

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF DECEMBER 04, 2014 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Mr. James (Jay) F. Watkins, Chairman  
Mr. Carlos Gant, Vice Chair  
Ms. Shirley Sessions  
Mr. Don Hembree (PJ)  
Ms. Jennifer Denson (S), Secretary  
Mr. P. Nigel Roberts  
Mr. Nick Amberger (AO)  
Ms. Sujin Kim

**Members Absent**

Mr. Levon Manzie (CC)  
Mr. Allan Cameron (S)  
Mr. John Vallas  
Ms. Libba Latham (PJ)  
Mr. Thomas Doyle

**Urban Development Staff Present**

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

**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 meetings:

- May 15, 2014
- June 5, 2014
- June 19, 2014
- July 3, 2014

The motion carried unanimously.

**HOLDOVERS:**

1. **2643 Bear Fork Road**  
(East side of Bear Fork Road, 1.3± mile North of Moffett Road).  
Council District 1

- A. **SUB2014-00113 (Subdivision)**  
**Townsend Family Division Subdivision**  
**Number of Lots / Acres: 2 Lots / 5.0± Acres**  
**Engineer / Surveyor: Polysurveying Engineering – Land Surveying**

The Chair announced the applications 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 the purpose of this application is to come into compliance with the zoning ordinance. They asked that the mobile home be allowed to remain in its current location based on the existing slopes in the land and the cost associated with moving the mobile home out of the setback that provides access to only three additional homes. He noted that there are several hardships with this property. The Townsends currently live in a home located on the proposed lot 1 and their son lives on the proposed lot 2. Both Mr. Townsend and their son are both disabled and Mrs. Townsend looks after both of them.

Mr. Olsen stated that issue started due to a complaint due to raw sewage from the trailer and the house.

B.J. Lyons, 718 Downtowner Blvd., spoke on behalf of the applicant. He stated that they believe the young Mr. Townsend's ex-wife is the one that has filed the complaint. But, the issue was with the field lines and that has been cleared up.

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

- 1) **Approval of variances by the Board of Zoning Adjustment (prior to recording of final plat) for the mobile home and the encroachment into the required 25' setback;**
- 2) **Placement of a note on the final plat stating there shall be no future resubdivision of the site until adequate frontage is provided on a paved and City maintained public street;**
- 3) **Placement of a note on the final plat stating that each lot is limited to one curb cut;**
- 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 the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #65) each lot will receive the following 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, as follows: LOT 1 – Coordinate with City Engineering Department staff to establish the exact amount; LOT 2 – NONE. 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. Show and label all flood zones. E. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. F. Show and label each and every Right-Of-Way and easement. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 5) **Compliance with Traffic Engineering Comments:** *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 6) **Compliance with 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.);*
- 8) **Provision of certification from an Engineer that no structure, including the mobile home, is located in the wetlands;**
- 9) **Placement of a note on the final plat stating that approvals from local, state and federal agencies for flood zone and wetland issues may be required prior to development; and**
- 10) **Placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.**

The motion carried unanimously.

**B. ZON2014-01884 (Planning Approval)**  
**Townsend Family Division Subdivision**

Planning Approval to allow an existing mobile home in a R-1, Single-Family Residential district.

The Chair announced the applications 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 further discussion, a motion was made by Mr. Hembree, with second by Mr. Amberger to deny the above referenced application for the following reasons:

- 1) **The previous 2002 Variance approval from the Board of Zoning Adjustment only allowed the previous mobile home to remain on the site a temporary time not to exceed three years. The applicant subsequently placed another mobile home on the property illegally;**
- 2) **The majority of the other properties in the vicinity appear to have been developed in compliance with R-1, Single-Family Residential district guidelines; and,  
The Commission was of the opinion that as the Board of Adjustment had considered the previous mobile home, consideration of the “new” mobile home should come under their purview.**

The motion carried unanimously.

2. **7172 Bowers Lane**

(West side of Bowers Lane, 160'± South of Diamond Road).

Council District 4

**SUB2014-00121**

**Bowers Lane Subdivision, Resubdivision of Lots 1-3, Sullivan's Addition to**

**Number of Lots / Acres: 7 Lots / 4.7± 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 they are asking for a waiver of the length-to-width ratio, with the understanding that the previous subdivision was waived. He also stated that they would like one curb-cut per lot.

Hearing no opposition or further discussion, a motion was made by Mr. Amberger, with second by Mr. Hembree to waive Sections V.D.2. and V.D.3. of the Subdivision Regulations to approve the above referenced matter, subject to the following conditions:

- 1) Placement of a note on the final plat stating there shall be no future resubdivision of the site until adequate frontage is provided on a paved and City maintained public street;
- 2) Placement of a note on the final plat stating that each lot is limited to one curb cut;
- 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. 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 Vicinity Map to show the correct orientation of Old Military Road (south end) and Bowers Lane. 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. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 4) 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.);*
- 5) Compliance with 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 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, including Appendix D, Section 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.);*
- 7) Placement of a note on the final plat stating that approvals from local, state and federal agencies for flood zone and wetland issues may be required prior to development; and
- 8) Placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

The motion carried unanimously.

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

County

**SUB2014-00122**

**Colleton Place Subdivison, 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 application was set to be approved roughly 30 days ago; then a County Attorney representative came down and spoke and it was then heldover. Since that time there has been a meeting regarding the Fire issue, but no determination on where to go from here. He then requested another 30 day holdover.

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 January 15, 2015 at the applicant's request.

The motion carried unanimously.

4. **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.

Mr. Gant 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.

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that the applicant requested that the applications be heldover until the January 15<sup>th</sup> meeting. He noted that he would be making a small revision to the site plan.

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 January 15, 2015

meeting at the applicant's request.

The motion carried unanimously with Mr. Gant recusing.

**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.

Mr. Gant 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 opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Denson to hold the matter over until the January 15, 2015 meeting at the applicant's request.

The motion carried unanimously with Mr. Gant recusing.

**5. Southwest corner of Papermill Road and McKinley Street.**  
Council District 2

**A. SUB2014-00126 (Subdivision)**

**Bean Industrial Subdivision**

**Number of Lots / Acres:** 2 Lots / 17.7± Acres

**Engineer / Surveyor:** Byrd Surveying

The Chair announced the applications 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. Amberger to hold the matter over until the January 15, 2015 meeting with the applicant's consent.

The motion carried unanimously.

**B. ZON2014-02158 (Rezoning)**

**Bean Properties LLC**

Rezoning from R-1, Single-Family Residential District, to I-2, Heavy Industry District, to allow a steel warehouse and service center.

The Chair announced the applications 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. Amberger to hold the matter over until the January 15, 2015 meeting with the applicant's consent.

The motion carried unanimously.

**NEW SUBDIVISION APPLICATIONS:**

6. **150 Virginia Street**  
(Northeast corner of Virginia Street and South Conception Street).  
Council District 2  
**SUB2014-00140**  
**Marine & Industrial Supply Subdivision**  
**Number of Lots / Acres:** 1 Lot / 2.5± Acres  
**Engineer / Surveyor:** Hutchinson Moore & Rauch, LLC

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.

Clay Lanham, 11 N Water Street, spoke on behalf of the applicant. He stated that the applicant is Marine Supply Company that has been in business for over 40 years; business is going well and has a need to expand its facilities. He noted that the applicant is in agreement with all conditions except for two. Those two are the imposition of the right-of-way dedication of major streets in Mobile, and also the 25 foot setback.

Mr. Olsen stated that has far as the dedication is concerned the Staff understands and they do not disagree; the elimination of the dedication is not an issue. He noted that if the State wanted more right-of-way there they will get it. Mr. Olsen mentioned that there was an application to the west of this site where the Staff had recommended dedication and the Commission at that time chose not to require it. He stated that the Staff did have concerns over not maintaining the required setback; the Subdivision Regulations require a 25 ft setback along all street frontages; Staff request that the setback along Virginia Street be kept in the approval.

Mr. Lanham stated that the applicant was in agreement with the 25 ft setback requirement.

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

- 1) **dedication of the corner radii at Conception Street and Virginia Street per Section V.D.6. of the Subdivision Regulations;**
- 2) **placement of the lot size in square feet and acres;**
- 3) **placement of a note on the plat stating that the site is limited to the**



- existing curb cuts, with the size, design and location to be approved by Traffic Engineering, and to comply with AASHTO standards;
- 4) depiction of the 25ft-minimum building setback along all frontages after dedication for radius;
  - 5) compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: 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. 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. Provide legible street names in the vicinity map. 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. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
  - 6) compliance with Traffic Engineering comments (*Site is limited to two curb cuts to S Conception St, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required 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) 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.);* and
  - 9) completion of the Subdivision process prior to any application for permits.

The motion carried unanimously.

**SIDEWALK WAIVER APPLICATIONS:**

**7. 6750 Howells Ferry Road**

(Northwest corner of Howells Ferry Road and Erdman Avenue)

Council District 7

**ZON2014-02393**

**Independent Living Center Building Company, Inc.**

Request to waive construction of a sidewalk along Howells Ferry Road and Erdman Avenue

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

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Ms. Sessions the request to waive construction of a sidewalk along Howells Ferry Rd and Erdman Avenue.

The motion carried unanimously.

**GROUP APPLICATIONS:**

**8. 115, 201, 203 and 205 Furr Street**

(West side of Furr Street, 365'± North of Old Shell Road).

Council District 1

**A. SUB2014-00141 (Subdivision)**

**Furr Street Subdivision, Cornell's Addition to**

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

**Engineer / Surveyor:** Byrd Surveying, 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.

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that he had already submitted the boundary survey. The plat submitted has the property line in the accurate position.

Doug Klyce, Klyce Enterprises, spoke on his own behalf. He stated that they are the management company for Bebo's Express Carwashes, Bebo's market, and Bebo's Express Oil Change. He noted that they have been fortunate enough to experience some growth in the past few years and need to find some additional office space.

Mr. Watkins stated that he was under the impression this would be more of a warehouse/ storage facility than an office/ training facility. He asked if there is a lesser use than B-3 that it could be rezoned.

Mr. Olsen responded that the majority of the square footage of the building is warehouse storage so that is what it is has to be classified.

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

- 1) **Placement of a note on the final plat stating that the site is limited to one curb cut;**
- 2) **Subject to 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 a written legal description for the proposed subdivision and matching bearing and distance labels. E. Provide and label the monument set or found at each subdivision corner. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate and Signature. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. 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. J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);***
- 3) **Subject to Traffic Engineering comments (*Site is limited to one curb cut to Furr St, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);***
- 4) **Subject to 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));***

- 5) **Subject to 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
- 6) **Provision of a buffer as required by Section V.A.8.**

The motion carried unanimously.

**B. ZON2014-02384 (Rezoning)**

**Klyce Enterprises**

Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow a storage facility.

The Chair announced the applications 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 further discussion, a motion was made by Mr. Hembree, with second by Mr. Amberger to approve the above referenced matter, subject to the following conditions:

- 1) **The site be brought into full compliance with all municipal codes and ordinances, including but not limited to landscaping and tree plantings.**

The motion carried unanimously.

**9. 4725 Moffett Road**

(South side of Moffett Road at the South terminus of Shelton Beach Road Extension).  
Council District 7

**A. ZON2014-02396 (Planned Unit Development)**

**Mobile Area Water and Sewer System**

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

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.

Melissa O'Sullivan, Volkert, spoke on behalf of the applicant. She stated that MAWSS is renovating their building and repaving, as well as expanding their parking lot. The reservoir property has to be rezoned to match the business zoning of the building.

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

- 1) **coordination with the Right-of-Way Division of City Engineering and ALDOT concerning the allowance of the fence encroachment into the**

- rights-of-way along Forest Hill Drive and Moffett Road to remain;
- 2) revision of the site plan to indicate dumpster and pad compliance, or the placement of a note on the site plan stating that refuse collection will be either by curb-side pickup or private collection services;
  - 3) submittal of a lighting plan for the site regarding new parking area lighting fixtures (including photometrics), indicating the locations, and submittal of information regarding how any existing site lighting will be modified 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;
  - 4) 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;
  - 5) subject to the 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.];*
  - 6) subject to the Traffic Engineering comments: *[Moffet Road (US Highway 98) is an ALDOT maintained roadway). 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. Required 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) 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). Planting of Understory Parking trees for the proposed parking addition. 1 new understory tree for 20 new parking spaces being added to the site.];*

- 8) **subject to the Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);**
- 9) **revision of the site plan to provide a sidewalk in the right-of-way should the Sidewalk Waiver request be denied;**
- 10) **submission and approval of two (2) copies of a revised site plan prior to submittal for permits for Land Disturbance;**
- 11) **completion of the Rezoning process for both the recorded lot of record and the water reservoir parcel prior to issuance of a CO; and**
- 12) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

**B. ZON2014-02394 (Rezoning)**

**Board of Water and Sewer Commissioners of the City of Mobile, AL**

Rezoning from R-1, Single Family Residential District, and B-3, Community Business District, to B-3, Community Business District, to eliminate split zoning.

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.

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

- 1) **limited to an approved Planned Unit Development; and**
- 2) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

**C. ZON2014-002395 (Rezoning)**

**Board of Water and Sewer Commissioners of the City of Mobile, AL**

Rezoning From R-1, Single-Family Residential District, to B-3, Community Business District, to allow the expansion of an existing parking lot for a water treatment facility. Road.

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.

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

following conditions:

- 1) **limited to an approved Planned Unit Development; and**
- 2) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

**D. ZON2014-02397 (Sidewalk Waiver)**

**Board of Water and Sewer Commissioners of the City of Mobile, AL**

Request to waive construction of a sidewalk along Moffett Road and Forest Hill Drive.

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.

Hearing no opposition or further discussion, a motion was made by Mr. Hembree, with second by Mr. Amberger to approve the request to waive construction of a sidewalk along Moffett Road and Forest Hill Drive.

The motion carried unanimously.

**OTHER BUSINESS:**

1. Call for Public Hearing on January 15, 2015, 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 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.

Hearing no opposition or discussion, a motion was made by Mr. Gant, with second by Ms. Sessions, to hold the Public Hearing on January 15, 2015.

**APPROVED:** February 5, 2015



Ms. Jennifer Denson, Secretary



Mr. James F. Watkins, Chairman

/jpw