

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF JULY 17, 2014 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

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

**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.

**HOLDOVERS:**

1. **Case #SUB2014-00042 (Subdivision)**
- (&2) **Tucker Place Subdivision**  
117 Batre Lane  
(Northwest corner of Batre Lane and Gaillard Street).  
**Number of Lots / Acres:** 8 Lots / 3.1± Acres  
**Engineer / Surveyor:** Polysurveying Engineering – Land Surveying  
Council District 7

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that they were in agreement with all of the conditions; he just wanted to point out a copy/paste error and would like for that to be removed.

Quinn Hillyer, 141 Batre Lane, spoke in opposition to the matter. He stated that many of his objections have been met; but he was still opposed to the back driveway that is too close to the turn on Batre Lane.

Hearing no further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Vallas to waive Sections V.D.1 and V.D.9. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) dedication to provide 30' from the centerlines of Batre Lane and Gaillard Street;**
- 2) dedication to provide a 25' corner radius at the corner of Batre Lane and Gaillard Street, adjusted to match the required 30' dedications;**
- 3) construction of a hammerhead coinciding with the "pole" for Lot 7 prior to signing the Final Plat;**
- 4) widening of the pavement on Gaillard Street to a minimum of 20' to allow for Fire apparatus access prior to signing the Final Plat;**
- 5) placement of a note on the Final Plat stating that each lot is limited to one curb cut, 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 Lots 6 and 7 are denied access to the alley along the West side of the site;**
- 7) retention of the labeling of the lot and Detention/Common Area sizes in square feet and acres on the Final Plat, adjusted for any required dedications, or the furnishing of a table on the Final Plat providing the same information;**
- 8) revision of the plat to illustrate the front building setback lines as measured from any required dedications;**
- 9) revision of the plat to indicate a 20.5' rear setback line for Lots 1 through 4 and Lot 8, as measured from the rear property lines, within the ingress/egress easement;**
- 10) retention of the approved side yard setbacks for all lots;**
- 11) placement of a note on the Final Plat stating that no structures are to be constructed within any easements;**
- 12) placement of a note on the Final Plat stating that the maintenance of the ingress and egress easements is the responsibility of the property owners;**
- 13) placement of a note on the Final Plat stating that the ingress and**

- egress easements are not to be gated or blocked in any manner so as to indicate a private street subdivision;
- 14) placement of a note on the Final Plat stating that the maintenance of the Detention/Common Area is the responsibility of the property owners;
- 15) 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 future addition(s) and/or land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 75) there is historical credit available for impervious area towards stormwater 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 a 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. Provide and label the POB for the legal description. 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 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.);*
- 16) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 17) 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)];*
- 18) 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);*

- 19) 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
- 20) submission to Planning of two (2) copies of a revised PUD site plan indicating compliance with all conditions of its approval prior to the signing of the Final Plat.

The motion carried unanimously.

**2. Case #ZON2014-00839 (Planned Unit Development)**  
**(&1) Tucker Place Subdivision**

117 Batre Lane

(Northwest corner of Batre Lane and Gaillard Street).

Planned Unit Development Approval to allow reduced front and side yard setbacks in a proposed subdivision.

Council District 7

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

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

- 1) revision of the site plan to indicate any required dedications of the Subdivision;
- 2) construction of the hammerhead for Fire apparatus access coinciding with the "pole" for Lot 7 prior to signing the Final Plat;
- 3) widening of the pavement on Gaillard Street to a minimum of 20' to allow for Fire apparatus access prior to signing the Final Plat;
- 4) placement of a note on the site plan stating that each lot is limited to one curb cut, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the site plan stating that Lots 6 and 7 are denied access to the alley along the West side of the site;
- 6) retention of the labeling of the lot and Detention/Common Area sizes in square feet and acres on site plan, adjusted for any required dedications, or the furnishing of a table on the site plan providing the same information;
- 7) revision of the site plan to illustrate the front building setback lines as measured from any required dedications;
- 8) revision of the site plan to indicate a 20.5' rear setback line for Lots 1 through 4 and Lot 8, as measured from the rear property lines, within the ingress/egress easement;
- 9) retention of the approved side yard setbacks for all lots;

- 10) placement of a note on the site plan stating that no structures are to be constructed within any easements;
- 11) placement of a note on the site plan stating that the maintenance of the ingress and egress easements is the responsibility of the property owners;
- 12) placement of a note on the site plan stating that the ingress and egress easements are not to be gated or blocked in any manner so as to indicate a private street subdivision;
- 13) placement of a note on the site plan stating that the maintenance of the Detention/Common Area is the responsibility of the property owners;
- 14) placement of a note on the site plan stating that all lots are limited to 35% maximum site coverage by all structures;
- 15) revision of the site plan to indicate a city-standard sidewalk along Batre Lane and Gaillard Street;
- 16) subject to the Engineering comments: *(1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. 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. 4. Label the width and radii for the two (2) paved drives. 5. Add the proposed sidewalk – avoiding the existing tree, fire hydrant, and any other existing utility structures.);*
- 17) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 18) 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)];*
- 19) 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);*

- 20) 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;
- 21) placement of a note on the site plan stating that no solid wall or fence exceeding 3' in height shall be built within any setback from a street;
- 22) submission to Planning of two (2) copies of a revised site plan indicating compliance with all approval conditions prior to the signing of the Final Plat; and
- 23) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

### **NEW SUBDIVISION APPLICATIONS:**

3. **Case #SUB2014-00068**  
**R.E. Michel Subdivision**  
3014 Mill Street  
(Northeast corner of Mill Street and Western Drive).  
**Number of Lots / Acres:** 1 Lot / 0.7± Lot  
**Engineer / Surveyor:** Byrd Surveying, Inc.  
Council District 1

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.

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that he had failed to inform Mr. Byrd that they needed a 20ft setback along Western Drive and a 25ft setback on Mill Street.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, 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 along Mill Street and a 20' minimum building setback line along Western Drive;
- 2) retention of the lot size in square feet and acres;
- 3) retention of the dedication of the corner radii at Western Drive and Mill Street;
- 4) placement of a note stating the development is limited to the existing two curb cuts with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO



- standards;
- 5) compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. 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. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #70) 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. 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. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. Provide and label the monument set or found at each subdivision corner. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. Provide the Surveyor's Certificate. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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. Show the recording information for the vacated Josephine Street. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
  - 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 Traffic Engineering comments (*Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
  - 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).; 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.

4. **Case #SUB2014-00074**  
**International Drive Subdivision**

3230 International Drive

(West side of International Drive at the North terminus of Sledge Drive).

**Number of Lots / Acres:** 1 Lot / 1.3± Acre

**Engineer / Surveyor:** Rowe Surveying & Engineering Co., Inc.  
Council District 5

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 approve the above referenced matter, subject to the following conditions:

- 1) **illustration of the 25' minimum building setback line on the Final Plat;**
- 2) **placement of a note on the Final Plat stating the site is limited to two curb-cuts to International Drive, with the size, location, and design to be approved by Traffic Engineering, and conform to AASHTO standards;**
- 3) **labeling of the lot in acres and square feet, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **placement of a note on the Final Plat stating no structures shall be constructed or placed in any easements;**
- 5) **placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species;**
- 6) **compliance with Engineering comments: *"The following comments should be addressed prior to submitting the FINAL PLAT for 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 SUBDIVISION PLAT***



*stating that as shown on the 1984 aerial photo (FLIGHT 24 - # 78) 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. 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 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. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.”;*

- 7) *compliance with Traffic Engineering comments: “Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”;*
- 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).; and*
- 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”;*

The motion carried unanimously.

5. **Case #SUB2014-00070**

**Ross-Whiting Pointe Subdivision, Resubdivision of Lot 2**

Southwest corner of Rivier Du Chien Road

**Number of Lots / Acres:** 2 Lots / 3.9± Acres

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

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

- 1) retention of the labeling of the lots with their sizes in acres and square feet, or the furnishing of a table on the Final Plat providing the same information;
- 2) retention of the 25' minimum building setback line on the Final Plat;
- 3) revision of the plat note concerning curb cuts to state that Lot A is limited to one curb cut, and Lot B is limited to two curb cuts, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) retention of the note on the Final Plat stating that the approval of all applicable federal, state and local agencies for wetland and floodplain issues would be required prior to the issuance of any permits or land disturbance activities;
- 5) retention of the note on the Final Plat stating that development of this site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened or otherwise protected species;
- 6) subject to the Engineering Comments: *[The following comments should be addressed prior to submitting the FINAL PLAT for 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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #88) each lot will receive the following historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition, as follows: LOT 1 – NONE; LOT 2 –NONE. C. Add a note to the SUBDIVISION PLAT stating that each residential lot will be allowed to add the following impervious area to the lot before storm water detention is required to be provided: LOT A – 2,000 sf, LOT B – 2,000 sf. 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. 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. Any areas receiving drainage from a public street will require a drainage easement, the width and alignment of any required easement shall be*

*coordinated with, and approved by, the City Engineer. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];*

- 7) **subject to the Traffic Engineering comments:** *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) **subject to the Urban Forestry comments:** *[(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).]*  
*;and*
- 9) **subject to the Fire Department comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*

The motion carried unanimously.

**6. Case #SUB2014-00078**

**Postal Employees Subdivision**

North side of Midmost Drive, 255'± West of Downtowner Boulevard.

**Number of Lots / Acres:** 1 Lot / 0.7± Acre

**Engineer / Surveyor:** Frank A. Dagley & Associates, Inc.

Council District 5

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

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

- 1) **illustration and labeling of the 25' minimum building setback line;**
- 2) **placement of a note stating the lot size in square feet and acres on the plat;**
- 3) **placement of a note stating the development is limited to one curb cut with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **compliance with Engineering comments** *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. 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. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #76) the Lot will receive NO 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. 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. 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. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. Show and label each and every Right-Of-Way and easement. Provide and label the monument set or found at each subdivision corner. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. Provide the Surveyor's Certificate and Signature. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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. Any areas receiving drainage from a public street will require a drainage easement; the width and alignment of any required easement shall be coordinated with, and approved by, the City Engineer. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 5) 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.);*
- 6) compliance with Traffic Engineering comments (Site is limited to one curb cut to Midmost Drive, 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.);*
- 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).; and*
- 8) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for*

**endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

**7. Case #SUB2014-00072**

**Bentley Ridge Subdivision**

11635 Taylors Drive

(Southeast corner of Ellen Drive and Taylors Drive).

**Number of Lots / Acres:** 2 Lots / 3.4± Acres

**Engineer / Surveyor:** Robert Moseley-Land Surveying  
County

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

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

- 1) **dedication to provide 30' from the centerline of Ellen Drive;**
- 2) **placement of a note on the Final Plat stating that each lot is limited to the existing curb cut to Ellen Drive, with the size, design and location to be approved by County Engineering and conform to AASHTO standards;**
- 3) **placement of a note on the Final Plat stating that Lot 1A is limited to one curb cut to Taylor's Drive, in compliance with County Engineering requirements;**
- 4) **revision of the plat to indicate a 25' minimum building setback line along Ellen Drive for both lots, as measured from any required dedication;**
- 5) **revision of the plat to indicate a 25' minimum building setback line along Taylor's Drive for Lot 1A;**
- 6) **revision of the plat to label the lots with their sizes in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 7) **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;

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

The motion carried unanimously.

8. **Case #SUB2014-00075**

**Howell & Pfeiffer Subdivision**

3688, 3726 and 3760 Dawes Road

(West side of Dawes Road at the West terminus of Heid Place)

**Number of Lots / Acres:** 2 Lots / 5.5± Acres

**Engineer / Surveyor:** Polysurveying Engineering –Land Surveying  
County

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

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

- 1) revise the plat to label the right-of-way width of Dawes Road;
- 2) dedication to provide a 50' right-of-way of Dawes Road as measured from centerline;
- 3) depiction of the 25-foot minimum building setback line;
- 4) placement of a note on the Final Plat stating that each lot is limited to one curb-cut to Dawes Road, with the size, design and location to be approved by Mobile County Engineering Department;
- 5) labeling of the lots in square feet and acres, reflecting any dedication;
- 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) 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, prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and
- 9) placement of a note on the Final Plat stating that development will be designed to comply with the stormwater detention and drainage facilities of the City of Mobile stormwater and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the stormwater detention and drainage facilities of the City of Mobile stormwater and flood control ordinances prior to the issuance of any permits. Certification to be submitted to the Planning Section of Urban Development and County Engineering.

The motion carried unanimously.

9. **Case #SUB2014-00076**  
**Hamm Family Division Subdivision**

6150 Anthony Drive West

(North terminus of Anthony Drive West).

**Number of Lots / Acres:** 2 Lots / 6.8± Acres

**Engineer / Surveyor:** Polysurveying Engineering – Land Surveying  
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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this is all family land and they are trying to cut out an acre for their daughter; but they do not want to be a part of the Subdivision.

Mr. Olsen stated that they have to be party to the Subdivision; they cannot opt out of something they created.

Hearing no opposition or further discussion, a motion was made Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over at the applicant's request.

The motion carried unanimously.

10. **Case #SUB2014-00071**

**White Smith Subdivision, Phase 1, Resubdivision of Lot B**

Northeast corner of Conti Street and South Scott Street extending to the Northwest corner of South Washington Street and Conti Street.

**Number of Lots / Acres:** 3 Lots / 0.3± Acre

**Engineer / Surveyor:** Rowe Surveying & Engineering Co., Inc.  
Council District 2

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 & Engineering Co., Inc., spoke on behalf of the applicant. He stated that they are in agreement with all of the Staff's recommendation with the exception of Condition #1. They do not feel as if the 25 foot turn out radius is not necessary in this particular area of Downtown.

Mr. Olsen stated that would be fine.

Hearing no opposition or further discussion, a motion was made Mr. Vallas, with second by Mr. DeMouy to waive Section V.D.2. and V.D.9. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the lot size in square feet and acres on the Final Plat to reflect dedication;**
- 2) **Illustration of all setbacks on the Final Plat, in compliance with Section 64-3.I. of the Zoning Ordinance;**
- 3) **Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding flood zones.)*;**
- 4) **Placement of a note on the Final Plat stating: *(Development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.)*;**
- 5) **Placement of a note on the Final Plat and compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lots 1-3 are limited to a total of two curb cuts to Conti Street, and Lot 1 is permitted one curb cut to Scott Street.)*;**
- 6) **Compliance with Engineering Comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for 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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 30 - #71) 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each LOT that contains an AE, V, or X (shaded) flood zone designation. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 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).); and*
- 8) **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.).*

The motion carried unanimously.

**11. Case #SUB2014-00069**

**West Point Plaza Subdivision**

South side of Airport Boulevard, at the Southern terminus of Flave Pierce Road.

**Number of Lots / Acres:** 4 Lots / 20.9± Acres

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

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

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.

Mike Speaks, Speaks & Associates, spoke on behalf of the applicant. He stated that he has met with the owners of the property and they feel as if they can work out the issues, so they requested that the application be held over.

Jerry Steele, 8880 O'Hara Drive, spoke on behalf of a nearby resident. He stated that they had concerns about the use of Lot 3; is concerned that the lot would be used for additional parking for Baker High School.

Hearing no further opposition or discussion, a motion was made Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over until the August 21<sup>st</sup> meeting at the applicant's request.

The motion carried unanimously with Mr. Vallas recusing.

**12. Case #SUB2014-00077**  
**USA POB Subdivision**

Area bounded by Spring Hill Avenue, USA Childrens' & Womens Parkway, Center Street, Lyons Park Avenue, Lucy Street and a portion of Lambert Street also; interior streets Hill Street, a portion of Lambert, Street, and Sadie Street. [all to be vacated].

**Number of Lots / Acres:** 4 Lots / 16.5± Acres  
**Engineer / Surveyor:** Wattier Surveying, Inc.  
Council District 2

Dr. Rivizzigno recused herself from discussion and voting on the matter.

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.

Cathy Terry spoke on her own behalf. She wanted to know if Lucy Street alley way is still open.

Hearing no opposition or further discussion, a motion was made Mr. Turner, with second by Mr. Watkins to waive Section V.D.8. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Dedication of a corner radius at the intersection of Lyons Park Avenue and Center Street; Lyons Park Avenue and Lucy Street; and Lucy Street and Lambert Street on the Final Plat;**
- 2) **Revision of the lot size information and the minimum building setback line to reflect dedication, and be retained elsewhere on the Final Plat;**
- 3) **Placement of a note on the Final Plat stating that no permanent structures can be constructed in any easement;**
- 4) **Placement of a note on the Final Plat stating: (*Development of the site must comply with local, state and federal regulations regarding flood zones.*);**
- 5) **Placement of a note on the Final Plat stating: (*Development of this***

*site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*

- 6) **Placement of a note on the Final Plat stating:** *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) **Compliance with Engineering Comments:** *(The following comments should be addressed prior to submitting the FINAL PLAT for 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 28 - #72) LOTS 2, 3, and 4 may 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. Provide dedication of the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the northeast corner of LOT 4 (Center St. and Lyons Park Ave.), and the southeast corner of LOT 2 (Lyons Park Ave. and Lucy St.). E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Add a minimum 15 ft. wide access easement parallel to the existing drainage ditch and easement; and an access point off of the southern portion of Lambert St. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed or repaired along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Show the recording information for the vacated ROW and alleys. Clarify the labeling of "...to be vacated" shown on the plan and "...now vacated..." shown in part of the legal description. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 8) **Compliance with Traffic Engineering Comments:** *(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.);*
- 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) **Provision of a turnaround at the intersection of Lucy and Lambert Streets, in compliance with the 2009 IFC;**
- 12) **Revision of the lot size information and the minimum building setback line to reflect dedication, and be retained elsewhere on the Final Plat; and**
- 13) **Completion of the Street Vacation process prior to the signing of the Final Plat.**

The motion carried unanimously with Dr. Rivizzigno recusing.

#### **NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

**13. Case #ZON2014-01293**  
**ASF Logistics Subdivision**

3812 Spring Hill Avenue

(North side of Spring Hill Avenue at the North terminus of North McGregor Avenue).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a 8,150 square feet parking lot addition to an existing site.

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.

Tom Clark, Clark, Geer & Latham Engineers, spoke on behalf of the applicant. He stated that the ordinance states that businesses operating between dusk and dawn must have site lighting in compliance with the ordinance. This business never has business operations after 4:30 in the afternoon. Mr. Clark asked if this business would still need lighting.

Samford Myers, Owner of ASF Logistics, spoke on his own behalf. He stated



that the issue with the lighting is a major curve ball and a tremendous expense.

Mr. Olsen responded yes; that if the current owner was to sell or rent the property the City would have no way of knowing that there would be a change in operating hours.

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

- 1) limited to the submitted site plan;
- 2) compliance with Section 64-6.a.8. regarding parking lot lighting;
- 3) compliance with Engineering comments (**ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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). 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. 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. 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. The proposed development must comply with all Engineering Department Policy Letters.);**
- 4) compliance with Traffic Engineering comments (*Any newly created parallel parking spaces shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. As*

*stated in the ordinance, interior parallel spaces must be a minimum of 23' in length; unencumbered spaces may be 20' in length. This change can be accommodated within the proposed asphalt with a revision to the striped maneuvering area.);*

- 5) submittal of two (2) revised site plans prior to the issuance of any permits; and
- 6) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

**GROUP APPLICATIONS:**

14. Case #SUB2014-00079 (Subdivision)  
(&15) **McGowin Park Subdivision, Resubdivision of Lot 4**  
1401 Satchel Paige Drive  
(Southeast corner of Satchel Paige and Government Boulevard)  
**Number of Lots / Acres:** 1 Lot / 0.5± Acre  
**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. He added if anyone wished to speak on the matter they should do so at that time.

George Alexander, Hutton Company, spoke on behalf of the applicant. He stated they were in agreement with all of the Staff's recommendations. He stated that he wanted to take the opportunity to formally invite the Planning Commission to groundbreaking of the property.

Hearing no opposition or further discussion, a motion was made Mr. DeMouy, with second by Dr. Rivizzigno to waive Section V.D.9. 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 April 3, 2014 PUD site plans, Traffic Engineering approval, ALDOT approval where required, and to conform with AASHTO standards.;
- 3) 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;
- 4) 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;
  - 5) retention of the labeling of the lot with its size in square feet and acres, as depicted on the preliminary plat;
  - 6) compliance with Engineering comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for 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. Show and label the street names in the vicinity map. D. Remove or reduce the shading used for the interior of LOT 4-A. E. Show and label each and every Right-Of-Way and easement. F. Provide and label the monument set or found at each subdivision corner. G. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. 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. I. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.)*
  - 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).);*
  - 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);
- 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; and
- 12) submission of a revised PUD site plan prior to the signing of the final plat.

The motion carried unanimously with Mr. Watkins recusing.

**15. Case #ZON2014-01304 (Planned Unit Development)**  
**(&14) McGowin Park Subdivision, Resubdivision of Lot 4**

1401 Satchel Paige Drive

(Southeast corner of Satchel Paige and Government Boulevard).

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow reduce front yard setback.

Council District 3

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

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

Hearing no opposition or further discussion, a motion was made Mr. DeMouy, 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: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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. );*

- 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). );*
- 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 approved at the April 3, 2014 meeting (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.

16. Case #SUB2014-00065 (Subdivision)  
(&17) Asian Square 2 Subdivision  
&18) 472 and 476 Azalea Road  
(West side of Azalea Road, 420'± North of Gaylark Road North).  
**Number of Lots / Acres:** 2 Lots / 0.6± Acres  
**Engineer / Surveyor:** Don Williams Engineering (Agent)  
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 Dr. Rivizzigno, 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) Depiction of the 25' minimum building setback line and lot size information in square feet and acres on the Final Plat;
- 2) Retention of the right-of-way widths on the Final Plat;
- 3) 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.*);
- 4) Placement of a note on the Final Plat stating both proposed Lots 1 and 2 are limited to one (1) shared curb-cut, with any changes to the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) Compliance with Traffic Engineering Comments: (*Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 6) Compliance with Engineering Comments: (*The following comments should be addressed prior to submitting the FINAL PLAT for*



*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) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. 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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #84) 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. 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. 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. F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. 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. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 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 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.);*
- 9) *Completion of the Planning Approval and PUD process prior to the*

- signing of the Final Plat; and  
10) Submission of a revised, approved PUD site plan prior to the signing of the Final Plat.

The motion carried unanimously.

17. Case #SUB2014-01197 (Planned Unit Development)  
(&16 Asian Square 2 Subdivision  
&18) 472 and 476 Azalea Road  
(West side of Azalea Road, 420'± North of Gaylark Road North).  
Planned Unit Development Approval to allow shared parking between two building sites.  
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 Dr. Rivizzigno, with second by Mr. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) Depiction of a sidewalk along Azalea Road or the submission of a Sidewalk Waiver request;
- 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 the 25' minimum building setback line;
- 4) Revision of the site plan to depict the proposed onsite traffic circulation;
- 5) Revision of the site plan to depict the location of any proposed freestanding or monument sign;
- 6) Placement of a note on the site plan stating compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpster compliance;
- 7) Placement of a note on the site plan 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.);*
- 8) Compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 9) Compliance with Engineering Comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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.);*

- 10) **Compliance with Urban Forestry Comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 11) **Compliance with Fire Department Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 12) **Submission of a revised, approved PUD site plan prior to the signing of the Final Plat;**
- 13) **Development limited to retail, office, and food uses with a parking ratio of 1 parking space per 300 square feet, or new applications will be required; and**
- 14) **Full compliance with all other Municipal codes and ordinances.**

The motion carried unanimously.

18. **Case #ZON2014-01196 (Planning Approval)**
- (&16 **Asian Square 2 Subdivision**
- &17) **472 and 476 Azalea Road**  
(West side of Azalea Road, 420'± North of Gaylark Road North).  
Planning Approval to allow a seafood store in a B-2, Neighborhood Business District.  
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 Dr. Rivizzigno, with second by Mr. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) Depiction of a sidewalk along Azalea Road or the submission of a Sidewalk Waiver request;
- 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 the 25' minimum building setback line;
- 4) Revision of the site plan to depict the proposed onsite traffic circulation;
- 5) Revision of the site plan to depict the location of any proposed freestanding or monument sign;
- 6) Placement of a note on the site plan stating compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpster compliance;
- 7) Placement of a note on the site plan 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.);*
- 8) Compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 9) Compliance with Engineering Comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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.);*
- 10) Compliance with Urban Forestry Comments: *(Property to be*

*developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*


- 11) Compliance with Fire Department Comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 12) Submission of a revised, approved site plan prior to the signing of the Final Plat;
- 13) Development limited to retail, office, and food uses with a parking ratio of 1 parking space per 300 square feet, or new applications will be required; and
- 14) Full compliance with all other Municipal codes and ordinances.

The motion carried unanimously.

**APPROVED:** December 18, 2014



Ms. Jennifer Denson, Secretary



Mr. Jay F. Watkins, ~~III~~ Chairman

/jpw