

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JUNE 5, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

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

Members Absent

Don Hembree

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

Traffic Engineering

Fire-Rescue Department

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

ROLL CALL:

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

HOLDOVERS:

1. **Case #SUB2014-00026**
Travis Family Subdivision
4315 McCovery Road Extension
(North and East side of McCovery 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. Vallas, with second by Mr. Watkins to hold the matter over until the June 19, 2014 meeting, so that the entire parcel may be heard at the same meeting.

The motion carried unanimously.

2. Case #SUB2014-00013 (Subdivision)
(&3) Mock Subdivision

6377 Old Shell Road

(Southeast corner of Old Shell Road and Hillcrest Road)

Number of Lots / Acres: 2 Lots / 2.4± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 6

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. Turner, with second by Mr. DeMouy to waive Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **revision of the plat to indicate the 25' minimum building setback line along all street frontages after right-of-way vacations;**
- 2) **revision of the plat to label each lot with its size in square feet and acres after vacation of the rights-of-way, or the furnishing of a table on the Final Plat providing the same information;**
- 3) **completion of the vacation process for the rights-of-way prior to signing the Final Plat;**
- 4) **placement of a note on the Final Plat stating that Lot A is limited to one curb cut to Hillcrest Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **placement of a note on the Final Plat stating that Lot B is limited to one right-in/right-out curb cut to Old Shell Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 6) **placement of a note on the Final Plat stating that preservation status is given to the 37" Live Oak Tree and 72" Live Oak Tree on Lot A, and any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger;**

- 7) submission to Planning and Traffic Engineering and approval of a Traffic Impact Study, evaluating only the Hillcrest / Old Shell Road intersection, prior to the issuance of any land disturbance permit for the site;
- 8) 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;
- 9) subject to the 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 will be required for any proposed land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - # 72) this lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate exact amount with City Engineering Department staff prior to submitting the Land Disturbance Permit application. D. 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. E. Applicant must complete the ROW vacation process prior to receiving the City and Traffic Engineer's signatures on the Subdivision Plat. F. Show the recording information for the vacated public ROW. G. Provide a written legal description for the subdivision, and matching bearing and distance labels, conforming to the approved Vacation of ROW. H. Provide and label the monument set or found at each subdivision corner. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, City Engineer, and County Engineer. J. Provide the Surveyor's Certificate and Signature. K. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. L. 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.);

- 10) subject to the Traffic Engineering comments: (A traffic impact study will need to be conducted for this site, based on its development intensity and location at a high volume intersection. The impact study must be completed prior to the issuance of any permits for land disturbance activities. The site is limited to one curb-cut on Old Shell Road (right-in, right-out only), and one curb cut to Hillcrest Road, with size location and design to be approved by Traffic Engineering and conform to AASHTO standards. Right-of-way vacation has been revised to address Traffic Engineering's concern for access to traffic signal equipment. 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.);
- 11) 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). Preservation status is to be given to the 72" and 37" Live Oak Trees located on the North West side of development. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.];
- 12) 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.); and
- 13) submittal of two (2) copies of a revised PUD site plan incorporating all conditions of approval for the PUD prior to signing the Final Plat for the Subdivision.

The motion carried unanimously.

3. **Case #ZON2014-00230 (Planned Unit Development)**
(&2) **Mock Subdivision**

6377 Old Shell Road

(Southeast corner of Old Shell Road and Hillcrest Road)

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

Council District 6

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. Turner, with second by Mr. DeMouy to approve the above referenced matter, subject to the

following conditions:

- 1) retention of the 25' minimum building setback line as indicated on the site plan;**
- 2) completion of the vacation process for the right-of-way prior to signing the Final Plat for the Subdivision;**
- 3) placement of a note on the site plan stating that the site is limited to one curb cut to Hillcrest Road and one curb cut to Old Shell Road, with the size, location and design of the curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) placement of a note on the site plan stating that the Old Shell Road curb cut is limited to right-turn-in/right-turn-out traffic only;**
- 5) placement of a note on the site plan stating that preservation status is given to the 37" Live Oak Tree and 72" Live Oak Tree on the site, and any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger;**
- 6) submission to Planning and Traffic Engineering and approval of a Traffic Impact Study, evaluating only the Hillcrest / Old Shell Road intersection, prior to the issuance of any land disturbance permit for the site;**
- 7) placement of a note on the site plan 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;**
- 8) retention of all landscaping, tree planting, site coverage, parking, and site data calculations as on the submitted site plan;**
- 9) compliance with the lighting requirements of Section 64-6.A.8. of the Zoning Ordinance, including the provision of a photometric plan, at the time of land disturbance submittals;**
- 10) revision of the site plan to indicate the location and type of required tree plantings;**
- 11) subject to the Engineering comments: [1. Applicant must complete the ROW vacation process prior to receiving Engineering approval for any Land Disturbance Permit or ROW Permit. 2. 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). 3. Any and all proposed land disturbing activity within the property 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. 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)];

- 12) subject to the Traffic Engineering comments: (A traffic impact study will need to be conducted for this site, based on its development intensity and location at a high volume intersection. The impact study must be completed prior to the issuance of any permits for land disturbance activities. The site is limited to one curb-cut on Old Shell Road (right-in, right-out only), and one curb cut to Hillcrest Road, with size location and design to be approved by Traffic Engineering and conform to AASHTO standards. Right-of-way vacation has been revised to address Traffic Engineering's concern for access to traffic signal equipment. 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.);
- 13) 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). Preservation status is to be given to the 72" and 37" Live Oak Trees located on the North West side of development. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.];
- 14) 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.); and
- 15) submittal of two (2) copies of a revised PUD site plan incorporating all conditions of approval for the PUD prior to signing the Final Plat for the Subdivision.

The motion carried unanimously.

EXTENSIONS:

4. **Case #ZON2013-00079 (Planned Unit Development)**
I-65 East Service Road Development Subdivision, Resubdivision of Lot 1
925 East I-65 Service Road South
(East side of East I-65 Service Road South extending to the West and North

sides of International Drive).

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

Council District 5

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. Plauche, with second by Mr. DeMouy to approve the extension request. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

5. Case #SUB2013-00030 (Subdivision)
(&6) Snowden Place Subdivision

6106 Cottage Hill Road

(North side of Cottage Hill Road, 110'± East of Christopher Drive).

Number of Lots / Acres: 52 Lots / 13.3± Acres

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

Council District 6

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. Plauche, with second by Mr. DeMouy to approve the extension request. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

6. Case #ZON2013-00866 (Planned Unit Development)
(&5) Snowden Place Subdivision

6106 Cottage Hill Road

(North side of Cottage Hill Road, 110'± East of Christopher Drive).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to change sideyard setbacks to 5-feet.

Council District 6

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. Plauche, with second by Mr. DeMouy to approve the extension request. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

7. Case #SUB2014-00051

Howell Subdivision

South terminus of Havens Road Extension

Number of Lots / Acres: 1 Lot / 8.6± Acres

Engineer / Surveyor: Speaks & Associates Consulting Engineers, Inc.
County

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Turner to waive Section V.D.4. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **retention of the 25' minimum building setback line as measured from the 30' ingress/egress easement;**
- 2) **revision of the plat to label the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 3) **placement of a note on the Final Plat stating that any curb-cuts for the site should comply with Mobile County Engineering requirements;**
- 4) **provision of a minimum detention capacity volume of a 50 year post development storm, with a maximum release rate equivalent to the 10 year storm pre-development rate, and the placement of a note on the final plat stating that the development has been designed to comply with all other 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, as well as the detention and release rate requirements of Mobile County for projects located within the Converse watershed, prior to the obtaining of permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;**
- 5) **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.);

- 6) placement of a note on the Final Plat stating that there shall be no future subdivision of the lot until the private street is improved to meet the minimum standards of Section VIII. of the Subdivision Regulations;
- 7) 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; and
- 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.

The motion carried unanimously.

8. Case #SUB2014-00052

Maritech Marine Subdivision

915 South Lawrence Street

(West side of South Lawrence Street at the North terminus of South Carolina Street).

Number of Lots / Acres: 1 Lot / 0.2± Acre

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.

Council District 3

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.

Bobby McBride, Rowe Surveying, spoke on behalf of the applicant. He stated that they would like access to St. Lawrence street.

Mr. Olsen responded that they would make that subject to Traffic Engineering's approval.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Ms. Roberson to waive Section V.B.9. 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 remnant South Carolina Street and Interstate 10;
- 2) Placement of a note on the final plat stating that the lot is limited to two (2) curb-cuts to the Lawrence Franklin Connector (South Lawrence Street), and one curb-cut to the remnant South Lawrence

Street, with the size, design and location of the curb-cut to be approved by Traffic Engineering and conform with AASHTO standards;

- 3) Depiction of the 25-foot minimum building setback line from the Lawrence Franklin Connector (South Lawrence Street) and South Carolina Street only (setback waived along Interstate 10 and the remnant of South Lawrence Street on the western boundary of the lot);
- 4) The labeling of the lot with its size in square feet;
- 5) Compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the 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 existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. B. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. C. 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; D. Show and label the MFFE (Minimum Finished Floor Elevation) for LOT 1. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. 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.);*
- 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 zone 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.

9. **Case #SUB2014-00054**

Sunrise Subdivision

7747 Old Shell Road

(Southwest corner of Old Shell Road and 5th Avenue).

Number of Lots / Acres: 1 Lot / 0.5± Acre

Engineer / Surveyor: Austin Engineering Co. Inc.

Council District 7

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.

David Hancock, 7511 Quincy Mobile, AL, spoke on his own behalf. He stated that he would like to withdrawal the application; he stated that the conditions of approval would make the property useless.

Hearing no opposition or further discussion, the Planning Commission allowed the applicant to withdraw his subdivision request.

10. **Case #SUB2014-00053**

Saltaire Oaks Subdivision

3175 Saltaire Road

(Southeast corner of Saltaire Road and Dauphin Island Parkway).

Number of Lots / Acres: 2 Lots / 5.2± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., 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 Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to depict the correct bearings of the Northwest lot line of Lot 1;**
- 2) **Revision of the legal description to correct any misspellings or incomplete numbering;**
- 3) **Retention of the lot size information and 25' minimum building setback line on the Final Plat;**
- 4) **Placement of a note on the Final Plat stating that Lot 1 is denied**

- access to Dauphin Island Parkway and limited to the existing curb-cut to Salt Aire Road, with any changes to the size, design or location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 5) Placement of a note on the Final Plat stating that Lot 2 is limited to 1 curb-cut to Salt Aire Road, with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
 - 6) Placement of a note on the Final Plat stating: *(The approval of all applicable federal, state and local environmental agencies regarding wetlands and flood zones, would be required prior to the issuance of any permits or land disturbance activities.);*
 - 7) Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*
 - 8) Placement of a note on the Final Plat stating: *(This site is located in the County, and therefore 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.);*
 - 9) Placement of a note and 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) Placement of a note on the Final Plat and 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.);*

The motion carried unanimously.

11. **Case #SUB2014-00048**

Collins Subdivision, First Addition, Resubdivision of Lots 10-12, and Lot 1 of Collins Property Subdivision, and Lot 1 Johnston Estates.

Northwest corner of Sermon Road North and U.S. Highway 90 West extending to the East side of Willis Road

Number of Lots / Acres: 3 Lots / 5.4± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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. DeMouy, with second by Ms. Roberson to approve the above referenced matter, subject to the following conditions:

- 1) dedication to provide 125' from the centerline of U.S. Highway 90, if necessary;
- 2) retention of the dedication to provide 30' from the centerline of Willis Road;
- 3) retention of the 25' minimum building setback line along all street frontages;
- 4) illustration of the lot sizes in square feet and acres after dedication;.
- 5) placement of a note on the Final Plat stating that the maintenance of all common areas and detention facilities is the responsibility of the property owners and not the City of Mobile;
- 6) compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Show and label the proposed ROW (name and width). 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. 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. Dedication of the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the Southwest corner of LOT 1-A. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. 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. G. 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 Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 8) compliance with 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) Lot 1-A is limited to its existing curb cuts, Lot 2-A is limited to two

curb cuts to Sermon Road, and Lot 3-A is limited to one curb cut to the proposed new right-of-way, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards; 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.

12 Case #SUB2014-00049

Crossley Hill Estates Subdivision

Northwest corner of Crossley Hill Drive and McCovery Road

Number of Lots / Acres: 9 Lots / 12.6± Acres

Engineer / Surveyor: Byrd Surveying, Inc.
County

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

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that he would like the Commission to consider approving the subdivision request.

Mr. Olsen responded that the Staff did have conditions of approval prepared.

Mr. Byrd stated that he was in agreement with the conditions.

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

- 1) depiction of the 25-foot minimum building setback line from all public right-of-ways, as required by Section V.D.9. of the Subdivision Regulations with the setback on Lots 8 and 9 shown where the lots meet the minimum building width of 60';
- 2) depiction of sufficient right-of-way to provide 30 feet from centerline from both Crossley Hill Drive and McCorvery Road on the Final Plat;
- 3) the labeling of each lot with its size in square feet and acres, or placement of a table on the 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) no future subdivision of any lot until such time as the roads are paved in asphalt or concrete to Mobile County Engineering standards, and for lots 8 and 9, until additional access on a paved public or private street is provided;
- 6) retention of the curb radii on the Final Plat;
- 7) placement of a note on the Final Plat to 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.*)
- 8) placement of a note on the Final Plat limiting lots 4-8 to one curb-cut to Crossley Hill Drive and Lots 1, 2,3 and 9 one curb-cut to McCorvery Road with the size, design, and location of all 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 wetland issues, if any, prior to the issuance of any permits or land disturbance activities.
- 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.

NEW SIDEWALK WAIVER APPLICATIONS:

- 13 **Case #ZON2014-00997**
 Theodore Yard, LLC
 5215 Willis Road
 (North terminus of Willis Road)
 Request to waive construction of a sidewalk along Willis Road
 Council District 4

The Chair announced the application had been recommended for denial 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. Watkins to deny the request to waive construction of a sidewalk

along Willis Road.

The motion carried unanimously.

14 Case #ZON2014-00998

SJE Investments, LLC

513 West I-65 Service Road North

(Southwest corner of West I-65 Service Road North and Stein Street).

Request to waive construction of a sidewalk along West I-65 Service Road North and a portion of Stein Street.

Council District 7

The Chair announced the application had been recommended for denial 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 West I-65 Service Road North and a portion of Stein Street.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

15 Case #ZON2014-00927

New Hope Baptist Church

1261 Persimmon Street

(1270 & 1272 Pecan Street, 605 & 608 Live Oak Street, 1261 & 1263 Persimmon)

(Northeast corner of Pecan Street and Live Oak Street extending to the Southeast corner of Live Oak Street and Persimmon Street; and West side of Live Oak Street 120'± South of Persimmon Street).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and offsite parking.

Council District 2

Mr. Gant 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.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Manzie to approve the above referenced matter, subject to the

following conditions:

- 1) Revision of the site plan to illustrate a compliant number of accessible parking spaces and design compliance, to include an accessible route, with the requirements of the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design);
- 2) 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;
- 3) Revision of the site plan to comply with the frontage tree requirements of the Zoning Ordinance, if the Tree Planting Variance is denied;
- 4) Revision of the site plan to illustrate any proposed sign structure;
- 5) Retention of dumpster notes on the revised site plan;
- 6) 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;
- 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. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, 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. 3. 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. 4. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The proposed development must comply with all Engineering Department Policy Letters.);*

- 8) **Compliance with Traffic Engineering Comments:** *(Lot 1 is limited to two curb cuts to Persimmon Street and one curb cut to Pecan Street, Lot 2 is limited to one curb cut to Live Oak St with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 9) **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).);*
- 10) **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.);*
- 11) **Submission of an approved, revised PUD site plan prior to any request for Land Disturbance; and**
- 12) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously with Mr. Gant recusing.

16. Case #ZON2014-01003
Dunnaway Corporation (Don Williams)

421 Holcombe Avenue

(Northeast corner of Holcombe Avenue and Granger Street).

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

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

- 1) **Revision of the site plan to depict the proposed vehicle circulation throughout the site;**
- 2) **Revision of the site plan to depict 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;**
- 3) **Revision of the site plan to comply with the Frontage Tree requirements of the Zoning Ordinance;**
- 4) **Revision of the site plan to illustrate live oak trees within 15' of above-ground utility lines. All other species of frontage trees should be depicted a minimum distance of 15' from said utilities;**
- 5) **Revision of the site plan to illustrate any proposed sign structure;**
- 6) **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;
- 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. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, 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. 3. 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. 4. The proposed development must comply with all Engineering Department Policy Letters.);*
 - 8) **Compliance with Traffic Engineering Comments:** *(The existing eastern driveway on Granger Street should be limited to employee traffic only; a gate is proposed across this driveway to complement this use. There appears to be sufficient queuing space between the curb and the gate to store one vehicle, with the gate swinging into the parking area. Site is limited to one curb cut to Holcombe Avenue and two curb cuts to Granger Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
 - 9) **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).);*
 - 10) **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.);*
 - 11) **Submission of an approved, revised PUD site plan prior to any request for Land Disturbance; and**
 - 12) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

NEW ZONING APPLICATIONS:

17. **Case #ZON2014-00995**
Mark Rone-Cypress Acquisitions, LLC

1300 North University Boulevard
(Southeast corner of North University Boulevard and Overlook Road)
Rezoning from R-3, Multiple-Family District, to B-2, Neighborhood Business District, to allow a retail business.
Council District 7

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.

Steve Armstrong, Cypress Acquisitions, spoke on his own behalf. He stated that the site plan and traffic study had been submitted to Staff and he requested that they be considered at the meeting.

Mary McDonald, 1421 Forrest Dale Dr, spoke in reference to the zoning application. She stated that she was in support of the rezoning but she did have some concerns. Ms. McDonald made the following points:

- A. concerned about drainage in the area;
- B. would not want anything that would be open 24 hours, such as a gas station or a McDonalds;
- C. there are too many vacant buildings in the area.

In rebuttal, Charlie Fowler spoke on behalf of the applicant. He stated that the applicant was also concerned about drainage in the area and they are working closely with City Engineering to get that taken care of.

Mr. Olsen responded that the Staff would like to change their recommendation for approval.

Hearing no opposition or further 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) **full compliance with the site design and signage regulations of the Zoning Ordinance;**
- 2) **compliance with Traffic Engineering comments: *"Prior to the approval of any Subdivision and/or Planned Unit Development application, a traffic impact study will be required to be submitted and approved by Traffic Engineering. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements identified in the study. In conjunction with the subdivision application, access management will be implemented by***

means of driveway limitations and restrictions. 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.”;

- 3) **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 50” and larger Live Oak 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 proposed buildings, street, and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50” and larger are effected.”;*
- 4) **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
- 5) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

18. Case #ZON2014-01001
JCP Investments, LLC (Don Williams)

4436 Government Boulevard

(West side of Government Boulevard extending to the East side of Demetropolis Road, 500'± North of Government Boulevard).

Rezoning from B-2, Neighborhood Business District, to B-3, Community Business District, to allow a retail business with outside storage.

Council District 4

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

Don Williams, Williams Development, spoke on behalf of the applicant and made the following points:

- A. this site was a previous Dairy Queen restaurant;
- B. the property is almost 100% paved;
- C. they are planning to close one curb cut;
- D. would like to put in a pawn shop with outdoor storage;
- E. in the back would be a asphalt storage yard for cars or boats;
- F. there is B-3 zoning across the street;
- G. they will provide over 20 trees.

Mr. Olsen stated that they staff stands by their recommendation for denial. The site does not meet any of the four conditions for rezoning. The rezoning is

simply to allow a use of outside storage which is not allowed in B-2.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Watkins to deny the above referenced matter for the following reasons:

- 1) **There does not appear to be any changing conditions in this particular area that would make a change in the Ordinance necessary and desirable; and**
- 2) **There does not appear to be a need to increase the number of sites available to business or industry.**

The motion carried unanimously.

GROUP APPLICATIONS:

19. **Case #SUB2014-00046 (Subdivision)**
(&20 **La Belle Subdivision, Resubdivision and Addition to Lot 1**
&21) 5951 & 5955 Old Shell Road and 14 East Drive
(Southwest corner of Old Shell Road and East Drive).
Number of Lots / Acres: 1 Lot / 1.4± Acre
Agent / Engineer / Surveyor: Don Williams Development
Council District 6

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

Don Williams, Williams Development, spoke on behalf of the applicant and made the following points:

- A. this site has been used for parking for years and needs to be brought up to code;
- B. would like a curb-cut for access on to East Dr.;

Mr. Olsen stated that the staff does have conditions of approval prepared but they do stand by the recommendation of access to East Dr.

The following people spoke in opposition to the matter:

- Jim Busby, 18 East Drive;
- Bess Rich, 625 Cumberland Rd. East;
- Bryan Lee, 300 Trent Mill Court;

They made the following points against the application:

- A. does not feel like there needs to be a curb-cut on East Drive;

- B. does agree with the rezoning of the property;
- C. would rather have a 8 ft privacy fence than the 3 ft shrubbery;
- D. would request that the applicant develop a sidewalk.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy to hold the matter over until the June 19th meeting to allow the applicant to submit a revised site plan reflecting no access to East Dr, and the provision of fencing and landscaping to prohibit access to East Dr.

The motion carried unanimously.

21 Case #ZON2014-00892 (Planned Unit Development)
(&19 La Belle Subdivision, Resubdivision and Addition to Lot 1
&20) 5951 & 5955 Old Shell Road and 14 East Drive

(Southwest corner of Old Shell Road and East Drive).

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

Council District 6

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

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy to hold the matter over until the June 19th meeting to allow the applicant to submit a revised site plan reflecting no access to East Dr, and the provision of fencing and landscaping to prohibit access to East Dr.

The motion carried unanimously.

21. Case #ZON2014-00891 (Rezoning)
(&19 Don Williams
&20) 5951 & 5955 Old Shell Road and 14 East Drive

(Southwest corner of Old Shell Road and East Drive).

Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, to allow a restaurant and eliminate split zoning.

Council District 6

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

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy to hold the matter over until the June 19th meeting to allow the applicant to submit a revised site plan reflecting no

access to East Dr, and the provision of fencing and landscaping to prohibit access to East Dr.

The motion carried unanimously.

22. Case #SUB2014-00050 (Subdivision)

(&23) Beltline Plaza West Subdivision

1554 & 1558 West I-65 Service Road South

(West side of I-65 Service Road South, 0.26 ± miles South of Cottage Hill)

Number of Lots / Acres: 1 Lot / 0.9± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 4

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

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

- 1) **placement of a note on the Final Plat stating that the Subdivision is limited to a maximum of two curb cuts, with the size, design and location to be approved by Traffic Engineering and ALDOT and in conformance with AASHTO standards.**
- 2) **retention of the 60' minimum building setback line on the Final Plat;**
- 3) **retention of the labeling of the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information.**
- 4) **removal of the County Engineering note and signature block from the Final Plat;**
- 5) **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;**
- 6) **compliance with Engineering comments: *(The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the 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. B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 81) the Lot will receive historical***

credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. 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. Add a signature block for the Owner and Notary Public. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. 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 the Traffic Engineering comments:** *(Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Confirmation of ALDOT approval of the driveways on the Service Road will need to be provided, prior to the issuance of any permits for land disturbance activities.);*
- 8) **compliance with the Urban Forestry comments:** *[Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64)]; 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.

23. Case #ZON2014-00999 (Sidewalk Waiver)
(&22) Kennedy Investments, LLC

1554 & 1558 West I-65 Service Road South
(West side of I-65 Service Road South, 0.26 ± miles South of Cottage Hill)
Request to waive construction of a sidewalk along West I-65 Service Road South).
Council District 4

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

Bryan Metcalf, Metcalf & Company, spoke on behalf of the applicant. He stated that they would like the condition of the two trees to be given preservation status to be removed.

Mr. Daughenbaugh, Urban Forestry, stated that he would suggest that they take the condition off of the Subdivision application but left on the Planned Unit Development application.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Dr. Rivizzigno to approve the request to waive construction of a sidewalk along West I-65 Service Road South

The motion carried unanimously.

24. Case #SUB2014-00047 (Subdivision)

(&25 Calway-Jones East Subdivision

&26) Northeast corner of Garmons Lane and Ebenezer Drive extending to the East side of Demetropolis Road)

Number of Lots / Acres: 6 Lots / 2.3± Acres

Engineer / Surveyor: Byrd Surveying, Inc.
Council District 4

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 opposition or discussion, a motion was made by Mr. Vallas, with second by Dr. Rivizzigno to waive Section V.D.8. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to illustrate a 10' rear street yard setback along Garmons Lane for Lots 4-6. All other setbacks should be retained;**
- 2) **Revision of the Final Plat to illustrate all lot sizes in square feet and acres;**
- 3) **Revision of the Final Plat to illustrate the right-of-way of Demetropolis Road in feet and retained as depicted for Garmons Lane;**
- 4) **Placement of a note on the Final Plat limiting lots 1-6 to a total of 4 curb-cuts to Demetropolis Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);***
- 6) **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 existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. 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. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. E. Clarify that the ROW width of University Blvd is recorded in metric units. F. Provide and label the monument set or found at each subdivision corner. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H. Provide the Surveyor's Certificate and Signature. 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.);

- 7) **Compliance with Traffic Engineering comments:** *(The site is denied access to Garmons Lane. Lots 1 through 6 are limited to a total of four curb cuts to Demetropolis Road, with 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.);*
- 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 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.);*
- 10) **Completion of the Rezoning process prior to the signing of the Final Plat; and**
- 11) **Submission of a revised, approved PUD site plan prior to the signing of the Final Plat.**

The motion carried unanimously.

- 25. Case #ZON2014-00902 (Planned Unit Development)**
(&24 Calway-Jones East Subdivision
&26) Northeast corner of Garmons Lane and Ebenezer Drive extending to the East side of Demetropolis Road)
Planned Unit Development Approval to allow reduced rear yard setbacks.
Council District 4

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

- 1) Revision of the site plan to illustrate a 10' residential buffer in compliance with Section 64-4.D. of the Zoning Ordinance where the site abuts residentially used property along the Northern lot line of Lot 1, along the rear lot lines of Lots 1-6, and along the Southern property line of Lot 6. Any 6' privacy fence proposed along Garmons Lane should be set back 5' from the property line;
- 2) 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;
- 3) Revision of the site plan to depict onsite traffic circulation and illustrate a compliant number of accessible parking spaces for all proposed lots and design compliance with the requirements of the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design);
- 4) Depiction of any 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. Photometric plans will be required at the time of permitting;
- 5) Depiction of any proposed dumpsters on the site plan in compliance with Section 64-4.D.9. of the Zoning Ordinance or placement of a note on the site plan stating that garbage collection will be via curbside pick-up;
- 6) Depiction of a sidewalk along Garmons Lane;
- 7) Compliance with Engineering comments: *(1. Due to the proposed subdivision lots having frontage on both University Blvd. and Garmons Lane the street addresses will need to be discussed with the Engineering Department (208-6216) prior to submitting any permits. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 2. 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). 3. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, 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. 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. 5. The proposed development must comply with all Engineering Department Policy Letters.);

- 8) *Compliance with Traffic Engineering comments: (The site is denied access to Garmons Lane. Lots 1 through 6 are limited to a total of four curb cuts to Demetropolis Road, with 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.);*
- 9) *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 62" and 60" Live Oak Trees located on Lot 4. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 10) *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.);*
- 11) **Revision of layout, if necessary, to reflect Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments;**
- 12) **Submission of a revised PUD site plan prior to the signing of the Final Plat;**
- 13) **Development limited to B-2 uses with a parking ratio of 1 parking space per 300 sq ft. Other uses which require additional parking will require an amended PUD; and**
- 14) **Full compliance with all other Municipal codes and ordinances.**

The motion carried unanimously.

26. **Case #SUB2014-00901 (Rezoning)**
(**&25** **Gulf Creek, LLC**
&24) Northeast corner of Garmons Lane and Ebenezer Drive extending to the East side of Demetropolis Road)
Rezoning from R-1, Single-Family Residential, to B-2, Neighborhood Business District, to allow a retail center.
Council District 4

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

- 1) **Completion of the Subdivision process;**
- 2) **Limited to an approved PUD; and**
- 3) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

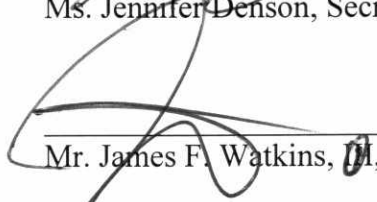
OTHER BUSINESS:

Mr. Olsen reminded the Commission that the business meeting is at 1:00 on June 12, 2014 in the Pre-Council meeting room.

APPROVED: December 4, 2014



Ms. Jennifer Denson, Secretary



Mr. James F. Watkins, **Chairman**

/jpw