MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF NOVEMBER 1, 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
John Vallas
James F. Watkins, III

Members Absent

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
Billy Roach,
Fire-Rescue Department

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

ROLL CALL:

Mr. 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.

APPROVAL OF MINUTES:

Mr. Plauche moved, with second by Mr. Turner, to approve the minutes from the
following, regularly held, Planning Commission meetings:

- January 5, 2012
- January 19, 2012
- February 2, 2012
- February 16, 2012

The motion carried unanimously.

HOLDOVERS:
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

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

Fred Haidt, Haidt Land Surveying, spoke on behalf of the applicant. He stated that they were in agreement with all of the conditions, but they would like Condition 1 to be changed to 3 curb-cuts.

Mr. Olsen responded that the Commission could decide to do that if they choose, but a Planning Approval application would need to be done.

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

1) placement of a note on the Final Plat stating that the subdivision is limited to a Maximum of three curb-cuts to Mobile Street, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
2) placement of a note on the Final Plat stating that the subdivision is denied access to Jessie Street;
3) illustration of the 25’ minimum building setback lines along Mobile Street and Jessie Street;
4) labeling of the one lot with its size in 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 the 60” Live Oak Tree on the South side of the subdivision is given preservation status and any work on or under this tree is to be permitted and coordinated with Urban Forestry, and removal is to be permitted only in the case of disease or impending danger;
6) placement of a note on the Final Plat stating development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species;
7) 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;” and,
November 1, 2012
Planning Commission Meeting

8) 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 #SUB2012-00072 (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 applications had been recommended for withdrawal. He added
if anyone wished to speak on the matter they should do so at that time.

Doug Anderson, Burr & Foreman Law Firm, spoke on behalf of the applicant and made
the following points:

A. does not want to withdrawal the application;
B. would like the property to be rezoned and develop a parking lot;
C. all property that fronts Dauphin St in that corridor is zoned B-1 or B-2;
D. would like to add they do not plan to expand the services that they provide;
E. there are 2 security stations and 34 cameras both inside and outside of the
   buildings;
F. does not foresee this corner every being used as R-1

Mr. Turner questioned if the meeting that was held with neighbors resulted in any type of
resolution.

Mr. Anderson stated no resolution was made at the meeting, but they did leave the
meeting with the current plan.

The following people spoke in favor of the matter:
• Captain Dwayne Hill, Commander of the 3rd Precinct;
• Michael Smith, 1002 Dauphin St, Mobile;
• Major Mark Brown, 1009 Dauphin St, Mobile;

They made the following points:
Restrictions for the property:

Dr. Rizzi proposed the applicant would be willing to self-impose use

surrounding properties are zones B-1 or B-2.

In response, Mr. Anderson said that the term spot zoning is incorrect when the

commission was leaning towards volume.

Mr. Olson stated that the staff had prepared conditions for approval if that was how the

residential density:

1. this will increase the likelihood of the commercial density to change in respect to

2. an increase in opposition:

H. recommends the commission that the neighborhood be in a condition with favorable

G. would prefer the lot to be a grassy, landscaped area.

F. has had homes broken into numerous times.

E. lives within walking distance.

D. he-B-1 option is unnecessary if they just want to destroy the store.

C. in no way does the mission of the Salvation Army.

A. had several incidences of crime within months of purchasing home.

They made the following points against the application:

- William Carroll, 224 South Braid St., Mobile;
- John Kloe, 959 Dauphin St., Mobile;
- Felix Vereen, 1370 Dauphin St., Mobile;
- China Lettenhagen, 1396 Dauphin St., Mobile;
- Sara Kenner, 1119 Dauphin St., Mobile.

The following people spoke in opposition to the matter:

H. thinks of the Salvation Army has a good neighbor;

G. members at the Salvation Army command center;

F. serves on the advisory board for the Salvation Army;

E. has been a member of the Old Dauphin Way Association shortly after purchasing

D. to be a community every time help is needed from the Salvation Army they have

C. been Commanded of the Precinct for the past 6 years;

B. the Salvation Army is located in the 3rd Precinct.

Planning Commission Meeting
November 1, 2012
Council District 2

Development to allow multiple buildings on a single building site.

Planned Unit Development Approval to amend a previously approved Planned Unit Development Agreement, 120 ft East of Pine Street (Southeast corner of Dauphin Street and Pine Street, extending to the North side of Dauphin Street, Subdivision. The Army's Additions to Case #ZON2012-01863 (Planned Unit Development)

The motion carried unanimously.

The motion carried unanimously.

8) Repealed Zoning and Subdivision Requirements, and
Revision of Rezoned R-2, and Planning Approval, the plans to reflect revisions to the plan to depict each lot size in square feet, or percentage of a

6) AASHTO Standards

5) AASHTO Standards

4) Provision of a notice on the rendition plan stating that the main lot is limited to one half of the plan, and the corner lot is limited to a

3) Declaration of a corner Radius at Dauphin and Pine Streets, in compliance with Section 21.6 of the Subdivision Regulations.

2) Notice lot to be created containing the bulk of the Salvation Army facility and

1) A corner lot to be created containing the three existing legal lots on Dauphin Street.

Conditions:

Second by Mr. Turner, to approve the above referred motion, subject to the following:

Heating no further opposition of discussion, a motion was made by Mr. Wallas.

Mr. Wallas.

Mr. Turner.

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Mr. Turner.
Full compliance with all other municipal codes and ordinances.

2) Completion of the Subdivision process and:\n
   i) Council District 2
   Commercial Subdivision

   ii) The Salvation Army, Case #ZON2012-01865 (Rezoning)

   The Salvation Army

   The motion carried unanimously.

   New construction (demolition can occur).

   3) Completion of the Subdivision and Zoning processes prior to any requests for
      changes to the site plan only if the revised site plan is consistent with the
      neighborhood’s comprehensive and other associated site improvements, with
      revisions that are acceptable for the neighborhood.

   2) Limted to the October 15, 2012 deadline, when the plan will be posted
      at the site and match all adjacent buildings.

   i) Removal of any unused curb cuts and retaining walls in accordance with:

   Conditions:

   Second by Mr. Turner to approve the above referenced matter, subject to the following:

   Hearing no further opposition of discussion, a motion was made by Mr. Valli, with

   It anyone wishes to speak on the matter they should do so at this time.

   The Chair announced the applications had been recommenced for withdrawal. He added

   The Chair announced the applications had been recommenced for withdrawal. He added
The Chair announced the application had been recommended for approval. He added:

Premise

Supervision Below)
Council District 5
Englewood Supervisor: Clark, Ceasar, Latham & Associates
Number of Lots / Acres: 5 Lots / 18.5+ Acres
(Northwest corner of Airpot Boulevard and McAdoo Avenue,
275, 277, 279, 281 and 283 South McAdoo Avenue,
9525, 9584, 9592, 9596, 9792, 9796, 9636, 9688, 9732,
Premise
Supervision
Case #SU8212-00080 (Subdivision)
Premise

The motion carried unanimously.

new construction (demolition can occur).
3) Completion of the subdivision and zoning process prior to any request for
parking, landscaping, and other associated site improvements, with revisions
due to October 15, 2012.
2) Removal of any unused curb cuts and relandscape to match adjacent;
1) Removal of any unused curb cuts and relandscape to match adjacent;

The motion carried unanimously.

The Salvation Army Above)
and Case #ZON2012-01895 (Rezoning)
Premise
Supervision.
The Army's Application
Premise
Supervision. The Army's Application. Case #ZON2012-01863
Council District 2
no exception for an emergency shelter in a 100% Neighborhood Business District.
Premise
Application to amend a previously approved Planning Approval to allow a parking
Premise
Application to amend a previously approved Planning Approval to allow a parking
Council Avenue, 120 feet of Pine Street
Southeast corner of Dauphin Street and Pine Street, extending to the north side of
Premise
Supervision
Case #ZON2012-01864 (Planning Approval)
Premise

The motion carried unanimously.

November 1, 2012
for the convenience of the developer. Such a condition would be stated so that the property owner will be aware of the need for rezoning before proceeding with construction. A condition of the rezoning request is that all required information be addressed prior to acceptance and signature by the City Engineer. A burial and.

If the parking is not included in the required parking.

Mr. Osen stated that the parking spots could only be included in a right-of-way agreement.

The City Engineer:

A. would like to maintain the 212th Street signage.

B. taking 201W would remove an existing parking lot. We would maintain the signage.

C. would like a condition on all the applications to state that they have 5 years to:

D. comply with the drainage system.

Points:

Philip Burton, Planning Commission Member

November 1, 2012
The motion carried unanimously.

(4) curb cuts to Mckeefer Avenue and Airport Boulevard limited to an

(3) Compliance with Fire Code: The proposed Fire Code adopted by the City of Miami, The Code as adopted by the City of Miami, The proposed Fire Code, must comply with the requirements of the 2009 International Fire Code.

(2) Compliance with Traffic Engineering: The recommendation for all improvements within the public right-of-way must be approved by Traffic Engineering and Traffic Engineering.

(1) The proposed Right of Way Plan/Aerial Rights of Way Plan in addition to the new alignments shall be shown on the plan and approved by Traffic Engineering.

(0) The plan to address the connection and compatibility of the proposed development to the planned development along Mckeefer Avenue.

The motion carried unanimously.

The motion carried unanimously.
Planning Commission Meeting
November 1, 2012

Council District 5

Mr. Miller, to approve the above referenced matter, subject to the following conditions: 

1. The non-opposition of further discussion, a motion was made by Mr. Wallas, with second by Mr. Miller, to approve the above referenced matter, subject to the following conditions.

2. The chairman announced the applications had been recommended for approval. He added if anyone wished to speak on the matter they should do so at this time.
The motion carried unanimously:

(12) Full compliance with all other municipal codes and ordinances.

(13) Commission approval and

Disbursements for compliance within 5 years of the date of Planning
Committee decision.

The final plan:

(10) Submission of site plan to warden's office for approval prior to the
recording of the plat.

(11) Submission of the plat for recording at the recorder's office and
execution of the plat.

(9) Recording of the plat at the recorder's office and

(8) and in accordance with the A.S.H.T.O. standard.

(7) and in accordance with the approved site plan, a site plan, a site plan, and

(6) space will be required to be a minimum of 25' x 50' as per the site plan, a site plan, and

(5) with the A.S.H.T.O. standard.

(4) be submitted and approved prior to beginning of the construction work.

November 1, 2012
Planning Commission Meeting
The motion carried unanimously:

(8) land disturbance activities.

And, otherwise protected species, if any, prior to the issuance of any permits or
otherwise protected species, if any, prior to the issuance of any permits or
Federal, State, and local agencies, and Environmental, Transportation, or
Federal, State, and local agencies, and Environmental, Transportation, or
issuance of a note on the Final Plan stating that approval of all applicable
issuance of a note on the Final Plan stating that approval of all applicable
precedent approval of mobile County, forgiveness, and conformity to ASHTO
precedent approval of mobile County, forgiveness, and conformity to ASHTO
and illustrate an easement through the adjacent property.
and illustrate an easement through the adjacent property.

(7) pedestrian safety, lower lot 2 will cease to utilize the access to
pedestrian safety, lower lot 2 will cease to utilize the access to
Wakulla Drive through the adjacent property or provision of documentation
Wakulla Drive through the adjacent property or provision of documentation

(6) International Fire Code as adopted by the City of Wakulla;
International Fire Code as adopted by the City of Wakulla;

(5) Mobile Fire District must comply with the requirements of the City of
Mobile Fire District must comply with the requirements of the City of
Wakulla Drive through the adjacent property or provision of documentation
Wakulla Drive through the adjacent property or provision of documentation

(4) Regulation:
Regulation:

(3) the Final Plan will be submitted to the Florida Department of
the Florida Department of

(2) Retention of the 50-foot minimum building setback line from Wakulla Drive;
Retention of the 50-foot minimum building setback line from Wakulla Drive;

(1) Mr. Wallis, I approve the above referenced matter subject to the following conditions:
Mr. Wallis, I approve the above referenced matter subject to the following conditions:

Heating no opposition of discussion, a motion was made by Mr. Turner, with second by
Heating no opposition of discussion, a motion was made by Mr. Turner, with second by

City of Wakulla Subdivision; Re-Subdivision of Lot 1
City of Wakulla Subdivision; Re-Subdivision of Lot 1

November 1, 2012
November 1, 2012
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 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. Jordan, to waive Section V.D.3. and to approve the above referenced matter, subject to the following conditions:

1) placement of a note on the Final Plat stating that Lots 1-151 are denied direct access to Carol Plantation Road, with each lot limited to one curb-cut to a street being constructed as part of the subdivision, with the size, design, and location to be approved by Mobile County Engineering and to comply with AASHTO standards;

2) placement of a note on the final plat stating that Lot 152 is limited to three (3) curb-cuts onto Carol Plantation Road with the size, design, and location to be approved by Mobile County Engineering and to comply with AASHTO standards;

3) placement of a note on the final plat stating that all lots are denied access to Interstate 10;

4) construction and paving in concrete or asphalt of all roads to Mobile County Engineering standards, and acceptance thereof, prior to recording of any phase of the subdivision;

5) no future subdivision of any lot exceeding the width to depth ratio of Section V.D.3. of the Subdivision Regulations, unless the lots will have adequate frontage on a public street;

6) compliance with Fire comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;” and,

7) full compliance with all other requirements of the Subdivision Regulations.

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)
November 1, 2012
Planning Commission Meeting

**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)

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

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

Ben Cummings, Cummings Architecture, spoke on behalf of the applicant and made the following points:

A. would request that the Commission hear the case and not hold it over;
B. to convert the property into residential apartments would cost over $5 million; it was determined that the risk was to great;
C. the applicant is offering to self restrict the uses of the property;
D. the applicant does not want to develop the rear portion of the site for residential use;
E. they would like to keep the two curb-cuts on Government St.;

Mr. Hoffman stated that the staff would like to see a revised site plan that shows the site being brought into compliance, removal of the parking spaces that back into Marine St, and reconstructing how the existing parking lot is striped so that you can eliminate any unnecessary curb-cuts.

Mr. Cummings stated that they were in agreement with all of those conditions.

The following people spoke in opposition to the matter:

- Suzanne Cleveland, 957 Church Street, Mobile;
- Derek Luzang, 954 Church Street, Mobile;
- David Newell, 963 Church Street, Mobile;
- Henry Morrissette, 164 South Georgia Ave, Mobile;

They made the following points against the application:

A. does not feel like the development will be in harmony with the neighborhood;
B. would increase traffic in the neighborhood;
C. not sure why the developer would want to put another storage facility along 2 blocks from another storage facility;
D. would like the neighborhood to remain as it is today;
E. believes it would be a set back to the progress the neighbors have made in the neighborhood;
F. the development does not satisfy any of the criteria for rezoning;

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the December 6, 2012 meeting, with revisions due by November 14, 2012, so that the following items can be addressed:

1) 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;

2) 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;”

3) 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,

4) 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)
Mr. Vallas recused himself from discussion and voting on the matter.

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the December 6, 2012 meeting, with revisions due by November 14, 2012, so that the following items can 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;” and

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.
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)

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

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the December 6, 2012 meeting, with revisions due by November 14, 2012, so that the following items can be addressed:

1) revision of the site plan to reflect changes requested for the Planning Approval and Subdivision applications.

The motion carried unanimously.

EXTENSIONS:
Case #SUB2011-00009 (Subdivision)
Snowden Place Subdivision
6106 Cottage Hill Road
(North side of Cottage Hill Road, 110’± East of Christopher Drive)
Number of Lots / Acres: 52 Lots/13.3± Acres
Engineer / Surveyor: Rester and Coleman Engineers, Inc.
Council District 6
(Also see, Case #ZON2011-00124 (Planned Unit Development)
Snowden Place Subdivision 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. Plauche, with second by Dr. Rivizzigno, to approve the application for a one-year extension.
November 1, 2012
Planning Commission Meeting

The motion carried unanimously.

Case #ZON2011-00124 (Planned Unit Development)
Snowden Place Subdivision
6106 Cottage Hill Road
(North side of Cottage Hill Road, 110’± East of Christopher Drive)
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a single-family residential subdivision with lots less than 60’ wide, reduced lot sizes, reduced building setbacks and increased site coverage, and a private, gated 40’ right-of-way street.
Council District 6
(Also see, Case #SUB2011-00009 (Subdivision) Snowden Place Subdivision 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. Plauche, with second by Dr. Rivizzigno, to approve the application for a one-year extension.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2012-00090
TBG IV Subdivision
901 South Broad Street
(Southeast corner of South Broad Street and Tennessee Street extending to the Southwest corner of South Washington Street and Tennessee Street, 170’± North of Kentucky Street)
Number of Lots / Acres:  1 Lot / 1.1± Acre
Engineer / Surveyor:  Kai Belew – 4Site
Council District 3

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

1) placement of a note on the Final Plat stating that the lot is limited to one (1) curb-cut to South Broad Street and one (1) curb-cut to South Washington Avenue, with the size, design, and location to be approved by Traffic
Engineering and conform to AASHTO standards;
2) placement of a note on the Final Plat stating that the site is denied access to Tennessee Street;
3) depiction of the 25-foot minimum building setback line from all street frontages as shown on the preliminary plat;
4) the labeling of the lot with its size in square feet, as shown on the preliminary plat;
5) compliance with 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;”
6) 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). Preservation status is to be given to the 48” Live Oak Tree located on the North East corner along Washington Avenue of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger;”
7) compliance with Traffic Engineering comments: “Driveway curb-cuts should be limited to one on Broad Street, one on Washington Avenue, and no access to Tennessee Street. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;”
8) compliance with Fire comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;” and,
9) approval of all applicable federal, state and local agencies for floodplain issues prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

Case #SUB2012-00091
Nan Gray Park Subdivision
6663 & 6693 Nan Gray Davis Road
(East side of Nan Gray Davis Road, at the East terminus of Woodside Drive, 2/10 mile± South of Theodore Dawes Road)
Number of Lots / Acres: 2 Lots / 8.6± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying County

The Chair announced the application had been recommended for approval and stated the applicant was agreeable with the recommendations. He added if anyone wished to speak on the matter they should do so at that time.
Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to waive Sections V.D.1., and V.D.3. and to approve the above referenced matter, 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 Nan Gray Davis Road, and Lot 2 is limited to one curb-cut to Nan Gray Davis Road, with the size, design, and location of all curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards.

2) illustration of the 25’ minimum building setback line along the street frontage of Lot 1;

3) revision of the plat to illustrate the 25’ minimum building setback line for Lot 2 as measured from the West line of the main lot area;

4) 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;

5) placement of a note on the Final Plat stating that no further re-subdivision of Lot 2 is allowed until additional frontage on a public street is provided;

6) placement of a note on the Final Plat stating that no structures are to be erected within any easements on either lot;

7) provision of a buffer, in compliance with Section V.A.8. of the Subdivision Regulations, prior to the signing of the Final Plat, with verification of the buffer to be submitted at the time of signing;

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) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and,

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

The motion carried unanimously.

Case #SUB2012-00093
Town and Country Estates Subdivision, Re-subdivision of Lot 10, Block J
5651 Clyde Drive
(Southeast corner of Clyde Drive and Carolyn Way)
Number of Lots / Acres: 2 Lots / 0.1± Acres
Engineer / Surveyor: Byrd Surveying, 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 Dr. Rivizzigno, with second by Mr. Turner, to approve the above referenced matter, subject to the following conditions:

1) placement of a note on the Final Plat stating that each lot is limited to one curb-cut to Carolyn Way, with the size, design, and location of the curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;
2) illustration of the 25’ minimum building setback line along all street frontages;
3) 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;
4) 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;
5) 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;”
6) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and,
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.”

The motion carried unanimously.

Case #SUB2012-00095
Halls Mill Crossing Subdivision, Re-subdivision of Lots 1 & 2
North side of Rangeline Service Road North, 220’± East of Halls Mill Road)
November 1, 2012
Planning Commission Meeting

Number of Lots / Acres: 2 Lots / 2.6± Acres
Council District 4

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

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

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Jordan, to waive Section V.D.1., and to approve the above referenced matter, subject to the following conditions:

1) revision to illustrate 150’ from the centerline of Rangeline Road or dedication to provide 150’ from the centerline of Rangeline Road;
2) illustration of the 25’ minimum building setback line along Rangeline Service Road North adjusted to be measured from required dedication;
3) retention of the lot size in square feet and acres;
4) compliance with 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;”
5) compliance with Fire Department comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”
6) inclusion of the common area to the East of Lot 2;
7) placement of a note stating that maintenance of the common area is the responsibility of the property owners and not the City of Mobile;
8) placement of a note stating that there will be no structures in the 25’ drainage and utility easement;
9) placement of a note on the Final Plat stating Lot 1 is limited to one curb-cut to Rangeline Service Road North, and Lot 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 January 3, 2013 meeting at the applicant’s request.
2 is allowed two curb-cuts to Rangeline Service Road North, with driveway size, location, and design to be approved by ALDOT and Traffic Engineering, and conform to AASHTO standards; and,
10) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously with Mr. Vallas recusing.
Case #SUB2012-00092

**Spring Grove Subdivision, Unit Two, Re-subdivision of Lots 19-24 & 40-48**

East and West sides of Spring Grove West, 150'± North of Spring Grove South.

**Number of Lots / Acres:** 10 Lots / 1.7± 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. Vallas, to approve the above referenced matter, subject to the following conditions:

1) 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;

2) retention of the 25-feet minimum building setback line along Spring Grove West on the Final Plat;

3) placement of a note on the Final Plat stating that each lot is limited to one curb-cut, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;

4) placement of a note on the Final Plat stating that no structures shall be constructed within any drainage and utility easements by the property owners;

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; and,

6) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species.

The motion carried unanimously.

**NEW SIDEWALK WAIVER APPLICATIONS:**

Case #ZON2012-02166

**Jody Johnston**

5620 Sermon Road North
(Northwest corner of Sermon Road North and Willis Road)
Request to waive construction of a sidewalk along Willis Road.

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. Jordan, with second by Mr. Vallas, to approve the waiver of the sidewalks along Willis Road and Sermon Road North.

The motion carried unanimously.

Case #ZON2012-02287
Thompson Properties, LLC
5245 & 5255 Hamilton Boulevard
(South side of Hamilton Boulevard, 450’± East of Todd Acres Road)
Request to waive construction of a sidewalk along Hamilton Boulevard.
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. Jordan, with second by Mr. Vallas, to approve the waiver of the sidewalk along Hamilton Boulevard.

The motion carried unanimously.

Case #ZON2012-02312
D & M Properties, LLC
5721 U. S. Highway 90 West A
(East side of U.S. Highway 90 West, 330’± South of Plantation Road)
Request to waive construction of a sidewalk along U. S. Highway 90 West.
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. Jordan, with second by Mr. Vallas, to approve the waiver of the sidewalk along U.S. Highway 90 West.

The motion carried unanimously.
NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2012-02286
DAA Acquisition of Alabama
3030 McVay Drive North
(East side of McVay Drive North, 2/10± mile South of U.S. Highway 90)
Planned Unit Development Approval to amend a previously approved Planned Unit
Development to allow a reduction in the front landscaping requirements.
Council District 4

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

The following people spoke in favor of the matter:

- Tony Spencer, Frank Dagley & Associates;
- David Andrews, 790 Valley brook Memphis, TN;

They made the following points in favor of the application

A. the reasoning for coming back to amend the PUDs is because the applicants
   business is growing and he needs more parking inventory.
B. phase 2 is critical to the applicant’s business
C. McVay Drive only provides about 200 linear feet of street frontage, so there is
   very little room for front landscaping;
D. has spent over $3 million on improvements to the property;
E. tree numbers will stay the same, just decreasing the depth;
F. have created 74 full and part time jobs for the citizens of Mobile;

Mr. Olsen stated that the staff has conditions prepared if the commission is leaning
towards approving the application.

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

1) 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;
2) placement of a note on the site plan stating that the placement of additional
   dumpsters on the site will require a new PUD submittal;
3) revision of the driveway on McMae Drive to a 24’ width;
4) revision of the site plan to provide under-story in-fill trees along the McMae
   Drive landscape area, to be coordinated with Urban Forestry;
5) compliance with Traffic Engineering comments: “Driveway number, size,
November 1, 2012
Planning Commission Meeting

location, and design to be approved by Traffic Engineering and conform to AASHTO standards;”

6) compliance with Engineering comments;
7) compliance with Fire Department comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”
8) submission of two copies of a revised site plan to Planning indicating compliance with the above conditions;
9) full compliance with all municipal codes and ordinances; and,
10) submission of a new PUD application prior to construction of the proposed new detailing/parts building.

The motion carried with Mr. Miller opposing.

NEW ZONING APPLICATIONS:

Case #ZON2012-02285
Joanne Stone
4558 Moffett Road
(North side of Moffett Road, 155’± East of Northview Drive)
Rezoning from R-1, Single-Family Residential District, to B-2, Neighborhood Business District, to allow a daycare.
Council District 1

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

Don Williams, Williams Engineering, spoke on behalf of the applicant and made the following points:

A. the building was a residence about 60 years ago;
B. at that time Moffett Road was a 2 lane road, it was widened 37 years ago;
C. 30 years ago a use variance was granted for general offices, food services and retail sales;
D. feels like residential is out of character with the surrounding properties;
E. admits there are some deficiencies in the site plan;
F. would be ok with approval of a LB-2 zoning rather than B-2.

Mr. Olsen stated that the staff had received a revised site plan the Tuesday before the meeting and they have prepared conditions for approval.

Hearing no opposition or further discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Jordan, to approve the above referenced matter, subject to the following conditions:
1) approval as LB-2, Limited Neighborhood Business District, instead of B-2, Neighborhood Business District;
2) full compliance with the landscaping and tree planting requirements of the Zoning Ordinance;
3) provision of a sidewalk along Moffett Road due to visible wear path along the street, and presence of a sidewalk 240’ ± West of the site;
4) compliance with Engineering comments: (Based on the revised drawing submitted it appears that the applicant is proposing to pave the existing drives out into the Moffett Road ROW. This would probably require a ROW Permit from ALDOT. If a sidewalk is going to be required they would also need to obtain a ROW Permit from the city of Mobile Engineering Dept. And, any work done on site would require a Land Disturbance Permit);
5) compliance with Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);
6) compliance with the Urban Forestry comments: [Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64)];
7) provision of a protection buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance;
8) lighting facilities to be in compliance with Section 64-4.A.2. of the Zoning Ordinance; and
9) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2012-00094 (Subdivision)
Lee Vella Subdivision
120 South University Boulevard  
(West side of South University Boulevard, 500’ ± North of Bit and Spur Road)
Number of Lots / Acres: 4 Lots / 3.8± Acres
Engineer / Surveyor: McCrory and Williams, Inc.
Council District 5
(Also see, Case #ZON2012-02284 (Planned Unit Development) Lee Vella Subdivision 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. Turner, with second by Mr. Miller, to approve the above referenced matter, subject to the following conditions:
1) revision of the Final Plat to illustrate the 25-feet minimum building setback along all lots along the South University Boulevard and the Private Street;
2) retain on the Final Plat of labeling each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
3) placement of a note on the Final Plat stating that the development is limited to two curb-cuts to South University Boulevard (existing curb cut and private street access point), with the size, design, and exact location to be approved by Traffic Engineering and conform to AASHTO standards;
4) labeling of any required detention area as common area and the placement of a note on the Final Plat stating that the maintenance of the common area is the responsibility of the property owners;
5) 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;
6) compliance with 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. 3. Dedicate ROW radius at the corner of University Blvd and the proposed PRIVATE DRIVE – 25’ minimum radius (each side) or as approved by Traffic Engineering and Engineering. 4. Note 6 on the Preliminary Plat should be revised to allow one (1) curb-cut each to Lot 2, 3, and 4 from the proposed PRIVATE DRIVE;”
7) compliance with Fire Department comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”
8) the placement of a note on the Final Plat stating the provision of a 10-foot buffer and six-feet high solid privacy fence adjacent to residentially zoned properties;
9) compliance with Section VIII.E. of the Subdivision Regulations; and,
10) submittal of two copies of a revised PUD site plan prior to signing the Final Plat.

The motion carried unanimously.

Case #ZON2012-02284 (Planned Unit Development)
Lee Vella Subdivision
120 South University Boulevard
(West side of South University Boulevard, 500’ ± North of Bit and Spur Road)
Planned Unit Development Approval to allow a private street commercial subdivision.
Council District 5
(Also see, Case #SUB2012-00094 (Subdivision) Lee Vella Subdivision 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. Turner, with second by Mr. Miller, to approve the above referenced matter, subject to the following conditions:

1) revision of the site plan to illustrate the 25-feet minimum building setback along all lots along the South University Boulevard and the Private Street;
2) revision of the site plan to provide a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, and with a compliant sanitary sewer connection, or the placement of a note on the site plan stating that trash collection will be curb-side or via private pick-up service;
3) compliance with the landscaping and tree planting requirements of the Zoning Ordinance;
4) labeling of any required detention area as common area and the placement of a note on the site plan stating that the maintenance of the common area is the responsibility of the property owners;
5) subject to the 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, including the PRIVATE DRIVE, 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;”
6) subject to Fire Department comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;” and,
7) submittal of two copies of a revised site plan prior to signing of the Final Plat for the Subdivision.

The motion carried unanimously.

Case #ZON2012-02277 (Planning Approval)
Forklift Hunter, LLC
216 East I-65 Service Road North
(East side of East I-65 Service Road North, 610’ North of Old Shell Road)
Planning Approval to remove a condition of a previously approved Planning Approval Council District 1
(Also see, Case #ZON2012-02278 (Sidewalk Waiver) Forklift Hunter, LLC below)

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

Jim Philips, an employee of Forklift Hunter, spoke on behalf of the applicant. He stated that he needed clarification on Condition 3.

Mr. Olsen stated that the parking and maneuvering of parking is in the right-of-way and the staff recommends that be eliminated.

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

1) 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;”
2) revision of the site plan to indicate as much compliance as possible with the landscaping and tree planting requirements, to be coordinated with Urban Forestry;
3) Traffic Engineer to determine if the existing parking in the ROW can remain, and if not placement of a note that there will be no parking between the building and the right-of-way and placement of stops or similar barrier;
4) retention of the 6’ minimum landscape buffer along the rear adjacent to residential properties;
5) revision of the site plan to label gates across driveway;
6) verify and accurately depict fence location on North property line;
7) retention of the note about curbside pickup;
8) obtain business licenses and zoning clearances for all businesses operating at the site;
9) obtain sign permits for all signs on site;
10) provide a concrete or asphalt surface at the rear of the property or successful variance for aggregate surfacing and revision of the site plan to illustrate compliance;
11) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval prior to the issuance of any permits;
12) 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;
13) submission of two (2) copies of the revised site plan to the Planning Section of Urban Development prior to the issuance of permits; and,
14) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2012-02278 (Sidewalk Waiver)
Forklift Hunter, LLC
216 East I-65 Service Road North
(East side of East I-65 Service Road North, 610’± North of Old Shell Road)
Request to waive construction of a sidewalk along East I-65 Service Road North.
Council District 1
(Also see, Case #ZON2012-02277 (Planning Approval) Forklift Hunter, LLC above)

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

Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Mr. Jordan, to approve the waiver of a sidewalk along East I-65 Service Road North.

The motion carried unanimously.

OTHER BUSINESS:

Public Hearing to consider amendments to the Zoning Ordinance relating to Barbed Wire Fencing and Signage on Personal Mobility Equipment was opened. The Chair invited anyone who 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 Dr. Rivizzigno, to approve the above referenced matter.

Hearing no further business, the meeting was adjourned.

APPROVED: August 8, 2013

Dr. Victoria Rivizzigno, Secretary

Terry Plauche, Chairman