

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF DECEMBER 4, 2003 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Robert Frost, Chairman
Terry Plauche, Vice-Chair
Victor McSwain, Secretary
Victoria L. Rivizzigno
Ann Deakle
John Vallas
Wendell Quimby
James Laier
Clinton Johnson
Ernest Scott (S)

Members Absent

Staff Present

Richard L. Olsen, Planner II
Shayla Jones, Planner I
Jennifer Henley, Secretary II

Others Present

John Lawler, Assistant City Attorney
David Daughenbaugh, Urban Forestry
Jennifer White, Traffic Engineering
Pat Stewart, County Engineering
Beverly Terry, City Engineering

Mr. Frost 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.

APPROVAL OF MINUTES:

A motion was made by Mr. Plauche and seconded by Mr. Quimby to approve the minutes of the August 21, September 4, and September 18, 2003, meetings as submitted. The motion carried unanimously.

EXTENSION:

Case #SUB2002-00278

Julian Gewin Subdivision

East side of Schillinger Road, 500'± South of Moffett Road, extending through to the South side of Moffett Road, 550'± East of Schillinger Road.

5 Lots / 3.1± Acres

Request for a one-year extension of previous approval.

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A motion was made by Dr. Rivizzigno and seconded by Mr. Quimby to grant a one-year extension of previous approval for the above referenced subdivision.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #ZON2003-02582

Loupe, Loupe & Ragusa L.L.C.

North side of Girby Road, 550'± West of the North terminus of Pepper Ridge Drive.

The request for a change in zoning from B-1, Buffer Business, B-2, Neighborhood Business, and R-3, Multi-Family Residential, to R-1, Single-Family Residential, to allow a single-family residential subdivision was considered.

(Also see Case #ZON2003-02562 - **The Preserve @ Knollwood & Girby Roads** – Below; and Case #SUB2003-00259 - **The Preserve @ Knollwood & Girby Roads** – Below)

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

Mr. Thomas Keene, Cambridge Consultants, Baton Rouge, LA, presented this proposal for the development of this 70-acre tract with a residential community of single-family lots made up of two divisions – the Woodlands and the Lakes. The lots in the Woodlands would have reduced lot sizes and setbacks with increased site coverage. The Lakes would comply with the standard R-1 requirements in terms of setbacks and site coverage. The lots would be buffered by natural areas created within the plan which would decrease typical density. Mr. Keene pointed out one lot in the Lakes that was labeled for a detention area, which could be available for a single-family lot if it was not needed for a detention area. He asked for the Commission's consideration of this. The lot would be approximately 95' x 240'.

Mr. Frost inquired if that area was shown on the staff sketch.

Mr. Olsen pointed out the proposed common area/detention area.

Mr. Frost inquired if the lot in questioned would need to be identified as a numbered lot on the final plat.

Mr. Olsen replied yes.

Mr. Keene said that he concurred with the staff recommendations. He commented on the fine job the staff had done on the report, and talked about the good reception he had received being an out of town developer.

Mr. Frost stated that it would be left up to Engineering to determine if that detention was necessary.

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There was no one present in opposition.

In discussion, a motion was made by Mr. Plauche and seconded by Mr. McSwain to recommend the approval of this change in zoning to the City Council subject to the recommendations made by the staff.

Mr. Frost inquired if the detention area would need to be mentioned in the conditions for approval of the subdivision.

Mr. Olsen replied yes.

Mr. Plauche and Mr. McSwain amended their motion and second respectively. The final motion was to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) full compliance with the City Engineering Comments (strict adherence to all stormwater ordinance requirements, provision of drainage easements to encompass 100 year flood area, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit);
- (2) that the site be limited to the accompanying PUD and Subdivision plats;
- (3) dedication of any necessary right-of-way to provide 50-feet from the centerline of Girby Road, a planned major street;
- (4) that the site be limited to the one entrance road as shown on the plat submitted;
- (5) the approval of all federal, state and local agencies; and
- (6) full compliance with all municipal codes and ordinances.

Mr. Vallas recused. The motion carried.

Case #ZON2003-02562

The Preserve @ Knollwood & Girby Roads

North side of Girby Road, 550'± West of the North terminus of Pepper Ridge Drive.

The request for Planned Unit Development Approval to allow reduced lot sizes, reduced building setbacks, and increased site coverage in a single-family residential subdivision was considered.

(For discussion see Case #ZON2003-02582 - **Loupe, Loupe & Ragusa L.L.C.** – Above; also see Case #SUB2003-00259 - **The Preserve @ Knollwood & Girby Roads** – Below)

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

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

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- (1) full compliance with the City Engineering Comments (strict adherence to all stormwater ordinance requirements, provision of drainage easements to encompass 100 year flood area, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit);
- (2) the approval of all federal, state and local agencies;
- (3) that a minimum of 10-feet of separation be provided between buildings; and
- (4) full compliance with all municipal codes and ordinances.

Mr. Vallas recused. The motion carried.

Case #SUB2003-00259

The Preserve @ Knollwood & Girby Roads

North side of Girby Road, 550'± West of the North terminus of Pepper Ridge Drive, extending to the Southwest corner of Knollwood Drive and Southland Drive.

136 Lots / 70.0± Acres

(For discussion see Case #ZON2003-02582 - **Loupe, Loupe & Ragusa L.L.C.** – Above; also see Case #ZON2003-02562 - **The Preserve @ Knollwood & Girby Roads** – Above)

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

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

- (1) full compliance with the City Engineering Comments (strict adherence to all stormwater ordinance requirements, provision of drainage easements to encompass 100 year flood area, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit);
- (2) parcel shown as the detention area in the “Lakes” is approved as a lot if not required for detention, to be verified and approved by the City Engineering Department;
- (3) dedication of any necessary right-of-way to provide 50-feet from the centerline of Girby Road, a planned major street;
- (4) that the site be limited to the one entrance road as shown on the plat submitted;
- (5) that a minimum of 10-feet of separation be provided between buildings);
- (6) the approval of all federal, state and local agencies; and
- (7) full compliance with all municipal codes and ordinances.

Mr. Vallas recused. The motion carried.

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Case #ZON2003-02679

Pilot Family Limited Partnership

East side of Sollie Road, 400'± South of Cottage Hill Road, extending to the North side of Charleston Oaks Subdivision, Unit One.

The request for a change in zoning from R-3, Multi-Family Residential, and R1, Single-Family Residential, to R-1, Single-Family Residential, for a single-family residential subdivision was considered.

The plan illustrates the proposed structures, rezoning and subdivision.

(Also see Case ZON2003-02680 - **Pilot Family Limited Partnership** – Below, Case #ZON2003-02681 - **Pilot Family Limited Partnership** – Below; and Case #SUB2003-00272 – **Colonnade Subdivision** – Below)

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline; and
- (2) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits.

The motion carried unanimously.

Case #ZON2003-02680

Pilot Family Limited Partnership

Southeast corner of Cottage Hill Road and Sollie Road.

The request for a change in zoning from R-3, Multi-Family Residential, and R1, Single-Family Residential, to B-2, Neighborhood Business, for a retail shopping center was considered.

The plan illustrates the proposed structures, rezoning and subdivision.

(For discussion see Case ZON2003-02679 - **Pilot Family Limited Partnership** – Above, also see Case #ZON2003-02681 - **Pilot Family Limited Partnership** – Below; and Case #SUB2003-00272 – **Colonnade Subdivision** – Below)

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline;

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- (2) dedication of an appropriate radius at the intersection of Cottage Hill Road and Sollie Road, to be coordinated with the Engineering Department and Traffic Engineering;
- (3) limited to two curb cuts to Sollie Road, and two curb cuts to Cottage Hill Road (one of which to be shared with the lot adjacent to the East);
- (4) provision of a 6' wooden privacy fence along the South property line and a 15' buffer strip to remain in its natural undisturbed state;
- (5) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and
- (6) submission of an Administrative PUD prior to the issuance of any permits.

The motion carried unanimously.

Case #ZON2003-02681

Pilot Family Limited Partnership

South side of Cottage Hill Road, 670' ± East of Sollie Road.

The request for a change in zoning from R-1, Single-Family Residential, to B-1, Buffer Business, for professional offices was considered.

The plan illustrates the proposed structures, rezoning and subdivision.

(For discussion see Case ZON2003-02679 - **Pilot Family Limited Partnership** – Above, also see Case #ZON2003-02680 - **Pilot Family Limited Partnership** – Above; and Case #SUB2003-00272 – **Colonnade Subdivision** – Below)

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) limited to a maximum of three curb cuts to Cottage Hill Road (one of which is to be the shared curb cut with the lot adjacent to the West);
- (2) provision of a 6' wooden privacy fence along the South edge of the developed area and a 15' buffer strip to remain in its natural undisturbed state;
- (3) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and
- (4) submission of an Administrative PUD prior to the issuance of any permits.

The motion carried unanimously.

Case #SUB2003-00272

Colonnade Subdivision

Southeast corner of Sollie Road and Cottage Hill Road.

20 Lots / 39.9± Acres

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(For discussion see Case ZON2003-02679 - **Pilot Family Limited Partnership** – Above, also see Case #ZON2003-02680 - **Pilot Family Limited Partnership** – Above; and Case #ZON2003-02681 - **Pilot Family Limited Partnership** – Above)

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

- (1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline;
- (2) dedication of an appropriate radius at the intersection of Cottage Hill Road and Sollie Road, to be coordinated with the Engineering Department and Traffic Engineering;
- (3) placement of a note on the final plat stating that Lots 1-3 and Lot 13 are denied direct access to Sollie Road;
- (4) placement of a note on the final plat stating that maintenance of all common areas will be the responsibility of the property owners;
- (5) placement of a note on the final plat stating that lot 1C is limited to two curb cuts to Sollie Road, exact size, location and design to be approved by the Traffic Engineering Department;
- (6) placement of a note on the final plat stating that the subdivision is limited to a total of four curb cuts to Cottage Hill Road, exact size, location and design to be approved by the Traffic Engineering Department and reflected on site plans submitted for Administrative PUD Approvals; and
- (7) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits.

The motion carried unanimously.

NEW ZONING APPLICATION:

Case #ZON2003-02660

Saad Development Corporation

1450 Center Street (Northwest corner of Center Street and Lafayette Street, extending to the South side of Saint Stephens Road, 140'± West of Lafayette Street).

The request for a change in zoning from B-2, Neighborhood Business, and R-1, Single-Family Residential, to B-3, Community Business, to bring the zoning into compliance for an existing medical supplies and equipment sales, service and warehousing facility, and to allow for its future expansion was considered.

The plan illustrates the existing structures and trees larger than 24" diameter.

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

Mr. Spence Monroe was representing the applicant and stated that they were basically in agreement with the staff recommendation. However, they wanted to address the issue of curb cuts, one in particular on Center Street on the west side of the property that was between the structure and the tree. At present it was fenced, but they felt it would be

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better to open it up and leave the curb cut on Center Street because they would like to use that as their main parking area. Mr. Monroe noted that the staff had an issue with backing into Center Street and Lafayette Street. Using this area for their main vehicle parking would eliminate all backing into those two streets.

Mr. Frost asked if there were any other cuts on Center Street.

Mr. Monroe said there was a large curb cut to the right of that and the whole area was basically a curb cut because right behind it there was a van-high loading area. Eighteen-wheelers would not be able to use that because of the height of the loading area. He noted three or four curb cuts up along St. Stephens Road, which at this stage did not go anywhere because the land there was just raw. They would like to leave those as curb cuts until needed in the future. At some point he said they would like to have access through Center Street all the way to St. Stephens Road. At that time they would like to address the curb cuts on Center Street as far as cleaning them up and making them proper. Mr. Monroe also questioned the recommendation to provide 50 feet of right of way on St. Stephens Road, and the staff's comments about a potential 40' parallel service road. He felt that would not be practical on a 200' wide parcel.

Mr. Frost stated that the recommendations were not requiring a service road, but getting the appropriate dedication for the 100' right-of-way for St. Stephens Road, which would be 50 feet from the center line on either side of the road.

Mr. Olsen pointed out that the issue of the service road was not mentioned in the actual conditions. He noted that the staff had made an error in not recommending that there be a limit on curb cuts to St. Stephens Road. Mr. Monroe had indicated that in the future one commercial curb cut would be sufficient, so a limitation on curb cuts to St. Stephens Road would be an appropriate method of access management.

Mr. Monroe said that he would take this back to the parties that were buying and selling the property. He did not think there would be an issue.

There was no one present in opposition.

In discussion, Mr. McSwain inquired if the applicant was requesting to keep the existing curb cuts to St. Stephens Road.

Mr. Olsen said that they wanted to keep it until such time as there was any type of additional development on the property, at which time they would be limited to one curb cut. He thought that there were three existing curb cuts which were residential and given the grade change, would not be approved or usable as commercial drives.

Dr. Rivizzigno was concerned as to how the Commission would be made aware that any new development was made on the site.

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Mr. Olsen stated that they would have to obtain permits for any additional development and they would be subject to plan review.

Mr. McSwain said that he would like to recommend the approval of this change in zoning to the City Council, but he wanted to discuss possible wording for the conditions. He was concerned about the head-in parking.

Ms. Deakle asked for clarification about the back-in and head-in parking.

Mr. Olsen explained that there was an area for head-in parking and another area for van deliveries; it was a continuous curb cut. Vehicles would turn straight in off of Center Street and then back out into Center Street. The staff would like to reconfigure this where they did not back into the right-of-way. This would also apply to Lafayette Street. Mr. Olsen said there were two bays in the loading area that could possibly have a van maneuver on the site. The other two bays on the other end of the loading area were not maneuverable on the site.

Ms. Deakle inquired if they were proposing to leave the van area and eliminate the head-in parking on Center and Lafayette Streets.

Mr. Olsen said this was correct. He said that the entire area was paved and currently used for parking. He felt that there was a way to reconfigure the site so that there would be no need to back into the right-of-way.

Mr. Quimby was concerned about the parking. He was unsure based on the plan as to the location of the curb cuts in relation to the parking area.

Mr. McSwain said it appeared that the only contention that the applicant had was that one curb cut be allowed on Center Street, and no restrictions on having to close the ones on Stephens at this time.

Mr. Quimby inquired if they were planning to require that the Lafayette Street curb cuts be closed.

Mr. Olsen said that the staff was not necessarily recommending that they be closed, but they wanted to see the parking reconfigured.

Mr. McSwain amended his motion and was seconded by Mr. Scott. The final motion was to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) dedication of sufficient right-of-way along St. Stephens Road to provide a minimum of 50' from centerline;
- (2) submission, approval and recording of a one lot subdivision, incorporating the entire site into one legal lot of record;

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- (3) existing parking facilities be reconfigured to prohibit vehicles from backing into the right-of-way;
- (4) removal of unused curb cuts, including curb replacement, backfill and necessary plantings;
- (5) limited to one curb cut to St. Stephens Road, size, design and location to be approved by Traffic Engineering at the time of additional development;
- (6) the site be brought into compliance with the landscaping and tree planting requirements of the Zoning Ordinance – to the greatest degree practicable; and
- (7) full compliance with all municipal codes and ordinances.

Mr. Vallas recused. The motion carried.

NEW PLANNED UNIT DEVELOPMENT APPLICATION:

Case #ZON2003-02656

Fairfield Place Subdivision

East side of Wildwood Place, 130'± South of Vista Bonita Drive South.

The request for Planned Unit Development Approval to allow a maximum site coverage of 47% in a single-family residential subdivision was considered.

The site plan illustrates the lot configuration, proposed setbacks, easements, detention areas, and existing floodways.

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to approve this plan subject to the following condition:

- (1) full compliance with the Engineering Comments (Developer must confirm stormwater system, including detention system can accommodate increased coverage; must comply with all stormwater and flood control ordinances; and any work performed in the right of way will require a right of way permit).

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2003-00275

Compound W II Subdivision

Southeast corner of Cody Road South and Bruns Drive.

3 Lots / 69.0± Acres

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The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) the provision of an additional setback to provide 75-feet from the centerline of Cody Road (Lot 1);
- (2) the dedication of adequate right of way to provide 50-feet from the centerline of Cody Road (Lot 2);
- (3) placement of a note on the final plat stating that the location, number and design of all curb cuts shall be approved by Traffic Engineering;
- (4) the submission and approval of rezoning applications to eliminate split zoning prior to the issuance of a Certificate of Occupancy;
- (5) the approval of all applicable federal, state and local agencies; and
- (6) full compliance with City Engineering Comments (strict adherence to all stormwater ordinance requirements, provision of drainage easements to encompass 100 year flood area, compliance with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit).

The motion carried unanimously.

Case #SUB2003-00268

Dauphin Place North Subdivision

1801 and 1805 Dauphin Street (Southwest corner of Dauphin Street and Houston Street)
2 Lots / 0.5± Acre

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) the provision of a 45-foot setback line along Dauphin Street (this would apply to new additions);
- (2) the placement of a note on the final plat stating that the size, location and design of any curb cuts must be approved by Traffic Engineering; and
- (3) the dedication of a 25' radius at the intersection of Dauphin and Houston Streets.

The motion carried unanimously.

Case #SUB2003-00263

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Donlons Subdivision

960 and 962 Dauphin Street (North side of Dauphin Street, 280'± West of Lebaron Street).

2 Lots / 0.8± Acre

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) the provision of a 45-foot setback line along Dauphin Street (this would apply to new additions); and
- (2) the placement of a note on the final plat stating that any new curb cuts must be approved by Traffic.

The motion carried unanimously.

Case #SUB2003-00269

Ferguson Acres Subdivision

9173 and 9177 Howells Ferry Road (South side of Howells Ferry Road, 510'± East of the South terminus of Firetower Road).

3 Lots / 1.4± Acres

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) the provision of a 75' setback from the centerline of Howells Ferry Road;
- (2) the placement of a note on the final plat stating that Lots 1, 2 and 3 are limited to one curb cut each, to Howells Ferry Road, with the size, location and design to be approved by County Engineering;
- (3) the developer to obtain the necessary approvals from federal, state and local agencies prior to the issuance of any permits; and
- (4) 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.

The motion carried unanimously.

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Case #SUB2003-00271

Ferndell Park Subdivision, Resubdivision of Lot 2

Northwest corner of Demetropolis Road and Halls Mill Road, extending to the East side of Government Boulevard.

2 Lots / 23.7± Acres

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

Mr. Olsen noted that condition #2 in the staff recommendation should also state that there be no direct connection from Demetropolis Road.

The applicant was present and indicated that he accepted the modification to condition #2 as stated by Mr. Olsen. He inquired if they could come back to the Commission in the future if they needed to request additional curb cuts.

Mr. Frost replied yes.

There was no one present in opposition.

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

- (1) a note placed on the final plat stating that the size, number and location of all curb cuts must be approved by the Traffic Engineering Department, should be required; and
- (2) a note placed on the final plat stating that there will be no direct connection from Government Boulevard to Halls Mill Road or Demetropolis Road.

Mr. Vallas recused. The motion carried.

Case #SUB2003-00260

Glen Acres Subdivision, Resubdivision of Lots 15, 16 & 17, Block C

1221, 1228, and 1241 Wilkins Street (Northwest corner of Wilkins Street and Keene Street).

4 Lots / 2.5± Acres

The applicant was not present.

There was no one present in opposition.

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

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- (1) 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
- (2) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

Case #SUB2003-00262

McGowin North Subdivision, Unit Two

East side of McVay Drive, 700'± North of Halls Mill Road.

6 Lots / 11.9± 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 Dr. Rivizzigno 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) the placement of a note on the final plat stating that the six lots should be limited to four curb cuts to McVay Drive;
- (2) the placement of a note on the final plat stating that direct access to Belvedere Circle South is denied; and
- (3) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

Case #SUB2003-00274

McGregor Square Subdivision, Resubdivision of and Addition to Lot 1

3940 and 3948 Airport Boulevard (Northeast corner of Airport Boulevard and McGregor Avenue, extending to the South side of Berwyn Drive South, 270'± East of McGregor Avenue).

2 Lots / 5.9± Acres

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Dr. Rivizzigno and seconded by Ms. Deakle to approve this subdivision subject to the following condition:

- (1) the placement of a note on the final plat stating that the number, location and design of all curb cuts should be approved by Traffic Engineering.

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The motion carried unanimously.

Case #SUB2003-00266

Pelican's Landing Subdivision

6480 and 6523 Dauphin Island Parkway (Southeast corner of Dauphin Island Parkway and Pinehaven Drive).

3 Lots / 3.5± Acres

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb cut each to Dauphin Island Parkway, with the size, location and design to be approved by County Engineering;
- (2) the placement of a note on the final plat stating that Lot 3 is limited to one curb cut in the northwestern part of the lot, with the size, location and design to be approved by County Engineering;
- (3) the developer obtain any necessary approvals from all applicable federal, state and local agencies prior to the issuance of any permits;
- (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) placement of the required 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

Case #SUB2003-00264

Ram's Head Addition to Tillman's Corner Subdivision, Unit Two, Resubdivision of Lot 1

West side of U.S. Highway 90 Service Road, extending to the East side of Willis Road.

2 Lots / 3.2± Acres

Mr. Robert Chastain, applicant, stated that he had recently purchased this lot and there were already two existing buildings on this site. He asked for reconsideration of condition #2 in the staff recommendation, which would prohibit crossover traffic between Lots 1 and 2. He said it was his intent to work out of the building on Lot 1 and possibly use the building on Lot 2 for storage for either himself or his customers. He wanted to have access between the buildings without having to move around the road. He did not intend to sell the second lot at this time, but wanted the subdivision now if he decided to do so in the future.

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Mr. Frost thought the staff's concern was cut through traffic to Willis Road.

There was no one present in opposition.

In discussion, Mr. Frost asked if it would be inappropriate under the regulations to allow access between the two lots until such time as either parcel was sold or conveyed to another party. Access would then be denied.

Mr. Lawler stated that he did not think that would be inappropriate.

Ms. Deakle was unsure why the subdivision was needed at this time.

Mr. Scott asked if there would be any minimum or maximum width for an access between the lots.

Mr. Olsen stated that this would not be a subdivision issue, but rather a County Engineering issue.

Mr. Stewart, County Engineering, stated that the County did not review internal circulation as far as width of driveways. They review what is actually accessing the public right-of-way.

Mr. Frost did not think that the applicant would want someone having access to his property once he sold the other part. However, the condition could offer him protection from that in the future.

Mr. Vallas did not feel that deleting condition #2 would give Lot 1 the right to have access through Lot 2, even if it was sold. He suggested that condition #2 be deleted.

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

- (1) the placement of a note on the final plat stating that Lot 1 is limited to one curb cut to Willis Road with the size, location and design approved by County Engineering; and
- (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.

The motion carried unanimously.

Case #SUB2003-00267
Riverwood Subdivision, Phase II

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330'± East of Rabbit Creek Drive, adjacent to the West side of Mandrell's Addition to Hollingers Island Subdivision.

39 Lots / 13.9± Acres

The applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

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

- (1) placement of a note should on the final plat stating that corner lots (82 and 94) are limited to one curb cut each, with the design, size and location to be approved by County Engineering;
- (2) the provision of a traffic circle in the area of Lots 73 and 74;
- (3) all common areas be indicated on the final plat with a note stating that the maintenance thereof is the responsibility of the property owners association; and
- (4) 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.

The motion carried unanimously.

Case #SUB2003-00265

Rolling Branch Estates Subdivision

5830 Lundy Road (West side of Lundy Road, 365'± South of Huber Road).

4 Lots / 2.0± 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. McSwain and seconded by Mr. Vallas to approve this subdivision subject to the following conditions:

- (1) 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
- (2) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

December 4, 2003

Case #SUB2003-00270

Scott Plantation Subdivision, Units 6, 7, 8 & 9; and Plantation West Subdivision, Units 1, 2 & 3

North side of Johnson Road, 500'± West of Scott Plantation Drive South, extending to the West terminus of Dairy Drive South and the West terminus of the proposed extension of Scott Plantation Drive South.

124 Lots / 72.0± Acres

The applicant was present and concurred with the staff recommendations.

Mr. Hunter Radney, 10351 Jeff Hamilton Road, stated that the subject property backed up to his property, and he questioned condition #5 of the staff recommendation regarding a buffer zone.

Mr. Frost stated that any lots that were developed commercially and adjoined residentially developed property must provide a buffer.

Mr. Olsen stated that this property was in the County, and the County would either require a 6' wooden privacy fence or a 10' landscaped buffer strip that would have to be densely planted or natural vegetation such that no light or debris could be seen through it.

The applicant indicated that the property would be residential.

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 should on the final plat stating that corner lots (Lots 24, 27 and 28, UNIT 1; Lots 1, 13, 16, 19, 25 and 26, UNIT 2; Lots 14 and 23, UNIT 3; Lots 6, 7, 13, 25, 26 and 27, UNIT 6; Lots 6 and 15, UNIT 8; and Lots 6 and 7, UNIT 9) are limited to one curb cut each, with the design, size and location to be approved by County Engineering;
- (2) the provision of a traffic circle in the area of Lots 10 and 15 of Unit 1;
- (3) all common/detention areas be indicated on the final plat with a note stating that the maintenance thereof is the responsibility of the property owners;
- (4) that any necessary approvals be obtained from federal, state and local agencies prior to the issuance of any permits;
- (5) 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
- (6) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

Case #SUB2003-00261

December 4, 2003

Snyder's Hollow Subdivision

8950 Howells Ferry Road (North side of Howells Ferry Road, 300'± West of the North terminus of Hubert Pierce Road).

2 Lots / 2.1± 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. Plauche and seconded by Mr. McSwain to approve this subdivision subject to the following conditions:

- (1) the provision of a 75' setback from the centerline of Howells Ferry Road;
- (2) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb cut each to Howells Ferry Road, with the size, location and design to be approved by County Engineering; and
- (3) 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.

The motion carried unanimously.

Case #SUB2003-00273

Waterfront Subdivision

3950 and 3960 Scenic Drive (West side of Scenic Drive at the Southern terminus of Inerarity Road).

4 Lots / 5.7± Acres

The applicant was present and concurred with the recommendations of the staff.

There was no one present in opposition.

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

- (1) the approval of all applicable federal, state and local agencies prior to the issuance of any permits.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATION:

Case #ZON2003-02672

Matthew R. Stone

December 4, 2003

3968 Demetropolis Road (West side of Demetropolis Road, 640'± South of Halls Mill Road).

The request to waive construction of a sidewalk along Demetropolis Road was considered.

Mr. Matthew Stone of 4309 Highway 90 Drive, applicant, stated that the location of the proposed sidewalk was partially in a ditch. The community beside it had a privacy fence and there were no sidewalks on either side of that section of Demetropolis Road. He asked that if the sidewalk was required, that it be required only on that portion of the property that was being built on at this time. Mr. Stone provided photos of the site to the Commission members. He commented that the site was almost on the County line. He said that the bottom part of his lot dropped off from 12 feet to 2 feet.

Mr. McSwain asked for clarification of the Engineering Department's comments in the staff report.

Ms. Terry explained that the property to the south definitely needed sidewalks. She indicated that there was a major ditch off of their property that would have to be filled in for construction of a sidewalk. Though there might be some difficulties, a sidewalk could be constructed on a major portion of this property.

Mr. McSwain inquired if the Engineering Department would be inclined to grant a waiver for the south portion of the site due to the topo.

Ms. Terry replied yes.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Plauche to approve this request.

Dr. Rivizzigno was opposed. The motion carried.

OTHER BUSINESS:

Public Hearing

To consider proposed amendments to the Major Street Plan Component of the City of Mobile's Comprehensive Plan. The proposed amendment consists of the following: 1) the removal of the Grelot-March Road connector (commencing at Snow Road to terminate at the Cottage Hill Road/Jeff Hamilton Road intersection) from the Major Street Plan.

Mr. Ruffin Graham was present and expressed an interest in this proposal, as he had an option on a piece of property in the area where the proposed Grelot Road intersects with Jeff Hamilton Road. He was interested in the process for determining whether or not the road would be built. Mr. Graham said he was in favor of removing this proposed

December 4, 2003

connection from the Major Street Plan and offered his assistance in the possibility of correcting the intersection where Jeff Hamilton, Grelot and Cottage Hill Roads come together. He was also interested in a time frame. He felt that some cooperation from land owners in the area would be necessary.

Mr. Frost explained that the Commission would vote on this matter today, but then it would go to the City Council who would have the final decision.

Mr. Olsen said this process would have to be advertised and would take a minimum of five weeks.

Mr. Frost referred Mr. Graham to Ms. Shayla Jones of the staff for further information.

A motion was made by Mr. Vallas and seconded by Mr. Quimby to recommend the approval of the proposed amendments to the Major Street Plan Component of the City of Mobile's Comprehensive Plan to the City Council as submitted by the staff.

The motion carried unanimously.

Announcement of Planning Commission Special Business Meeting – Thursday, December 11, 2003

Mr. Frost announced that there would be a Planning Commission Special Business Meeting held on Thursday, December 11, 2003, at 9:00 a.m. in the County Commission room. He said that they would be discussing various topics, one of which would be the meeting format. He stated that members of the public were invited to attend.

There being no further business, the meeting was adjourned.

APPROVED: January 22, 2004

/s/ Victor McSwain, Secretary

/s/ Robert Frost, Chairman

/ms and jh