

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF MAY 5, 2005 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
Victor McSwain, Secretary
Ann Deakle
John Vallas
Adline Clarke

Members Absent

James Laier, Vice-Chair
Clinton Johnson
James F. Watkins
Victoria L. Rivizzigno
Nicholas H. Holmes, III
Mead Miller (S)

Urban Development Staff Present

Laura J. Clarke, Director,
Urban Development Department
Richard L. Olsen, Deputy Director of
Planning
David Daughenbaugh, Urban Forestry
Coordinator
Jennifer Henley, Secretary II

Others Present

Jennifer White, Traffic Engineering
Pat Stewart, County Engineering
Beverly Terry, City Engineering

Mr. Plauche stated the number of members present constituted a quorum and called the meeting to order.

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

HOLDOVERS:

Case #ZON2005-00665

Parkway Storage LLC

2410 Dauphin Island Parkway

(Southeast corner of Dauphin Island Parkway and Daniels Road West).

The request for Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow expanded outdoor boat and RV storage at an existing mini storage facility was considered.

Council District 4

The plan illustrates the existing structures and outdoor boat and RV storage, along with the proposed boat and RV storage expansion.

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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A motion was made by Mr. McSwain and seconded by Mr. Vallas to approve this plan subject to the following conditions:

- (1) the access and maneuvering areas be paved and the parking surface areas to be an approved alternative surface as defined in the Zoning Ordinance;
- (2) full compliance with landscaping and tree planting requirements;
- (3) storage area be screened from Dauphin Island Parkway with a vegetative hedge, 4' minimum height at time of planting and allowed to achieve a 6' - 8' height;
- (4) compliance with City Engineering comments (P.E. to confirm with a current survey that existing detention can handle any additional stormwater and that stormwater from the existing site flows to the existing detention pond as necessary. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit); and
- (5) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

EXTENSIONS:

Case #ZON2004-00970

Spring Hill College

4000 Dauphin Street (North side of Dauphin Street, 1800'± West of Interstate 65).

Planned Unit Development Approval to amend a previously approved Master Plan for an existing college in an R-1, Single-Family Residential district.

Council Districts 5 & 7

Request for a one-year extension of previous approval.

A motion was made by Mr. Plauche and seconded by Ms. Deakle to grant a one-year extension of previous approval for this application.

The motion carried unanimously.

Case #SUB2003-00086

Oak Pointe Place Subdivision, Unit Two

Northeast corner of Dawes Road and Oak Pointe Court, extending to the South side of proposed Grelot Road extension.

2 Lots / 6.4± Acres

Request for a one-year extension of previous approval.

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

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A motion was made by Mr. Plauche and seconded by Ms. Deakle to grant a one-year extension of previous approval for this application. The applicant was to be advised that future extensions would be unlikely.

The motion carried unanimously.

Case #SUB2004-00069

Rangeline-Hamilton Commercial Park Subdivision

North side of Hamilton Boulevard, 700'± West of Rangeline Road.

12 Lots / 19.1± Acres

Request for a one-year extension of previous approval.

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

A motion was made by Mr. Plauche and seconded by Ms. Deakle to grant a one-year extension of previous approval for this application.

The motion carried unanimously.

Case #SUB2001-00207 (File #S2000-80)

Richmond Subdivision

North side of Johnson Road at the North terminus of Scott Dairy Loop Road West.

136 Lots / 62.7± Acres

Request for a one-year extension of previous approval.

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

A motion was made by Mr. Plauche and seconded by Ms. Deakle to grant a one-year extension of previous approval for this application.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #ZON2005-00959

Heron Lakes Subdivision, Phase Two, Corrected Plat, Resubdivision of and Addition to Lot 123

Northeast terminus of Blue Heron Ridge.

The request for Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow reduced side yard setbacks on all lots 65 wide or less was considered.

Council District 4

The site plan illustrates the proposed lot configuration and building setbacks.

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(Also see Case #SUB2005-00072 - **Heron Lakes Subdivision, Phase Two, Corrected Plat, Resubdivision of and Addition to Lot 123** – Below)

Mr. Reid Cummings was present representing Heron Lakes Country Club as applicant and concurred with the staff recommendations.

Ms. Cathy Willis, a resident of 4105 Blue Heron Ridge, was present in opposition, and also represented the residents of Heron Lakes who could not be present today. Ms. Willis expressed their concern that this development would change the character of their neighborhood. She said access to the proposed lots would be very awkward. Increase in runoff from stormwater was also her concern, as well as that of Dale Bishop, her next door neighbor. She said runoff was already a problem on the property after every heavy storm. The residents felt the proposed development would be inconsistent with the other houses in the neighborhood and would be a detriment to their property values.

Mr. Plauche asked if the applicant would like to respond.

Mr. Cummings said they were proposing an additional three lots, by taking one of the existing lots that was in Phase II of the Heron Lakes development and adding some additional land the Country Club owned contiguous to Lot 123. Two of the lots would be 60' in width. The other lot would be 65' in width. As to the awkwardness of the entry, it was necessitated by the fact that the Ordinance required a minimum of 25' of frontage on a City street in order to have a driveway. Mr. Cummings pointed out that currently Heron Lakes drained downhill into the concrete drainage ditch which ran parallel to the golf course side of all those houses. From those it drained across the golf course and eventually down to the lake. Any additional work that needed to be done to address any kind of stormwater concerns would be done by their engineer, and would be incorporated into a development plan. Regarding changing the character of the neighborhood, Mr. Cummings noted that the restrictive covenants that applied to both Phase I and Phase II of Heron Lakes, as well as the design guidelines that were referenced, would be identical to these. This was simply a situation where the Country Club had some extra land they would like to develop.

A motion was made by Mr. Vallas and seconded by Ms. Deakle to approve this request subject to the following conditions:

- (1) placement of a note on the final plat stating that the maximum building site coverage shall not exceed 40%;
- (2) graphic depiction of the approved setbacks on the plat as follows, and placement of a note on the final plat stating that the side yard setbacks shall be a minimum of 7 feet, that the front yard setbacks shall be a minimum of 25 feet, and that the rear yard setbacks shall be a minimum of 8 feet;

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- (3) that the Engineer provide verification that the existing stormwater system, including designed and constructed detention, can accommodate the increased site coverage; and
- (4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2005-00072

Heron Lakes Subdivision, Phase Two, Corrected Plat, Resubdivision of and Addition to Lot 123

Northeast terminus of Blue Heron Ridge.

3 Lots / 0.8± Acre - Council District 4

(For discussion see Case #ZON2005-00959 - **Heron Lakes Subdivision, Phase Two, Corrected Plat, Resubdivision of and Addition to Lot 123** – Above)

A motion was made by Mr. Vallas and seconded by Ms. Deakle to waive Section V.D.3. of the Subdivision Regulations, and approve this subdivision subject to the following conditions:

- (1) placement of a note on the final plat stating that the maximum building site coverage shall not exceed 40%;
- (2) graphic depiction of the approved setbacks on the plat as follows, and placement of a note on the final plat stating that the side yard setbacks shall be a minimum of 7 feet, that the front yard setbacks shall be a minimum of 25 feet, and that the rear yard setbacks shall be a minimum of 8 feet;
- (3) that the Engineer provide verification that the existing stormwater system, including designed and constructed detention, can accommodate the increased site coverage; and
- (4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2005-00946

D. E. C. Subdivision

Northwest corner of Television Avenue and Broadcast Drive.

Planned Unit Development Approval to allow a reduced street front building setback.

Council District 5

AND

Case #SUB2005-00080

D. E. C. Subdivision

Northwest corner of Television Avenue and Broadcast Drive.

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1 Lot / 0.4± Acre - Council District 5

These applications were heldover prior to the meeting at the applicant's request.

Case #ZON2005-00774

John F. Loupe

North terminus of Skyview Drive, extending to the West side of Skywood Drive, 650'± South of Government Boulevard.

The request for a change in zoning from R-1, Single-Family Residential, and R-3, Multi-Family Residential, to R-3, Multi-Family Residential, to allow a town home and single-family residential subdivision was considered.

Council District 4

The site plan illustrates the proposed development and proposed zoning.

(Also see Case #ZON2005-00803 – **The Quarters at Heron Lakes Subdivision** – Below; and Case #SUB2005-00065 – **The Quarters at Heron Lakes Subdivision** – Below)

Mr. Vallas recused himself from the discussion and vote regarding this matter.

Mr. Plauche explained that Mr. Vallas needed to recuse from the discussion and vote regarding this matter and therefore there would not be a quorum present to vote.

It was decided to holdover this application until the meeting of May 19, 2005, due to lack of a quorum to vote on this matter.

Case #ZON2005-00803

The Quarters at Heron Lakes Subdivision

North terminus of Skyview Drive, extending to the West side of Skywood Drive, 650'± South of Government Boulevard.

The request for Planned Unit Development Approval to allow a gated, private street town home and single-family residential subdivision with reduced lot widths and sizes, reduced building setbacks, increased site coverage, alleyway access, and on-street parking was considered.

Council District 4

The site plan illustrates the proposed development and proposed zoning.

(For discussion see Case #ZON2005-00774 – **John F. Loupe** – Above; also see Case #SUB2005-00065 – **The Quarters at Heron Lakes Subdivision** – Below)

Mr. Vallas recused himself from the discussion and vote regarding this matter.

It was decided to holdover this application until the meeting of May 19, 2005, due to lack of a quorum to vote on this matter.

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Case #SUB2005-00065

The Quarters at Heron Lakes Subdivision

North terminus of Skyview Drive, extending to the West side of Skywood Drive, 650'± South of Government Boulevard.

85 Lots / 18.3± Acres- Council District 4

(For discussion see Case #ZON2005-00774 – **John F. Loupe** – Above; also see Case #ZON2005-00803 – **The Quarters at Heron Lakes Subdivision** – Above)

Mr. Vallas recused himself from the discussion and vote regarding this matter.

It was decided to holdover this application until the meeting of May 19, 2005, due to lack of a quorum to vote on this matter.

NEW PLANNING APPROVAL APPLICATION:

Case #ZON2005-00843

City of Mobile – Transportation Services

Mobile Municipal Park (Area bounded by Illinois Central Gulf Railroad on the North; Gaillard Drive on the West; Azalea City Golf Course and Mobile Botanical Gardens and Municipal Park Ball Fields on the South; and Museum Drive, Spring Hill Connector and Twelve Mile Creek on the East).

The request for Planning Approval to allow the addition of a pedestrian bridge across the lake in a public park in an R-1, Single-Family Residential district was considered.

Council District 7

Mr. McSwain said that he was representing the City of Mobile, the applicant, in this application and as such could not vote on this matter. Therefore, there would not be a quorum present to vote.

In discussion, Mr. McSwain inquired if he needed to recuse from this application since he did not have a vested interest in the project.

Ms. Laura Clarke felt that Mr. McSwain did not need to recuse but could not serve as applicant for this case if he wanted to vote as a Commission member. Ms. Clarke, on behalf of the City of Mobile, said that she would represent the application.

Mr. Plauche called to come out of executive session and back into the public hearing to consider this case.

Ms. Laura Clarke, AICP, Director of Urban Development was representing the City of Mobile as applicant and concurred with the staff recommendation.

There was no one present in opposition.

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Mr. Plauche called to go back into executive session to vote on this matter.

A motion was made by Mr. McSwain and seconded by Mr. Vallas to approve this plan subject to the following condition:

- (1) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2005-00077

Clay Subdivision

Northwest corner of Jordan Lane and Byrnes Boulevard.

1 Lot / 0.3± Acre - Council District 5

Mr. M. Don Williams of M. Don Williams Engineering, was representing the applicants. Mr. Williams stated that the Commission had recently approved this one-lot subdivision and placed a condition on it limiting it to one curb cut. The applicants desired a circular driveway in front for a guest drive coming in on Byrnes Boulevard and going out on Jordan Lane. They would also like a driveway for the owner, which would be a third curb cut, off of Byrnes Boulevard to enter the garage. As far as compatibility with the neighborhood, Mr. Williams pointed out that there were 13 existing circular drives on Byrnes Boulevard. On the other intersecting road, Jordan Lane, 11 out of 20 houses had circular drives. Although most of these only had two curb cuts, there were two or three that had three curb cuts. Mr. Williams said they had met with the Traffic Engineer and he had approved the three curb cuts as proposed. Regarding increased runoff, they did not feel that having a small amount of extra asphalt going to the third drive would make a significant difference. They also felt that the size of the house proposed and the three drives were appropriate for this neighborhood and this lot. In lieu of limiting them to two or three curb cuts, Mr. Williams suggested that this could be approved with the condition that the number and location of curb cuts be subject to approval of the Traffic Engineer.

Mr. Olsen stated that the reason the staff recommended denial was that in this particular instance they were in the design phase of this development, and issues relating to access could very easily be addressed through design modifications, as Mr. Williams indicated. He said it would be possible to have the owner's drive come off of the semi-circular drive so that there would be only two curb cuts. There was discussion when this originally came up, for the two-lot subdivision, about the access and the site actually being at the intersection of Jordan Lane and Byrnes Boulevard. That was the reason the staff originally limited the site to one curb cut. Mr. Olsen said the staff would not have an issue with it being limited to two curb cuts, but not specifying a certain number could open the door for not just this site but other properties for future resubdivision in the area.

In discussion, a motion was made by Mr. Vallas to approve this subdivision subject to the following condition:

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- (1) placement of a note on the final plat stating that the site is limited to two
- (2) curb cuts, size, location, and design to be approved by Traffic Engineering.

Mr. Vallas felt that because the house was not yet constructed, the curb cut issue could easily be corrected in the design phase.

The motion was seconded by Mr. McSwain.

The motion carried unanimously.

Case #SUB2005-00082

Fairfields Re-Subdivision, Resubdivision of a Portion of Lots 13 and 14, Block 2

3308 Fairfield Road (West side of Fairfield Road, 120'± South of Gill Road).

2 Lots / 1.2± Acres - Council District 4

Mr. Don Coleman of Rester and Coleman Engineers, Inc., was representing the applicant and concurred with the staff recommendations.

Mr. Billy Kinard, a resident of 2851 Gill Road, which was on the north side of this property, said this application was previously denied because they wanted to put duplexes on this property, and because the lots were out of character. He felt that what was being proposed today was the same as last time.

Mr. Olsen clarified that the original plotting of this property was two lots. He pointed out the original lot line that separated them. The previous application was actually for three lots. The Planning Commission denied that subdivision because it did not include all of the original parcel. The secondary reason was that the third dwelling would be behind the other two and out of character. In the interim, with this application, the engineer had submitted documentation showing where part of the property was deeded to the person that owned the adjacent property prior to 1952. It had been in this configuration since that time and would therefore be considered lots of record. Mr. Olsen said the frontage was basically the same. With this application, it would be the original configuration less the rear portion that was deeded off.

Mr. Kinard asked if the applicant was going to resubdivide Lots 13 and 14 to put other lots there.

Mr. Olsen said there were going to be two lots, which he pointed out on the plat.

Mr. Kinard said he was against it anyway because it seemed about the same thing they were trying to do from the beginning, and they were still going to put duplexes there. He presented a petition in opposition signed by the neighbors.

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Mr. Olsen stated that there would be no duplexes there. The property was zoned R-1, single-family residential, so there could only be one house per lot.

Mr. Plauche said the applicant could only have single-family lots with this application. If he wanted to put something else there he would have to come back and try to get it resubdivided or rezoned.

A motion was made by Mr. Vallas and seconded by Mr. McSwain to approve this subdivision.

The motion carried unanimously.

Case #SUB2005-00074

Island Farms, Hollingers Island, Resubdivision of Lot 8 Block 6

6915 Dauphin Island Parkway (East side of Dauphin Island Parkway, 400'± North of Hammock Road).

2 Lots / 5.0± Acres

Mr. Jerry Byrd of Byrd Surveying, Inc., was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Vallas and seconded by Mr. McSwain to waive Section V.D.3., of the Subdivision Regulations, and approve this subdivision subject to:

- (1) the setback of an additional 10 feet from the right-of-way along Dauphin Island Parkway, and adjustment of the 25-foot minimum building setback line to 35 feet (75 feet from the centerline of Dauphin Island Parkway), in accordance with Section V.D.9.;
- (2) the 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.7. of the Subdivision Regulations; and
- (3) placement of a note on the Final Plat stating that each lot be limited to one curb cut access to Dauphin Island Parkway, with the size, location, and design to be approved by County Engineering.

The motion carried unanimously.

Case #SUB2005-00075

Nicholson's Place Subdivision

1252 St. Madar Street (Northwest corner of St. Madar Street and Hickory Street).

1 Lot / 0.3± Acre - Council District 2

The applicant was present and concurred with the staff recommendations.

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There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Ms. Adline Clarke to approve this subdivision subject to the following conditions:

- (1) the adjustment of the property line at the corner of St. Madar and Hickory Streets to reflect a minimum 10 foot radius in accordance with Section V.D.6.; and
- (2) the depiction of the 25-foot minimum building setback line.

The motion carried unanimously.

Case #SUB2005-00078

Oakstone Subdivision

Southeast corner of Laurendine Road and Lancaster Road.

49 Lots / 32.6± Acres

Mr. Jerry Byrd of Byrd Surveying, Inc., was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

In discussion, Mr. Olsen stated that a revised plat had been submitted increasing the number of lots, and therefore the staff recommended the application be held over until the next meeting to give the staff time to review it.

A motion was made by Mr. Plauche and seconded by Mr. McSwain to holdover this subdivision until the meeting of May 19, 2005, to allow staff to review the revised plat and to notify adjacent property owners regarding the increase in the number of lots.

The question was called. The motion carried unanimously.

Case #SUB2005-00081

Peake Place Subdivision

South side of Wimbledon Drive East, extending from South McGregor Avenue to Croydon Road.

5 Lots / 1.1± Acres - Council District 5

Mr. Don Coleman of Rester and Coleman Engineers, Inc., was representing the applicant and concurred with the staff recommendations.

Ms. Karen Atchison, a resident of 62 Croydon Road, was present in opposition. Ms. Atchison was concerned that the density of this proposed subdivision would be much higher than the neighborhoods that surround the area. It would cause substantially increased traffic, as well as an increase in stormwater runoff. She said the neighbors felt

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there was a creeping erosion of lots sizes in this part of town. They were opposed to the small lots proposed and felt that the three lots there now were appropriate for the area.

Ms. Beverly Walton, owner of property at 56 and 60 Croydon Road, which was adjacent to this proposed subdivision, stated that she was in total agreement with Ms. Atchison's comments.

Mr. Coleman stated that the proposed lots met all the regulations as far as size. With regard to drainage, they would have to meet the requirements of the City Engineer. Mr. Coleman said they would be limited to two driveways coming off of Wimbledon Drive, and one coming off of Croydon Road.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to approve this subdivision subject to the following conditions:

- (1) depiction of the 25-foot minimum building setback line on the Final Plat; and
- (2) placement of a note on the Final Plat stating that lot 1 is restricted to access only to Croydon Road, and that lots 2-5 share a maximum of two access points to Wimbledon Drive East, with curb cut sizes, location and design to be approved by Traffic Engineering, and conform to AASHTO standards.

Mr. Plauche and Ms. Adline Clarke were opposed. The motion carried.

Case #SUB2005-00079

Rangeline Park Subdivision, Eighth Addition, Resubdivision of Lots 1 & 2

South side of Rabbit Creek Drive, 500'± East of Rangeline Road.

3 Lots / 2.2± Acres

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying, was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Vallas and seconded by Mr. McSwain to approve this subdivision subject to the following conditions:

- (1) placement of a note on the Final Plat stating that lots 1-3 are limited to one curb cut to be shared by all lots, with curb cut size, location and design to be approved by County Engineering;
- (2) the provision of a 10-foot landscape buffer along the portion of the site fronting Rabbit Creek Drive;
- (3) approval of all applicable federal, state and local agencies regarding the wetlands and floodplain issues prior to the issuance of any permits;

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- (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.7. of the Subdivision Regulations; and
- (5) correction of the labeled right-of-way width for Rabbit Creek Drive. It is also recommended that the applicant be advised that submission of a revised composite Rangeline Park subdivision application reflecting changes that have occurred would be appropriate prior to the submission of any future applications.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATION:

Case #ZON2005-00866

Syble Watson

4175 Halls Mill Road (East side of Halls Mill Road, 930'± North of Alden Drive).

Request to waive construction of a sidewalk along Halls Mill Road.

Council District 4

Mr. Stephen Baker, representing the applicant, stated that he would be opening a business at this location. He explained that when the City Council approved this, they required a 448' sidewalk all the way across the front. He pointed out that directly in front of their business there was a piping supply company business. He contended that when the tractor trailers pulled in, they had to make such wide turns, they would probably tear up a sidewalk. He felt it would be a lot easier and cheaper to plant grass on the easement instead of the sidewalk.

In discussion, Mr. Vallas asked if this was the site of the old High Chapparel.

Mr. Olsen said it was.

Mr. Vallas asked if they had waived a sidewalk further south on the other side of Demetropolis Road.

Mr. Olsen said he thought it was one on the other side of Demetropolis Road.

Mr. McSwain asked what the Commission did with the Christmas Town property.

Mr. Olsen said he thought the sidewalk waiver was granted for them. In this particular instance, there were no technical reasons submitted with the application, which was the reason it was recommended for denial.

A motion was made by Mr. McSwain and seconded by Mr. Vallas to approve this request.

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The motion carried unanimously.

Mr. Vallas commented that it may be complicated because property lines were not always the same depth, but possibly in the future, where property lines were of a similar depth, an easement could be required along the back for a bike trail or some type of walking trail to get pedestrians off the main road. He said that would not work here because it would bisect the Christmas Town property, but possibly on another development it could.

OTHER BUSINESS:

Congratulations

Ms. Laura Clarke wanted to congratulate two of the Planning Commission staff members. She stated that Mr. Richard Olsen and Ms. Margaret Pappas had been promoted after two and half years of effort. Mr. Olsen was now the Deputy Director of Planning and would be the primary staff contact from Urban Development for the Commission. Ms. Pappas was now the Deputy Director of Permitting and Development which was a new section in the Department.

Mr. Plauche and the Commission echoed Ms. Clarke's congratulations.

There being no further business, the meeting was adjourned.

APPROVED: August 4, 2005

Victor McSwain, Secretary

Terry Plauche, Chairman

/ms and jh