

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF NOVEMBER 20, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Mr. James (Jay) F. Watkins, Chairman
Mr. Don Hembree (PJ)
Ms. Jennifer Denson (S), Secretary
Mr. Allan Cameron (S)
Mr. John Vallas
Ms. Libba Latham (PJ)
Mr. Nick Amberger (AO)
Ms. Shirley Sessions

Members Absent

Mr. Carlos Gant, Vice Chair
Mr. Thomas Doyle
Ms. Sujin Kim
Mr. P. Nigel Roberts
Mr. Levon Manzie (CC)

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
Carla Davis,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Jessica Watson
Secretary II

Others Present

Doug Anderson,
Assistant City Attorney
George Davis,
City Engineering
Marybeth Bergin,
Traffic Engineering
James May
Fire-Rescue Department

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

ROLL CALL:

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

HOLDOVERS:

1. **3100 Sunset Road**
(North side of Sunset Road, 2/10± mile West of Dauphin Island Parkway).
County
SUB2014-00129
Villages of Deer River Subdivision
Number of Lots / Acres: 13 Lots / 7.9± Acres
Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.

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.

Bobby McBride, Rowe Surveying, spoke on behalf of the applicant. He requested a holdover until the January 15th meeting.

Rebecca Bailey asked how long the applicant is allowed to prolong the application.

Mr. Olsen responded that he did not believe there was technically a limit on the number of holdovers but as a rule the Commission has not allowed more than 2 or 3.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Latham to hold the matter over until the January 15th meeting at the applicant's request.

The motion carried unanimously.

2 (East and West sides of Begeman Road extending to the East side of Snow Road South and extending to the West side Hale Road).

County

SUB2014-00127

Maxwell Place Subdivision

Number of Lots / Acres: 52 Lots / 16.8±Acres

Engineer / Surveyor: Austin Engineering Co., Inc.

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

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

- 1) Revision of the plat of the overall development to illustrate a 100' right-of-way width for Snow Road, with dedication to Mobile County;**
- 2) Revision of the Final Plat for Phase I to illustrate a 100' right-of-way width for Snow Road, with dedication to Mobile County;**
- 3) Revision of the Final Plat for Phase I to illustrate the provision of temporary turnarounds in compliance with Section V.D.6. of the Subdivision Regulations at the terminus of Maxwell Run and Brodie Drive, if required by Mobile County Engineering;**
- 4) Retention of all lot size information, setbacks and all compliant right-of-way widths on the Final Plat for each phase;**
- 5) Placement of a note on the Final Plat for each phase stating that all proposed streets must be built to Mobile County Engineering standards and be accepted by Mobile County prior to the signing**

- of the Final Plat;
- 6) Placement of a note on the Final Plat of Phase I stating that Lot 1 is denied direct access to Snow Road and Lot A is limited to 2 curb-cuts, with the size, design, and location to be approved by Mobile County Engineering and conform to AASHTO standards;
 - 7) Placement of a note on the Final Plat of Phase I limiting Lots 1-52 to 1 curb-cut, with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
 - 8) Placement of a note on the Final Plat of Phase I stating that all common and detention areas shall be maintained by the property owners;
 - 9) Placement of a note on the Final Plat of Phase I stating that no permanent structures can be placed or erected within any easement;
 - 10) Placement of a note on the Final Plat of Phase I stating: *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.);*
 - 11) Placement of a note on the Final Plat of Phase I stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened and otherwise protected species.);*
 - 12) Placement of a note on the Final Plat of Phase I stating: *(The approval of all applicable federal, state and local environmental agencies regarding wetlands, would be required prior to the issuance of any permits or land disturbance activities.);*
 - 13) Compliance with Fire Department comments and placement of a note on the Final Plat of Phase I stating: *(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. 2009 International Fire Code Appendix D Fire Apparatus Access Roads. Section D107 One- or Two-Family Residential Developments. D107.1 One- or two-family dwelling residential developments: Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
 - 14) Compliance with Engineering comments and placement of a note on the Final Plat of Phase I stating: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of*

Mobile storm water and flood control ordinances prior to the issuance of any permits.); and

- 15) **Submission of certification to the Planning Division of the Urban Development Department by a licensed engineer that detention facilities are adequate to comply with City of Mobile volume and discharge rate standards prior to the signing of the Final Plat for each phase.**

The motion carried unanimously.

3. **65 North Mobile Street**

(Southwest corner of Mobile Street and Old Shell Road, extending North and West to the CN Railroad right-of-way and the South terminus of Martin Street).

Council District 1

A. ZON2014-01871 (Planned Unit Development)

UMS Wright Corporation

Planned Unit Development Approval to amend a previously approved Planned Unit Development to add a middle school, proposed baseball training facility metal storage building, announcers booth (at the existing softball field) and multiple buildings on a single building site.

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

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

- 1) **daycare and elementary teaching stations under the “Parking Requirement” table;**
- 2) **revision of the site plan(s) to depict the overall total number of required parking spaces (152) as well as the total number of spaces provided (204);**
- 3) **revision of the site plan(s) to depict a driveway to allow access to and from the basketball court parking lot located behind the existing middle school;**
- 4) **revision of the site plan to label the relocated storage building as “proposed”;**
- 5) **placement of a note on the site plan(s) stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;**
- 6) **compliance with Engineering comments: “ADD THE FOLLOWING NOTES TO THE SITE PLAN: 1. A Land Disturbance Permit application shall be submitted for any**

proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.”;

- 7) compliance with Traffic Engineering comments: *“Access to the site is limited to the existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. If in the future, enrollment capacity is increased, or if any access changes are proposed, a traffic impact study will be required for this site.”*;
- 8) 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).”;
- 9) 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.”
- 10) full compliance with all municipal codes and ordinances;
- 11) submission of a revised PUD and PA site plan prior to any request for permits; and
- 12) provision of evidence that the expansion of 52 Martin Street building was properly permitted.

The motion carried unanimously.

B ZON2014-01945 (Planning Approval)

UMS Wright Corporation

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

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

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

- 1) revision of the site plan(s) to depict 50 required parking spaces for the daycare and elementary teaching stations under the "Parking Requirement" table;
- 2) revision of the site plan(s) to depict the overall total number of required parking spaces (152) as well as the total number of spaces provided (204);
- 3) revision of the site plan(s) to depict a driveway to allow access to and from the basketball court parking lot located behind the existing middle school;
- 4) revision of the site plan to label the relocated storage building as "proposed";
- 5) placement of a note on the site plan(s) stating that any future development will require Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 6) compliance with Engineering comments: *"ADD THE FOLLOWING NOTES TO THE SITE PLAN: 1. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control."*;
- 13) compliance with Traffic Engineering comments: *"Access to the site is limited to the existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. If in the future, enrollment capacity is increased, or if any access changes are proposed, a traffic impact study will be required for this site."* ;
- 7) compliance with Urban Forestry comments: *"Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64)."*;
- 8) compliance with Fire comments: *"All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile."*
- 9) full compliance with all municipal codes and ordinances; and
- 10) submission of a revised PUD and PA site plan prior to any request for permits; and

- 11) provision of evidence that the expansion of 52 Martin Street building was properly permitted.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

4. **1101 & 1105 I-65 Commerce Drive**
(Southeast corner of I-65 Commerce Drive and Commerce Court East).
Council District 4
SUB2014-00135
Government Boulevard Commerce Park Subdivision, Resubdivision of
Lots 16 & 17
Number of Lots / Acres: 1 Lot / 1.1± Acre
Engineer / Surveyor: Byrd Surveying, Inc.

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

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

- 1) retention of the lot sizes in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 2) retention of the 25' minimum building setback line on the Final Plat;
- 3) placement of a note on the Final Plat stating that Lot A is limited to two curb cuts, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) placement of a note on the Final Plat stating that the maintenance of the common areas and detention area is the responsibility of the property owners and not the City of Mobile;
- 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) subject to the Engineering comments: *[The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a note to the SUBDIVISION*

PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.

C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Provide and label the monument set or found at each subdivision corner. E. Add a

signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. I. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];

- 7) *subject to the Traffic Engineering comments: (Site is limited to two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) *subject to 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).); and*
- 9) *compliance with the Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile).*

The motion carried unanimously.

5. North side of Ben Hamilton Road, 1059'± North of the Northern terminus of March Road.

County

SUB2014-00139

D.L. Atchison Farmettes Subdivision, Addition to

Number of Lots / Acres: 1 Lot / 18.0± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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

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

- 1) retention of the 25-foot minimum building setback line where the lot is a minimum of 60 feet in width, as required by Section V.D.9. of the Subdivision Regulations;
- 2) placement of a note on the Final Plat limiting the lot to one curb cut to Ben Hamilton Road, with the size, design, and location of the curb cut to be approved by Mobile County Engineering and conform to AASHTO standards;
- 3) placement of a note stating that no future resubdivision will be allowed until additional street frontage is provided;
- 4) labeling of the lot area size, in square feet, or provision of a table on the Final Plat with the same information;
- 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 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;
- 7) placement of a note on the Final Plat to comply with the City of Mobile storm water and flood control ordinances (*Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.*); and
- 8) 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.

6. 2461 Island Road

(Southeast corner of Dauphin Island Parkway and Island Road, extending to the Northeast corner of Dauphin Island Parkway and Ila Drive).

County

SUB2014-00133

Island Farms Subdivision, A Resubdivision of Lots 1, 2 & 3

Number of Lots / Acres: 2 Lots / 2.2± Acres

Engineer / Surveyor: Northstar Engineering Services

The Chair announced the application had been recommended for approval.

Planning Commission Meeting

Ben Cummings, Cummings Architecture, spoke on behalf of the applicant. He stated that the applicant would like to withdraw the application.

Hearing no opposition or further discussion, the application was withdrawn by the applicant.

7. 1618, 1660 and 1700 Leroy Stevens Road

(West side of Leroy Stevens Road, 2/10± mile South of Jeff Hamilton Road Extension).

County

SUB2014-00137

Calgary Subdivision

Number of Lots / Acres: 46 Lots / 17.7± Acres

Engineer / Surveyor: Austin Engineering Company, Inc.

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Vallas to hold the matter over until the December 18th meeting, with revisions due by December 5th to allow the applicant to address the following:

- 1) Revision of the site layout, lot information, and setbacks, as necessary, to depict a second access point to Leroy Stevens Road to reflect Fire Department comments.**

The motion carried unanimously.

PLANNING APPROVAL APPLICATIONS

8. 4132 Government Boulevard

(North side of Government Boulevard, 130'± East of U.S. Highway 90 Drive).

Council District 4

ZON2014-02286

Boomer's Automotive Interior

Planning Approval to allow an upholstery shop in an B-2, Neighborhood Business District

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Hembree to hold the matter over until the December 18, 2014

meeting, with revisions due by Tuesday December 2, 2014 to address the following:

- 1) revision of the site plan to depict a list of current tenants and vacant spaces with the square footage of each tenant space and required parking spaces based on the use of the each tenant space;
- 2) revision of the site plan to depict the lots in square feet and acres;
- 3) revision of the site plan to correct the legal description;
- 4) revision of the site plan to depict existing curb-cuts;
- 5) revision of the site to depict all proposed and existing conditions on the site including existing parking spaces;
- 6) revision of the site plan to show existing and proposed dumpsters on the site, with all new dumpsters to be in compliance with Section 64-4.D.9. or a note on the plan stating that curbside pickup or some other service will be utilized;
- 7) revisions to site plan to depict to the 25' minimum building setback line;
- 8) 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)."*;
- 9) 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
- 10) full compliance with all other municipal and state codes.

The motion carried unanimously.

SIDEWALK WAIVER APPLICATIONS:

9. West side of Schillinger Road, 320'± North of Zeigler Boulevard.
County
ZON2014-02285
Adnan Al-Sadek
Request to waive construction of a sidewalk along Schillinger Road.

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

Hearing no opposition or discussion, a motion was made by Mr. Hembree, with second by Ms. Denson to deny the request to waive construction of a sidewalk along Schillinger Road.

The motion carried unanimously.

GROUP APPLICATIONS:

10. 3113 Airport Boulevard

(Southwest corner of Airport Boulevard and Bel Air Boulevard).
Council District 5

A. SUB2014-00132 (Subdivision)

Bel Air Boulevard Subdivision, Wendco Addition to

Number of Lots / Acres: 1 Lot / 1.0± Acre

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, Inc.

The Chair recused himself from discussion and voting on the matter.

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

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

- 1) **Depiction of a 150' right-of-way width, after vacation for Airport Boulevard/Airport Boulevard Service Road on the Final Plat;**
- 2) **Placement of a note on the Final Plat stating that no permanent structures can be constructed in any easement;**
- 3) **Placement of a note on the Final Plat stating that the lot is denied direct access to Airport Boulevard and limited to one curb-cut to Bel Air Boulevard and one curb-cut to the Airport Boulevard Service Road, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **Placement of a note on the Final Plat stating: (Development of the site must comply with local, state and federal regulations regarding flood zones.);**
- 5) **Placement of a note on the Final Plat stating: (Development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);**
- 6) **Compliance with Engineering Comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan***

(1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. B. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. C. Correct the written distance label or the written description for the length of the east property line along Bel Air Blvd. (227.61 ft. or 227.16 ft.). D. Show and label the MFFE (Minimum Finished Floor Elevation) as 22.75 ft. on each lot that contains an AE, V, or X (shaded) flood zone designation. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. G. Show the recording information for the vacated Right-of-Way along Airport Blvd. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 7) Compliance with Traffic Engineering Comments: (Site is limited to one curb cut to Bel Air Boulevard, one curb cut to Airport Boulevard Service Road, and denied direct access to Airport Boulevard. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 8) 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).);
- 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.);
- 10) Completion of the Rezoning process;
- 11) Completion of the Subdivision process prior any requests for Land Disturbance; and
- 12) Completion of the vacation process

The motion carried unanimously with Mr. Watkins recusing.

B. ZON2014-02229 (Rezoning)

R & R Holdings, LLC

Rezoning from R-1, Single-Family Residential District, and B-3, Community Business District, to B-3, Community Business District to accommodate an existing restaurant.

The Chair recused himself from discussion and voting on the matter.

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

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

- 1) **Completion of the Subdivision process; and**
- 2) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously with Mr. Watkins recusing.

11. 5753 Old Shell Road
(Southeast corner of Old Shell Road and Long Street).
Council District 6

A. SUB2014-00134 (Subdivision)

Shed Development Subdivision

Number of Lots / Acres: 2 Lots / 6.2± Acres

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

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.

William Lada, 3901 Springhill Ave, stated that the applicant would like to withdraw the application.

Hearing no opposition or further discussion, the application was withdrawn by the applicant.

B. ZON2014-02244 (Rezoning)

Wells Ventures LLC

Rezoning from B-2, Neighborhood Business District, to B-2, Neighborhood Business District and B-3, Community Business District, to allow a hotel and future retail development.

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.

William Lada, 3901 Springhill Ave, stated that the applicant would like to withdraw the application.

Hearing no opposition or further discussion, the application was withdrawn by the applicant.

12. **5827 and 5831 U. S. Highway 90 West**
(Southeast corner of U.S. Highway 90 West and Hamilton Boulevard)
Council District 4

A. SUB2014-00136 (Subdivision)

Hamilton McDonald's Subdivision

Number of Lots / Acres: 2 Lots / 6.9± Acres

Engineer / Surveyor: Hutchinson, Moore & Rauch, LLC

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.

Stewart Smith, spoke on behalf of his client. He stated that he would like to request that the application be heldover until the January 15th meeting.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Latham to hold the matter over until the January 15th meeting at the applicant's request.

The motion carried unanimously.

B. ZON2014-02258 (Planned Unit Development)

Hamilton McDonald's Subdivision

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

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 discussion, a motion was made by Mr. Watkins, with second by Ms. Latham to hold the matter over until the January 15th meeting at the applicant's request.

The motion carried unanimously.

C. ZON2014-02257 (Sidewalk Waiver)

McDonald's USA, LLC

Request to waive construction of a sidewalk along U.S. Highway 90 West and Hamilton Boulevard.

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 discussion, a motion was made by Mr. Watkins, with second by Ms. Latham to hold the matter over until the January 15th meeting at the applicant's request.

The motion carried unanimously.

- 13. 1621 Virginia Street**
(Southeast corner of Virginia Street and Lott Street, extending to the North side of Dublin Street East).
Council District 2

A. SUB2014-00131 (Subdivision)
Ladd Peebles Stadium Subdivision
Number of Lots / Acres: 2 Lots / 43.1± Acres
Engineer / Surveyor: Joe Schifano

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

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.

Belinda Bodie, 1022 Highland Colony Pkwy Ridgeland, MS, requested that Item G under the Engineering comments be removed.

The following people spoke in opposition to the matter:

- Jerryln Rushing London, 3720 Holly Ridge Circle;
- MaryAnn Jackson Campbell, 1942 County Rd. 48 Robertsdale, AL
- Alba Campbell, 1942 County Rd. 48 Robertsdale, AL

They made the following points against the application:

- A. concerned about the number of cell phone towers around Williamson High School;
- B. questioned how this will affect property values in the area;
- C. questioned why they could not locate the tower in a different area of the property.

Brooks Milling, 11 North Water Street, spoke on behalf of the applicant. He stated that in lease negotiations with the City there was consideration given to putting the tower on the Stadium, but that was not acceptable to the City. The proposed location for the tower was the only site that they City would allow.

John Olszewski, City of Mobile Real Estate, stated that this location is the only location that the Ladd Peebles board could agree on.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the January 15, 2015 meeting, to allow the applicant to work through the Administration to consider relocation of the lease parcel.

The motion carried unanimously.

B. ZON2014-02188 (Planned Unit Development)

Ladd Peebles Stadium Subdivision

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

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

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 further opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the January 15, 2015 meeting, to allow the applicant to work through the Administration to consider relocation of the lease parcel.

The motion carried unanimously.

C. ZON2014-02190 (Planning Approval)

Ladd Peebles Stadium Subdivision

Planning Approval to allow a cell tower in a B-3, Community Business District.

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

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 further opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the January 15, 2015 meeting, to allow the applicant to work through the Administration to consider relocation of the lease parcel.

The motion carried unanimously.

14. 2 South McGregor Avenue

(East side of South McGregor Avenue, 100'± South of Old Shell Road, and West side of

South McGregor Avenue, 295'± South of Old Shell Road).
Council District 7

A. SUB2014-00138 (Subdivision)

Springhill Baptist Church Subdivision

Number of Lots / Acres: 3 Lots / 11.0± Acres

Engineer / Surveyor: Hatch Mott MacDonald

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

Hearing no opposition or discussion, a motion was made by Mr. Vallas, with second by Ms. Latham to waive Section V.B.2. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South McGregor Avenue;**
- 2) **Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;**
- 3) **Compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Provide and label the monument set or found at each subdivision corner. E.*)**

Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. G. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 4) **Compliance with Traffic Engineering comments** (*The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.*);
- 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 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) **Placement of a note on the plat / site plan** stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 8) **Provision of 4 copies of the revised PUD and Planning Approval site plans** prior to or at time of Subdivision plat signing.

The motion carried unanimously.

B ZON2014-02275 (Planned Unit Development)
Springhill Baptist Church Subdivision

Planned Unit Development Approval to allow multiple buildings on multiple building sites.

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

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

- 1) Limited to the site plan submitted, with revisions listed below;
- 2) Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South McGregor Avenue;
- 3) Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;
- 4) Compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. The proposed development must comply with all Engineering Department Policy Letters.);*
- 5) Compliance with Traffic Engineering comments (*The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and*

conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.);

- 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.*);
- 7) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*);
- 8) **Placement of a note on the plat / site plan** stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) **Completion of the Zoning process;** and
- 10) **Provision of 4 copies of the revised PUD site plan** prior to or at time of Subdivision plat signing.

The motion carried unanimously.

C. ZON2014-02268 (Planning Approval)

Springhill Baptist Church Subdivision

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

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

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

- 1) **Limited to the site plan submitted, with revisions listed below;**
- 2) **Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South**

McGregor Avenue;

- 3) Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;
- 4) Compliance with Engineering comments (*1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.);*
- 5) Compliance with Traffic Engineering comments (*The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.*);
- 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.*);
- 7) Compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*);

- 8) Placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) Completion of the Zoning process; and
- 10) Provision of 4 copies of the revised Planning Approval site plan prior to or at time of Subdivision plat signing.

The motion carried unanimously.

D. ZON2014-02270 (Rezoning)

Springhill Baptist Church

Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood

Business District, to R-1, Single-Family Residential District, to eliminate split zoning.

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

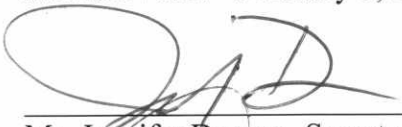
Hearing no opposition or discussion, a motion was made by Mr. Vallas, with second by Ms. Latham to approve the above referenced matter, subject to the following conditions:

1) Completion of the Subdivision process.

The motion carried unanimously.

OTHER BUSINESS:

APPROVED: February 5, 2015



Ms. Jennifer Denson, Secretary

Mr. James F. Watkins, Chairman