boulevard and Schillinger Road South, extending to the North side of Thomas Road).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access across multiple lots and multiple buildings on a single building site.

Council District 6

Mr. Vallas recused himself from discussion and voting on the matter.

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

Phillip Burton, Burton Property Group, spoke on his own behalf. He stated that they no longer need the curb-cut on Victoria Drive. He then stated that the approval of the traffic light for the intersection of Thomas Road and Schillinger Road is contingent on the removal of the traffic light at Schillinger Road and Glider Road; and he felt as if it should not be a contingency.

Marybeth Bergin, Traffic Engineering, stated that there is an active access management study in this area and the intent is for the traffic light to be relocated.

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

- 1) **Provision of a revised Traffic Impact Study to both Traffic Engineering and the Planning Section of Urban Development, and acceptance of the findings by Traffic Engineering prior to any new construction or site development;**
- 2) **No increase in building area or change in parking ratios allowed without a new PUD application;**
- 3) **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. Plan Sheet L-100 shows proposed work on the existing Burger King site that includes parking spaces to be located within the Airport Blvd ROW. These need to be removed from the ROW, or the applicant needs to obtain a Non-Utility ROW Use Agreement For any parking and/or maneuvering spaces within the Public ROW.*
- 3. 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.*
- 4. 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.*
- 5. Add a note to the PUD Site Plan stating that the proposed development must comply with all Engineering Department Policy Letters.*
- 6. Denial of Access to Victoria Drive.*
- 7. Revise Landscape Area "A" detail to keep any "pond" areas outside of the Public ROW.*
- 8. All dumpsters, including outside compactors, must meet the requirements of Engineering Policy Letter dated 5-13-2009 related to car washes and dumpster pads by isolating, collecting, and transporting storm water runoff to the Sanitary Sewer system onsite.);*
- 4) *Compliance with Traffic Engineering comments (The traffic impact study will need to be updated for this site, since the proposed building area has increased and additional access is planned on Victoria Drive. The updated study will need to clearly address the access to the existing Alverson Road traffic signal. The submitted site plan does not illustrate the adjacent Burger King site, however the landscape plan does. Access to the traffic signal will need to be maintained for the adjacent site, and changes to the existing adjacent site driveways will need to be incorporated. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements identified in the study. It should be noted that the improvements include the installation of a traffic signal on Schillinger Road at Thomas Road. Installation of this traffic signal and removal of the traffic signal at Schillinger Road/Glider Road to be coordinated with Traffic Engineering. Design plans for all improvements within the public right-of-way must be approved by Engineering and Traffic Engineering. Upon completion of the Access Management Study underway for the Schillinger Road corridor, additional restrictions may be implemented. Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA*

- handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 5) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Mobile Tree Commission permit is required before removing any existing trees from the right of way. Preservation status is to be given to the 54" Live Oak Tree located on the North side of development adjacent to Victoria drive. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Granting the preservation status will require additional green space to be provided near the 54" Live Oak Tree.);*
 - 6) **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.);*
 - 7) **No reduction in the proposed total and frontage landscape area depicted on the site plan submitted for the February 20, 2014 meeting;**
 - 8) **No reduction in the proposed number or overstory/understory mix of total and frontage trees, as depicted on the tree and landscape plan submitted for the February 20, 2014 meeting;**
 - 9) **Donation of 10 overstory trees to the tree bank, as agreed to by the applicant at the August 8, 2013 Planning Commission meeting;**
 - 10) **Revision of parking space quantities to reflect what is actually depicted on the plans, including revision of calculations for tree and landscape compliance;**
 - 11) **Provision of a revised PUD site plan depicting any changes required by departmental or Planning Commission revisions prior to the request for new construction permits; and**
 - 12) **Full compliance with all other municipal codes and ordinances, including the provision of a sidewalk along all street frontages, or the submission of a Sidewalk Waiver request prior to any request for new construction permits.**

The motion carried unanimously, with Mr. Vallas recusing.

2. Case #SUB2014-00014 (Subdivision)
(&3) Sweet Pilgrim Baptist Church Subdivision

359 St Charles Avenue

(North side of St Charles Avenue, 435'± West of Dr. Martin Luther King Drive).

Number of Lots / Acres: 1 Lot / 2.1± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 2

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 discussion, a motion was made by Mr. DeMouy, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) centerline of St. Charles Avenue;
- 2) retention of the 25-foot minimum building setback line to reflect dedication;
- 3) retention of the lot size in square feet and acres;
- 4) compliance with Traffic Engineering comments (All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. As illustrated, the parking area with the handicap spaces is a total of 90'. The same parking count can be maintained in the same space, providing 9' spaces and 8' or 5' aisles for accessibility.);
- 5) retention of the note limiting the site to two curb cuts to St. Charles Avenue;
- 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) compliance with Engineering comments (The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. B. Remove the County Engineer's signature block from the Plat. The County Engineer is no longer signing Subdivision Plats located within the municipal limits of the City of Mobile.);
- 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). Preservation status granted for all 60" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut locations and location of the internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 60" and larger are effected.);
- 9) provision of two (2) revised Planning Approval site plans prior to the signing of the Final Plat, or any request for permits; and
- 10) 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.

3. Case #ZON2014-00223 (Planning Approval)
(&2) Sweet Pilgrim Baptist Church Subdivision

359 St Charles Avenue

(North side of St Charles Avenue, 435'± West of Dr. Martin Luther King Drive).

Planning Approval to allow a church in an R-1, Single-Family Residential District.

Council District 2

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 discussion, a motion was made by Mr. DeMouy, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **placement of a note labeling the dedication to provide 25' from the centerline of St. Charles Avenue;**
- 2) **retention of the 25-foot minimum building setback line to reflect dedication;**
- 3) **retention of tree planting and landscaping information;**
- 4) **retention of the site plan to note the height and material of the dumpster screening;**
- 5) **compliance with Traffic Engineering comments (All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. As illustrated, the parking area with the handicap spaces is a total of 90'. The same parking count can be maintained in the same space, providing 9' spaces and 8' or 5' aisles for accessibility.);**
- 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) **compliance with Engineering comments (The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. B. Remove the County Engineer's signature block from the Plat. The County Engineer is no longer signing Subdivision Plats located within the municipal limits of the City of Mobile.);**
- 8) **retention of the note limiting the site to two curb cuts to St. Charles Avenue;**
- 9) **retention of the note on the site plan state that parking lot lighting**

- will be provided in compliance with Section 64-6.A.3.C. of the Zoning Ordinance;
- 10) retention of the 6-foot high wooden privacy fence around the perimeter of the site where it abuts existing residential development, with the exception of within 25-feet of a street right-of-way, where the fence shall not exceed 3-feet in height;
 - 11) revision of the site plan to illustrate all parking spaces to be a minimum of 9' wide;
 - 12) illustration of bumper stops where curbing is not provided;
 - 13) provision of two (2) revised site plans prior to the signing of the Final Plat; and
 - 14) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

4. **Case #SUB2014-00025**

Damrich Subdivision

154 Texas Street

(North side of Texas Street, 96'± East of South Conception Street).

Number of Lots / Acres: 1 Lot / 0.06± Acre

Engineer / Surveyor: Don Williams Engineering

Council District 2

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. DeMouy, with second by Dr. Rivizzigno to waive Section V.D.2 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) placement of a note on the final plat stating that the lot is denied access to the adjacent unimproved alley;
- 2) placement of a note on the final plat stating that the lot is limited to one (1) curb-cut, with the size, design and location of the curb-cut to be approved by Traffic Engineering and conform to AASHTO standards.
- 3) depiction of the 25-foot minimum building setback line, as required by Section V.D.9. of the Subdivision Regulations;
- 4) the labeling of the lot with its size in square feet, or placement of a table on the plat with the same information;
- 5) compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City*)

Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances). B. 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. Storm water detention may be required for any future addition(s) and/or land disturbing activity. Also, as shown on the 1984 aerial photo, this lot will receive historical credit of impervious area towards storm water detention requirements. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. C. 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. D. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information; E. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. F. Show and label all flood zones. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Show and label each and every Right-Of-Way and easement. I. Provide and label the monument set or found at each subdivision corner. J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. K. Provide the Surveyor's Certificate and Signature. L. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. M. 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. N. Do not provide a County Engineer's signature block on the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. O. Clarify the actual Subdivision boundary on the Plat; indicating any existing parcels adjacent to Lot 1.)

- 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 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).);*
- 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.);*
- 9) approval of all applicable federal, state and local agencies regarding flood zones issues prior to the issuance of any permits or land disturbance activities; and
 - 10) Placement of a note on the 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.

5. **Case #SUB2014-00022**
Eagles Landing Subdivision, Resubdivision of Lots 1 and 3
6501 And 6551 Moffett Road
(South side of Moffett Road at the South terminus of Roland Road).
Number of Lots / Acres: 2 Lots / 7.6± Acres
Engineer / Surveyor: Rowe Surveying & Engineering Company, Inc.
County

The Chair announced the application 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 Dr. Rivizzigno to hold the matter over until the May 1st meeting to allow the applicant to revise the plat to eliminate the building encroachment along the internal lot line between proposed Lots A and B, and to modify the application to a three-lot subdivision, with new labels and postage required. A revised plat, revised application to three lots, and new postage fees and labels should be submitted no later than April 11th.

The motion carried unanimously.

6. **Case #SUB2014-00026**
Travis Family Subdivision
4315 McCoverly Road Extension
(North and East side of McCoverly Road Extension, 590'± South of McLeod Road).
Number of Lots / Acres: 4 Lots / 4.0± Acres
Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
County

The Chair announced the application 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 Dr. Rivizzigno to hold the matter over until the May 15, 2014 meeting, so that the following revisions can be made and submitted by April 14, 2014:

- 1) **inclusion of the entire parcel, including additional mailing labels and fees;**
- 2) **placement of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;**
- 3) **placement of a note on the final plat stating that the site appears to be in the path of the proposed March Road Extension major street, and thus may be impacted by the major street in the future;**
- 4) **revision of the 25' minimum building setback line to extend along the entire width of each lot where the become a minimum of 60' wide;**
- 5) **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;**
- 6) **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.);***
- 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) **placement of a note on the Final Plat stating that all lots are limited to one curb cut each to McCovery Road Extension, 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.

NEW SIDEWALK WAIVER APPLICATIONS:

7. **Case #ZON2014-00424**
Janice Bowers

3200 Halls Mill Road
(West side of Halls Mill Road at the West terminus of Greenbrier Drive).
Request to waive construction of a sidewalk along Halls Mill Road.
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. Plauche, with second by Mr. DeMouy to approve the request to waive construction of a sidewalk along Halls Mill Road subject to the following conditions:

- 1) **a sidewalk will be constructed at the time of widening of Halls Mill Road and the placement of curb and gutter.**

The motion carried unanimously.

GROUP APPLICATIONS:

8. **Case #SUB2014-00023 (Subdivision)**
(&9) **First Baptist Church of Tillman's Corner Subdivision**
5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and 5673 Jackson Road
(Northeast corner of Three Notch Road and Calhoun Road extending to the South side of Jackson Road).
Number of Lots / Acres: 1 Lot / 7.9± Acres
Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
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 Dr. Rivizzigno to hold the matter over until the May 1st meeting, with revisions due by April 17th, to address the following:

- 1) **Provision of a written statement that the owner will petition for inclusion or exclusion from the city;**
- 2) **Rezoning of the proposed lot if brought into the city prior to any applications for building or development permits for the site;**
- 3) **Revision of the plat to reflect sufficient dedication to provide 30' as measured from the centerline of both Calhoun and Jackson Roads;**
- 4) **Revision of the plat to depict a corner radius in compliance with Section V.D.6. of the Subdivision at the intersection of Calhoun and**

Three Notch Roads;

- 5) **Revision of the lot size information and the 25' minimum building setback line on the plat to reflect dedication and corner radius;**
- 6) **Revision of the plat to depict a 35' minimum building setback line along Three Notch Road;**
- 7) **Revision of the plat to illustrate a 100' right-of-way for Three Notch Road; and**
- 8) **Revision of the plat to include a note stating that all common and detention areas shall be maintained by the property owners.**

The motion carried unanimously.

9. Case #ZON2014-00495 (Planned Unit Development)
(&8) First Baptist Church of Tillman's Corner Subdivision

5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and 5673 Jackson Road

(Northeast corner of Three Notch Road and Calhoun Road extending to the South side of Jackson Road).

Planned Unit Development to allow multiple buildings on a single building site.
Council District 4

The Chair announced the application 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 Dr. Rivizzigno to hold the matter over until the May 1st meeting, with revisions due by April 17th, to address the following:

- 1) **Provision of a written statement that the owner will petition for inclusion or exclusion from the city;**
- 2) **Revision of the site plan to depict a permanent closure of the vehicular access to the adjacent property to the east with curb and landscaping, or the revision of the PUD request to include the lot to the east and shared access;**
- 3) **Revision of the site plan to comply with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The southern most driveway on Calhoun Road must be reduced in width, by maintaining the proposed northern radii and moving the southern radii to match the adjacent aisle width. All new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.)*;**
- 4) **Coordination with Staff to improve onsite traffic flow and revision of the site plan to illustrate one-way traffic flow with compliant 12' travel aisles/vehicular maneuverability area where travel aisles are**

- less than 24’;
- 5) Revision of the site plan to illustrate proposed lighting along with a note stating any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance;
 - 6) Depiction of a paved driveway in the northeast corner of the lot if the applicant desires to retain the curb-cut;
 - 7) Depiction of sidewalks on the site plan along all street frontages or the submission of a Sidewalk Waiver request;
 - 8) Depiction of a 10’ residential buffer on the site plan along the northeastern and northwestern lot lines in compliance with Section 64-4.D.1. of the Zoning Ordinance;
 - 9) 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;
 - 10) Revision of the site plan to include a note stating that all common and detention areas shall be maintained by the property owners;
 - 11) Revision of the site plan to reflect sufficient dedication to provide 30’ as measured from the centerline of both Calhoun and Jackson Roads;
 - 12) Revision of the site plan to depict a corner radius in compliance with Section V.D.6. of the Subdivision at the intersection of Calhoun and Three Notch Roads;
 - 13) Revision of the 25’ minimum building setback line on the site plan to reflect dedication and corner radius;
 - 14) Revision of the site plan to depict a 35’ minimum building setback line along Three Notch Road; and
 - 15) Depiction of a dumpster on the site plan in compliance with Section 64-4.D.9. of the Zoning Ordinance.

The motion carried unanimously.

- 10. Case #SUB2014-00024 (Subdivision)**
(&11 McGowin Park Subdivision
&12) 1250, 1400 and 1401 Satchel Paige Drive
(Northwest corner of Satchel Paige Drive and Bolling Bros Boulevard extending to the East side of I-65 and extending to the South side of Government Street and Southeast corner of Government Boulevard and Satchel Paige Drive, 270± West of McVay Drive extending to the North and South sides of Bolling Bros Boulevard).
Number of Lots / Acres: 19 Lots / 89.6± Acres
Engineer / Surveyor: Berry Engineers, LLC
Council District 3

Mr. Watkins recused himself from discussion and voting on the matter.

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 discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to waive Section V.D.4 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **completion of the subdivision process prior to the issuance of permits for actual building construction (Land Disturbing and Right-of-Way permits for road construction would be appropriate during this time frame);**
- 2) **placement of a note on the final plat stating that the number, size, design and location of any new curb-cuts or modification of existing curb-cuts are subject to compliance with the approved PUD site plans, Traffic Engineering approval, ALDOT approval where required, and to conform with AASHTO standards.;**
- 3) **revision of the plat to depict the 25-foot minimum building setback line for all lots with frontage on a public street, as required by Section V.D.9. of the Subdivision Regulations;**
- 4) **labeling of all common areas and detention areas, and placement of a note on the final plat stating that maintenance of the detention basin/common areas, and any other common areas, are the responsibility of the subdivision's property owners;**
- 5) **labeling of all drainage and utility easements on the site, and placement of a note on the final plat stating that buildings and other permanent habitable structures are not allowed in easements;**
- 6) **retention of the labeling of each lot with its size in square feet and acres, as depicted on the preliminary plat;**
compliance with Engineering comments (A. Provide a thicker line for the boundary of the proposed subdivision for Parcel A and Parcel B.
B. 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. Storm water detention will be required for any future addition(s) and/or land disturbing activity.
C. Correct the name of Bulling Brothers Boulevard (not "Bollings") in the legal description and on the 3 sheets.
D. Move the wetlands note or label for LOT 17 for legibility.
E. List the type of Survey on the Plat.
F. Revise the Plat so that the written legal description matches the bearing and distance labels.
G. Show and label each and every existing and proposed Right-Of-Way and easement.

H. Provide and label the monument set or found at each subdivision corner.

I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.

J. 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.

K. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.)

- 7) *compliance with Traffic Engineering comments (Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. A traffic impact study was completed for this site and approved by both the City and ALDOT. Development is contingent upon completion of off-site improvements, as indicated in the study);*
- 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). Preservation status is to be given to the 50" Live Oak Tree located on the North East side of Lot 10. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 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) *approval of all applicable federal, state and local agencies for wetland issues prior to the issuance of any permits or land disturbance activities (other than clearing); and*
- 11) *placement of a note on the 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 with Mr. Watkins recusing.

11. **Case #ZON2014-00500 (Planned Unit Development)**
(**&10** McGowin Park LLC
&12) 1401 Satchel Paige Drive
Southeast corner of Government Boulevard and Satchel Paige Drive, 270'±
West of McVay Drive extending to the North and South sides of Bolling Bros
Boulevard.
Planned Unit Development Approval to amend a previously approved Planned

Unit Development to allow multiple buildings on a single building site and allow shared access and parking also allow increased signage for a proposed retail shopping center.
Council District 4

Mr. Watkins recused himself from discussion and voting on the matter.

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 discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **completion of the subdivision process prior to the issuance of permits for actual building construction (Land Disturbing and Right-of-Way permits for road construction would be appropriate during this time frame);**
- 2) **compliance with Engineering Department Comments: *((1) Each Lot Owner shall be required to submit a Land Disturbance Permit application 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, 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. (2) Add a note to the PUD 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) (iii) 3-18-2004 Policy Letter (Additional subdivision street requirements))*;**
- 3) **compliance with traffic engineering comments *(Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. A traffic impact study was completed for this site and approved by both the City and ALDOT. Development is contingent upon completion of off-site improvements, as indicated in the study)*;**
- 4) **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.)*;**
- 5) **compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree***

preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 50" Live Oak Tree located on the South West corner of proposed development along McKay Drive. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);

- 6) approval of all applicable federal, state and local agencies required prior to the issuance of any permits or land disturbance activities (other than clearing);
- 7) development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 8) ALL recommended traffic and access improvements – both on and off site – are to be completed simultaneous or before completion of the initial phase of construction;
- 9) all internal road construction (public and private) to be to City standards;
- 10) construction of sidewalks along all road frontages (public and private) as shown on the PUD Plan, due to right-of-way alignment, some sidewalks may have to be constructed on private property (easements shall not be required);
- 11) limited to the sign package as described in the application (A multi-tenant pylon sign is proposed at the intersection of Satchel Paige and Government Boulevard. It is requested that each outparcel and restaurant pad be allowed to have a maximum of one monument sign and three building signs. The inline stores will not have separate freestanding signage but it is requested that each tenant be allowed 2 wall signs.);
- 12) compliance with landscaping and tree planting requirements;
- 13) retention of dumpster and/or compactor locations, screening, and notation of connection to sanitary sewer on the final PUD site plan, as well as on all site plans for permitting;
- 14) lighting of the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 15) submission of a revised PUD site plan depicting compliance with all conditions prior to the issuance of permits for building construction (including but not limited to photometric plan for parking lot lighting); and
- 16) full compliance with all other municipal codes and ordinances.

The motion carried unanimously with Mr. Watkins recusing.

12. Case #ZON2014-00501 (Planned Unit Development)
- (&10 McGowin Park LLC)
- &11) 1250 and 1400 Satchel Paige Drive

(Northwest corner of Satchel Paige Drive and Bolling Bros Boulevard extending to the East side of I-65 and extending to the South side of Government Street).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and allow shared access and parking also allow increased signage for a proposed retail shopping center.

Council District 4

Mr. Watkins recused himself from discussion and voting on the matter.

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 discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **completion of the subdivision process prior to the issuance of permits for actual building construction (Land Disturbing and Right-of-Way permits for road construction would be appropriate during this time frame);**
- 2) **compliance with Engineering Department Comments: *((1) Each Lot Owner shall be required to submit a Land Disturbance Permit application 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, 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. (2) Add a note to the PUD 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) (iii) 3-18-2004 Policy Letter (Additional subdivision street requirements))*;**
- 3) **compliance with traffic engineering comments *(Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. A traffic impact study was completed for this site and approved by both the City and ALDOT. Development is contingent upon completion of off-site improvements, as indicated in the study)*;**
- 4) **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.);*
- 5) **compliance with Urban Forestry Comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 50" Live Oak Tree located on the South West corner of proposed development along McKay Drive. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);**
 - 6) **approval of all applicable federal, state and local agencies required prior to the issuance of any permits or land disturbance activities (other than clearing);**
 - 7) **development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;**
 - 8) **ALL recommended traffic and access improvements – both on and off site – are to be completed simultaneous or before completion of the initial phase of construction;**
 - 9) **all internal road construction (public and private) to be to City standards;**
 - 10) **construction of sidewalks along all road frontages (public and private) as shown on the PUD Plan, due to right-of-way alignment, some sidewalks may have to be constructed on private property (easements shall not be required);**
 - 11) **limited to the sign package as described in the application (Anchor B-1 will not have a monument sign but requests a maximum of three wall signs and an informational sign for the main building, and three wall signs for the freestanding gas station. A conceptual sign package is included for anchor B-1 showing the proposed locations and sizes of these signs. The inline stores will not have separate freestanding signage but it is requested that each tenant be allowed 2 wall signs and Anchor B-2 be allowed 3 wall signs.);**
 - 12) **compliance with landscaping and tree planting requirements;**
 - 13) **retention of dumpster and/or compactor locations, screening, and notation of connection to sanitary sewer on the final PUD site plan, as well as on all site plans for permitting;**
 - 14) **lighting of the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;**
 - 15) **submission of a revised PUD site plan depicting compliance with all conditions prior to the issuance of permits for building construction (including but not limited to photometric plan for parking lot lighting); and**
 - 16) **full compliance with all other municipal codes and ordinances.**

April 3, 2014
Planning Commission Meeting

The motion carried unanimously with Mr. Watkins recusing.

OTHER BUSINESS:

APPROVED: June 19, 2014



Dr. Victoria Rivizzigno, Secretary



Terry Plauché, Chairman

/jpw