

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF OCTOBER 4, 2012 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Herb Jordan
Mead Miller
Roosevelt Turner
James F. Watkins, III

Members Absent

John Vallas

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
George Davis,
City Engineering
Marybeth Bergin,
Traffic Engineering
Fire-Rescue Department

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

ROLL CALL:

Mr. Plauche, the Chair, called the meeting to order at 2:01 in the afternoon. He then called roll with the following people answering at that time:

- William DeMouy
- Victoria Rivizzigno
- Roosevelt Turner
- Mead Miller
- James Watkins
- Herb Jordan

He stated the number of members present constituted a quorum and advised all attending of the policies and procedures pertaining to the Planning Commission. He then proceeded to call the first item on the agenda.

HOLDOVERS:

Case #SUB2012-00044 (Subdivision)

Roberson/Knight Tract Subdivision (formerly Knight Tract Subdivision)

9339 Three Notch Road

(South side of Three Notch Road, 2/10± mile West of Ben Hamilton Road)

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

Engineer / Surveyor: Erdman Surveying LLC

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. DeMouy, with second by Dr. Rivizzigno, to tentatively approve the above referenced matter, subject to the following conditions:

- 1) **dedication to provide 50' from the centerline of Three Notch Road;**
- 2) **retention of the 25' minimum building setback line from Three Notch 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;**
- 4) **show that the shed on the property line with the note "shed to be moved off of property line" has been moved off of the property line;**
- 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 stormwater and flood control ordinances: *"Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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;"***
- 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;"***

October 4, 2012

Planning Commission Meeting

- 8) placement of a note on the Final Plat limiting each lot to one curb-cut to Three Notch Road, with the size, design, and location of the curb-cut to be approved by Mobile County Engineering and conform to AASHTO standards; and,
- 9) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

Case #SUB2012-00066 (Subdivision)

Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road)

Number of Lots / Acres: 2 Lots / 12.0± Acres

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

Council District 4

(Also see **Case #ZON2012-01620 (Planned Unit Development) Plantation**

Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A and **Case**

#ZON2012-01621 (Rezoning) D & M Properties, LLC below)

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. Plauche, with second by Mr. Turner, to hold the matter over until the December 6, 2012, meeting, so that the applicant can submit additional information by October 18, 2012, and comply with the following:

- 1) revision of the preliminary plat to include the portion of the "Preservation Conservation Area" to the South of the proposed "Lot B" that is being utilized by the concrete manufacturing facility;
- 2) submittal of additional mailing labels and fees;
- 3) retention of the lot sizes in square feet and acres;
- 4) retention of the 25' minimum building setback line;
- 5) placement of a note stating that the development is limited to the existing curb cuts;
- 6) compliance with Fire Department comments: *"All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;"*
- 7) compliance with Engineering comments: *"Provide copies of the site construction plans (including grading and drainage plans)"*

and engineering calculations as approved by the Mobile County Engineering Department for the existing developments. Previously approved structures/development on Lots A & B may be able to receive historic credit towards the requirement for detention. Add a note to the Plat stating that stormwater detention will be required for any unapproved development (since 1984) and any future addition(s) and/or land disturbing activity in accordance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). Provide Stormwater Detention for the 1200 sf building addition proposed on Lot A in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); and the Rules For Erosion and Sedimentation Control (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes;" and, 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.

Case #ZON2012-01620 (Planned Unit Development)
Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A
5721 U.S. Highway 90 West
(East side of U.S. Highway 90 West, 330'± South of Plantation Road)
Planned Unit Development Approval to allow shared access between building sites and multiple buildings on a single building site.
Council District 4
(Also see Case #SUB2012-00066 (Subdivision) **Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A** above and Case #ZON2012-01621 (Rezoning) **D & M Properties, LLC** below)

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. Plauche, with second by Mr. Turner, to hold the matter over until the December 6, 2012, meeting, so that the applicant could submit additional information by October 18, 2012, and comply with the following:

- 1) revision of the preliminary plat to include the portion of the "Preservation Conservation Area" to the South of the proposed "Lot B" that is being utilized by the concrete manufacturing facility;
- 2) submittal of additional mailing labels and fees;
- 3) retention of the lot sizes in square feet and acres;
- 4) retention of the 25' minimum building setback line;
- 5) placement of a note stating that the development is limited to the existing curb-cuts;
- 6) illustration of a 10' protection buffer from all adjacent R-1, Single-Family Residential properties;
- 7) illustration of a 6' high privacy fence or 10' wide planting screen strip no less than 6' in height at the time of planting and consisting of evergreen vegetation next to all adjacent R-1, Single-Family Residential properties;
- 8) provision of a solid 8' high solid wall or fence around areas being utilized as a storage yard;
- 9) coordination of tree plantings with Urban Forestry;
- 10) depiction of a dumpster enclosed by a 6' high privacy fence or wall, or placement of a note stating that curbside pickup will be used for each lot as appropriate;
- 11) placement of a note stating the size and use of each building;
- 12) illustration of properly paved parking and maneuvering areas for Lot B;
- 13) approval of the submitted Sidewalk Waiver, or depiction of a sidewalk along U.S. Highway 90 West;
- 14) 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,
- 15) compliance with Engineering comments: "Provide copies of the site construction plans (including grading and drainage plans) and engineering calculations as approved by the Mobile County Engineering Department for the existing developments. Previously approved structures/development on Lots A & B may be able to receive historic credit towards the requirement for detention. Add a note to the Plat stating that stormwater detention will be required for any unapproved development (since 1984) and any future addition(s) and/or land disturbing activity in accordance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). Provide Stormwater Detention for the 1200 sf building addition proposed on Lot A in conformance with the Stormwater 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 Stormwater Runoff Control. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes.)"

The motion carried unanimously.

Case #ZON2012-01621 (Rezoning)

D & M Properties, LLC

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road)

Rezoning from B-3, Community Business District, and I-1, Light-Industry District, to I-2, Heavy Industry District, to eliminate split zoning and bring the zoning into compliance for an existing concrete manufacturing facility.

Council District 4

(Also see Case #SUB2012-00066 (Subdivision) Plantation Commercial Park

Subdivision, Unit Two, Re-subdivision of Lot 13A and Case #ZON2012-01620

(Planned Unit Development) Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A above)

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. Plauche, with second by Mr. Turner, to hold the matter over until the December 6, 2012, meeting so that the applicant could submit additional information by October 18, 2012, and comply with the following:

- 1) revision of the preliminary plat to include the portion of the "Preservation Area" to the South of the proposed "Lot B" that is being utilized by the concrete manufacturing facility;
- 2) submittal of additional mailing labels and fees;
- 3) retention of the lot sizes in square feet and acres;
- 4) retention of the 25' minimum building setback line;
- 5) placement of a note stating that the development is limited to the existing curb-cuts;
- 6) illustration of a 10' protection buffer from all adjacent R-1, Single-Family Residential properties;
- 7) illustration of a 6' high privacy fence or 10' wide planting screen strip no less than 6' in height at the time of planting and consisting of evergreen vegetation next to all adjacent R-1, Single-Family Residential properties;

October 4, 2012

Planning Commission Meeting

- 8) provision of a solid 8' high solid wall or fence around areas being utilized as a storage yard;
- 9) coordination of tree plantings with Urban Forestry;
- 10) depiction of a dumpster enclosed by a 6' high privacy fence or wall, or placement of a note stating that curbside pickup will be used for each lot as appropriate;
- 11) placement of a note stating the size and use of each building;
- 12) illustration of properly paved parking and maneuvering areas for Lot B;
- 13) approval of the submitted Sidewalk Waiver, or depiction of a sidewalk along U.S. Highway 90 West;
- 14) 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,
- 15) compliance with Engineering comment: *"Provide copies of the site construction plans (including grading and drainage plans) and engineering calculations as approved by the Mobile County Engineering Department for the existing developments. Previously approved structures/development on Lots A & B may be able to receive historic credit towards the requirement for detention. Add a note to the Plat stating that stormwater detention will be required for any unapproved development (since 1984) and any future addition(s) and/or land disturbing activity in accordance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). Provide Stormwater Detention for the 1200 sf building addition proposed on Lot A in conformance with the Stormwater 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 Stormwater Runoff Control. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes.)"*

The motion carried unanimously.

Case #ZON2012-01872

Chinnis Holdings LLC

5401 Cottage Hill Road

(Southwest corner of Cottage Hill Road and Vivian Drive)

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between two building sites to include an 8' X 20' trailer.

Council District 4

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

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

- 1) revision of the site plan to reflect revised Urban Forestry comments: *“Per an on-site meeting with the applicant, three (3) frontage trees will be provided along the Cottage Hill Road frontage, in the Northeast portion of the site;”*
- 2) revision of the site plan to reflect Traffic Engineering comments: *“Remove one parking space at the Western end of the relocated parking to allow for smoother traffic flow at the Cottage Hill entry, and delineate with striping the 24-foot wide access aisle and paint “no parking” in the aisle to ensure that the auto repair tenant does not block entry/exit of the site at the Cottage Hill Road curb-cut;”*
- 3) revision of the site plan to relocate the trailer to meet 25-foot setbacks from Cottage Hill Road and Vivian Drive;
- 4) elimination of all parking in landscape areas in the Cottage Hill Road right-of-way;
- 5) 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;”*
- 6) compliance with revised Engineering comments *“1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”*
- 7) submission of site plans for review to the Permitting section of Urban Development, for final Traffic Engineering,

October 4, 2012

Planning Commission Meeting

Engineering, Urban Forestry and Planning review prior to undertaking any improvements;

- 8) completion of tree planting and re-striping (and inspection thereof) prior to requesting a business license for the proposed restaurant; and,**
- 9) full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2012-00070 (Subdivision)

Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

Number of Lots / Acres: 1 Lot / 1.79± Acre

Engineer / Surveyor: Haidt Land Surveying

Council District 1

(Also see **Case #ZON2012-01665 (Planned Unit Development) Prayer Tabernacle Early Church of Jesus Christ** and **Case #ZON2012-01664 (Planning Approval) Prayer Tabernacle Early Church of Jesus Christ** below)

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.

Fred Haidt, Haidt Land Surveying, spoke on behalf of the applicant. He stated they were in agreement with holding over the request for subdivision, however, they requested the associated Planned Unit Development and Planning Approval applications be withdrawn.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over to the November 1, 2012, meeting, to allow the staff time to develop conditions for approval.

The motion carried unanimously.

Case #ZON2012-01665 (Planned Unit Development)

Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

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

Council District 1

(Also see **Case #SUB2012-00070 (Subdivision) Prayer Tabernacle Early Church of Jesus Christ** above and **Case #ZON2012-01664 (Planning Approval) Prayer Tabernacle Early Church of Jesus Christ** below)

October 4, 2012

Planning Commission Meeting

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 accept the applicant's request to withdraw the matter.

The motion was approved unanimously.

Case #ZON2012-01664 (Planning Approval)

Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

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

Council District 1

(Also see **Case #SUB2012-00070 (Subdivision) Prayer Tabernacle Early Church of Jesus Christ** and **Case #ZON2012-01665 (Planned Unit Development) Prayer Tabernacle Early Church of Jesus Christ** above)

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to accept the applicant's request to withdraw the matter.

The motion was approved unanimously.

Case #SUB2012-00072 (Subdivision)

Dauphin Street Subdivision, The Army's Addition to

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

Number of Lots / Acres: 1 Lot / 2.73± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 2

(Also see, **Case #ZON2012-01863 (Planned Unit Development) Dauphin Street Subdivision, The Army's Addition to**, **Case #ZON2012-01865 (Rezoning) The Salvation Army** and **Case #ZON2012-01864 (Planning Approval) The Army's Addition to Dauphin Street Subdivision** below)

The Chair announced the matter was recommended for holdover and the applicant was in agreement, 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 November 1, 2012, meeting, so that additional information and site plan modifications could be provided regarding the Planning Approval and Planned Unit Development applications.

The motion carried unanimously.

**Case #ZON2012-01863 (Planned Unit Development)
Dauphin Street Subdivision, The Army's Addition to**

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

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

Council District 2

(Also see, **Case #SUB2012-00072 (Subdivision) Dauphin Street Subdivision, The Army's Addition to** above and **Case #ZON2012-01865 (Rezoning) The Salvation Army** and **Case #ZON2012-01864 (Planning Approval) The Army's Addition to Dauphin Street Subdivision** below)

The Chair announced the matter was recommended for holdover and the applicant was in agreement, 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 November 1, 2012, meeting, so that the following revisions could be made by October 15, 2012:

- 1) **revision of the site plan to reverse the flow of traffic for the proposed parking facility to eliminate crossing conflicts on the site, and to eliminate access to Pine Street, and compliance with Traffic Engineering revised comments: *"The western driveway on Dauphin Street has two conflict points that are of concern. The direction of the one-way aisles require a crossing movement to occur between vehicles entering and exiting the site from this driveway. Also, the first two parking spaces require backing into the right-of-way at the driveway to exit the spaces. By reversing the aisle directions, both conflicts can be eliminated;"* and,**
- 2) **revision of the site plan to depict 13 frontage trees along Dauphin Street, 4 along Pine Street, and 3 along Caroline Avenue, and/or depiction of tree canopies of existing street trees if they reduce applicable frontage area (thus reducing the need for new frontage trees).**

The motion carried unanimously.

October 4, 2012

Planning Commission Meeting

Case #ZON2012-01865 (Rezoning)

The Salvation Army

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

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

Council District 2

(Also see, **Case #SUB2012-00072 (Subdivision) Dauphin Street Subdivision, The Army's Addition to** and **Case #ZON2012-01863 (Planned Unit Development)**

Dauphin Street Subdivision, The Army's Addition to above and **Case #ZON2012-01864 (Planning Approval) The Army's Addition to Dauphin Street Subdivision** below)

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

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 November 1, 2012, meeting, so that additional information and site plan modifications could be provided regarding the Planning Approval and Planned Unit Development applications.

The motion carried unanimously.

Case #ZON2012-01864 (Planning Approval)

The Army's Addition to Dauphin Street Subdivision

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

Planning Approval to amend a previously approved Planning Approval to allow a parking lot expansion for an emergency shelter in a B-2, Neighborhood Business District.

Council District 2

(Also see, **Case #SUB2012-00072 (Subdivision) Dauphin Street Subdivision, The Army's Addition to**, **Case #ZON2012-01863 (Planned Unit Development)**

Dauphin Street Subdivision, The Army's Addition to and **Case #ZON2012-01865 (Rezoning) The Salvation Army** above)

The Chair announced the matter was recommended for holdover and the applicant was in agreement, 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 November 1, 2012, meeting, so that the following revisions could be made by October 15, 2012:

- 1) expansion of the narrative to include a comprehensive scope of activities and services provided to the men at the facility, including descriptions of any parole, probation, or judicially-based counseling, or overnight housing provided at the facility;
- 2) justification of the need for additional parking on the site;
- 3) revision of the site plan to reverse the flow of traffic for the proposed parking facility to eliminate crossing conflicts on the site, and to eliminate access to Pine Street, and compliance with Traffic Engineering revised comments: "The western driveway on Dauphin Street has two conflict points that are of concern. The direction of the one-way aisles require a crossing movement to occur between vehicles entering and exiting the site from this driveway. Also, the first two parking spaces require backing into the right-of-way at the driveway to exit the spaces. By reversing the aisle directions, both conflicts can be eliminated;" and,
- 4) revision of the site plan to depict 13 frontage trees along Dauphin Street, 4 along Pine Street, and 3 along Caroline Avenue, and/or depiction of tree canopies of existing street trees if they reduce applicable frontage area (thus reducing the need for new frontage trees).

The motion carried unanimously.

Case #SUB2012-00080 (Subdivision)
Pinebrook Subdivision

3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968, 3972 Airport Boulevard and 271, 273, 275, 277, 279, 281 and 283 South McGregor Avenue
(Northwest corner of Airport Boulevard and McGregor Avenue)
Number of Lots / Acres: 5 Lots / 18.5± Acres
Engineer / Surveyor: Clark, Geer, Latham & Associates
Council District 5

The Chair announced the matter was recommended for holdover and the applicant was in agreement, 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 November 1, 2012, meeting, with the previously requested revisions to be submitted by October 15, 2012.

The motion carried unanimously.

Case #ZON2012-01903 (Planned Unit Development)
Pinebrook Subdivision

3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968, 3972 Airport Boulevard and 271, 273, 275, 277, 279, 281 and 283 South McGregor Avenue
(Northwest corner of Airport Boulevard and McGregor Avenue)
Planned Unit Development Approval to amend a previously approved Planned Unit
Development to allow shared access and parking between multiple building sites.
Council District 5

The Chair announced the matter was recommended for holdover and the applicant was in agreement, 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 November 1, 2012, meeting, with the previously requested revisions to be submitted by October 15, 2012.

The motion carried unanimously.

EXTENSIONS:

Case #SUB2011-00097 (Subdivision)

Garden Trace Subdivision

250 Tutthill Lane
(East side of Tutthill Lane, 435' ± South of Spring Hill Avenue)
Number of Lots / Acres: 9 Lots / 13.3 Acres ±
Engineer / Surveyor: Jade Consulting
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.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Turner, to approve the above referenced request for extension and that the applicant should be advised that further extensions would be unlikely.

The motion carried unanimously.

Case #ZON2011-01561 (Planned Unit Development)

Rich's Car Wash

1066 Hillcrest Road
(Northwest corner of Hillcrest Road and Johnston Lane)
Planned Unit Development Approval to allow multiple buildings on a single business site.
Council District 6

(Also see Case #ZON2011-01562 (Rezoning) Don Williams below)

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. Miller, with second by Mr. Turner, to approve the above referenced request for extension for a period of six months, but the applicant was advised that, if permits for construction were not issued within six months, further extensions were unlikely.

The motion carried unanimously.

Case #ZON2011-01562 (Rezoning)

Don Williams

1066 Hillcrest Road

(Northwest corner of Hillcrest Road and Johnston Lane)

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

Council District 6

(Also see Case #ZON2011-01561 (Planned Unit Development) **Rich's Car Wash** above)

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. Miller, with second by Mr. Turner, to approve the above referenced request for extension for a period of six months, but the applicant was advised that, if permits for construction were not issued within six months, further extensions were unlikely.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUBR2012-00082

LHRP Commercial Park Subdivision

1651 Schilling Road North

(West side of Schilling Road North, ½ mile North of Howells Ferry Road)

Number of Lots / Acres: 2 Lots 8.3± Acres

Engineer / Surveyor: Richard L. Patrick, PLS

County

The Chair announced the matter had been recommended for denial, however, if there were those who wished to speak on the matter to please do so at that time.

Richard Patrick, 3317 Fairfield Road, Mobile, design professional for the applicant, asked the matter be withdrawn from consideration that day.

The Chair accepted the applicant's request to withdraw the matter from consideration that day.

Case #SUB2012-00084

Mudbrick Studios Subdivision, Re-subdivision of Lot 1 and Chambliss Properties Subdivision, Unit 2, Re-subdivision of Lot 3-A

7070 Bruns Drive
(South side of Grelot Road, extending to the North side of Bruns Drive, 346' ± East of Cody Road)
Number of Lots / Acres: 2 Lots / 12.4± Acres
Engineer / Surveyor: Rester and Coleman Engineers, Inc.
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. Turner, with second by Dr. Rivizzigno, to tentatively approve the above referenced request for subdivision, subject to the following conditions:

- 1) placement of a note on the Final Plat stating that Lot 1 is limited to two curb-cuts to Bruns Drive, with the size, design, and location to be approved by Traffic Engineering and to conform with AASHTO standards;
- 2) placement of a note on the Final Plat stating that curb-cuts for Lot 2 shall be coordinated with and approved by both Urban Development and Traffic Engineering as to the location, number, and design;
- 3) the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information, as shown on the preliminary plat;
- 4) compliance with Engineering comments: "1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3. Add a note that sidewalk is required to be constructed along the frontage of each lot, unless a sidewalk waiver is approved;"
- 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

- 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 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;"

- 8) placement of a note on the plat stating that development of the site must comply with any local, state, or federal regulations relating to wetlands; and,
- 9) 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 #SUB2012-00086
Cynthia Quinley Subdivision
 6550 Cynthia Drive
 (North side of Cynthia Drive at its East terminus)
 Number of Lots / Acres: 2 Lots / 0.4± Acre
 Engineer / Surveyor: A Peterson Company
 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.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Dr. Rivizzigno, to tentatively approve the above reference request for subdivision, subject to the following conditions:

- 1) revision of the plat to include the legal description of the property being subdivided;
- 2) placement of a note on the Final Plat stating that each lot is limited to one curb-cut to Cynthia Drive, with its size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) illustration of the 25' minimum building setback line along Cynthia Drive;
- 4) revision of the plat to label each lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;

- 5) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 6) subject to the Engineering Comments: "The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. Add the existing shed onto the drawing and correct the area of the dwelling labeled "CARPORT". 3. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 4. Label Old Shell Road in the vicinity map;" and,
- 7) subject to the Fire Department comments: "All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile."

The motion carried unanimously.

Case #SUB2012-00088

Wakulla Subdivision, Re-subdivision of Lot 1
4750 & 4760 Wakulla Drive

(West side of Wakulla Drive, 500'± North of Lakeland Drive)
Number of Lots / Acres: 2 Lots / 2.5± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
County

The Chair announced the application had been recommended for approval and stated the applicant was agreeable with the recommendations.

Mr. Olsen advised the Commission that staff had received a call and subsequent email that day from a property owner to the south of the property in question expressing some concerns regarding ownership issues with said property. The individual had expressed concern that some of their property had been included in this subdivision. Mr. Olsen stated the staff had done some research regarding the issue and it appeared there were no issues but it appeared that in 2007 the owner of the property in question also owned the property to the north and took out a mortgage on all of the property and the legal description associated with said mortgage did not, necessarily, follow what were the existing lot lines at the time. He advised the mortgage referenced was foreclosed upon and the financial institution had the entire property subdivided creating one parcel as shown, even though the tax assessor had it as two parcels. He noted the application before the Commission that day was to return the property to two separate parcels. Mr. Olsen then advised the Commission it would behoove them to hold the matter over until the November 1, 2012, meeting, to allow time to resolve the possible ownership issues.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizigno, to hold the matter over until the November 1, 2012, meeting, due to ownership questions.

The motion carried unanimously.

Case #SUB2012-00083

Taylor Pointe Subdivision, Unit Two

West terminus of Taylor Pointe Drive

Number of Lots / Acres: 51 Lots / 20.1± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

County

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

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

- 1) the provision of one traffic circle on Taylor Pointe Drive with the size, location, and design be approved by Mobile County Engineering and conform to AASHTO standards;
- 2) the provision of a street stub to the adjacent property to the North with the size, location, and design be approved by Mobile County Engineering and conform to AASHTO standards;
- 3) the placement of a note on the Final Plat stating that all lots are limited to one curb-cut each, with the size, design, and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 4) the labeling of all common and detention areas and the placement of a note on the Final Plat stating that maintenance of common and detention areas will be property owners' responsibility;
- 5) the placement of a note on the Final Plat stating that any lots that are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 6) illustration of the 25' minimum building setback line for all lots;
- 7) labeling of each lot with its size in square feet, or the provision of a table depicting the same information;
- 8) placement of a note on the Final Plat stating the site must comply with the City of Mobile stormwater and flood control

ordinances: "Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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;"

9) compliance with Fire Department comments: "All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;" 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.

Case #SUB2012-00089

Boykin Plantation Subdivision

Northeast corner of Carol Plantation Road and Old Spanish Trail, extending to the South side of Boykin Park
 Number of Lots / Acres: 151 Lots / 119.0± Acres
 Engineer / Surveyor: Polysurveying Engineering – Land Surveying
 County

The Chair announced the matter was recommended for holdover and the applicant was agreeable to said holdover, however 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:

- Martin Stanley, 6132 Rester Road, Mobile;
- James Eddings, 6146 Rester Road, Mobile; and,
- Sharon McAlpin, 6240 Rester Road, Mobile.

They offered the following points against the matter:

- A. concerned for the wetlands in the area and their protection;
- B. extremely concerned regarding stormwater run-off as the property bordered Rabbit Creek;
- C. noted the area was prone to flooding, especially when there were heavy rains;

- D. stated that as their property did flood due to the proximity to wetlands and Rabbit Creek, their property collected trash as part of that flooding;
- E. had questions as to how the developers planned to address the flooding issues;
- F. concerned not only for the wetlands, but also for the old Spanish oaks and the endangered animals.

Mr. Olsen advised the wetlands would have to comply with anything the State of Alabama Environmental Protection Agency required, such as not being able to build within the wetlands nor fill in those areas. He also stated the developers of the property would have to comply with the City of Mobile's Stormwater and Flood Control Management Ordinance which meant that water could not leave the property any faster, or to any greater degree post construction than it did prior to construction. He added that any specific concerns regarding the details of the development would be best answered by the developer and or their engineer. Mr. Olsen made all aware that should the Commission move to approve the matter on November 1, 2012, part of that approval would be required compliance with all federal wildlife regulations, ADEM regulations with regards to wetlands and stormwater. He noted their plat showed they would not encroach into the wetlands as far as any type of development and it also showed three areas they had reserved for detention of stormwater on site, which was how that issue was frequently addressed, and their engineer would have to ensure and certify that those detention facilities would be adequate for the entire development.

Brett Orrell, Polysurveying of Mobile, representing the applicant, advised he would be happy to discuss the project after the meeting with any and all concerned parties.

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 November 1, 2012, meeting, with revisions due by October 15, 2012, so that the following items could be addressed:

- 1) revision of the plat to include the entirety of parcel R023308332000001;
- 2) revision of the plat to reduce the maximum cul-de-sac length of Road "D" to comply with Section V.B.6. of the Subdivision Regulations;
- 3) revision of the plat to depict the correct diameter of the cul-de-sac right-of-way for all cul-de-sacs, to be 120-feet, in compliance with Section V.B.14. of the Subdivision Regulations;
- 4) revision of the plat to depict the 25-foot minimum building setback line from all streets, including Carol Plantation Road, as required by Section V.D.9. of the Subdivision Regulations;
- 5) revision of the plat to depict phases, if the subdivision will be developed in phases;

6) revision of the plat to depict all typically required flood zones (AE and X-shaded), as well as Mobile County Engineering requirements for finished floor elevations;

7) revision of the plat to include a note stating that development of the site must be undertaken in compliance with all local, state, and federal laws as they relate to wetlands and floodplains;

8) revision of the plat to include a note 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) revision of the plat to include a note stating that development of the site must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater;

10) revision of the plat to label all common areas, and to include a note stating that maintenance of common areas shall be the responsibility of the property owners;

11) revision of the plat to include a note stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and,

12) submission of the revised plat printed at a standard engineering scale.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2012-00081 (Subdivision)

CN-Beauregard Industrial Park

Northwest corner of Beauregard Street and Dekle Road

Number of Lots / Acres: 1 Lot / 38.9± Acres

Engineer / Surveyor: Cowles, Murphy, Glover & Associates

Council District 2

(Also see Case #ZON2012-02085 (Planned Unit Development) CN-Beauregard
Industrial Park, Case #ZON2012-02083 (Planning Approval) CN-Beauregard
Industrial Park and Case #ZON2012-02084 (Sidewalk Waiver) GCAC-Arc
Terminal below)

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.

Charles Bridges, 3000 Venetia Road, Mobile, an adjacent property owner, expressed his concerns regarding the following issues associated with the project:

- A. hoped the City would address any drainage issues with the project as drainage in the area was already a problem; and,
- B. concerned the radii issue along Beauregard Street would require that he give up additional property, noting he had previously given up property a number of years prior when the State Department of Transportation had widened Dekle Road.

Marybeth Bergin, City Traffic Engineering, responded concerning the corner radius, stating it was something her department would review and based upon the angle of the corner of the property in question, it was unlikely that additional right-of-way would be required, especially if it was not already designated on the subdivision application.

The Chair advised Mr. Bridges the project fell under the City's Stormwater and Flood Control Ordinance which meant the developers could not allow water to leave the property at any higher rate or quantity than currently existed.

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

- 1) dedication to provide sufficient right-of-way to comply with Section V.B.14, Right-of-Way Widths;
- 2) dedication of sufficient radius at the intersection of Beauregard Street and Dekle Road, to be approved by City Engineering and Traffic Engineering and conform to AASHTO standards;
- 3) the placement of a note on the Final Plat stating that the development be limited to the two curb-cuts, as illustrated on the site plan, with the driveway, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards
- 4) the subdivision process be completed prior to the issuance of any permits;
- 5) placement of a note on the plat stating that maintenance of all

common areas and detention areas is the responsibility of the property owners;

6) depiction and labeling of the 25-foot minimum building setback line along all road frontages;

7) full compliance with Engineering comments: "1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;"

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 the approval of all applicable federal, state, and local agencies is required for endangered or threatened species prior to the issuance of any permits or land disturbance activities, as depicted on the preliminary plat; and,

10) compliance with Fire comments: "All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate."

The motion carried unanimously.

Case #ZON2012-02085 (Planned Unit Development)
CN-Beauregard Industrial Park

Northwest corner of Beauregard Street and Dekle Road
Planned Unit Development Approval to allow multiple buildings on a single building site.

Council District 2

(Also see Case #SUB2012-00081 (Subdivision) above and CN-Beauregard Industrial Park, Case #ZON2012-02083 (Planning Approval) CN-Beauregard Industrial

Park and Case #ZON2012-02084 (Sidewalk Waiver) GCAC-Arc Terminal below)

The Chair announced the applications had been recommended for approval and stated to 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. Miller, with second by Mr. Turner, to approve the above referenced matter, subject to the following conditions:

- 1) depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;
- 2) 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) Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry;"
- 3) compliance with Engineering comments: "1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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 VII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;"
- 4) compliance with Fire Department comments: "All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate;"
- 5) placement of a note on the site plan stating that approval of all

- 6) applicable federal, state, and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;
- 6) placement of a note on the site plan stating that approval of all applicable federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 7) placement of a note on the site plan stating that approval of all applicable federal, state, and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits; and,
- 9) the submission to the Planning Section, two copies of the revised site plan, illustrating the conditions of approval.

The motion carried unanimously.

Case #ZON2012-02083 (Planning Approval)
CN-Beauregard Industrial Park

Northwest corner of Beauregard Street and Dekle Road
Planning Approval to allow the expansion of an existing rail yard.
Council District 2

(Also see Case #SUB2012-00081 (Subdivision) and CN-Beauregard Industrial Park above, and Case #ZON2012-02085 (Planned Unit Development) CN-Beauregard Industrial Park and Case #ZON2012-02084 (Sidewalk Waiver) GCAC-Arc Terminal below)

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 further discussion, a motion was made by Mr. Miller, with second by Mr. Turner, to approve the above referenced matter, subject to the following conditions:

- 1) depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;
- 2) 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) Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry;

- 3) compliance with Engineering comments: "1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;"
- 4) compliance with Fire Department comments: "All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate;"
- 5) placement of a note on the site plan stating that approval of all applicable federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 6) placement of a note on the site plan stating that approval of all applicable federal, state, and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities; and,
- 7) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits.

The motion carried unanimously.

Case #ZON2012-02084 (Sidewalk Waiver)

GCAC-Arc Terminal

Northwest corner of Beauregard Street and Dekle Road

Request to waive construction of a sidewalk along Dekle Road

Council District 2
(Also see **Case #SUB2012-00081 (Subdivision)** , **CN-Beauregard Industrial Park**
Case #ZON2012-02085 (Planned Unit Development) CN-Beauregard Industrial
Park and **Case #ZON2012-02083 (Planning Approval)**
CN-Beauregard Industrial Park above)

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 further discussion, a motion was made by Mr. Miller, with second by Mr. Turner, to approve the above referenced request to waive construction of the sidewalk along Dekle Road.

The motion carried unanimously.

Case #SUB2012-00085 (Subdivision)
Taylor Place Subdivision, Re-subdivision of Lot 4

4 Taylor Place

(Northwest corner of Old Shell Road and Oakland Avenue, extending to the East terminus of Taylor Place)

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

Engineer / Surveyor: Rester and Coleman Engineers

Council District 7

(Also see **Case #ZON2012-02094 (Planned Unit Development) Taylor Place**
Subdivision, Re-subdivision of Lot 4 below)

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. DeMouy, with second by Mr. Turner, to tentatively approve the above referenced request for subdivision, subject to the following conditions:

- 1) **completion of the vacation process for the Eastern-most portion of the drainage and utility easement prior to signing the Final Plat;**
- 2) **illustration of the 20' minimum building setback line along Old Shell Road, only within the area of the vacated easement, adjusted around the encroaching landing, stairs, and brick planter;**
- 3) **revision of the plat to illustrate the existing 25' minimum building setback line remaining along Old Shell Road where the easement is not vacated and remains 25' wide;**
- 4) **illustration of the 20 minimum building setback line along**

Oakland Avenue;

- 5) revision of the plat to illustrate the 15' building limit line of the original PUD along the West property line;
- 6) revision of the plat to illustrate the 15' building limit line of the original PUD along the North property line, adjusted around any existing building encroachments;
- 7) placement of a note on the Final Plat stating that the lot is denied access to Old Shell Road;
- 8) placement of a note on the Final Plat stating that the maintenance of the private street is the responsibility of the property owners;
- 9) placement of a note on the Final Plat stating that the maintenance of any stormwater detention facilities located within drainage and utility easements is the responsibility of the property owners;
- 10) labeling of the lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 11) 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;
- 12) subject to the Engineering comments: *'The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat;'*
- 13) subject to the Traffic Engineering comments: *"Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;"*
- 14) subject to the Fire Department comments: *"All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;"* and,
- 15) furnishing of two copies of a revised PUD site plan to the Planning Section prior to the signing of the Final Plat.

The motion carried unanimously.

Case #ZON2012-02094 (Planned Unit Development)

Taylor Place Subdivision, Re-subdivision of Lot 4

4 Taylor Place

(Northwest corner of Old Shell Road and Oakland Avenue, extending to the East terminus of Taylor Place)

October 4, 2012

Planning Commission Meeting

Planned Unit Development Approval to amend a previously approved Planned Unit Development to reduce the minimum building setback line and a drainage easement. Council District 7

(Also see **Case #SUB2012-00085 (Subdivision) Taylor Place Subdivision, Re-subdivision of Lot 4** above)

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 further discussion, a motion was made by Mr. DeMouy, with second by Mr. Turner, to approve the above referenced matter, subject to the following conditions:

- 1) **completion of the vacation process for the Eastern-most portion of the drainage and utility easement;**
- 2) **revision of the site plan to illustrate the 20' minimum building setback line along Old Shell Road, only within the area of the vacated easement, adjusted around the encroaching landing, stairs, and brick planter;**
- 3) **revision of the site plan to illustrate the existing 25' minimum building setback line remaining along Old Shell Road where the easement is not vacated and remains 25' wide;**
- 4) **illustration of the 20' minimum building setback line along Oakland Avenue;**
- 5) **revision of the site plan to illustrate the 15' building limit line of the original PUD along the West property line;**
- 6) **revision of the site plan to illustrate the 15' building limit line of the original PUD along the North property line, adjusted around any existing building encroachments;**
- 7) **placement of a note on the site plan stating that the lot is limited to 35% total site coverage by all structures;**
- 8) **placement of a note on the site plan stating that the lot is denied access to Old Shell Road;**
- 9) **labeling of the lot with its size in both square feet and acres, or the furnishing of a table on the site plan providing the same information;**
- 10) **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;**
- 11) **subject to the Engineering comments: *"1. The drainage easement is currently being reviewed through the City's easement vacation process. The Subdivision (Taylor Place) currently utilizes a portion of the underground drainage pipe on Lot 4 for detention, and the applicant is proposing to install additional***

underground pipes within the remaining drainage easement to provide the required storage volume for the Subdivision detention. The Engineering Dept will coordinate the vacation process with the installation of the additional underground pipe(s) through the Land Disturbance permitting process. 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”

- 12) furnishing of two copies of a revised PUD site plan to the Planning Section prior to the signing of the Subdivision Final Plat; and,
- 13) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2012-00087 (Subdivision)

951 Government Street Subdivision

951 Government Street

(West side of Marine Street, extending from Government Street to Church Street)

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

Engineer / Surveyor: Byrd Surveying

Council District 2

(Also see Case #ZON2012-02096 (Planning Approval) **951 Government Street Subdivision** and Case #ZON2012-02095 (Rezoning) **Benjamin P Cummings** below)

The Chair announced, due to issues regarding proper notification, there would be no discussion on the matter and it would be held over until the November 1, 2012, meeting.

Hearing no discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the November 1, 2012, meeting, with revision due by October 15, 2012, so that the following items could be addressed:

- 1) **revision of the plat to create a two lot subdivision, with the rear 112 ± feet of the property fronting Church Street to be a separate lot;**
- 2) **revision of the plat to depict a corner radius at Government and Marine Streets, and Marine and Church Streets, in compliance with Section V.D.6. of the Subdivision Regulations;**

- 3) revision of the site plan to reflect Traffic Engineering comments: *“This site is located on an ALDOT maintained roadway. Government Street and Marine Street should each be limited to one curb-cut, with size, location, and design to be approved by ALDOT (Government Street) and Traffic Engineering (both frontages), and conform to AASHTO standards. The Government Street driveway should be constructed as a right-in, right-out only, in the vicinity of the eastern driveway, to provide separation from the adjacent property’s driveway. Note: the existing driveway radii do not appear to be illustrated accurately. The curb-cut on Marine Street should be two-way with no turning restrictions. Parking aisles will need to be adjusted to allow for internal circulation. Any parking stalls that require backing or maneuvering in the right-of-way should be eliminated. This includes the parking adjacent to the building along Marine Street, and internal angled spaces near the Government Street driveway. The western site perimeter will need physical obstructions to prevent cross access from the adjacent business and residence;”*
- 4) revision of the plat to reflect Engineering comments: *“1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3. Dedicate ROW radius at the corner of Government St and Marine St, and at Church St and Marine St, with the size to be approved by Traffic Engineering and Engineering;”* and,
- 5) revision of the lot size in square feet to reflect dedication.

The motion carried unanimously.

Case #ZON2012-02096 (Planning Approval)

951 Government Street Subdivision

951 Government Street

(West side of Marine Street, extending from Government Street to Church Street)

Planning Approval to allow a self storage facility in a B-2, Neighborhood Business District.

Council District 2

(Also see **Case #SUB2012-00087 (Subdivision) 951 Government Street Subdivision** above and **Case #ZON2012-02095 (Rezoning)Benjamin P Cummings** below)

The Chair announced, due to issues regarding proper notification, there would be no discussion on the matter and it would be held over until the November 1, 2012, meeting.

Hearing no discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the November 1, 2012, meeting, with revision

due by October 15, 2012, so that the following items could be addressed:

- 1) revision of the site plan to reflect Traffic Engineering comments: *“This site is located on an ALDOT maintained roadway. Government Street and Marine Street should each be limited to one curb-cut, with size, location, and design to be approved by ALDOT (Government Street) and Traffic Engineering (both frontages), and conform to AASHTO standards. The Government Street driveway should be constructed as a right-in, right-out only, in the vicinity of the eastern driveway, to provide separation from the adjacent property’s driveway. Note: the existing driveway radii do not appear to be illustrated accurately. The curb-cut on Marine Street should be two-way with no turning restrictions. Parking aisles will need to be adjusted to allow for internal circulation. Any parking stalls that require backing or maneuvering in the right-of-way should be eliminated. This includes the parking adjacent to the building along Marine Street, and internal angled spaces near the Government Street driveway. The western site perimeter will need physical obstructions to prevent cross access from the adjacent business and residence;”*
- 2) revision of the site plan to include information regarding the amount of office space to remain in the building, the provision of parking spaces adequate to serve any storage office use on site and spaces necessary for customers;
- 3) revision of the site plan to reflect Engineering comments: *“1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3. Dedicate ROW radius at the corner of Government St and Marine St, and at Church St and Marine St, with the size to be approved by Traffic Engineering and Engineering;”*
- 4) revision of the site plan to reflect 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). Full compliance with frontage tree planting requirements of the Zoning Ordinance; number and location to be coordinated with Urban Forestry due to existing mature Live Oak Trees along Government Street and the planting of one understory tree for every 20 parking spaces to be planted within interior of the lot to break up the expanse of paving;”*
- 5) revision of the site plan to depict the 10-foot wide residential buffer, and relocation of the proposed dumpster to be outside of any required buffer;

October 4, 2012

Planning Commission Meeting

- 6) **revision of the site plan to eliminate the commercial use of the rear 112 ± feet of the property; and,**
- 7) **provision of new mailing labels and postage, including names and addresses omitted from the original submission.**

The motion carried unanimously.

Case #ZON2012-02095 (Rezoning)

Benjamin P Cummings

951 Government Street

(West side of Marine Street, extending from Government Street to Church Street)

Rezoning from B-1, Buffer Business District, to B-2, Neighborhood Business District, to allow a self storage facility.

Council District 2

(Also see **Case #SUB2012-00087 (Subdivision) 951 Government Street Subdivision** and **Case #ZON2012-02096 (Planning Approval) 951 Government Street Subdivision** above)

The Chair announced, due to issues regarding proper notification, there would be no discussion on the matter and it would be held over until the November 1, 2012, meeting.

Hearing no discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the November 1, 2012, meeting, with revision due by October 15, 2012, so that the following items could be addressed:

- 1) **revision of the Zoning request to reflect the recommendations of the New Plan for Mobile for this site (commercial fronting Government Street, single-family residential fronting Church Street) ;**
- 2) **revision of the site plan to reflect changes requested for the Planning Approval and Subdivision applications; and,**
- 3) **provision of new mailing labels and postage, including names and addresses omitted from the original submission.**

The motion carried unanimously.

Case #ZON2012-02088 (Planned Unit Development)

Gulf Coast Asphalt Company

830 Cochrane Causeway

(East side of Cochrane Causeway, 1± mile North of Bankhead Tunnel)

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

Council District 2

(Also see **Case #ZON2012-02086 (Planning Approval) Gulf Coast Asphalt Company** and **Case #ZON2012-02087 (Sidewalk Waiver) Gulf Coast Asphalt Company** below)

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 further discussion, a motion was made by Mr. DeMouy, with second by Mr. Jordan, to approve the above referenced matter, subject to the following conditions:

- 1) **compliance with Engineering Comments:** *“1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”*
- 2) **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;”*
- 3) **depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;**
- 4) **any lighting provided must comply with Section 64-4.A.2 of the Zoning Ordinance, and not shine directly into adjacent residential areas or into traffic;**
- 5) **approval of all applicable federal, state, and local agencies prior to the issuance of any permits;**
- 6) **the submission of two (2) copies of the revised site plan illustrating all conditions for recommendation of approval; and,**
- 7) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

Case #ZON2012-02086 (Planning Approval)

Gulf Coast Asphalt Company

830 Cochrane Causeway

(East side of Cochrane Causeway, 1± mile North of Bankhead Tunnel)

Planning Approval to allow a petroleum storage facility in an I-2, Heavy-Industry District.

Council District 2

(Also see **Case #ZON2012-02088 (Planned Unit Development) Gulf Coast Asphalt Company** above and **Case #ZON2012-02087 (Sidewalk Waiver) Gulf Coast Asphalt Company** below)

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 further discussion, a motion was made by Mr. DeMouy, with second by Mr. Jordan, to approve the above referenced matter, subject to the following conditions:

- 1) **compliance with Engineering Comments:** *“1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed development within the property lines will need to be in conformance with the Stormwater 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 Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”*
- 2) **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;”*
- 3) **depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of**

October 4, 2012

Planning Commission Meeting

a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;

- 4) any lighting provided must comply with Section 64-4.A.2 of the Zoning Ordinance, and not shine directly into adjacent residential areas or into traffic;
- 5) approval of all applicable federal, state, and local agencies prior to the issuance of any permits, and,
- 6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2012-02087 (Sidewalk Waiver)

Gulf Coast Asphalt Company

830 Cochrane Causeway

(East side of Cochrane Causeway, 1± mile North of Bankhead Tunnel)

Request to waive construction of a sidewalk along Cochrane Causeway.

Council District 2

(Also see **Case #ZON2012-02088 (Planned Unit Development) Gulf Coast Asphalt Company** and **Case #ZON2012-02086 (Planning Approval) Gulf Coast Asphalt Company** above)

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 further discussion, a motion was made by Mr. DeMouy, with second by Mr. Jordan, to approve the above referenced request to waive construction of the sidewalk along Cochrane Causeway.

The motion carried unanimously.

OTHER BUSINESS:

The Chair asked if there was any further business to come before the Commission.

Mr. Olsen reminded the Commission he had previously discussed with them issues regarding the State Code requiring the City and the County had to come to an agreement over whether or not the City would continue to enforce subdivision regulations within the Planning Jurisdiction. He stated that while the agreement had not yet been formalized through written documents which would require formal approval by the Planning Commission, the City Council, and the County Commission, a verbal agreement had been reached and the City would continue to enforce those regulations. Mr. Olsen said he expected that written documentation should be finished by the Commission's next meeting. Mr. Olsen also reminded the Commission that the Planning Department was

October 4, 2012

Planning Commission Meeting

still functioning with less than adequate staffing and still had no authorization to fill any of the vacant positions and because of such, he did not anticipate a return to twice a month meetings any time soon.

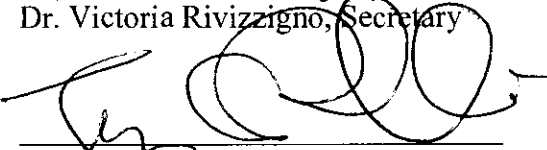
The Chair asked if the staff had seen an increase in the volume of applications received and Mr. Olsen stated they had not.

Hearing no further business, the meeting was adjourned at 2:26 p.m.

APPROVED: August 8, 2013



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

jsl