

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JANUARY 15, 2015 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Mr. James (Jay) F. Watkins, Chairman
Ms. Shirley Sessions
Ms. Jennifer Denson (S), Secretary
Mr. P. Nigel Roberts
Mr. Nick Amberger (AO)
Mr. Levon Manzie (CC)
Ms. Libba Latham (PJ)
Mr. Thomas Doyle
Mr. John Vallas
Ms. Sujin Kim
Mr. Allan Cameron (S)

Members Absent

Mr. Carlos Gant, Vice Chair
Mr. Don Hembree (PJ)

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.

APPROVAL OF MINUTES:

Ms. Denson moved, with second by Mr. Amberger, to approve the minutes from the following, regularly held, Planning Commission meeting:

- October 2, 2014

The motion carried unanimously.

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 stated for the record that this is only 5 lots on the sub-standard street and he does not feel as if it would have a significant impact on traffic. He asked that the Commission reconsider the denial and consider it for approval.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Manzie to deny the above referenced application for the following reasons:

- 1) **Sunset Road is a substandard, unpaved road, not meeting the minimum width or surfacing requirements of Section VIII.E.2.c. of the Subdivision Regulations, thus raising concerns regarding access to the proposed subdivision; and**
- 2) **all of the proposed lots exceed the width-to-depth ratio as stated in Section V.D.3. of the Subdivision Regulations.**

The motion carried unanimously.

2. **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.

Nathan Handmacher, 1110 Montlimar Drive, spoke on behalf of the applicant. He requested that the Commission strike condition #2 from the Staff's recommendations for PUD and Subdivision; the requirement to add the additional 10 feet of setback along Hamilton Blvd. He stated that this is 2 existing developments, a shopping center that is Winn-Dixie anchored and a free standing McDonald's Restaurant. He noted that the requirements on Hamilton Blvd for the setbacks have been waived and that they understand that there are not any plans for the City to widen Hamilton Blvd at this time. The scale of what is being requested does not make sense; this is a Subdivision on a sale that is 30 feet of road frontage, a total of 3900 square feet. Moving the setback has requested is a total of 4870 square feet, which would be square footage than what is being transacted for the Subdivision.

Glen Pancheson, real estate representative for McDonald's, spoke on behalf of the applicant. He stated that McDonald's is only purchasing 3900 square feet of property. The original intent is to add a side-by-side drive-thru in the back.

John Williams, City Council representative, spoke in favor of the application. He stated that he felt as if this is something that the Theodore area needs greatly; he also noted that this particular shopping center has been a cornerstone in the area for a long time.

Hearing no opposition or further 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 lot sizes in square feet and acres;
- 2) placement of a note stating that no structures will be erected in any easement;
- 3) placement of a note on the site plan stating that both lots are limited to existing curb cuts, with the size, design and location to be approved by ALDOT (where applicable) and Traffic Engineering and comply with AASHTO standards;
- 4) full compliance with the Traffic Engineering comments (*U.S. Highway 90 is an ALDOT maintained roadway. The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT (where applicable) 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.*);
- 5) full 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) Provide legible street names in the vicinity map. D) Provide a written legal description for the proposed subdivision and matching bearing and distance labels. Include a tie(s) from the POC to the POB. E) Provide and label the monument set or found at each subdivision corner. F) Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G) 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. H) 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. I) Provide a copy of the Final Plat along with the original when submitting for City Engineer signature);*
- 6) full 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and*
 - 7) provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of the Final Plat.

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 further 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 lot sizes in square feet and acres;
- 2) placement of a note stating that if the building footprints are

- cumulatively increased or decreased by 50%, full compliance with tree planting and landscaping requirements will be required;
- 3) placement of a note stating that if the building footprints are cumulatively increased or decreased by 50%, a sidewalk will be required along Hamilton Boulevard;
 - 4) placement of a note stating that no structures will be erected in any easement;
 - 5) placement of a note on the site plan stating that both lots are limited to existing curb cuts, with the size, design and location to be approved by ALDOT (where applicable) and Traffic Engineering and comply with AASHTO standards;
 - 6) full compliance with the Traffic Engineering comments (*U.S. Highway 90 is an ALDOT maintained roadway. The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT (where applicable) 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.*);
 - 7) full compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1) Any work performed in the existing City of Mobile 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) Any work performed in the existing ALDOT ROW (right-of-way) will require a permit from the ALDOT 9th Division. Provide a copy of any permit approvals and drawings to the City of Mobile with the Land Disturbance or ROW Permit. 3) 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. 4) 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) The proposed development must comply with all Engineering Department Policy Letters.);and*
 - 8) provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to the signing of the Final Plat.

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 further discussion, a motion was made by Mr. Vallas, with second by Mr. Amberger to approve the above referenced application, until such time:

- 1) the building footprints are cumulatively increased or decreased by 50%, then a sidewalk will be required along Hamilton Boulevard.**

The motion carried unanimously.

3. 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 holdover. He added if anyone wished to speak on the matter they should do so at that time.

Brooks Milling, Hand Arendall LLC, spoke on behalf of the applicant. He requested that the application be heldover until April to iron out details of a new location within the site.

The following people spoke in opposition to the matter:

- Jerryln Rushing London, 3720 Holly Ridge Circle;
- Aleada Nicholson, 1615 West Ave;
- Dorothy Hollingshead, 369 Tuttle;

- Ethel Burns, 364 Gordon Street;

They made the following points against the application:

- A. stated that they are in opposition to a cell phone tower being on this property no matter the location;
- B. does not want the cell phone tower in her backyard;
- C. concerned about the noise from the generators;
- D. worried it would interfere with personal cell phones in emergency situations.

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 April 16, 2015 meeting to allow the applicant to finalize a new location of the proposed tower with the Ladd-Peebles Board and, if necessary, prepare new applications for submittal.

The motion carried unanimously with Mr. Vallas recusing.

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 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. Watkins, with second by Ms. Denson to hold the matter over until the April 16, 2015 meeting to allow the applicant to finalize a new location of the proposed tower with the Ladd-Peebles Board and, if necessary, prepare new applications for submittal.

The motion carried unanimously with Mr. Vallas recusing.

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 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. Watkins, with second by Ms. Denson to hold the matter over until the April 16, 2015 meeting to allow the applicant to finalize a new location of the proposed tower with the Ladd-Peebles Board and, if necessary, prepare new applications for submittal.

The motion carried unanimously with Mr. Vallas recusing.

4. **South side of Howells Ferry Road at the South terminus of Harvey Hill Road.**

County

SUB2014-00122

Colleton Place Subdivision, Phases 2-4

Number of Lots / Acres: 104 Lots / 29.3± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this subdivision was originally approved by the Planning Commission in 2007. The current application was set to be approved until the fire code issue started with the Holly Branch Subdivision. However, the note for fire code has been on plats for the past 10 years; nothing has changed. Mr. Orrell noted that there are multiple subdivisions that have been before the Commission in recent years that only one entrances but over 30 lots.

Vince Lacoste, Polysurveying, spoke in reference to the fire code issue. He stated that this issue is so much bigger than just this particular subdivision. Mr. Lacoste stated that there are many subdivisions that have undeveloped land that will land locked if this issue continues.

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 March 5, 2015 meeting the following reason:

- 1) **To allow the applicant to obtain a written opinion regarding the interpretation and application of Section DI07.1 of Appendix D, of the 2009 International Fire Code, by the State Fire Marshal.**

The motion carried unanimously.

5. **950 South Broad Street and 951& 953 Marine Street**

(Southwest corner of South Broad Street and Kentucky Street, and Southeast corner of Marine Street and Kentucky Street).
Council District 3

A. SUB2014-00124 (Subdivision)

C. J. Small Subdivision No. 2

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

Engineer / Surveyor: Byrd Surveying, Inc.

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

- 1) **Provision of a corner radius on the Final Plat in compliance with Section V.D.6. of the Subdivision Regulations at the southeast corner of Marine and Kentucky Streets;**
- 2) **Revision of the lot size information to reflect dedication and retained elsewhere on the Final Plat;**
- 3) **Depiction of the 25' minimum building setback line on the Final Plat along all street frontages;**
- 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) **Placement of a note on the Final Plat stating that both lots are limited to the existing curb-cuts, with any changes to be approved by Traffic Engineering and conform to AASHTO standards;**
- 7) **Compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);***
- 8) **Compliance with Engineering comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any***

- land disturbing activity in accordance with 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. Add/Correct the spelling of the street names in the vicinity map. E. Show and label all flood zones. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 9) *Compliance with Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 72" Live Oak Tree located on the North side of Lot A. 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.);*
- 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.); and*
- 11) *Submission of a revised, approved PUD site plan prior to the signing of the Final Plat.*

The motion carried unanimously.

B. ZON2014-02157 (Planned Unit Development)

C. J. Small Subdivision No. 2

Planned Unit Development to allow shared parking 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 Ms. Sessions, with second by Mr. Manzie to approve the above referenced matter, subject to the following conditions:

- 1) Provision of a corner radius, to coincide with the Final Plat, in compliance with Section V.D.6. of the Subdivision Regulations at the southeast corner of Marine and Kentucky Streets;
- 2) Provision of a compliant tree and landscape plan at time of any land disturbance request for the facility;
- 3) Revision of the site plan to illustrate full compliance with the dumpster requirements in Section 64-4.D.9. of the Zoning Ordinance for the existing dumpster or the placement of a note stating garbage collection will be via curb-side pick up;
- 4) Modification of existing site lighting, through redirection and/or shielding, to not shine onto any adjacent residences;
- 5) Placement of a note on the revised site plan stating: *(All new lighting on the site to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance);*
- 6) Compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 7) Compliance with Engineering comments: *(1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) 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. 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.);*
- 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). Preservation status is*

to be given to the 72" Live Oak Tree located on the North side of Lot A. 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.);

- 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) **Obtainment of a Demolition Permit for the removal of the existing dwelling unit;**
- 11) **Submission of one (1) revised site plan for the approved Use Variance (ZON2014-02415) to the Planning Division of the Urban Development Department, prior to the issuance of any construction-related permits;**
- 12) **Submission of one (1) revised PUD site plan to the Planning Division of the Urban Development Department, prior to the signing of the Final Plat and issuance of any construction-related permits;**
- 13) **The resubmission of a Planned Unit Development (PUD) application if the site development is changed, prior to the issuance of any permits; and**
- 14) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

6. 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 denial. He added if anyone wished to speak on the matter they should do so at that time.

Robert Blindauer, 4132 Government Blvd, spoke on his own behalf. He stated that he would like to request a holdover.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Vallas to hold the matter over until the March 5, 2015 meeting at the applicant's request.

The motion carried unanimously.

7. 5201 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 475'± South of Halls Mill Creek, extending to the West side of Halls Mill Road at Halls Mill Creek).

Council District 4

ZON2014-02494

DAT Holdings, LLC

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

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. Vallas, with second by Mr. Manzie to deny the request to waive construction of a sidewalk along U.S. Highway 90 West.

The motion carried unanimously.

8. **1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue**
(Northeast and Southeast corners of Dr. Martin Luther King Jr. Avenue extending to the West side of Vine Street).
Council District 2

A. SUB2014-00148 (Subdivision)

Emmanuel Subdivision

Number of Lots / Acres: 1 Lot / 0.3± Acres (*reduced from 3 lots*)

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

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.

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that they were in agreement with the most of the conditions. He stated that the Fire Department has indicated that they are ok with the fire hydrant that is on the other side of Martin Luther King Blvd.

Annette Evans, Martin Court, spoke in reference to the application. She stated that she was not in opposition; she wanted to get an understanding of what is going on with the property.

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

- 1) **Provision of a corner radius in compliance with Section V.D.6. of the Subdivision Regulations at the northeast corner of Dr. Martin Luther King, Jr. Avenue and Martin Court;**

- 2) Depiction of the lot size information in square feet and acres on the Final Plat to reflect dedication;
- 3) Revision of the 25' minimum building setback line on the Final Plat to reflect dedication;
- 4) Placement of a note on the Final Plat stating that the proposed lot denied access to Dr. Martin Luther King, Jr. Avenue and limited to one (1) curb-cut to Martin Court, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 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. 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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) each lot will receive historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. 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. E. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission,*

and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 7) **Compliance with Traffic Engineering Comments:** *(Lot 1 is limited to one curb cut to Martin Court, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Based on its existing development, the church lot is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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. Fire hydrant access to be across the street, as approved by Fire.);* and
- 10) **Completion of the Subdivision process prior any requests for Land Disturbance.**

The motion carried unanimously.

B. ZON2014-02487 (Planned Unit Development) (*Withdrawn*)
Emmanuel Subdivision

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

This application was withdrawn by the applicant.

C. ZON2014-02489 (Planning Approval)
Emmanuel Subdivision

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

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. Vallas, with second by Mr. Manzie to approve the above referenced matter, subject to

the following conditions:

- 1) The temporary building to be removed from corner lot by January 2018, or a new Planning Approval and full PUD application must be submitted by the end of January 2018;
- 2) Provision of a corner radius Illustration of all proposed trees on the revised site plan;
- 3) Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue;
- 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: *(Lot 1 is limited to one curb cut to Martin Court, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Based on its existing development, the church lot is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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) 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. Fire hydrant access to be across the street, as approved by Fire.);

- 8) **Completion of the Subdivision process prior to any request for building-related or land disturbance permits;**
- 9) **Submission of a revised site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat and any requests for building-related or land disturbance permits; and**
- 10) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

9. **1917 Brookdale Drive West**
(West terminus of Brookdale Drive West).
Council District 1
SUB2014-00160
Brookdale Properties, LLC Subdivision
Number of Lots / Acres: 1 Lot / 2.2± 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 stated that they would like to request that the application be heldover.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the February 5, 2015 meeting at the applicant's request.

The motion carried unanimously.

10. **10380 Pierce Creek Road**
(North side of Pierce Creek Road, 780'± West of Dykes Road South).
County
SUB2014-00154
John Richardson Family Division Subdivision
Number of Lots / Acres: 1 Lot / 1.5 ± Acre
Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this subdivision is a family division and the purpose of the application is to correct some issues with the post office. He also noted that the reason that the neighbors were not brought into the application is because there is an ongoing family issue.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Cameron to hold the matter over until the February 5, 2015 meeting at the applicant's request, and so that the staff could prepare conditions for Planning Commission consideration.

The motion carried unanimously.

11. **154,156, 158, 160 and 162 St Louis Street and 157 St Anthony Street**
(Northwest corner of St. Louis Street and St Joseph Street, extending to the Southwest corner of St Joseph Street and St. Anthony Street, extending to the South East corner of St. Anthony Street and South Conception Street, extending to the Northeast corner of St Louis Street and North Conception Street).

Council District 2

SUB2014-00156

US Courthouse Subdivision

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

Engineer / Surveyor: General Services Administration

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.

Joseph Marinaccio, 77 Forsyth Street Atlanta, GA, stated that while the Federal Government was exempt from local regulation, he was in agreement with the revised conditions.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Manzie to waive Section V.D.9. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

1) development of the site must comply with all applicable federal regulations regarding development within National Register-listed historic districts;

2) compliance with Engineering comments, as applicable: 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 Plat stating that the approval of all applicable federal agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.

c. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.

d. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.

e. Show and label all flood zones.

f. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.

g. Show and label each and every Right-Of-Way and easement.

h. Provide and label the monument set or found at each subdivision corner.

i. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.

j. Provide the Surveyor's Certificate and Signature.

k. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.

l. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

3) approval of all applicable federal agencies for development within the AE flood zone prior to the issuance of any permits or land disturbance activities; and

4) approval of all applicable federal agencies regarding endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

12. 1060, 1080 and 1130 Dawes Road

(Southwest corner of Dawes Road and Stacy Road, extending to the East side of Air Terminal Drive, 800'± North of Wilson Road).

County

SUB2014-00153

Dawes- Air Terminal Subdivision

Number of Lots / Acres: 2 Lots / 20.3± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He asked for two curb cuts on Air Terminal Drive.

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

- 1) revision of the plat to depict the 25' minimum building setback line along Stacey Road and Lot 2;
- 2) revision of the plat to depict a 40' minimum building setback line as measured from the unnamed public road right-of-way-edge on the Final Plat;
- 3) placement of a note on the Final Plat stating that Lots 1 and 2 are limited to one curb-cut to Dawes Road, and Lot 2 should be limited to two curb-cuts to Air Terminal Drive with the size, design, and locations to be approved by Mobile County Engineering and conform to AASHTO standards;
- 4) placement of a note on the Final Plat stating Lot 2 will be denied access to Stacey Road and the unnamed public road;
- 5) retention of the labeling of the lots in square feet and acres or the furnishing of a table providing the same information;
- 6) placement of a note on the Final Plat stating that no further resubdivision of Lot 1 will be allowed until additional public street frontage is provided;
- 7) provision of a corner radius to be coordinated with Mobile County Engineering;
- 8) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 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;
- 10) placement of a note on the Final Plat stating that the site *"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
- 11) 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3."

The motion carried unanimously.

13. Southwest corner of Emogene Street and Springdale Boulevard.
Council District 5
SUB2014-00157
Emogene/Springdale Subdivision, Lot B Replat
Number of Lots / Acres: 2 Lots / 5.2± Acres
Engineer / Surveyor: Pan American Engineers

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

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.

Ron Bordon, Pan American Engineers, spoke on behalf of the applicant. He stated that they were in agreement with the conditions.

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

- 1) an application for Administrative Planned Unit Development review will be required prior to the development of Lot B-1, to address the cross-access easement with Lot B-2;
- 2) placement of a note on the final plat stating that Lot B-1 is limited to two curb-cuts to Springdale Boulevard, and that Lot B-2 be limited to one curb-cut to Emogene Street and one curb-cut to Springdale Boulevard, with the size, design and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) placement of a note on the final plat stating that no structures may be built within any drainage or utility easements;
- 4) depiction of the 25-foot minimum building setback line from all street frontages as required by Section V.D.9. of the Subdivision Regulations;
- 5) the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;
- 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. Show and label each and every Right-Of-Way and easement. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. 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. F. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 7) compliance with Traffic Engineering comments (Lot B-1 is limited to two curb cuts to Springdale Boulevard, and Lot B-2 is limited to one curb cut to Springdale Boulevard and one curb cut to Emogene Street, with, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any 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 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) placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and
 - 11) completion of the Subdivision process prior to any request for permits for new construction.

The motion carried unanimously with Mr. Vallas recusing.

14. **5753 Old Shell Road**
(Southeast corner of Old Shell Road and Long Street).
Council District 6
SUB2014-00158

Shed Development Subdivision

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

Engineer / Surveyor: Byrd Surveying, Inc.

Ms. Latham recused herself 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. Amberger, with second by Mr. Manzie to approve the above referenced matter, subject to the following conditions:

- 1) **Provision of a corner radius at the southeast corner of Old Shell Road and Long Street, in compliance with Section V. D.6. of the Subdivision Regulations;**
- 2) **Dedication along Long Street, sufficient to provide 25' as measured from centerline, if necessary;**
- 3) **Long Street should be improved to City of Mobile standards at the time of development of each lot;**
- 4) **Revision of the lot size information and 25' minimum building setback line on the Final Plat to reflect any dedication;**
- 5) **Placement of a note on the Final Plat stating that site is limited to two curb cuts to Old Shell Road, and five curb cuts to Long Street, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards, with all unused curb-cuts removed and replaced with landscaped material;**
- 6) **Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding wetlands, floodways and flood zones.);***
- 7) **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.);***
- 8) **Placement of a note on the Final Plat and compliance with Traffic Engineering Comments: *(Prior to the issuance of any land disturbance permits, a traffic impact study may be required to be submitted and approved by Traffic Engineering. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements (if any) identified in the study. The overall site is limited to two curb cuts to Old Shell Road, and five curb cuts to Long Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any driveway permits for Long Street are contingent upon improvements to roadway as needed to meet city standards. Any driveway permits***

for Old Shell Road are contingent upon the closure of the mid-block median cut adjacent to the site. 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.);

- 9) **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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 20 - #73) LOT 1 will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) and LOT 2 will receive NONE. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. 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. E. Provide a written legal description or written clarification of the proposed boundary that matches the bearing and distance labels. F. Correct the N-S distance label from the POC to Parcel A to read in feet instead of inches. G. Show the tie from POC to POB for each parcel A – D; and label parcel A – D. H. Show and label all flood zones. I. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. K. Provide the Surveyor's Certificate. L. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. M. 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. N. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 10) **Compliance with Urban Forestry Comments:** *(Property to be developed in compliance with state and local laws that pertain to tree*

preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).); and

- 11) **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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.).*

The motion carried unanimously with Ms. Latham recusing.

15. **5596 and 5600 U.S. Highway 90 West**
(West side of U.S. Highway 90 West, 280'± South of Sermon Road South).
Council District 4
SUB2014-00161
Highway 90 / Snowball Subdivision
Number of Lots / Acres: 2 Lots / 3.1± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. Mr. Orrell asked that in lieu of dedication the setback be set 150 feet from the centerline of the existing Hwy 90, which would set up for dedication in the future.

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

- 1) **depiction of the minimum building setback from future right-of-way to provide 150' from the centerline of U.S. Highway 90 West;**
- 2) **retention of the lot size in square feet and acres;**
- 3) **placement of a note stating each lot is limited to one curb-cut each with the size, location and design of all curb cuts to be approved by ALDOT, Traffic Engineering and conform to AASHTO standards;**
- 4) **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*

SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - #92) the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. 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 Traffic Engineer. F) Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G) 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. H) Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 5) *compliance with Traffic Engineering comments (U.S. Highway 90 is an ALDOT maintained roadway. Driveway number, 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.);*
- 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) *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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
- 8) *submission of an application for an Administrative Planned Unit Development prior to any request for site development permits; and*
- 9) *completion of the Subdivision process prior to any application for permits.*

The motion carried unanimously.

16. **4302 & 4316 Barden Avenue**
(West side of Barden Avenue, 130'± South of Binghamton Drive).

County

SUB2014-00163

Suburban Heights Subdivision, Unit 2, Resubdivision of Lots 17 and 18

Number of Lots / Acres: 2 Lots / 0.8± Acre

Engineer / Surveyor: Rowe Surveying and 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. Amberger, with second by Ms. Latham to approve the above referenced matter, subject to the following conditions:

- 1) **provision of documentation of public water and sanitary sewer services for the proposed lots prior to the signing of the Final Plat;**
- 2) **retention of the 25' minimum building setback line on the Final Plat;**
- 3) **retention of the lot sizes 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 each lot is limited to 1 curb-cut with the size, design, and location to be approved by Mobile County Engineering, and conform to AASHTO standards;**
- 5) **placement of a note on the Final Plat stating no structures shall be constructed or placed in any easements;**
- 6) **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;**
- 7) **placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and**
- 8) **placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.); and***
- 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. As***

per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3."

The motion carried unanimously.

17. **2770 and 2800 New Belle Fontaine Boulevard**
(Northeast corner of New Belle Fontaine Boulevard & Lawrence Steiner Road)
County
SUB2014-00155
Mathis Bay Estates Subdivision
Number of Lots / Acres: 3 Lots / 2.0± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this application was originally 2 lots that were subdivided years ago; they are shifting the lot line of lot 1 a little north and trying to create a new buildable lot on Mobile Bay. Mr. Orrell noted that he was aware of the condition that was placed on the original resubdivision stating that there would be no future resubdivision of these 2 lots. He stated that however he was not a part of that and does not know the details.

Doug Anderson, Planning Commission Attorney, stated that he believes the note was placed in 2000. Mr. Anderson stated that the note was just like any other condition that the Planning Commission would put on an approval.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Amberger to hold the matter over until March 5, with the applicant's agreement, to allow staff to research the existing note stating no resubdivision, and to develop possible conditions for approval.

The motion carried unanimously.

18. **6150 Howells Ferry Road**
Northwest corner of Howells Ferry Road and Grider Road, and East side of Grider Road, 650'± North of Howells Ferry Road
Council District 7
SUB2014-00159
Grider Corner Subdivision
Number of Lots / Acres: 3 Lots / 1.5± 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. Manzie, with second by Mr. Amberger to approve the above referenced matter, subject to the following conditions:

- 1) **Retention of the lot size information and 25' minimum building setback line on the Final Plat;**
- 2) **Depiction and labelling of the "future development area" on the Final Plat;**
- 3) **Placement of a note on the plat stating that each lot is limited to one curb-cut, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;**
- 5) **Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for stream and wetland issues, if any, prior to the issuance of any permits or land disturbance activities;**
- 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. Provide and label the monument set or found at each subdivision corner. B. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. C. 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. D. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.*);**
- 7) **Compliance with Traffic Engineering comments (*Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*);**
- 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).*); and**

- 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.*).

The motion carried unanimously.

GROUP APPLICATIONS:

19. 5418 Old Shell Road

(Northeast corner of Old Shell Road and Cosgrove Drive)
Council District 7

A. SUB2014-00164 (Subdivision)

Hilltop Subdivision, First Addition, Resubdivision of Lot 24,

Number of Lots / Acres: 1 Lot / 0.2± Acre

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

Ms. Latham recused herself from discussion and voting on the matter.

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.

A gentleman spoke in opposition to the application. He stated that he was in barking distance to this property and he also stated that a dog run would have a negative impact on the area.

Hearing no further 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 labeling of the lot with its size in square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;**
- 2) **revision of the plat to provide a 25' corner radius dedication at the intersection of Old Shell Road and Cosgrove Drive, if such should be required by City Engineering;**
- 3) **placement of a note on the Final Plat stating that the lot is limited to one curb cut to Old Shell Road and one curb cut to Cosgrove Drive, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;**

- 4) retention of the 25' minimum building setback line along Cosgrove Drive as illustrated on the preliminary plat;
- 5) revision of the plat to illustrate the 25' minimum building setback line along Old Shell Road as measured from the new right-of-way line and not the old right-of-way line;
- 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;
- 7) 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. 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. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. 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. E. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.];*
- 8) subject to the Traffic Engineering comments: *(Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm to AASHTO standards. Any gravel in the right-of-way and adjacent to the right-of-way that would not be used for parking or maneuvering should be removed and grassed or landscaped. If gravel is to remain in the rear of the property, any required parking spaces should be delineated with bumper stops. 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. Sidewalk is illustrated to be constructed only on Old Shell Road, but should also be constructed along the frontage of Cosgrove Drive, unless a sidewalk waiver is obtained. The construction of sidewalk should also include a handicap ramp at the corner of Old Shell Road and Cosgrove Drive.);*
- 9) 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). Provide additional evergreen vegetative buffer plantings along the North property line for*

additional buffer of the residentially developed property from the proposed outside dog run.);

- 10) **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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);***
- 11) **submission and approval of two (2) copies of a revised Planning Approval site plan to Planning, indicating all conditions of its approval, prior to the signing of the Final Plat; and**
- 12) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously with Ms. Latham recusing.

- 1) **ZON2014-02654 (Planning Approval)**
Hilltop Subdivision, First Addition, Resubdivision of Lot 24,
Planning Approval to allow a veterinarians office with outdoor runs.

Ms. Latham recused herself from discussion and voting on the matter.

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

- 1) **revision of the site plan to provide a 6' high wooden privacy fence around the outdoor dog run area along the edge of the driveway;**
- 2) **revision of the site plan to remove the existing asphalt driveway along the front of the building within the dedicated right-of-way;**
- 3) **revision of the ingress drive from Old Shell Road to restrict vehicular traffic into the frontage area where the asphalt drive is removed within the dedicated right-of-way;**
- 4) **revision of the site plan to indicate landscaping within the area of the removed frontage asphalt drive;**
- 5) **revision of the site plan to indicate the 25' minimum building setback line along Old Shell Road as being measured from the new right-of-way line and not the old right-of-way line;**
- 6) **revision of the site plan to illustrate the proposed sidewalk along Old Shell Road being located further North and just adjacent to the new right-of-way line;**
- 7) **revision of the site plan to provide a sidewalk along Cosgrove Drive,**

- or the submittal of a Sidewalk Waiver request for such;
- 8) revision of the site plan to indicate a 25' corner radius dedication at the intersection of Old Shell Road and Cosgrove Drive, if such dedication should be required by City Engineering;
 - 9) revision of the landscaping calculation information to be based on the lot size after the frontage dedication required by the 1987 rezoning and any required by the current associated Subdivision;
 - 10) revision of the site plan to indicate any proposed HVAC and generator units, if over 36" above grade, meeting all required setbacks;
 - 11) retention of the note on the site plan stating that no dumpster will be utilized;
 - 12) replacement of the photometric plan note with a note on the site plan stating that any new site or parking area lighting must comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance;
 - 13) provision of a 6' wooden privacy fence along the North property line, dropping to no higher than 3' within the building setback line;
 - 14) 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;
 - 15) subject to the Traffic Engineering comments: *(Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm to AASHTO standards. Any gravel in the right-of-way and adjacent to the right-of-way that would not be used for parking or maneuvering should be removed and grassed or landscaped. If gravel is to remain in the rear of the property, any required parking spaces should be delineated with bumper stops. 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. Sidewalk is illustrated to be constructed only on Old Shell Road, but should also be constructed along the frontage of Cosgrove Drive, unless a sidewalk waiver is obtained. The construction of sidewalk should also include a handicap ramp at the corner of Old Shell Road and Cosgrove Drive.);*
 - 16) 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). Provide additional evergreen vegetative buffer plantings along the North property line for additional buffer of the residentially developed property from the proposed outside dog run.);*
 - 17) 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. As per Appendix D, Section D107.1, one and two family developments*

with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);

- 18) submission and approval of two (2) copies of a revised site plan to Planning, indicating all conditions of approval, prior to the submission of plans for construction or the signing of the Final Plat; and
- 19) full compliance with all municipal codes and ordinances.

The motion carried unanimously with Ms. Latham recusing.

20. 3719 Dauphin Street
(South side of Dauphin Street at West I-65 Service Road South).
Council District 5

A. SUB2014-00162 (Subdivision)

Springhill Memorial Subdivision, Resubdivision of Lot A

Number of Lots / Acres: 2 Lots / 10.9± Acres

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

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

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

- 1) **Placement of a note on the final plat stated that Lots A1 and A2 are limited to their existing curb-cuts, with any changes to the size, design or location to be approved by Traffic Engineering, conform to AASHTO standards;**
- 2) **Approval of all applicable federal, state and local agencies regarding flood zone issues prior to the issuance of any permits or land disturbance activities**
- 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. Label I-65 in the vicinity map. B. Show and label the MFFE (Minimum Finished Floor Elevation) LOT 1A. C. Label the monument set or found at each subdivision corner. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. 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. F. Provide a copy of the Final Plat along with the original when submitting for City*)**

Engineer signature.);

- 4) **Compliance with Traffic Engineering comments** (*Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm 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.);*
- 5) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 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) **Provision of a revised PUD site plan** prior to the signing of the final plat.

The motion carried unanimously.

B. ZON2014-02646 (Planned Unit Development)

Springhill Memorial Subdivision, Resubdivision of Lot A

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

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

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

- 1) **Revision of the PUD site plan to include the entirety of the Orthopedic Center Subdivision lot, recorded in Map Book 101, Page 99, including the associated parking and landscape areas;**
- 2) **Revision of the PUD site plan parking calculations to include the loss of parking spaces due to the emergency room area modifications, and the additional parking provided via condition number 1;**
- 3) **If any new dumpsters are placed on the overall PUD site, or if existing dumpsters are relocated, they must comply with the enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance;**
- 4) **Compliance with Engineering comments** (*I. According to the FEMA flood map information, this property is located within a Special Flood*

Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot 1-6. 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 (Site is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and confirm 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.);*
- 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) 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*
- 8) Provision of a revised PUD site plan prior to the signing of the final plat.*

The motion carried unanimously.

Other Business

- 1) Public Hearing to amend **XIII. CHAPTER 64-6.A.8.b. (2) and c.1.** The amendment will change the maximum foot candle (illumination level) to only be at residential property lines; and will change the interior illumination level to be

January 15, 2015
Planning Commission Meeting

1.0 foot candle average, 0.5 foot candle minimum. The request is the result of comments and issues raised by several design professionals when trying to meet these standards for expansion of existing parking facilities.

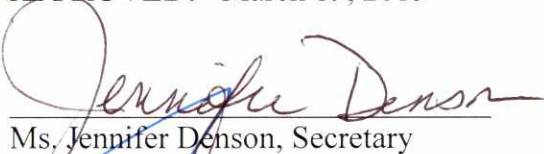
Frank Dagley, 717 Executive Drive, spoke in support of this amendment change. He stated that this issue came up on one of his projects; they tried for 8 months to get the lighting done in accordance with the ordinance. He noted that they had professional electrical engineers working on it and they contacted Alabama Power and they could not even get it in compliance. After that, everyone got the message that something needed to be done about this ordinance.

Hearing no opposition or further discussion, a motion was made by Mr. Amberger, with second by Ms. Latham to approve the ordinance. The motion carried unanimously.

- 2) The Planning Commission Subcommittee on Above Ground Petroleum Storage Tanks will hold a Meeting, Thursday, January 29, 2015, at 2:00 pm. The Subcommittee meeting will be held in the Auditorium of Government Plaza.

OTHER BUSINESS:

APPROVED: March 19, 2015



Ms. Jennifer Denson, Secretary



Mr. James F. Watkins, Chairman

/jpw