

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF SEPTEMBER 04, 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
Mr. Nick Amberger (AO)
Ms. Libba Latham (PJ)
Ms. Jennifer Denson, (S), Secretary
Mr. Allan Cameron (S)
Mr. Carlos Gant, Vice Chair
Mr. Don Hembree (PJ)

Members Absent

Mr. Levon Manzie (CC)
Ms. Sujin Kim

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning

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.

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.

NEW SUBDIVISION APPLICATIONS:

1. **64 Kingsway**
(Northeast corner of Kingsway and Wilkinson Way).
Council District 5
SUB2014-00091
Wilkinson-Kingsway Subdivision
Number of Lots / Acres: 2 Lots / 0.6± Acre
Engineer / Surveyor: Byrd Surveying, Inc.

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.

Jerry Byrd, Byrd Surveying, spoke on behalf of the owner. He stated that they would like the option of relocating the dwelling rather than removing.

Mr. Olsen stated that he felt it would be better if that whatever was done would be done prior to the recording of the plat.

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

- 1) removal or relocation of the dwelling and garage, and any encroachment on the site, prior to the signing of the Final Plat;
- 2) retention of the 25' minimum building setback line;
- 3) retention of the lot sizes in square feet and acres on the plat;
- 4) placement of a note stating that each lot is limited to one curb cut each with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) placement of a note on the Final Plat stating that no structures are to be placed in any easement;
- 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: 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 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. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 22 - #81) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. 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. 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 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 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. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature..);

- 7) **compliance with Fire Department comments** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 8) **compliance with 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) **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.

2. 12390 Airport Boulevard

(North side of Airport Boulevard ½ ± West of Newman Road).

County

SUB2014-00092

Airmen Estates Subdivision, First Addition

Number of Lots / Acres: 2 Lots / 11.8± Acres

Engineer / Surveyor: Joseph T. Regan, Jr.

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. Hembree, 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) **Dedication sufficient to provide 50', as measured from the centerline of Airport Boulevard and illustration of a 100' right-of-way for Airport Boulevard on the Final Plat;**

- 2) Revision of the 50' minimum setback line for Lot 2 to be depicted as a box where the "Flag" meets the "Pole" of the lot and revised for Lot 1 on the Final Plat to reflect dedication;
- 3) Revision of the lot size information for both lots to reflect dedication;
- 4) Placement of a note on the Final Plat stating that no future subdivision of Lot 2 until additional frontage on a paved private or public street is provided;
- 5) Depiction of a buffer on Lot 2 where it abuts residentially developed property, in compliance with Section V.A.8. of the Subdivision Regulations;
- 6) Revision of the Final Plat and legal description to correct all discrepancies for Lot 2;
- 7) Placement of a note on the Final Plat limiting both lots to the existing curb-cuts, with any changes to the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 8) Placement of a note on the Final Plat stating: *(The approval of all applicable federal, state and local environmental agencies regarding floodways, flood zones, and wetlands would be required prior to the issuance of any permits or land disturbance activities.);*
- 9) 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.);*
- 10) Placement of a note on the Final Plat stating: *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.);*
- 11) Placement of a note and compliance with Fire Comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);* and
- 12) Placement of a note on the Final Plat and compliance with Engineering Comments: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.).*

The motion carried unanimously.

3. **2414 Myrtle Street and 264 Chidester Avenue**

(North side of Myrtle Street, extending to the East side of Chidester Avenue, 60'± South of Drake Street).

Council District 1

SUB2014-00094

Myrtle Street Subdivision

Number of Lots / Acres: 2 Lots / 1.2± Acre

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

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

- 1) **Revision of the Final Plat to illustrate the correct point of beginning and spelling for "Parcel A" and revision of the legal description to include all bearings depicted;**
- 2) **Retention of the lot size information and 25' minimum building setback line on the Final Plat;**
- 3) **Placement of a note on the Final Plat stating that both lots are limited to the existing curb-cuts, with any changes to 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: *(No future subdivision of Lot 2 to create more lots until additional frontage on a public or private street is provided);***
- 5) **Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding flood zones.);***
- 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) **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.);***
- 8) **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 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 27 - #71) 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 – 2,900 sf; LOT 2 – 2,100 sf. D. 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 – 1,100 sf, LOT 2 – 900 sf. E. 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. F. Correct the drawing to show the location of the Point of Beginning for Parcel “A”. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Provide and label the monument set or found at each subdivision corner. I. Show and label the length of property (Lot 2) (frontage) along the existing ROW of Myrtle Street. 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.);

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.

4. 3850 Dawes Road

(West side of Dawes Road, 940'± North of Dawes Lane North extending to the East side of McFarland Road).

County

SUB2014-00095

Willow Glen Subdivision, Resubdivision of Lot 1

Number of Lots / Acres: 2 Lots / 7.0± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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. Sessions, with second by Ms. Latham waived Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **dedication as necessary to provide 50' from the centerline of Dawes Road;**
- 2) **dedication to provide 60 from the centerline of McFarland Road;**
- 3) **retention of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information, adjusted for dedication;**
- 4) **retention of the minimum building setback line of at least 25', adjusted for dedication;**
- 5) **placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;**
- 6) **placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.)*;**
- 7) **compliance with Fire Department comments *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*;**
- 8) **placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;**
- 9) **placement of a note on the Final Plat stating that each lot is limited to one curb cut, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and**
- 10) **placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

5. **East side of Farver Lane at the West terminus of Jackson Drive**
County
SUB2014-00096

Mills Family Division Subdivision

Number of Lots / Acres: 3 Lots / 3.2± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the October 2, 2014 meeting, with revisions due by September 10, 2014 to address the following:

- 1) **documentation should be provided to indicate if the site is connected to public or private water and sanitary sewer.**

The motion carried unanimously.

6. **6450 Trippell Road**

North side of Interstate 10, 700'± West of Theodore Dawes Road, extending to the South terminus of Trippell Road, and the East terminus of Firetower Road South County

SUB2014-00097

Johnson Development Subdivision, Phase I

Number of Lots / Acres: 4 Lots / 158.3± Acres

Engineer / Surveyor: Anchor Engineering

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.

Alex Williams, resident of Firetower Road, spoke in reference to the application. He wanted to clarify that Firetower Road is not in conjunction with the new development and he also questioned what type of buffer would be put in.

Mr. Watkins responded that Firetower Road is a County maintained road and would not be impacted by the development of the property.

Dwayne Smith, Anchor Engineering, spoke on behalf of the applicant. He requested that they be allowed 3 curb cuts on this property.

Mr. Olsen responded that the curb-cuts would not be an issue.

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

- 1) seven copies of the Final Plat for the Johnson Development Phase One Subdivision must be submitted to the Planning Section of the Urban Development Department prior to the signing of the current 4-lot subdivision;
- 2) revision of the Final Plat to depict of the construction of a 60' right-of-way in lieu of the utility, egress and ingress easement connecting Trippel Road and Spanish Court Trail;
- 3) renaming of the current 4-lot subdivision;
- 4) labeling of the right-of-way width of Interstate Highway 10;
- 5) depiction of the 25' minimum building setback line along the Trippel Road;
- 6) depiction of the 25' minimum building setback line along Spanish Trail Court;
- 7) depiction of the 25' minimum building setback line at the East terminus of Firetower Road South;
- 8) revision of the 25' minimum building setback line at the easement line along Trippel Road on Lot 4;
- 9) revision of the 25' minimum building setback line at the easement line connecting Trippel Road to Spanish Trail Court;
- 10) revision of the 25' minimum building setback line to be adjusted on Lot 4 along I-10 to be moved behind the 70' easement or in line with the existing easement;
- 11) retention of the right-of-way width of Trippel Road and Spanish Trail Court;
- 12) placement of a note on the Final Plat stating that Lot 1 should be limited to three curb-cuts to Trippel Road, Lot 2 should be limited to three curb-cuts to Trippel Road, and Lot 4 should be limited three curb-cuts to Trippel Road, with the size, location, and design of all curb-cuts to be approved by the Mobile County Engineering Department and conform to AASHTO standards. Lots 3 and 4 should be limited to one curb-cut to Spanish Trail Court with the size, location, and design to be approved by the Mobile County Engineering Department and conform to AASHTO;
- 13) placement of a note on the Final Plat stating that Lot 2 is denied access to Firetower Road South;
- 14) placement of a note on the Final Plat stating that Lot 4 is denied access to Interstate 10;
- 15) retention of the lot sizes in square feet and acres, or provision of a table on the plat depicting the same information;
- 16) 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;
- 17) placement of a note on the Final Plat stating that maintenance of the detention and common areas is the responsibility of the subdivision's property owners.

- 18) placement of a note on the plat stating that all roads must be constructed to Mobile County Engineering standards and dedicated to Mobile County prior to the signing of the Final Plat;
- 19) the placement of a note on the Final Plat stating temporary turnarounds shall be provided where streets end until future development of the streets and that they will meet applicable fire codes and Mobile County Engineering requirements;
- 20) placement of a note on the Final Plat stating no structures shall be constructed or placed in any drainage, utility or access easements;
- 21) relabeling of the private road easement to a private access and utility easement or compliance with Section VIII.E.2 of the Subdivision Regulations regarding private roads;
- 22) 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; and
- 23) 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.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

7. **313 Long Court**
 (West terminus of Long Court).
 Council District 7
 ZON2014-01682
 Bernard Wood
 Planned Unit Development Approval to allow increased site coverage.

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

- 1) Revision of the site plan to illustrate a maximum site coverage of 38%;
- 2) Revision of the site plan to depict a 50' right-of-way for Long Court;
- 3) Retention of the lot size information and all setbacks and easements on the site plan;
- 4) Placement of a note on the site plan stating that no permanent structures can be constructed in any easement;
- 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. 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. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer.);*
- 6) Compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) Compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 8) Compliance with Fire 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) **Any site plan submitted for Land Disturbance and building-related permits shall coincide with the approved, revised PUD site plan; and**
- 11) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

8. **4700 & 4960 Dauphin Island Parkway**

(West side of Dauphin Island Parkway, 580'± North of Marina Drive North).

Council District 3

ZON2014-01688

Audubon Properties, LLC

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

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 they are proposing to put a restaurant at this location and would like to provide a paved handicapped parking and the rest of the parking lot be gravel. He also noted that the owner wanted to place the dumpster further away from the building due to smell.

Rick Twilley, 2529 River Forest, spoke on his own behalf. He reiterated the comments made by Mr. Dagley.

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

- 1) **submission of a photometric plan at the time of submittal of a building permit;**
- 2) **revision of the site plan to depict the fire access lanes and turnaround, and all accessible parking as paved, in compliance with Section 64-6.A.3 of the Zoning Ordinance;**
- 3) **revision of the site plan to maintain the location of the dumpster as proposed, and the location of any possible future dumpsters that will be located closer to the restaurant, to ensure adequate access and circulation;**
- 4) **revision of the site plan to depict wheel stops or bumper stops on all parking spaces;**
- 5) **retention of accessible parking spaces as depicted on site plan;**
- 6) **placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities for wetland**

and floodplain issues;

- 7) retention of existing notes on any revised plans;
- 8) full compliance with tree and landscape requirements;
- 9) compliance with Engineering comments: *"1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for the LOT. 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) (Mobile City Code, Chapter 57, Article VIII) and a Permit for the Alabama Department of Transportation (ALDOT – 470-8200). 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 Traffic Engineering comments: *"Dauphin Island Parkway is a ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering, and conform to AASHTO standards. The driving aisle in the vicinity of the office building (to be relocated) should be widened to meet minimum driving aisle standards.";*
- 11) compliance with Urban Forestry comments: *"Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).";*
- 12) compliance with Fire 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) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

NEW ZONING APPLICATIONS:

9. **662 Western Drive**

(East side of Western Drive, 300'± North of Cotton Street).

Council District 1

ZON2014-01633

Myron Knight d/b/a Magic Studio

Rezoning from B-1, Buffer Business District, to B-2, Neighborhood Business District, to allow a recording studio.

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

Mr. Watkins clarified with the applicant that they understood that the application was recommended for denial.

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

- 1) **the applicant does not state what conditions in the area make rezoning necessary as set forth in Section 64-9 of the Zoning Ordinance; and**
- 2) **the site does not meet the minimum size requirements of Section 64-9.2.b. of the Zoning Ordinance.**

The motion carried unanimously.

GROUP APPLICATIONS:

10. **1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue**

Northeast and Southeast corners of Dr Martin Luther King Jr. Avenue, extending to the West side of Vine Street.

Council District 2

A. SUB2014-00098 (Subdivision)

Emmanuel Subdivision

Number of Lots / Acres: 3 Lots / 3.3± Acres

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

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins with

second by Mr. Hembree to hold the matter over until the meeting of October 2nd, with revisions due by September 18th, to allow the applicant to address the following:

- 1) **Obtainment of an after the fact demolition permit for the structure removed from Lot 3;**
- 2) **Depiction of the 25' minimum building setback line on the plat along Vine Street; and**
- 3) **Illustration of the minimum right-of-way for Dr. Martin Luther King, Jr. Avenue, as measured directly adjacent to the site.**

The motion carried unanimously.

B. ZON2014-01690 (Planned Unit Development)

Emmanuel Subdivision

Planned Unit Development Approval to allow multiple buildings on a single building site and off-site parking.

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins with second by Mr. Hembree to hold the matter over until the meeting of October 2nd, with revisions due by September 18th, to allow the applicant to address the following:

- 1) **Submission of additional information to include the number of existing and proposed classrooms, teaching stations, students and associated grade levels, the hours of operation of the school and traffic circulation plan;**
- 2) **Coordination with Staff to revise the site layout as necessary to maximize onsite traffic flow and ingress/egress along Martin Court;**
- 3) **Revision of the site layout to illustrate a compliant number of parking spaces in accordance with Section 64-6. of the Zoning Ordinance;**
- 4) **Revision of the site layout to reflect compliance with Traffic Engineering comments;**
- 5) **Illustration of bumper stops or curbing for all new parking spaces;**
- 6) **Depiction of the 25' minimum building setback line on the site plan along Vine Street;**
- 7) **Illustration of a 3' high hedge row along Martin Court on the proposed Lot 2;**
- 8) **Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue; and**

- 9) **Submission of information verifying whether the proposed modular buildings are anticipated to be temporary or permanent.**

The motion carried unanimously.

C. ZON2014-01689 (Planning Approval)

Emmanuel Subdivision

Planning Approval to allow the expansion of an existing church school in a R-1, Single-Family Residential District.

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins with second by Mr. Hembree to hold the matter over until the meeting of October 2nd, with revisions due by September 18th, to allow the applicant to address the following:

- 1) **Submission of additional information to include the number of existing and proposed classrooms, teaching stations, students and associated grade levels, the hours of operation of the school and traffic circulation plan;**
- 2) **Coordination with Staff to revise the site layout as necessary to maximize onsite traffic flow and ingress/egress along Martin Court;**
- 3) **Revision of the site layout to illustrate a compliant number of parking spaces in accordance with Section 64-6. of the Zoning Ordinance;**
- 4) **Revision of the site layout to reflect compliance with Traffic Engineering comments;**
- 5) **Illustration of bumper stops or curbing for all new parking spaces;**
- 6) **Depiction of the 25' minimum building setback line on the site plan along Vine Street;**
- 7) **Illustration of a 3' high hedge row along Martin Court on the proposed Lot 2;**
- 8) **Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue; and**
- 9) **Submission of information verifying whether the proposed modular buildings are anticipated to be temporary or permanent.**

The motion carried unanimously.

11. 301 East Drive

(South terminus of Eastridge Place).
Council District 6

A. SUB2014-00093 (Subdivision)

Eastridge Place Subdivision, Resubdivision of Lots 8-12, Plus Walston Property

Number of Lots / Acres: 5 Lots / 1.5± Acre

Engineer / Surveyor: Don Williams Engineering

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. Hembree, with second by Ms. Sessions waive Section V.D.1 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) retention of all building setback lines, as proposed, for Lots A-D;
- 2) revision of the minimum building setback line for Lot E so as to be measured where the lot is at least 60' wide, and retention of all other setbacks for that lot;
- 3) placement of a note on the Final Plat stating that Lots A-D are limited to 45% maximum site coverage;
- 4) placement of a note on the Final Plat stating that Lot E is limited to 35% maximum site coverage;
- 5) placement of a note on the Final Plat stating that all lots are limited to one curb cut to Eastridge Place, 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 Lot A is denied access to the remaining portion of the 20' easement for ingress and egress to the West;
- 7) revision of the plat to label all lots with their sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 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: 1) 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. 2) 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. 3) 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. 4) 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. 5) Provide a written legal description for the proposed subdivision and matching bearing and distance labels. 6) Show and label each and every Right-Of-Way and easement. 7) Provide and label the monument set or found at each subdivision corner. 8) Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. 9) Provide the Surveyor's Certificate and Signature. 10) Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 11) 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. 12) Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.)

- 10) compliance with the Traffic Engineering comments:** *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Given the limited lot frontage for Proposed Lot D, the encroachment of the driveway from Lot E, and the power transformer, it may be in the owner's best interest to coordinate the location of the driveway for Lot D and include its location on the PUD.);*
- 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) furnishing and approval of two (2) copies of a revised PUD site plan incorporating all conditions of approval of the PUD to Planning prior to the signing of the Final Plat.**

The motion carried unanimously.

B. ZON2014-01684 (Planned Unit Development)

Eastridge Place Subdivision, Resubdivision of Lots 8-12

Planned Unit Development Approval to amend a previously approved Planned Unit Development to adjust boundary lines for five existing lots, increase site coverage, and adjust front and side yard setbacks.

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

- 1) retention of all building setback lines, as proposed, for Lots A-D;
- 2) revision of the minimum building setback line for Lot E so as to be measured where the lot is at least 60' wide, and retention of all other setbacks for that lot;
- 3) placement of a note on the site plan stating that Lots A-D are limited to 45% maximum site coverage;
- 4) placement of a note on the site plan stating that all lots are limited to one curb cut to Eastridge Place, 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 Lot A is denied access to the remaining portion of the 20' easement for ingress and egress to the West;
- 6) revision of the site plan to label all lots with their sizes in both square feet and acres, or the furnishing of a table on the site plan providing the same information;
- 7) placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 8) compliance with the 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.);

- 9) *compliance with the Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. . Given the limited lot frontage for Proposed Lot D, the encroachment of the driveway from Lot E, and the power transformer, it may be in the owner's best interest to coordinate the location of the driveway for Lot D and include its location on the PUD.);*
- 10) *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).];*
- 11) *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.);*
- 12) *full compliance with all municipal codes and ordinances; and*
- 13) *furnishing and approval of two (2) copies of a revised PUD site plan incorporating all conditions of approval of the PUD to Planning prior to the signing of the Final Plat.*


The motion carried unanimously.

OTHER BUSINESS:

APPROVED: December 18, 2014



Jennifer Denson, Secretary



James F. Watkins, ~~III~~, Chairman

/jpw