

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF AUGUST 07, 2014 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Mr. James F. Watkins, Chairman  
Mr. John Vallas  
Mr. Thomas Doyle  
Ms. Shirley Sessions  
Ms. Sujin Kim  
Mr. Nick Amberger (AO)  
Mr. Levon Manzie (CC)  
Ms. Libba Latham (PJ)  
Ms. Jennifer Denson, (S), Secretary  
Mr. Allan Cameron (S)

**Members Absent**

Mr. Carlos Gant, Vice Chair  
Mr. Don Hembree (PJ)

**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  
Billy Roach  
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.

Mr. Olsen called the meeting to order and announced that the first order of business would be the election of officers. He then asked for nominations for Chair.

John Vallas nominated Jay Watkins, stating that he had served on the Commission for a number of years and that experience should serve him well as Chair. The motion was seconded by Shirley Sessions. The motion carried unanimously.

The meeting was turned over to Mr. Watkins who then asked for nominations for Vice Chair. Levon Manzie nominated Carlos Gant, with second by Mr. Amberger. The motion carried unanimously.

Mr. Watkins asked for nominations for Secretary. Mr. Amberger nominated Jennifer Denson, with second by Mr. Vallas. The motion carried unanimously. With a full complement of officers, Mr. Watkins asked Mr. Olsen to introduce the staff members at the meeting.

**ROLL CALL:**

Mr. Watkins stated the number of members present constituted a quorum and advised all attending of the policies and procedures pertaining to the Planning Commission.

**HOLDOVERS:**

1. **Case #SUB2014-00056 (Subdivision)**  
(&2) **Government Boulevard Subdivision, Bateh Addition to**  
East side of Government Boulevard, 964'± North of Rochelle Street.  
**Number of Lots / Acres:** 1 Lot / 4.6± Acres  
**Engineer / Surveyor:** The Coleman Engineering Group of McCrory Williams  
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. Vallas, with second by Mr. Manzie to approve the above referenced matter, subject to the following conditions:

- 1) retention of the right-of-way width of Government Boulevard on the Final Plat;
- 2) retention of the labeling of the lot size in square feet and acres on the Final Plat;
- 3) retention of the 25-foot minimum building line to be depicted along Government Boulevard on the Final Plat;
- 4) prior to any development of the site, the applicant should submit a sidewalk waiver or provide a sidewalk at time of development as required by the Subdivision Regulations.
- 5) placement of a note on the Final Plat stating that a buffer in compliance with Section V.A.8. of the Subdivision Regulations will be required at the time of development;
- 6) placement of a note on the Final Plat stating that the lot is limited to one curb-cut to Government Boulevard with any changes to the size, design, and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 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.
- 8) compliance with Engineering comments: *"The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the 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 22 - #91) 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. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. Add a note that sidewalk is required to be constructed along the frontage of the lot, at time of development, unless a sidewalk waiver is approved. F. 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. G. Provide a copy of the Final Plat along with the original when submitting for City Engineer's signature."*

- 9) compliance with Traffic Engineering comments: "Government Blvd (Highway 90) is an ALDOT maintained roadway. Site is limited to one curb-cut, with, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. ";
- 10) compliance with Urban Forestry comments: "Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64)."; and
- 11) compliance with Fire comments: "All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile."

The motion carried unanimously.

2. **Case #ZON2014-01085 (Rezoning)**  
(&1) **C & S Bateh Properties, LLC**

East side of Government Boulevard, 964'± North of Rochelle Street.  
Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow for future commercial development.  
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. Vallas, with second by Mr. Manzie 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: “A preliminary site plan has been provided. Government Blvd (Highway 90) is an ALDOT maintained roadway. Site is limited to one curb-cut, with, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards.”;**
- 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).”;**
- 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.

**NEW SUBDIVISION APPLICATIONS:**

3. **Case #SUB2014-00083**  
**Sunset Hills Subdivision, 1<sup>st</sup> Addition, Resubdivision of Lot 2 Block B**  
175 Ideal Avenue  
(East side of Ideal Avenue, 140± South of Cottonwood Avenue).  
**Number of Lots / Acres:** 2 Lots / 0.4± Acre  
**Engineer / Surveyor:** Polysurveying Engineering-Land Surveying  
Council District 6

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

- 1) Retention of the lot size information and 25' minimum building setback line on the Final Plat;
- 2) 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.);*
- 3) Placement of a note on the Final Plat and compliance with Traffic Engineering Comments: *(Each lot is limited to one curb-cut, with size, location and design 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: 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 21 - #76) 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 – 2,000 sf.; LOT 2 –2,000 sf. 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 1 – NONE, LOT 2 – NONE. 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 monument set or found at each subdivision corner. F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. H. 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. I. Provide a copy of the Final Plat along with the original*

*when submitting for City Engineer signature.);*

- 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).); and*
- 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.); and*
- 7) **Obtainment of permits to move or demolish the existing house prior to the signing of the Final Plat.**

The motion carried unanimously.

4. **Case #SUB2014-00084**

**Mark Dickerson Subdivision**

8445 March Road

(East side of March Road at the South terminus of East Gulley Way).

**Number of Lots / Acres:** 2 Lots / 7.0± 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 by Mr. Manzie, with second by Mr. Vallas waived Sections V.D.1. and V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **retention of the depiction of the 25' minimum building setback lines on the Final Plat;**
- 2) **retention of the lot sizes, in square feet and acres, on the Final Plat, or provision of a table on the Plat with the same information;**
- 3) **placement of a note on the Final Plat stating that no further subdivision of Lot 2 will be allowed until additional frontage along a public street is provided;**
- 4) **placement of a note on the Final Plat stating that Lot 2 is limited to one curb cut to March Road and Lot 1 is limited to one curb cut to March Road, with the size, design, and exact location of all curb cuts to be approved by County Engineering and conform to AASHTO standards;**
- 5) **placement of a note on the Final Plat stating that the development "Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm**



*water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.”;*

- 6) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 7) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies for wetland issues would be required prior to the issuance of any permits or land disturbance activities;
- 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.”* and
- 9) 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.

The motion carried unanimously.

**5. Case #SUB2014-00067**

**Forest Hill Woods Subdivision**

West side of Forest Dell Road, extending to the North terminus of Forest Glen Drive East and Grove Hill Lane.

**Number of Lots / Acres:** 7 Lots / 27.1± Acres

**Engineer / Surveyor:** Byrd Surveying, Inc.  
Council District 7

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.

The following people spoke in opposition to the matter:

- Robert Howell, 4616 Brookmore Drive;
- William Grantham, Brookmore Drive;
- David Teller, Forestdale Road;
- Leon Moore, Midmore Drive;

They made the following points against the application:

- A. concerned about the wetland area;
- B. the property is a habitat for box turtles;

- C. concerned about the environmental impact;
- D. a cut-through will cause more traffic and more debris along the road.

Paul Powers, 3933 Moffett Road, spoke on his own behalf. He stated that he had no interest in building roadways. This application is a 7 lot development where they will be selling large acre parcels.

Hearing no further opposition or discussion, a motion was made by Mr. Vallas, with second by Ms. Latham to waive Section V.D.3. 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 no future subdivision of any lots will be allowed until additional frontage along a paved, public or private street is provided;**
- 2) **Revision of the Final Plat to illustrate dedication sufficient to provide 30' as measured from the centerline, for all proposed lots fronting Forest Dell Drive;**
- 3) **Revision of the lot size information and the minimum building setback line to reflect dedication, and be retained elsewhere on the Final Plat;**
- 4) **Revision of the Final Plat to illustrate all easements, if applicable;**
- 5) **Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding wetlands.)*;**
- 6) **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.)*;**
- 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. 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. 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 each and every Right-Of-Way and easement. E. Provide and label the monument set or found at***



- each subdivision corner. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate and Signature. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. 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. J. 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. K. 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.);*
  - 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).); and*
  - 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.).*

The motion carried unanimously.

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

6. **Case #ZON2014-01468**  
**H & C Development Co., Inc.**  
2370 Hillcrest Road  
(Northwest corner of Hillcrest Road and Cottage Hill Road).  
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and to allow shared access and parking between three building sites.  
Council District 6

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

- 1) **Revision of the site plan to illustrate the existing site layout, as**

currently developed;

- 2) Revision of the site plan to depict the correct number of parking spaces and all onsite parking improvements, to include landscape islands and proposed curbing or bumper stops;
- 3) Revision of the site plan to depict the proposed vehicle circulation throughout the site;
- 4) 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. Photometric plans and a revised site plan depicting all proposed lighting will be required at the time of permitting for the new parking area;
- 5) 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. The proposed development must comply with all Engineering Department Policy Letters.);*
- 6) Compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 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) Submission of an approved, revised PUD site plan prior to any request for Land Disturbance;
- 10) Obtainment of a Tree Removal permit for the removal of any 24" or larger and
- 11) Full compliance with all municipal codes and ordinances.

The motion carried unanimously.

**NEW ZONING APPLICATIONS:**

**7. Case #ZON2014-01461  
Standard Concrete Products, Inc.**

7600 Mitsubishi Lane

(East terminus of Mitsubishi Lane).

Rezoning from I-1, Light-Industry District, and I-2, Heavy-Industry District, to I-2, Heavy Industry District, to allow a concrete product manufacturing facility and eliminate split zoning.

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

- 1) **Any new development/expansion on site to be limited to an approved Planned Unit Development, prior to any requests for Land Disturbance; and**
- 2) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

**GROUP APPLICATIONS:**

**8. Case #SUB2014-00080 (Subdivision)**

**(&9 Scientist Subdivision**

**&10) 1151 Dauphin Street**

(Southwest corner of Dauphin Street and Oakland Terrace).

**Number of Lots / Acres:** 1 Lot / 1.4± Acre

**Engineer / Surveyor:** Don Williams Engineering

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.

Don Williams, Williams Development, spoke on behalf of the applicant. He stated that they would like to eliminate a split zoning situation. He also noted that he would like to withdraw the PUD application.

The following people spoke in opposition to the matter:

- Jared White, 1200 Dauphin Street;
- Sara Kent, 1119 Dauphin Street;

They made the following points against the application:

- A. there is a great deal of neighborhood and community opposition to this development;
- B. does not see the need of the Subdivision application;
- C. believes that the Subdivision application is an attempt to have the alley vacated;
- D. concerned about property values;
- E. does not believe that it will be a benefit for their neighborhood;

Hearing no further opposition or discussion, a motion was made by Mr. Manzie, with second by Mr. Vallas to hold the matter over until the September 4<sup>th</sup> meeting.

The motion carried unanimously.

**9. Case #ZON2014-01307 (Planned Unit Development)**  
**(&8 &10) Scientist Subdivision**  
1151 Dauphin Street

(Southwest corner of Dauphin Street and Oakland Terrace).  
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. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no further opposition or discussion, the applicant was allowed to withdraw the application.

**10. Case #ZON2014-01306 (Rezoning)**  
**(&8 &9) Don Williams**  
1151 Dauphin Street

(Southwest corner of Dauphin Street and Oakland Terrace).  
Rezoning from R-1, Single-Family Residential District, and B-1, Buffer Business District, to B-1, Buffer Business District, to eliminate split zoning.  
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.

Hearing no further opposition or discussion, a motion was made by Mr. Manzie, with second by Mr. Vallas to hold the matter over until the September 4<sup>th</sup> meeting.

The motion carried unanimously.

**11. Case #SUB2014-00081 (Subdivision)**  
**(&12) Independent Living Center Subdivision**

6750 Howells Ferry Road

(Northwest corner of Howells Ferry Road and Erdman Avenue).

**Number of Lots / Acres:** 1 Lot / 8.2± Acres

**Engineer / Surveyor:** Don Williams Engineering  
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.

Don Williams, Williams Development, spoke on behalf of the applicant. He stated that they had no issues with the Subdivision recommendations. He did state that they did not agree with the recommendation for the sidewalk waiver.

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

- 1) **dedication to provide a 25' radius curve at the intersection of Howells Ferry Road and Erdman Avenue;**
- 2) **placement of a note on the Final Plat stating that access is denied to Magnolia Way (private street);**
- 3) **placement of a note on the Final Plat stating that the site is limited to two curb cuts to Erdman Avenue, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **placement of a note on the Final Plat stating that direct access to Howells Ferry Road is denied;**
- 5) **revision of the plat to indicate a 25' minimum building setback line along Howells Ferry Road and Erdman Avenue;**
- 6) **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;**
- 7) **placement of a note on the Final Plat stating that a buffer, in compliance with Section V.A.8. of the Subdivision Regulations, must be provided where the lot adjoins residentially developed property;**
- 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) compliance with the 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 will 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 18 - #69) 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. Show and label each and every Right-Of-Way and easement. 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, and City 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. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];*
- 10) compliance with the Traffic Engineering comments: *(The site is denied access to Howells Ferry Rd, and limited to two driveways to Erdman Avenue with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*



- 11) 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). ];*
- 12) 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); and*
- 13) submission and approval of two (2) copies of a revised Planning Approval site plan prior to the signing of the Final Plat.

The motion carried unanimously.

**12. Case #ZON2014-01319 (Sidewalk Waiver)**

**(&11) Independent Living Center**

6750 Howells Ferry Road

(Northwest corner of Howells Ferry Road and Erdman Avenue).

Request to waive construction of a sidewalk along Howells Ferry Road and Erdman Avenue.

Council District 7

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.

Hearing no further opposition or discussion, a motion was made by Mr. Vallas, with second by Mr. Manzie to deny the request to waive construction of a sidewalk along Howells Ferry Road and Erdman Avenue.

The motion carried unanimously.

**13. Case #SUB2014-00082 (Subdivision)**

**(&14) Twister 303 Subdivision**

1300 North University Boulevard

(Southeast corner of University Boulevard and Overlook Road).

**Number of Lots / Acres:** 5 Lots / 14.3± Acres

**Engineer / Surveyor:** Charles E. Fowler, Jr., PE

Council District 7

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

Sandy Stales, 1455 Forestdale Drive, inquired on what the development is

proposed to be.

A representative of the applicant stated that it would be a grocery store and a gas station.

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

- 1) placement of a note on the plat stating the maintenance of the detention pond/ common area will be the responsibility of the property owners;
- 2) placement of a note on the plat stating no structures shall be placed in any drainage or utility easements;
- 3) revise the plat to depict the same lot sizes in square feet and acres to coincide with the lot sizes on the site plan;
- 4) retention of the 25' minimum building setback on the Final Plat;
- 5) retention of the labeling of the right-of-way width of North University Boulevard;
- 6) placement of a note on the Final Plat stating the site is limited to a total of 3 curb-cuts North University Boulevard with the size, design and location to be approved by Traffic Engineering, and in conformance with AASHTO standards;
- 7) placement of a note on the Final Plat stating that the site is denied access to Overlook Road;
- 8) dedication to provide 25' from the centerline of Overlook Road if the right-of-way is less than 50' in width;
- 9) labeling of the right-of-way width of Overlook Road;
- 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;
- 11) 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 and label the monument set or found at each subdivision corner. B. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. C. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature."*;
- 12) compliance with Traffic Engineering comments: *"The overall site is limited to a total of three curb cuts to University Boulevard with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Proposed Lot 1 is denied access to both University Boulevard and Overlook Road. 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 the City. Development is contingent upon completion of off-site improvements, as indicated in the study. These improvements include, but are not limited to the installation of a traffic signal at the proposed southern driveway, restriping a dedicated southbound left turn lane, and right turn lane construction for each site driveway.”;*

13) 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).”;*

14) 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

15) submission of 2 copies of a revised PUD site plan prior to the signing of the Final Plat.

The motion carried unanimously.

**14. Case #ZON2014-01467 (Planned Unit Development)**  
**(&13) Twister 303 Subdivision**

1300 North University Boulevard

(Southeast corner of University Boulevard and Overlook Road).

Planned Unit Development approval to allow shared access and parking across multiple lots and multiple buildings on a single building site.

Council District 7

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

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

- 1) revise the site plan to depict the same lot sizes in square feet and acres to coincide with the lot sizes on the preliminary plat;
- 2) revise the site plan to accurately depict the 25' minimum building setback line to coincide with the preliminary plat;
- 3) placement of a note on the site plan stating the site is limited to a total of 3 curb-cuts North University Boulevard with the size, design and location to be approved by Traffic Engineering, and in conformance with AASHTO standards;
- 4) placement of a note on the site plan stating that the site is denied access to Overlook Road;
- 5) retention of the labeling of the right-of-way width of North University Boulevard;

- 6) dedication to provide 25' from the centerline of Overlook Road if the right-of-way is less than 50' in width;
- 7) labeling of the right-of-way width of Overlook Road;
- 8) revise the site plan to provide the landscaping frontage and total landscaping calculations;
- 9) revise the site plan to depict frontage trees and perimeter trees;
- 10) revise the site plan to illustrate the location of the service window and queuing spaces for all proposed or anticipated drive-throughs;
- 11) retention of dumpsters on the site plan;
- 12) placement of a note on the site plan stating dumpsters will be enclosed on all three sides and connected to sanitary sewer;
- 13) revise the site plan to depict the location of wall and freestanding signage for the site;
- 14) placement of a note on the site plan stating no structures shall be placed in any utility or drainage easements;
- 15) retention of the note on the site plan stating that the maintenance of the detention pond/ common area will be the responsibility of the property owners;
- 16) retention of the sidewalk along Overlook Road and North University Boulevard;
- 17) retention of the 10' building setback line and 6' wooden privacy fence where the site abuts residential property;
- 18) submission of a photometric plan at the time of submittal for building permits;
- 19) retention of the 25' wide drive aisles as depicted on the site plan;
- 20) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species;
- 21) 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.”;*

- 22) *compliance with Traffic Engineering comments: “The overall site is limited to a total of three curb cuts to University Boulevard with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Proposed Lot 1 is denied access to both University Boulevard and Overlook Road. 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 the City. Development is contingent upon completion of off-site improvements, as indicated in the study. These improvements include, but are not limited to the installation of a traffic signal at the proposed southern driveway, restriping a dedicated southbound left turn lane, and right turn lane construction for each site driveway.”;*
- 23) *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).”;*
- 24) *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*
- 25) *full compliance with all other municipal codes and ordinances.*

The motion carried unanimously.

**OTHER BUSINESS:**

- 1. Establish Subcommittee for Above-Ground Oil and Petroleum Storage Tank review and recommendation; and schedule subcommittee meetings. The Chairman appointed himself, Allan Cameron and Shirley Sessions.
- 2. Discussion about the submission of corrections or revisions by applicants or design professionals. Revised information to be submitted no later than 2 Mondays prior to the Planning Commission meeting.

A motion was made by Mr. Vallas, with second by Mr. Amberger to approve the above reference matter.

**August 7, 2014**  
**Planning Commission Meeting**

The motion carried.

3. Discussion about minor changes to the Agenda Format.
4. Approve Deadline/Meeting schedule for fiscal year 2014-2015

A motion was made by Ms. Latham, with second by Mr. Amberger to approve the above reference matter.

The motion carried.

5. Introduce Planning Staff to Commission

**APPROVED:** December 18, 2014

  
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Jennifer Denson, Secretary

  
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James F. Watkins, III, Chairman

/jpw