

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF SEPTEMBER 18, 2008 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
James Watkins, III
William DeMouy, Secretary
Nicholas Holmes, III
Roosevelt Turner
John Vallas

Members Absent

Clinton Johnson
Debra Butler
Stephen J. Davitt, Jr.
Mead Miller
Victoria L. Rivizzigno

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Joanie Stiff-Love,
Secretary II

Others Present

John Lawler,
Assistant City Attorney
John Forrester,
City Engineering
Jennifer White,
Traffic Engineering

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

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

HOLDOVERS:

Case #SUB2008-00157 (Subdivision)

Suite 5400 Subdivision

5400 Old Shell Road

North side of Old Shell Road, 460'± East of Cosgrove Drive

Number of Lots / Acres: 1 Lot / 0.6± Acre

Engineer / Surveyor: Lawler and Company

Council District 7

(Also see **Case #ZON2008-01844 (Planned Unit Development) Suite 5400**

Subdivision, and, **Case#ZON2008-01843 (Rezoning) Cowles, Murphy, Glover & Associates**, below)

Gary Cowles, Cowles, Murphy, Glover & Associates, spoke on behalf of the applicant asking that the matter be held over so a revised plan could be submitted to the staff.

The following people spoke in opposition to the matter:

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- Robert E. Murphy, 5413 Hilltop Drive S, Mobile, AL;
- Roy and Eugenia Parker, 5314 Old Shell Road, Mobile, AL.

They gave the following points in opposition:

- A. agreement with the staff reports which recommended denial for rezoning;
- B. concern over spot zoning;
- C. drainage issues; and,
- D. not in character with the surrounding residential neighborhood.

Mr. Watkins stated that based upon the neighbors' comments and the staff's recommendations, he was unsure the applicant could present an effective argument for approval of the proposed project.

Mr. Turner expressed his feelings of the same.

Mr. DeMouy commented on the fact the applicant had waited 5 weeks and 5 days before contacting the staff regarding their wishes on the project.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy, to deny the above referenced subdivision, based upon the following reasons:

- 1) **the proposed lot is not identified as such;**
- 2) **required setbacks are not illustrated; and,**
- 3) **required easements are not illustrated.**

The motion carried with only Mr. Holmes voting against denial.

Case #ZON2008-01844 (Planned Unit Development)

Suite 5400 Subdivision

5400 Old Shell Road

North side of Old Shell Road, 460'± East Cosgrove Drive

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

Council District 7

(Also see **Case #SUB2008-00157 (Subdivision) Suite 5400 Subdivision**, above, and,

Case#ZON2008-01843 (Rezoning) Cowles, Murphy, Glover & Associates, below)

(See for **Case #SUB2008-00157 (Subdivision) Suite 5400 Subdivision** discussion)

Hearing no further discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy, to deny the above referenced Planned Unit Development, based upon the following reasons:

- 1) **while the site plan as proposed may comply with the development requirements for PUD, the compatibility of the**

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- range of uses allowed in a B-2 District may not be considered appropriate for this location and the neighboring uses; and,
- 2) if the rezoning is denied as recommended, the PUD would be moot.

The motion carried with only Mr. Holmes voting against denial.

Case#ZON2008-01843 (Rezoning)
Cowles, Murphy, Glover & Associates

5400 Old Shell Road
North side of Old Shell Road, 460'± East Cosgrove Drive
Rezoning from R-1, Single-Family Residential, to B-2, Neighborhood Business, to allow professional offices
Council District 7
(Also see Case #SUB2008-00157 (Subdivision) **Suite 5400 Subdivision**, and, Case #ZON2008-01844 (Planned Unit Development) **Suite 5400 Subdivision**, above)
(See for Case #SUB2008-00157 (Subdivision) **Suite 5400 Subdivision** discussion)

Hearing no further discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy, to recommend denial of the above referenced request for rezoning, based upon the following reasons:

- 1) at 0.6 acres, the site falls well below the recommended two (2) acre minimum size for the creation of a new free-standing B-2 district;
- 2) rezoning of the site could be considered spot zoning and an inappropriate encroachment into a residential area;
- 3) the justification for rezoning submitted does not correspond with the four reasons specified in Section 64-9 of the Zoning Ordinance; and,
- 4) the site is depicted as residential on the General Land Use Map of the Comprehensive Plan.

The motion carried with only Mr. Holmes voting against denial.

Case #SUB2008-00170 (Subdivision)
Renwick Burroughs Subdivision

2700 and 2702 Springhill Avenue
Northwest corner of Springhill Avenue and Mobile Street
Number of Lots / Acres: 1 Lot / 0.9± Acre
Engineer / Surveyor: Polysurveying Engineering - Land Surveying
Council District 1
(Also see Case #ZON2008-01965 (Planned Unit Development) **Renwick Burroughs Subdivision**, below)

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The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) elimination of the continuous curb cut along Mobile Street;**
- 2) placement of a note on the final plat stating that the subdivision is limited to one curb cut to Mobile Street, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) placement of a note on the final plat stating that the subdivision is limited to the existing curb cuts to Mobile Street and Springhill Avenue;**
- 4) labeling of the lot with its size in square feet (in addition to acreage), or the provision a table on the plat with the same information;**
- 5) provision of a buffer in accordance with section V.A.7 where the site abuts residentially zoned property;**
- 6) revision of the legal description, specifically the point of commencement and a measurement along the Northern boundary of the site;**
- 7) placement of a note on the plat stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 8) subject to Engineering comments: *(Must comply with all stormwater and flood control ordinances. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property)*; and,**
- 9) provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the signing of the final plat.**

The motion carried unanimously.

Case #ZON2008-01965 (Planned Unit Development)

Renwick Burroughs Subdivision

2700 and 2702 Springhill Avenue

Northwest corner of Springhill Avenue and Mobile Street

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

Council District 1

(Also see **Case #SUB2008-00170 (Subdivision) Renwick Burroughs Subdivision**, above)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. DeMouy, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **elimination of the continuous curb cut along Mobile Street;**
- 2) **placement of a note on the site plan stating that the subdivision is limited to one curb cut to Mobile Street, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **placement of a note on the site plan stating that the subdivision is limited to the existing curb cuts to Mobile Street and Springhill Avenue;**
- 4) **revision of the site plan to label the proposed dumpster and to comply with Section 64-4.D.9. of the Zoning Ordinance;**
- 5) **provision of buffering for residentially zoned properties adjacent to the site, including shielding and directing lighting of parking facilities away from those residentially zoned properties;**
- 6) **placement of appropriate signage at the Springhill Avenue curb cuts indicating that they are one-way in and one-way out;**
- 7) **placement of a note on the site plan stating that if the site is redeveloped, all the internal circulation and driveways will be redesigned and brought up to current city standards;**
- 8) **placement of a note on the site plan stating that the site will be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 9) **subject to Engineering comments: *(Must comply with all stormwater and flood control ordinances. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property); and,***

10) provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development.

The motion carried unanimously.

Case #SUB2008-00175 (Subdivision)

Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2

3730 Halls Mill Road

North side of Halls Mill Road, 130'± West of Varner Drive

Number of Lots / Acres: 2 Lots / 1.3± Acres

Engineer / Surveyor: M. Don Williams Engineering

Council District 4

(Also see **Case #ZON2008-01983 (Planned Unit Development) Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2**, below)

M. Don Williams, Williams Engineering, spoke on behalf of the applicant and requested the matter be held over until the October 16, 2008, meeting, so that it could be considered with the Planned Unit Development application for the same.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the matter over until the October 16, 2008, meeting to coincide with the Planned Unit Development application for the same.

The motion carried unanimously.

Case #ZON2008-01983 (Planned Unit Development)

Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2

3730 Halls Mill Road

North side of Halls Mill Road, 130'± West of Varner Drive

Planned Unit Development Approval to allow shared access and parking between two building sites.

Council District 4

(Also see **Case #SUB2008-00175 (Subdivision) Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2**, above)

M. Don Williams, Williams Engineering, spoke on behalf of the applicant and requested the matter be held over until the October 16, 2008, meeting, so that it could be considered with the Planned Unit Development application for the same.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the matter over until the October 16, 2008, meeting, at applicant's request, with revisions due by September 26, 2008.

The motion carried unanimously.

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Case #SUB2008-00176 (Subdivision)
New Horizons Credit Union Subdivision

622 Azalea Road
South side of Azalea Road, 375'± West of Village Green Drive
Number of Lots / Acres: 1 Lot / 4.5± Acres
Engineer / Surveyor: M. Don Williams Engineering
Council District 5

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) **dedication of the 10' widening strip and the 40' x 30' section of driveway;**
- 2) **placement of a note on the final plat stating that the site is limited to one curb cut, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **depiction of the 25' minimum building setback line from Hillcrest Road on the final plat;**
- 4) **labeling of the lot with it's size in square feet, or the provision of a table on the plat with the same information;**
- 5) **labeling of the lot as "Lot 1"; and,**
- 6) **placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species.**

The motion carried unanimously.

Case #ZON2008-02059 (Planned Unit Development)

Robert S. Moore

4213 Halls Mill Road
East side of Halls Mill Road, 185'± North of Alden Drive
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site
Council District 4

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. DeMouy, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **limited to the site plan, as revised;**
- 2) **compliance with Engineering comments:** *(Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property. Detention is not permitted within the public drainage easement);* and,
- 3) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

EXTENSIONS:

Case #SUB2006-00192 (Subdivision)
Springhill Estates Subdivision, Unit Number One, Re-subdivision of a Portion of Lots 14 & 15

510 and 522 Evergreen Road
West side of Evergreen Road, 715'± North of Airport Boulevard
Number of Lots / Acres: 3 Lots / 0.8± Acre
Engineer / Surveyor: Rester and Coleman Engineers, Inc.
Council District 5

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension and that the applicant be advised that future extensions will be unlikely.

The motion carried unanimously.

Case #SUB2007-00218 (Subdivision)

Center-Cox Subdivision

North side of Center Street, 85'± West of Lambert Street, extending to the West side of Lambert Street, 150'± North of Center Street
Number of Lots / Acres: 1 Lot / 0.6± Acre
Engineer / Surveyor: Rester and Coleman Engineers, Inc.
Council District 2

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The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension and that the applicant be advised that future extensions will be unlikely.

The motion carried unanimously.

Case #SUB2007-00227 (Subdivision)

UNO Subdivision

East side of Sollie Road, 800'+ South of Shadow Creek Drive
Number of Lots / Acres: 1 Lot / 34.4± Acres
Engineer / Surveyor: Engineering Development Services, LLC
Council District 6

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2008-00197

Pettway Place Subdivision

South side of Ridge Road, 206'± East of Stanton Road
Number of Lots / Acres: 1 Lot / 0.2± Acre
Engineer / Surveyor: Lovitte Surveying Inc.
Council District 1

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

The following people regarding the recommended holdover:

- Lee Lovitte, Lovitte Surveying, for the applicant; and,
- Deborah Pettway, the owner/applicant;

asking that the matter be heard that day and not held over.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 16, 2008, meeting, to allow the applicant to submit the following requested information by October 3, 2008:

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- 1) **documentation and/or field survey verification to establish the accuracy of the plat and resolve discrepancies between the plat and mapping systems (including verification of encroachments onto adjacent residence).**

The motion carried unanimously.

Case #SUB2008-00193

Ezell Walker's Family Division Subdivision

South side of Helton Road, 530'± West of Hillview Road

Number of Lots / Acres: 2 Lots / 1.3± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 16, 2008, meeting, with requested information due by October 3, 2008, to allow the applicant to submit the following:

- 1) **submittal of a revised plat to show the current structure with all the proper dimensions and setbacks, and,**
- 2) **revision of the plat to show each lot size in square feet.**

The motion carried unanimously.

Case #SUB2008-00194

Packingham Place Subdivision

4212 Packingham Drive

North side of Packingham Drive, 200'± East of Tatum Avenue

Number of Lots / Acres: 2 Lots / 0.9± Acre

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
Council District 5

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

The following people spoke in opposition to the matter:

- Michael Wing, attorney at law, 401 Church Street, Mobile, AL, representing the neighborhood association;
- William Roberts Calhoun, III, 263 Jackson Drive, Mobile, AL;
- Cordell Davidson, 432 Ridgecrest Court, Mobile, AL; and,

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- Laura Martin, president, Jackson Heights Property Owners Association.

They made the following points in opposition to the matter:

- A. over 30 people attending the meeting that day were there in opposition to this subdivision; and,
- B. several issues within the proposed subdivision violated the Jackson Heights subdivision covenants.

Mr. Lawler commented that the covenants in question were, in essence, private contracts and, therefore, outside of the Planning Commission's power to enforce.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 16, 2008, meeting, with requested information due by September 29, 2008:

- 1) **revision of the plat to depict the existing structures' proximity to the proposed common lot line or provision of a letter stating that all existing structures will be demolished prior to the signing of the final plat;**
- 2) **placement of a note on the plat stating that each lot is limited to the one curb-cut each onto Packingham Drive, with the size, design, and location to be approved by Traffic Engineering, and to conform with AASHTO standards; and,**
- 3) **placement of a note on the plat stating that approval of all applicable Federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

Case #SUB2008-00195

Thomas & Janetta Autrey Family Division Subdivision

890 Carol Street

East side of Carol Street, 900'± South of Crowell Street

Number of Lots / Acres: 2 Lots / 2.1± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 16, 2008, meeting, with

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requested information due by September 26, 2008:

- 1) revision of the plat to show the current structures located on the property with all setbacks depicted; and,
- 2) provide justification for panhandle lot.

The motion carried unanimously.

Case #SUB2008-00196

Charlie Hilburn & Rusty Goff Addition Subdivision

6646 Creel Road

West side of Creel Road at the West terminus of Marie Road

Number of Lots / Acres: 2 Lots / 5.4± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) labeling of the remaining 67± acres of the metes-and-bounds parcel as “Reserved for Future Development”;
- 2) placement of a note on the final plat stating that a new subdivision application will be required before permits could be issued to the future development area;
- 3) revision of the plat to indicate a 45’ minimum building setback for both lots along Creel Road (to allow for the planned Major Street and the standard 25’ setback);
- 4) placement of a note on the final plat stating that each lot is limited to one curb cut to Creel Road, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;
- 5) labeling of each lot with its size in square feet and acres, or the furnishing of a table on the final plat providing the same information;
- 6) placement of a note on the final plat stating that the development will be designed to comply with the stormwater detention and drainage facility requirements 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 facility requirements of the City of Mobile stormwater and flood control ordinances prior to the

- issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;
- 7) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,
 - 8) placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2008-00199

Mobile South Business Park Subdivision, Unit One, Re-subdivision of Lots 2, 3, & 4 of the Re-subdivision of Lots 4 & 12

5520 Business Parkway

West side of Business Parkway, 300'± North of Kooiman Road

Number of Lots / Acres: 2 Lots / 2.0± Acres

Engineer / Surveyor: Patrick Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. DeMouy, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) placement of a note stating that Lots 1 and 2 are limited to one curb cut each onto Business Park Way, with the size, location, and design of each curb to be approved by County Engineering;
- 2) placement of a note on the final plat stating that any lots which are developed commercially and adjoining residentially developed property will provide a buffer, in compliance with Section V.A.7 of the Subdivision Regulations;
- 3) placement of a note on the plat stating that the development will be designed to comply with the stormwater detention and drainage facility requirements 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 facility requirements of the City of Mobile stormwater and flood control ordinances prior to the issuance

- of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering; and,
- 4) placement of a note on the plat stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2008-02136

Center Pointe Assembly of God

1375 West I-65 Service Road North

West side of West I-65 Service Road North, 232'± North of Desirrah Drive South

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

Council District 1

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced sidewalk waiver request.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2008-00198 (Subdivision)

Frazier Park Subdivision

2165 Old Shell Road

South side of Old Shell Road at the South terminus of Frazier Court

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

Engineer / Surveyor: Clark, Geer, Latham & Associates, Inc.

Council District 1

(Also see **Case #ZON2008-02186 (Planned Unit Development) Frazier Park Subdivision**, and, **Case #ZON2008-02185 (Rezoning) Ashland Park LLC**, below)

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

The Chair announced that as there were not enough voting members present to represent a quorum the matter was held over until the October 2, 2008, meeting.

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Case #ZON2008-02186 (Planned Unit Development)

Frazier Park Subdivision

2165 Old Shell Road

South side of Old Shell Road at the South terminus of Frazier Court

Planned Unit Development Approval to allow reduced side yard setbacks for a three unit residential condominium complex.

Council District 1

(Also see **Case #SUB2008-00198 (Subdivision) Frazier Park Subdivision**, above, and, **Case #ZON2008-02185 (Rezoning) Ashland Park LLC**, below)

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

The Chair announced that as there were not enough voting members present to represent a quorum the matter was held over until the October 2, 2008, meeting.

Case #ZON2008-02185 (Rezoning)

Ashland Park LLC

2165 Old Shell Road

South side of Old Shell Road at the South terminus of Frazier Court

Rezoning from R-1, Single-Family Residential, to R-3, Multi-Family Residential, to allow the construction of three residential town home condominiums.

Council District 1

(Also see **Case #SUB2008-00198 (Subdivision) Frazier Park Subdivision**, and, **Case #ZON2008-02186 (Planned Unit Development) Frazier Park Subdivision**, above)

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

The Chair announced that as there were not enough voting members present to represent a quorum the matter was held over until the October 2, 2008, meeting.

Case #SUB2008-00200 (Subdivision)

Uniport Subdivision, Re-subdivision of and Addition to Lot 2

4616 and 4628 Airport Boulevard

North side of Airport Boulevard, 125' ± East of South University Boulevard, extending to the East side of South University Boulevard 118' ± North of Airport Boulevard

Number of Lots / Acres: 1 Lot / 1.8± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 5

(Also see **Case #ZON2008-02189 (Rezoning) Hillcrest South LLC**, and, **Case #ZON2008-02188 (Planned Unit Development) Uniport Subdivision, Re-subdivision of and Addition to Lot 2**, below)

Don Coleman, Rester and Coleman Engineers Inc., spoke on behalf of the applicant and requested the matter by held over until the October 16, 2008, meeting, due to application revisions they wished to make

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Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over at the applicant's request until the October 16, 2008, meeting, with revisions due by September 26, 2008.

The motion carried unanimously.

Case #ZON2008-02189 (Rezoning)

Hillcrest South LLC

4616 and 4628 Airport Boulevard

North side of Airport Boulevard, 125'± East of South University Boulevard, extending to the East side of South University Boulevard 118'± North of Airport Boulevard

Rezoning from R-1, Single-Family Residential, and B-2, Neighborhood Business, to B-2, Neighborhood Business, to eliminate split zoning and allow retail sales in a proposed commercial subdivision.

Council District 5

(Also see **Case #SUB2008-00200 (Subdivision) Uniport Subdivision, Re-subdivision of and Addition to Lot 2**, above, and, **Case #ZON2008-02188 (Planned Unit Development) Uniport Subdivision, Re-subdivision of and Addition to Lot 2**, below)

Don Coleman, Rester and Coleman Engineers Inc., spoke on behalf of the applicant and requested the matter by held over until the October 16, 2008, meeting, due to application revisions they wished to make

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over at the applicant's request until the October 16, 2008, meeting, with revisions due by September 26, 2008.

The motion carried unanimously.

Case #ZON2008-02188 (Planned Unit Development)

Uniport Subdivision, Re-subdivision of and Addition to Lot 2

4616, 4628 and 4640 Airport Boulevard

Northeast corner of Airport Boulevard and South University Boulevard

Planned Unit Development Approval to allow shared access and parking between two building sites

Council District 5

(Also see **Case #SUB2008-00200 (Subdivision) Uniport Subdivision, Re-subdivision of and Addition to Lot 2**, and, **Case #ZON2008-02189 (Rezoning) Hillcrest South LLC**, above)

Don Coleman, Rester and Coleman Engineers Inc., spoke on behalf of the applicant and requested the matter by held over until the October 16, 2008, meeting, due to application revisions they wished to make

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

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by Mr. DeMouy, to hold the matter over at the applicant's request until the October 16, 2008, meeting, with revisions due by September 26, 2008.

The motion carried unanimously.

Case #ZON2008-01866 (Sidewalk Waiver)

Rochester Place, LLC

Northwest corner of Airport Boulevard and General Pershing Avenue (not open);
extending North and West to the South side of Sunset Drive South
Request to waive construction of a sidewalk along the Airport Boulevard Service Road
Council District 5

(Also see **Case #ZON2008-02192 (Planned Unit Development) Rochester Place Subdivision**, and, **Case #ZON2008-02190 (Rezoning) WD Development LLC**, below)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Watkins, to approve the above referenced request for a sidewalk waiver.

The motion carried unanimously.

Case #ZON2008-02192 (Planned Unit Development)

Rochester Place Subdivision

Northwest corner of Airport Boulevard and General Pershing Avenue (not open);
extending North and West to the South side of Sunset Drive South
Planned Unit Development Approval to amend the site plan of a previously approved
Planned Unit Development
Council District 5

(Also see **Case #ZON2008-01866 (Sidewalk Waiver) Rochester Place, LLC**, above, and, **Case #ZON2008-02190 (Rezoning) WD Development LLC**, below)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Watkins, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) any changes to the site will require a new PUD application.**

The motion carried unanimously.

September 18, 2008
PLANNING COMMISSION MEETING

Case #ZON2008-02190 (Rezoning)
WD Development LLC.

Northwest corner of Airport Boulevard and General Pershing Avenue (not open);
extending North and West to the South side of Sunset Drive South
Rezoning from R-3, Multi Family Residential, to R-3, Multi Family Residential, to
amend the site plan of a previously approved Rezoning
Council District 5

(Also see **Case #ZON2008-01866 (Sidewalk Waiver) Rochester Place, LLC**, and,
Case #ZON2008-02192 (Planned Unit Development) Rochester Place Subdivision,
above)

The Chair stated the applicant was agreeable with the recommendations and asked if
anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by
Mr. Watkins, to approve the above referenced request for rezoning, subject to the
following conditions:

- 1) **development limited to an approved PUD for each lot; and,**
- 2) **denial of direct vehicular access to the Airport Boulevard
Service Road.**

The motion carried unanimously.

Case #ZON2008-02183 (Planned Unit Development)
Community Worship Ministries

1251 Navco Road
East side of Navco Road, 275' ± South of Buena Drive North
Planned Unit Development Approval to allow two buildings on a single building site.
Council District 4

(Also see **Case #ZON2008-02166 (Planning Approval) Community Worship
Ministries**, below)

The Chair stated the applicant was agreeable with the recommendations and asked if
anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second
by Mr. Turner, to approve the above referenced Planned Unit Development, subject to
the following conditions:

- 1) **provision of buffering, in compliance with Section 64-4. of the
Zoning Ordinance, from residentially zoned properties
adjacent to the site;**
- 2) **placement of a note on the site plan stating that any lighting for
the parking lot will be so arranged that the source of light does
not shine directly into adjacent residential properties or into**

- traffic, as required by Section 64-6.A.3.c. of the Zoning Ordinance;
- 3) provision of a dumpster, properly located and screened from view in compliance with Section 64-4.D.9. of the Zoning Ordinance, or the provision of a note on the site plan stating that none will be provided;
 - 4) 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, if any, prior to the issuance of any permits or land disturbance activities;
 - 5) reduction of the curb cut width (on Navco Road) to the standard 24' width, as required by Traffic Engineering; and,
 - 6) submission of a revised site plan to the Planning Department of Mobile Urban Development prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

Case #ZON2008-02166 (Planning Approval)
Community Worship Ministries

1251 Navco Road

East side of Navco Road, 275'± South of Buena Drive North

Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District, to include a new sanctuary and parking lot expansion
Council District 4

(Also see **Case #ZON2008-02183 (Planned Unit Development) Community Worship Ministries**, above)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) provision of buffering, in compliance with Section 64-4. of the Zoning Ordinance, from residentially zoned properties adjacent to the site;
- 2) placement of a note on the site plan stating that any lighting for the parking lot will be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic, as required by Section 64-6.A.3.c. of the Zoning Ordinance;
- 3) provision of a dumpster, properly located and screened from view in compliance with Section 64-4.D.9. of the Zoning

- Ordinance, or the provision of a note on the site plan stating that none will be provided;
- 4) reduction of the curb cut width (on Navco Road) to the standard 24' width, as required by Traffic Engineering;
 - 5) 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, if any, prior to the issuance of any permits or land disturbance activities; and,
 - 6) submission of a revised site plan to the Planning Department of Mobile Urban Development prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

OTHER BUSINESS:

Mr. Olsen advised the Commission that the Amendments to the Subdivision Regulations to create new, walk-able street standards that enable traditional, walk-able villages and neighborhood centers within the City of Mobile before them had previously been laid over until the Zoning Ordinance and Comprehensive Plan amendments had been acted upon by the City Council. He added that had been done, with the City Council adopting them.

Hearing no further discussion or opposition, a motion was made by Mr. Watkins, with second by Mr. DeMouy, to approve the proposed amendment.

The motion carried unanimously.

Mr. Olsen reminded the Commission members that election of Planning Commission officers would take place during the October 2, 2008, meeting.

Hearing no further business, the meeting was adjourned.

APPROVED: August 6, 2009

William G. DeMouy, Jr., Secretary

Terry Plauche, Chairman.

jsl