

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF APRIL 02, 2015 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Mr. James (Jay) F. Watkins, Chairman  
Mr. Nick Amberger (AO)  
Ms. Libba Latham (PJ)  
Mr. John Vallas  
Mr. Don Hembree (PJ)  
Ms. Shirley Sessions  
Mr. Allan Cameron (S)  
Mr. Thomas Doyle  
Mr. P. Nigel Roberts

**Members Absent**

Mr. Carlos Gant, Vice Chair  
Ms. Jennifer Denson (S), Secretary  
Mr. Levon Manzie (CC)  
Ms. Sujin Kim

**Urban Development Staff Present**

Richard L. Olsen,  
Deputy Director of Planning  
Bert Hoffman,  
Planner II  
Jessica Watson  
Secretary II

**Others Present**

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

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

**ROLL CALL:**

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

**HOLDOVERS:**

1. **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 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 to remove the note that was placed on the plat back in 2000 that allowed no future re-subdivision of this property. They would like to divide this property into 3 lots. They have 25 foot of access to each lot, which meets both the County and the City's standard.

Mr. Watkins asked Mr. Olsen if there was any history to this property or if the Staff recalled any reason on why the note was placed by previous Commission members.

Mr. Olsen responded that there was no specific reason in the minutes from the meeting that address why the note was required. The only reason that Staff can think of is given the access being at the end of the street and only one driveway.

Mr. Watkins asked that if the note was taken away would the Staff recommend this application for approval.

Mr. Olsen responded that the Staff possibly would have recommended it for approval because it is not uncommon for there to be flag or irregular shaped lots along the water's edge. He also noted that the Staff had conditions prepared if the Commission decided to approve the application.

Mr. Amberger asked Mr. Orrell how the property served with sewer service.

Mr. Orrell responded that it was served by a septic tank and served by City water.

Bud Mathis, 2800 New Belle Fontane, spoke on his own behalf. He noted that this application is for proposed permanent home lots, not vacation homes.

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

- 1) placement of a note on the Final Plat stating that each lot is limited to one curb cut to New Bellefontaine Boulevard, with the size, location and design to be approved by County Engineering and conform to AASHTO standards;**
- 2) retention of the 25' minimum building setback line on all lots;**
- 3) retention of the lot sizes labeling in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 4) placement of a note on the Final Plat stating that no structures are to be constructed within any easements;**
- 5) placement of a note on the Final Plat stating that no further resubdivision of any lot is allowed until additional public street frontage is provided;**
- 6) placement of a note on the Final Plat stating that the site must 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. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;

- 7) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and
- 8) compliance with the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. 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.

2. North side of Crawford Lane, 100'± of Holt Road  
Council District 2  
**SUB2015-00013**  
**L & H Place Subdivision**  
**Number of Lots / Acres:** 3 Lots / 1.0± 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 the owner's intent is to get his parents into a smaller living space that he can help maintain for them and then look to build on the rear property. The owner is working with Heritage Homes to build three homes on these three lots. All lots will meet the City's requirement for a Subdivision.

Mr. Vallas asked if there were conditions prepared for approval.

Mr. Olsen responded that there was not.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Amberger to hold the matter over until the May 7<sup>th</sup> meeting to allow staff to develop conditions for possible approval. It was also suggested to the applicant to consider submission of an alternative configuration.

The motion carried unanimously.

3. **5753 Old Shell Road**  
(Southeast corner of Old Shell Road and Long Street).  
Council District 6

**A. SUB2015-00011 (Subdivision)**  
**Shed Development Subdivision**  
**Number of Lots / Acres:** 3 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.

Bess Rich, 625 Cumberland Rd. E, spoke in reference to the matter. She thanked the applicant for providing a voluntary use restriction for the B-3 rezoning.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Roberts 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) **Revision of the lot size information and 25' minimum building setback line on the Final Plat to reflect any dedication;**
- 4) **Illustration of all easements on the Final Plat, along with a note stating no permanent structure can be placed or erected within any easement;**
- 5) **Placement of a note on the Final Plat stating that Long Street should be improved to City of Mobile standards at the time of development of each lot;**
- 6) **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;**
- 7) **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.);

- 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 the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. B. 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).);
- 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. 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) Completion of the Subdivision process prior to the issuance of permits for new building construction; and
- 12) Completion of the Rezoning process prior to the issuance of development permits for Lot 2.

The motion carried unanimously with Ms. Latham recusing.

**B. ZON2015-00262 (Rezoning)**

**Kleban Shed, LLC**

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

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

- 1) Uses limited to those listed on the submitted Voluntary Conditions and Use Restrictions form which shall be attached to and become a part of this amendment;
- 2) Completion of the Subdivision process; and
- 3) Full compliance with all municipal codes and ordinances.

The motion carried unanimously with Ms. Latham recusing.

**NEW SUBDIVISION APPLICATIONS:**

4. 8465 Three Notch Road  
Southeast corner of Three Notch Road and McDonald Road  
County  
**SUB2015-00024**  
**Frost's Corner Subdivision**  
**Number of Lots / Acres:** 1 Lot / 0.5± Acre  
**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 the intent of this application is to get an address for this property; the County could not find one. He stated that they currently have a 60ft right-of-way on McDonald Road and if they go to a 50ft right-of-way the side of the building will put them at a zero lot line. He stated that he would like to see if they could leave the property line where it is on McDonald and just have a 25ft setback as existing.

Mr. Olsen responded that the Commission has in the past not required the dedication but a setback from the future right-of-way line. The setback may still impact the building but it would only apply to future construction; the building would be grandfathered in and allowed to remain as it exists today.

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) Provision of a setback sufficient to provide 75' from the centerline of McDonald Road;
- 2) dedication sufficient to provide 50' from centerline of Three Notch Road;
- 3) revision of the 25-foot minimum building setback line to reflect dedication;
- 4) revision of the lot size in square feet and acres to reflect dedication;
- 5) placement of a note on the Final Plat stating the lot is limited to two curb-



cuts with the size, design and location of all curb-cuts to be approved by County Engineering;

- 6) revision of the
- 7) 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;
- 8) revision of the corner radius to correspond with the Major Street dedications on the Final Plat;
- 9) placement of a note on the plat stating that the development will 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. Certification is to be submitted to the Planning Section of Urban Development and County Engineering.

The motion carried unanimously.

**5. 5156 Travis Road**

(West side of Travis Road, 610'± South of Carol Acres Lane).

County

**SUB2015-00020**

**James Place Estates Subdivision**

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

**Engineer / Surveyor:** Haidt 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.

Fred Haidt, Haidt Land Surveying, spoke on behalf of the applicant. He stated that he would like to ask for few waivers to try to get the application approved. One was to allow a flag-pole lot for lot 2; he stated that they are consistent with the area. He also asked to allow double frontage; there is an un-open road coming in on the west side of lot 2.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Amberger to waive Sections V.D.3. and V.D.8. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) retention of the 25' minimum building setback lines depicted for Lots 1 and 2 along Travis Road;
- 2) revision of the plat to depict the 25' minimum building setback line where

- Lot 2 abuts the unopened public right-of-way;
- 3) revision of the plat to depict the lot sizes, in square feet and acres, on the Final Plat, or provision of a table on the Plat with the same information;
  - 4) placement of a note on the Final Plat stating Lots 1 and 2 are limited to one curb-cut each to Travis Road with the size, design, and location of the curb-cuts to be approved by Mobile County Engineering;
  - 5) placement of a note on the Final Plat stating Lot 2 is denied access to Gunn Place Road until an improved compliant public road is provided;
  - 6) placement of a note on the Final Plat stating that there shall be no future subdivision of Lot 2 unless adequate frontage is provided on a public maintained street.
  - 7) 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;
  - 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. 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
  - 9) placement of a note on the Final Plat stating that the development *"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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater."*

The motion carried unanimously.

6. **3496 Halls Mill Road**  
(North side of Halls Mill Road, 60'± West of West I-65 Service Road South).  
Council District 4  
**SUB2015-00023**  
**Golden Glow Farms Subdivision, Resubdivision of Lots 7-9**  
**Number of Lots / Acres:** 2 Lots / 6.6± Acres  
**Engineer / Surveyor:** Preble-Rish, LLC

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 Ms. Sessions, with second by Mr. Doyle to waive Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) revision of the plat to either indicate a current and compliant 35' from the centerline of Halls Mill Road, or dedication to provide 35' from the centerline of Halls Mill Road;
- 2) placement of a note on the Final Plat stating that Lot A is limited to its existing curb cuts and Lot B is limited to one-curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) revision of the plat to label each lot with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 4) revision of the plat to illustrate the 25' minimum building setback line along Halls Mill Road, as measured from any required dedication;
- 5) subject to the Engineering comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. B. 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. C. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 6) subject to the Traffic Engineering comments: *(Lot A is limited to its existing curb cuts and Lot B is limited to one-curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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)]; and*
- 8) subject to the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*

The motion carried unanimously.

7. **10523 Tanner Williams Road**  
(South side of Tanner Williams Road, 420'± East of Eliza Jordan Road North).  
County  
**SUB2015-00025**  
**James & Allison Crane Subdivision**  
**Number of Lots / Acres:** 2 Lots / 1.4± Acre

**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. Hembree, with second by Ms. Sessions to waive Section V.D.1. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Dedication of right-of-way to provide 50' as measured from the centerline;**
- 2) **Retention of the lot size information on the Final Plat, revised for dedication;**
- 3) **Revision of the 25-foot minimum building setback line to reflect dedication;**
- 4) **Placement of a note on Final Plat stating no future subdivision of Lot 1 until additional frontage on a paved public or private street is provided;**
- 5) **Revision of the Final Plat to depict the minimum right-of-way width of Tanner Williams Road, adjacent to the site;**
- 6) **Placement of a note on the Final Plat stating that Lot 1 is limited to 1 curb-cut to Tanner Williams Road, with the size, design or location to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 7) **Placement of a note on the Final Plat stating that Lot 2 is limited to the existing curb-cut to Tanner Williams Road, with any changes to the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 8) **Placement of a note on the Final Plat stating: *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.);***
- 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.);* and**
- 10) **Compliance with Engineering Comments and placement as a note on the Final Plat: *(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.).*

The motion carried unanimously.

8. **8130 Tanner Williams Road**  
(North side of Tanner Williams Road, 3/10± mile East of Foster Road).  
County  
**SUB2015-00022**  
**Matthews Place Subdivision**  
**Number of Lots / Acres:** 3 Lots / 3.1± Acres  
**Engineer / Surveyor:** McCrory & Williams, Inc.

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

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

- 1) dedication to provide 50' from the centerline of Tanner Williams Road;
- 2) illustration of the 25' minimum building setback, adjusted for dedication;
- 3) labeling of the lot sizes adjusted for dedication, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 4) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 5) placement of a note on the Final Plat stating the site must comply with the City of Mobile 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.);*
- 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. 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) placement of a note on the Final Plat limiting each lot to one curb cut to Tanner Williams Road, with the size, design, and location of all curb-cuts to be approved by Mobile County Engineering and conform to AASHTO

**standards.**

The motion carried unanimously.

**PLANNING APPROVAL APPLICATIONS:**

**9. 1425 Canal Road**

(South side of Canal Road, 825'± East of Dauphin Island Parkway).

Council District 3

**ZON2015-00506**

**Michael Reidy**

Planning Approval to allow a mobile home as a primary residence in an R-1, Single-Family Residential 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.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this application is to place a mobile home residence on a residential property within the City Limits. He did note that there are two other mobile homes nearby.

The following people spoke in opposition to the matter:

1. James Davis, 4509 Park Road;
2. Debbie Foster, 4507 Park Road;
3. Billy Anderson, 1400 Canal Road;

They made the following points against the application:

- A. a mobile home is not the direction of what they want in their neighborhood;
- B. concerned about property values;
- C. concerned about the property being in a flood zone;
- D. allowing this mobile home will set a precedent for other mobile homes.

Hearing no further opposition or discussion, a motion was made by Mr. Hembree, with second by Ms. Latham to deny the above referenced matter for the following reasons:

- 1) the neighborhood consists mainly of standard-built single-family dwellings;**
- 2) there have been no other Planning Approvals granted within the area for mobile homes; and**
- 3) only one Variance has been granted for such within the neighborhood and that for a limited time period based upon a family hardship.**

The motion carried unanimously.

**GROUP APPLICATIONS:**

**10. 6445 Todd Acres Drive**

(East side of Todd Acres Drive, 2/10± mile North of Hamilton Boulevard).  
Council District 4

**A. SUB2015-000021 (Subdivision)**

**Mobile Metal Scrap Place Subdivision**

**Number of Lots / Acres:** 2 Lots / 7.1± Acres

**Engineer / Surveyor:** Erdman Surveying 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.

Susan Kim, property owner, spoke on her own behalf. She asked the reason for the recommendation of denial for the rezoning.

Mr. Olsen explained that there were several reasons that it was recommended to not be rezoned for I-2. The first because it would be the only I-2 zoned property in the immediate area and it is not necessarily appropriate for the area with regards to the uses that are allowed in I-2. He also noted that there are other I-2 properties less than 2 miles away that are vacant. The Planning Approval is recommended for denial because the Staff's opinion is the use is not appropriate, there are properties to the South of this location that are being used residentially at this time, and there are wetlands in the area.

The following people spoke in opposition to the matter:

1. Mr. Grimes, Todd Acres Rd. Theodore, AL;
2. Mary Walker, 7099 Old Military Rd. Theodore, AL;
3. Gloria Casher, 6066-G Todd Acres Rd;
4. Robert Walker, 7099 Old Military Rd. Theodore, AL;

They made the following points against the application:

- A. questioned what type of scrap would be brought in;
- B. the back of this property sits on Rabbit Creek;
- C. concerned about toxins from junk cars;
- D. concerned about the quality of well water;

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

- 1) dedication in compliance with Section V.B.16., in regards to curb radii should be required at the intersection of Todd Acres Drive and Giblin Road for both lots;
- 2) illustration of the 25' minimum building setback line along Todd Acres Drive and Giblin Road;
- 3) revision of the plat to illustrate to removal of the private fence, gate, and any other structures currently in the right-of-way;
- 4) 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: 1. 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. 2. 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. 3. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. 4. Provide and label the monument set or found at each subdivision corner. 5. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 6. 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. 7. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 5) full compliance with Traffic Engineering comments: *(There is no proposed gate illustrated at the main entrance to the site on Todd Acres Drive. The existing gate that blocks the Giblin Road right-of-way should be removed. Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.); and*
- 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. 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.

**B. ZON2015-00497 (Planned Unit Development)**

**Mobile Metal Scrap Place Subdivision**

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



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 further opposition or discussion, a motion was made by Mr. Hembree, with second by Ms. Latham to deny the above referenced matter for the following reasons:

- 1) denial of the rezoning application makes this request moot.**

The motion carried unanimously.

**C. ZON2015-00498 (Planning Approval)**

**Mobile Metal Scrap Place Subdivision**

Planning Approval to allow a junk yard in an I-2, Heavy Industry 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 further opposition or discussion, a motion was made by Mr. Hembree, with second by Ms. Latham to deny the above referenced matter for the following reasons:

- 1) denial of the rezoning application makes this request moot.**

The motion carried unanimously.

**D. ZON2015-00391(Rezoning)**

**The First, A National Banking Association Rich Campbell Mobile Market President**

Rezoning from I-1, Light-Industry District, to I-2, Heavy-Industry District, to allow the operation of a junkyard.

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 further opposition or discussion, a motion was made by Mr. Hembree, with second by Ms. Latham to deny the above referenced matter for the following reasons:

- 1) the applicant has not provided sufficient reasoning to justify the rezoning of the site as required by Section 64-9 of the Zoning Ordinance.**

The motion carried unanimously.

**11. 400 Bay Bridge Road & 2201 Paper Mill Road**

(Northwest corner of Bay Bridge Road, and Paper Mill Road, extending to Paper Mill Road Extension and Northwest corner of Paper Mill Road and Paper Mill Road Extension extending to the South side of Shelby Street and extending to the East side of Tin Top Alley and Northeast corner of Paper Mill Road and Shelby Street).  
Council District 2

**A. SUB2015-00026 (Subdivision)**

**Pender Ridge Subdivision**

**Number of Lots / Acres:** 4 Lots / 10.4± Acres

**Engineer / Surveyor:** Cowles, Murphy, Glover & Associates

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.

Gary Cowles, 457 St. Michael St, spoke on behalf of the applicant. He stated that they appreciated the holdover and that they would provide all information needed to Staff by April 15<sup>th</sup>.

The following people spoke in opposition to the matter:

1. Carla Varner, 2464 Wimbush St.;
2. Joe Womack, 2816 Westmoor Ct.;
3. Thayer Dodd, Wolf Rd. Semmes, AL.;
4. Darrell Polg, 650 Shelby St.;

They made the following points against the application:

- A. against rezoning in plateau;
- B. does not feel as if this will be a benefit to the community;
- C. this project is in contradiction to existing City of Mobile policy and policies required by HUD;
- D. feels as if the proposed use is an incompatible use;
- E. the Africatown Community Development Corporation has applied for grants for monies to invigorate and redevelop Africatown;
- F. there needs to be respect for the rich heritage;
- G. there are international plans for Africatown;
- H. asked for time to present their visions and plans.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Vallas to hold the matter over until the May 7<sup>th</sup> meeting, with revisions due by April 15<sup>th</sup> to allow the applicant to address the following:

- 1) **Revision of the plat to include the entirety of parcel R022208440020031. for proposed Lot 1, or provision of documentation to show that the entirety is included;**

- 2) Submittal of labels and postage so that appropriate notification of all property owners can occur, if additional notification is required due to the inclusion of the entirety of the parcel;
- 3) Revision of the plat to depict the unopened right-of-way of Edwards Lane along the northern boundary of Lot 1;
- 4) Revision of the plat to depict the minimum widths of all public rights-of-way;
- 5) Revision of the plat to depict the 25' minimum building setback line along all road frontages; and
- 6) Revision of the plat to depict all easements, along with a note stating no permanent structure can be placed or erected within any easement, if necessary.

The motion carried unanimously.

**B. ZON2015-00515 (Rezoning)**

**Cowles, Murphy, Glover & Associates**

R-1, Single-Family Residential District, R-2, Two-Family Residential District, and B-2, Neighborhood Business District, to B-5, Office-Distribution District, to allow a heavy equipment storage facility.

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 Mr. Vallas to hold the matter over until the May 7<sup>th</sup> meeting, with revisions due by April 15<sup>th</sup> to allow the applicant to address the following:

- 1) Revision of the site plan to include the entirety of parcel R022208440020031. for proposed Lot 1, or provision of documentation to show that the entirety is included;
- 2) Submittal of labels and postage so that appropriate notification of all property owners can occur, if additional notification is required due to the inclusion of the entirety of the parcel;
- 3) Provision of justification regarding why the sites should be rezoned addressing at least one of the following items: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable; and
- 4) Provision of information regarding the future use of the proposed Lots 2-4.

The motion carried unanimously.

**Other Business:**

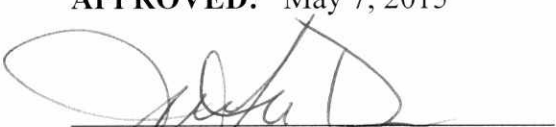
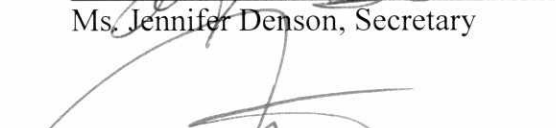
Call for Public Hearing at 2:00 p.m. on the 7th day of May, 2015, to consider an amendment to the Major Street Plan component of the City of Mobile's Comprehensive Plan. The proposed amendment will remove Houston Street Extension, which runs north from Dauphin Street, between Gladys and Kenneth, then adjacent to Old Shell Elementary and curving East to Mobile Infirmary Drive to St Stephens Road, from the Major Street Plan Map.

Map for Mobile – Workshop on April 30 for Planning Commissioners – Multipurpose Room, 3 to 5 PM

Above Ground Storage Tank Subcommittee – next meeting on April 23 – Multipurpose room

Discussion of possibly meeting with Africatown associated groups regarding future plans for the area during a business meeting at some point in the future.

**APPROVED:** May 7, 2015

  
\_\_\_\_\_  
Ms. Jennifer Denson, Secretary  
\_\_\_\_\_  
Mr. James F. Watkins, Chairman

/jpw