

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF FEBRUARY 6, 2003 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Robert Frost, Chairman
Wendell Quimby, Vice-Chair
Stephen Nodine
Victoria L. Rivizzigno
Ann Deakle
John Vallas
Terry Plauche

Members Absent

Victor McSwain, Secretary
Norman Hill (S)
James Laier (S)

Staff Present

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

Others Present

Wanda Cochran, Assistant City Attorney*
Jennifer White, Traffic Engineering
Kim Sanderson, 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.

*Ms. Cochran arrived after the January 23, 2003, agenda had been heard.

APPROVAL OF MINUTES:

A motion was made by Dr. Rivizzigno and seconded by Mr. Nodine to approve the minutes of the October 3, and October 17, 2002, meetings as submitted. The motion carried unanimously.

JANUARY 23, 2003 AGENDA

HOLDOVER:

Case #ZON2002-02505

Charles J. Browning

Southeast corner of Moffett Road and Bear Fork Road.

The request for a change in zoning from R-1, Single-Family Residential, to B-2, Neighborhood Business, for a retail store was considered.

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The site plan illustrates the proposed subdivision and structure.

Mr. Ty Irby was representing the applicant and concurred with the staff recommendations.

Mr. Norman Figures was present and said that at this point he was not going to object to this application. He commented that this application had been repeatedly brought up and there had been one problem after another. He did not mind the property being rezoned if there was a restriction that there not be any petroleum related businesses at this location. The surrounding neighbors were senior citizens that had wells and septic systems and were concerned about groundwater contamination.

Mr. Frost recalled that this concern had come up the last time this was before the Commission.

Mr. Irby said that this was intended for a flooring business. However, any petroleum business would be regulated by ADEM.

In discussion, a motion was made by Ms. Deakle and seconded by Mr. Vallas 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 to provide 50-feet from the centerline of Moffett Road;
- (2) that the site be limited to two curb cuts (one to Moffett Road and one to Bear Fork Road), exact size, location and design to be approved by the Traffic Engineering Department; and
- (3) full compliance with all municipal codes and ordinances.

Mr. Frost said that the Commission had denied a previous application for a service station at this site because of valid concerns about groundwater contamination. He thought that some letters and testimony had been submitted by some engineers stating that this could be a potential problem.

Ms. Deakle inquired if there had been any engineering information submitted with this application.

Mr. Olsen replied no. He commented that there had been some testimony at that public hearing regarding the possibility of groundwater contamination should there be a leak.

Mr. Vallas inquired if this problem was unique to this particular site or any site in the County. He thought that this could be a problem any time there was septic and well systems.

Mr. Olsen said that this concern was not unique to this site.

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Mr. Frost agreed with this. However, there had been more than the average testimony in this case and the Commission denied it based on that concern. He inquired if the Commission wanted to put a use restriction on this. He said that they could also holdover this application and look at this issue further.

Mr. Olsen said that the initial denial of rezoning was in 1998 and was based primarily on drainage concerns and the groundwater concerns. In, 2001 the Commission recommended approval of B-2 zoning for this for use a convenience store that had gas pumps.

Ms. Deakle inquired if the federal agencies in place to monitor petroleum spillage were adequate to protect the groundwater.

Mr. Vallas said that there was usually some type of testing done a monthly basis.

The question was called. The motion carried unanimously.

Case #SUB2002-00277

Remington Estates Subdivision, Unit Four

East terminus of Haley Drive.

25 Lots / 25.4± Acres

The applicant was present and concurred with the staff recommendations.

Ms. Melissa Miller of 3709 Seleste Drive was present and stated that there had not been a lot of information circulated about what type of houses would be built on these lots. She felt that the neighborhood she lived in should be finished before a new one was started.

Mr. Frost was unsure whether or not this was the same developer. However, the Commission did not have control of that. With subdivisions, all people were doing was dividing property and the Commission had very little discretion except for items that fell within the Ordinance, which did not include the size of the homes. He understood Ms. Miller's concern, but the Commission could only make sure that the subdivision met the minimum standards. He suggested that Ms. Miller contact the developer for further information.

Ms. Miller inquired about the road that would be built.

Mr. Frost said that the road would have to be built to County standards, but he could not speak to the road in her neighborhood. He suggested that Ms. Miller speak with the staff regarding this.

Mr. Michael Woodyard was present and said that the surrounding neighbors had no idea how the property would be used. They had invested a lot of money into the area and they did not want to see a lot of smaller homes or trailers. They had nothing against the people that might move in, but they wanted to protect their investment.

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Mr. Frost said that he fully understood these concerns. However, the Commission was bound to follow the City ordinances. He stated that they could consider the size of the lots and the buildable area, but they could not consider the size of the homes. Mr. Frost suggested that Mr. Woodyard speak to the developer. Mr. Frost inquired about the size of the proposed lots.

Mr. Olsen said that they were actually larger lots and more than met the minimum lot size requirements. According to the site plan submitted, the lots would vary in size from 100' x 150' to 100' x 215'.

Mr. Frost commented that there was no zoning the County, so they could not consider use. However, he assumed that with the way the lots were laid out that they would be used residentially.

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

- (1) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits; and
- (2) placement of the required 25' setback along all street frontages.

The motion carried unanimously.

EXTENSIONS:

Case #SUB2001-00329

Bradshire Subdivision

South terminus of Charlanda Drive West, extending to the North terminus of Bradshire Drive.

32 Lots / 10.6± Acres

Request for a one-year extension of previous approval.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to grant a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

Case #SUB2001-00016

File #S98-40

McInnis Tract Subdivision

West side of Sollie Road, 175'± North of Oak Briar Boulevard and extending through to Schillinger Road.

14 Units / 231± Acres

Request for a one-year extension of previous approval.

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This application was withdrawn prior to the meeting.

Case #SUB2002-00003

R & R Commercial Park Subdivision

West side of Bellingrath Road at the West terminus of Country Club Boulevard.

17 Lots / 11.7+ Acres

Request for a one-year extension of previous approval.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to grant a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

GROUP APPLICATION:

Case #ZON2002-02743

Patrick Robbins Flynn

Northeast corner of Old Shell Road and Hyland Avenue.

The request for a change in zoning from B-2, Neighborhood Business, to B-3, Community Business, to allow warehouse storage with overnight parking for a moving company was considered.

The plan illustrates the existing and proposed structures, fence and pavement.

(Also see Case #ZON2002-02742 – **Midtown Mini Storage, L.L.C.** – Below)

Mr. Patrick Robbins Flynn, applicant, was present and requested that the application be heldover so he could submit additional information to resolve some of the issues outlined in the staff report.

Mr. Frost said that while the staff had some specific problems with the application, he thought the overriding problem was whether or not this site was appropriate for a B-3 use. He was unsure if a revised site plan would resolve that problem. However, they could hold it over.

There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Ms. Deakle to holdover this application until the meeting of March 20, 2003, at the applicant's request.

The motion carried unanimously.

Case #ZON2002-02742

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Midtown Mini Storage, L.L.C.

Northeast corner of Old Shell Road and Hyland Avenue.

The request for Planned Unit Development approval to allow multiple buildings on a single building site was considered.

The plan illustrates the existing and proposed structures, fence and pavement.

(For discussion see Case #ZON2002-2743 – **Patrick Robbins Flynn** – Above)

A motion was made by Mr. Frost and seconded by Ms. Deakle to holdover this application until the meeting of March 20, 2003, at the applicant's request.

The motion carried unanimously.

NEW PLANNING APPROVAL APPLICATION:

Case #ZON2002-02748

Waterfront Rescue Mission

North side of State Street, 60'± West of North Conception Street.

The request for Planning Approval to allow expansion of a domiciliary care facility for parking in an R-B, Residential-Business District was considered.

The plan illustrates the existing structures and the proposed parking lot.

Mr. M. Don Williams of M. Don Williams Engineering was representing the applicant and stated that he had a concern regarding the staff's recommendation regarding full compliance with the landscaping and tree planting requirements of the Ordinance for the parking lot. He said that they had submitted a tree plan showing two live oak trees at the roadway and four crepe myrtle trees further back on the site. He stated that this was actually two trees short of strict adherence to the regulations. However, he had spoken with Mr. Daughenbaugh from Urban Forestry and he had felt this would be acceptable. Mr. Williams felt that instead of full compliance the condition should read: *compliance with the landscaping and tree planting requirements of the Ordinance for the parking lot to be coordinated with Urban Forestry*. This would give Urban Forestry some flexibility to work with him.

Mr. Frost inquired if the staff had been notified of this by Urban Forestry.

Mr. Olsen replied no. He commented that Mr. Daughenbaugh was out in the field and unable to attend the meeting. Mr. Olsen said that he would try to phone him during executive session to confirm this.

Mr. Williams said that he did not want to quote Mr. Daughenbaugh because he was not present. Mr. Williams felt that just making the condition subject to Urban Forestry approval would be sufficient.

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There was no one present in opposition.

In discussion, a motion was made by Ms. Deakle and seconded by Mr. Plauche to approve this plan subject to the following conditions:

- (1) that the subdivision be recorded prior to the issuance of any permits;
- (2) approval of the Architectural Review Board;
- (3) compliance with the landscaping and tree planting requirements of the Ordinance for the parking lot to be coordinated with Urban Forestry;
- (4) compliance with Engineering Comments; and
- (5) full compliance with all municipal codes and ordinances.

Mr. Quimby inquired if the staff could verify that someone in Forestry was comfortable with the condition changing.

Mr. Olsen said that with the way the condition was worded, the applicant would have to meet the approval of Urban Forestry. If Forestry were not comfortable that the applicant was as close to compliance as physically possible on the site, they would not approve it.

Mr. Quimby wanted to make sure that Urban Forestry would have some sort of final approval.

The question was called. The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2002-00295

Sara Baghaei Estate Subdivision

North side of Moffett Road, 270'± East of Pine Grove Avenue.

1 Lot / 1.2± 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 placement of a note on the final plat stating that the site is limited to one curb cut to Moffett Road, with the size, location and design to be approved by Traffic Engineering;
- (2) the placement of a note on the final plat stating that a buffer to the East and West will provided at the time they are developed residentially;
- (3) the placement of a note on the final plat stating that a buffer will be provided along the northeasterly property line, where the site adjoins residentially developed property; and

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- (4) the placement of the twenty-five foot minimum building setback line on the final plat.

The motion carried unanimously.

Case #SUB2002-00292

Cypress Shores Estates Subdivision, Second Unit, Resubdivision of Lot 32, Block 6

East side of Sawyer Avenue, 110'± South of Blue Gill Circle.

1 Lot / 0.6± Acre

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

- (1) the placement of a note on the final plat stating that the applicant obtain the necessary approvals of all applicable federal, state, and local agencies.

The motion carried unanimously.

Case #SUB2002-00296

Greenway Subdivision, Unit Five, Resubdivision of Lot 4

North side of Carnegie Street, 225'± East of Greenway Drive.

2 Lots / 1.1± Acres

The applicant was present and concurred with the staff recommendations.

Mr. Nodine inquired if this would be a two-lot subdivision.

Mr. Olsen replied yes.

Mr. Nodine inquired if the use would be residential.

Mr. Olsen said that the property was actually zoned R-3, but the site plan submitted showed one single-family home on each lot. Once the property was subdivided there would not be enough room for any multi-family use.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to approve this subdivision.

The motion carried unanimously.

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Case #SUB2002-00291

Kings Branch Estates Subdivision, Unit Three-A

North terminus of Meadow Lane, West terminus of Kings Branch Drive South, adjacent to Kings Branch (creek).

10 Lots / 7 \pm 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 temporary turn around at the northern terminus of Meadow Lane; and
- (2) that the developer obtain all necessary federal, state and local permits prior to development.

The motion carried unanimously.

Case #SUB2002-00297

Kings Branch Estates Subdivision, Unit Three-B

North terminus of Kings Gate Drive, adjacent to Kings Branch Unit One.

22 Lots / 9.8 \pm 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 temporary turn around at the northern terminus of Kings Gate Drive; and
- (2) provision of a street stub to the East.

The motion carried unanimously.

Case #SUB2002-00294

Rangeline 90 Subdivision, Unit One (Revised), Resubdivision of Parcels 1, 2, 4, and 5

Northwest corner of Halls Mill Road and Rangeline Road, extending through to the East side of U. S. Highway 90 West and the South side of Lowe's Drive.

5 Lots / 20.6 \pm Acres

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

Mr. Don Coleman with Rester and Coleman Engineers, Inc., was representing the applicant and stated that he had a concern regarding the staff recommendation that Lot 5A be limited to seven curb cuts; three along Rangeline Road/U.S. Highway 90, two along Halls Mill Road and two to Lowe's Drive. He said that they would like to request four curb cuts along Rangeline Road/U.S. Highway 90 and only one to Lowe's Drive. He had spoken with the staff about this prior to the meeting and they were in agreement. The driveways he had mentioned were existing.

There was no one present in opposition.

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

- (1) the placement of a note on the final plat stating Lot 5A is limited to seven curb cuts; four along the Rangeline Road/U. S. Highway 90, two curb cuts along Halls Mill Road, and one curb cut to Lowe's Drive with the location and design to be approved by ALDOT and County Engineering; and
- (2) the placement of a note on the final plat stating that Lots 1A & 2A, and Lots 4A & 4B, share common curb cuts to U. S. Highway 90/Rangeline Road service road, the location and design to be approved by County Engineering and ALDOT.

Mr. Vallas recused. The motion carried.

Case #SUB2002-00293

Rangeline 90 Subdivision, Unit One (Revised), Resubdivision of Parcel 6

Northwest corner of Halls Mill Road and Lowe's Drive, extending through to the East side of U. S. Highway 90 West, 1,300'± North of Rangeline Road.

2 Lots / 12.6± Acres

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

Mr. Don Coleman with Rester and Coleman Engineers, Inc., was representing the applicant and stated that they would like to reword staff condition #2 so that Lot 6B could have a curb cut to Lowe's Drive. He thought that the main purpose of the staff's recommendation was to match the median cuts on U.S. Highway 90.

Mr. Olsen said that the easiest way to handle this would be to add a third condition stating that: *the placement of a note on the final plat stating that Lot 6B is limited to one curb cut to Lowe's Drive, with the location and design to be approved by County Engineering.*

Mr. Coleman said this was acceptable.

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There was no one present in opposition.

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

- (1) the placement of a note on the final plat stating Lot 6A is limited to one curb cut to Halls Mill Road and two curb cuts to Lowe's Drive, with the location and design to be approved by County Engineering;
- (2) the placement of a note on the final plat stating that Lots 6A & 6B are limited to the two existing curb cuts that "line-up" with the two existing medium cuts, subject to the approval of County Engineering and ALDOT; and
- (3) the placement of a note on the final plat stating that Lot 6B is limited to one curb cut to Lowe's Drive, with the location and design to be approved by County Engineering.

Mr. Vallas recused. The motion carried.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2002-02750

Mike Agapos, Owner (M. Don Williams, Agent)

401 Cody Road South (East side of Cody Road South, 830'± South of Airport Boulevard).

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

Mr. M. Don Williams of M. Don Williams Engineering was representing the applicant and stated that they wished to request a holdover so they could discuss this further with City Engineering. He had some additional information to submit.

There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to holdover this application until the meeting of February 20, 2003, at the applicant's request.

The motion carried unanimously.

Case #ZON2002-02749

Providence Church of God (M. Don Williams, Agent)

53 Foreman Road (Northeast corner of Foreman Road and Dickens Ferry Road).

The request to waive construction of a sidewalk along Old Shell Road, and portions of Foreman Road and Dickens Ferry Road was considered.

Mr. M. Don Williams of M. Don Williams Engineering was representing the applicant and stated that the applicant was agreeable to a holdover as recommended by the staff.

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There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to holdover this application until the meeting of February 20, 2003, to allow the applicant to submit the information needed by the Engineering Department.

The motion carried unanimously.

Case #ZON2002-02719

Matthew R. Stone

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.

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 deny this request.

The motion carried unanimously.

FEBRUARY 6, 2003 AGENDA

EXTENSIONS:

Case #SUB2001-00018 (File #S2000-42)

Westchester Place Subdivision, Third Addition

East side of Pebble Creek Drive, 200'± North of Westchester Lane.

8 Lots / 3.0± Acres

Request for a one-year extension of previous approval.

Mr. Frost wanted to announce that although this extension was recommended for approval, the staff had asked that the Commission advise the applicant that a third extension is unlikely.

There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to grant a one-year extension of previous approval for this subdivision; and to advise the applicant that a third extension is unlikely.

The motion carried unanimously.

Case #SUB2001-00017 (File #S2000-22)

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Woodbridge Place Subdivision, First Addition (formerly Cumberland Subdivision, Unit Four)

North terminus of Mallard Drive, adjacent to the North side of Woodbridge Place Subdivision, and the East side of Cumberland Subdivision, Unit Three.

21 Lots / 13.5+ Acres

Request for a one-year extension of previous approval.

Mr. Frost wanted to announce that although this extension was recommended for approval, the staff had asked that the Commission advise the applicant that a third extension is unlikely.

There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to grant a one-year extension of previous approval for this subdivision; and to advise the applicant that a third extension is unlikely.

The motion carried unanimously.

GROUP APPLICATIONS

Case #ZON2003-00100

Audubon Investments (Rick Twilley, Agent)

262 and 264 West Drive (West side of West Drive, 125'± South of Northwoods Court).

The request for a change in zoning from R-1, Single-Family Residential, to R-2, Two-Family Residential, for a residential subdivision with reduced lot sizes and reduced building setbacks was considered.

(Also see Case #ZON2003-00101 - **Ridgefield Commons West Subdivision** – Below; and Case #SUB2003-00004 - **Ridgefield Commons West Subdivision** – Below)

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations. He thought some people had signed-up looking for information. His client was in the process of building houses in a subdivision directly across the street from this property that had been approved by the Commission a year ago. This site would be very similar. The rezoning application was for density and the approval would be site plan specific because of the Planned Unit Development application. He commented that the applicant had met with some of the people in the adjoining neighborhood.

Mr. Grady Edmondson was present and stated that he had met with Mr. Rick Twilley, agent, a few weeks ago and the meeting had been very cordial. Mr. Edmondson had been asked by the homeowner's association for Brandy Run Road to address the Commission about some concerns they had with the proposed density. He said that currently on Brandy Run Road, south of the subject property was a 16 lot subdivision. He stated that the Twilleys had 42 lots being built across West Drive and they were in the process of

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constructing 4 or 5 houses. Mr. Edmondson commented that the subject property was to the north of Brandy Run Road and was adjacent to 7 or 8 of their lots. He said that Lots 13-23 were on higher ground and the incline was fairly steep. He stated that if one were to go to the top of the lot, they would be eye-level with the second story of the homes in Brandy Run Subdivision. He said that they were concerned about the size of the homes as the homes in their subdivision were 3,000+ square feet. He thought that the minimum size of the proposed homes was 1,750 square feet. The neighbors were concerned about density. They were also concerned that when the lots were leveled, the homes constructed there would be higher than the existing homes in the area. They had further concerns about drainage. He felt that the Twilleys were fine builders, but the neighbors would prefer to see fewer lots and the minimum size of the homes increased so they would correspond to the surrounding homes. He said that their minimum was 2,200 square feet.

Mr. Quimby inquired how many lots were across the street.

Mr. Edmondson replied 42 lots on 8 acres.

Mr. Orrell said that what was being proposed was comparable to Northwoods Court to the north of the subject property. Those lots were slightly larger but not much.

Mr. Frost noted that while the lots did seem smaller than the lots on Brandy Run Road, there would be 11 of the proposed houses behind 8 existing homes on Brandy Run Road, which did not seem that much different.

Mr. Edmondson felt this was a subjective issue with the Commission as to whether this difference was enough to deny this application. However, they had 3,300 square foot homes and they were concerned that 1,750 square foot homes would back up to their subdivision, which would be substantially different and would be not be beneficial to them.

Mr. Vallas said that there was no access to Mr. Edmondson's subdivision from the proposed subdivision. He did not think that the size of the homes was a good argument in this case.

Mr. Edmondson felt that their concern was more about the density and the drainage problems it could cause, especially with the incline and probable infill.

Mr. Thomas Turnbull of 6175 Northwoods Court was present and stated that his property backed up to the proposed subdivision. He was concerned about birds and wildlife in the trees behind his property, and he did not want to see all of the trees come down. He pointed out the retention area for his subdivision. He thought this might be in order for the subject property.

Mr. Frost said that a retention area was planned for this site. He pointed it out on the map.

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Mr. Turnbull said that he hoped all of the trees would not be cut down.

Mr. Frost said that they would be allowed to take down trees that were not protected by the Ordinance. If there were trees that fell under the Ordinance they would not be allowed to remove them without appropriate permits.

Mr. Orrell said that they would take care of any water that was created by the development. He commented that Brandy Run was not accessed through West Drive and there was no access across from the ditch. He cited other subdivisions in the immediate area that were either zoned R-2 or R-3 and were mentioned in the staff report.

Mr. Plauche inquired if they had looked at grading on this site.

Mr. Orrell said they had not looked at it yet because they were still in the preliminary stages. They would address it when it came up and they might even have to lose a lot to put in more retention.

Mr. Rick Twilley, agent, was present and said that they had a vested interest in this project and they had other lots in the immediate area. They did not want to see anything lesser than what they were planning to come in with. He said that their market was the “empty nesters” and people looking to downsize. He pointed out that there was nothing like this in the City limits. He stated that there was a 5’ buffer and a ditch between the two developments. He said that they were planning to install a fence and would hopefully be able to leave numerous trees.

Mr. Frost commented that if the grade was as mentioned, then a fence would not really help with line of sight.

Mr. Twilley did not feel that the grading would be quite as exaggerated as was mentioned. He said that the fence was on the south side of this project and there would be the buffer that was actually on the Brandy Run property and there was a large ditch between them. They would maintain as many trees as possible in the rear.

Mr. Quimby thought that they would have to basically remove all of the trees. He said that there seemed to be a trend of having more and more lots on smaller properties and it being called smart design. In his opinion, smart design meant having green space and trees. He did not see this as an advantage to the people that would be moving there.

Mr. Nodine said that Old Shell Road and Hillcrest Road would be five lanes in the future, so he thought that this would help with any traffic congestion. He inquired if this was the Twelve Mile Creek Area.

Mr. Twilley replied yes.

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Mr. Nodine said that they had recently completed a \$1.3 million drainage project in that area that would hopefully help alleviate drainage problems. He thought what was being proposed would be a welcome addition to the area.

A motion was made by Mr. Nodine and seconded by Mr. Vallas to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- (1) development limited to the accompanying Planned Unit Development;
- (2) no access to West Drive, except via the proposed street;
- (3) dedication and construction of the proposed street(s) to city standards; and
- (4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2003-00101

Ridgefield Commons West Subdivision

262 and 264 West Drive (West side of West Drive, 125'± South of Northwoods Court).

The request for Planned Unit Development Approval to allow a residential subdivision with reduced lot sizes, reduced building setbacks, and 50% maximum site coverage was considered.

(For discussion see Case #ZON2003-00100 – **Audubon Investments (Rick Twilley, Agent)** - Above; also see Case #SUB2003-00004 - **Ridgefield Commons West Subdivision** – Below)

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

- (1) no access to West Drive, except via the proposed street;
- (2) dedication and construction of the proposed street(s) to city standards;
- (3) building limits as shown on the plan submitted;
- (4) site coverage not to exceed 50%;
- (5) maintenance of all common areas to be the responsibility of the property owners association; and
- (6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2003-00004

Ridgefield Commons West Subdivision

262 and 264 West Drive (West side of West Drive, 125'± South of Northwoods Court).

23 Lots / 3.8± Acres

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(For discussion see Case #ZON2003-00100 – **Audubon Investments (Rick Twilley, Agent)** - Above; also see Case #ZON2003-00101 - **Ridgefield Commons West Subdivision** – Above)

A motion was made by Mr. Nodine and seconded by Mr. Vallas to approve this subdivision under the Innovative Design Section of the Subdivision Regulations, subject to the following conditions:

- (1) placement of a note on the final plat stating that there shall be no access to West Drive, except via the proposed street;
- (2) dedication and construction of the proposed street(s) to city standards;
- (3) building limits as shown on the plan submitted; and
- (4) site coverage not to exceed 50%.

The motion carried unanimously.

Case #ZON2003-00119

Providence Hospital (Lee Metzger, Agent)

West side of The Timbers Subdivision and Wall Street Commercial Park West Subdivision, extending to the Southeast corner of Providence Estates Subdivision, Unit Two, Phase C.

The request for Planned Unit Development Approval to amend the master plan for Providence Park for the construction of a life care community consisting of a nursing home and multiple assisted living units with shared parking and shared access was considered.

The plan illustrates the existing structures and roadways, along with the proposed subdivision, structures, and roadways.

(Also see Case #ZON2003-00118 - **Seton Place Subdivision (Lee Metzger, Agent)** – Below; and Case #SUB2003-00008 - **Seton Place Subdivision** – Below)

Mr. Lee Metzger was representing the applicant and stated that he wanted to discuss the Planned Unit Development for Providence Hospital separately and concurred with the staff recommendations for that case. In regard to the Seton Place applications, Mr. Metzger said that this was for the independent living component of an overall continuing care retirement community. The homes would be marketed to seniors at a reasonable price and then if their needs changed, they could move into the assisted living facility or nursing home. This plan was an extension of the overall master plan of the multi-use Providence Park. He had met with the property owners in Providence Estates this week and addressed a number of issues. He thought their primary concerns were in regard to compatibility. In an effort to address those concerns, they had reached an agreement whereby the applicant would provide a 10' undisturbed buffer along the south line of Providence Estates. He said that this was not on the current plan, but it was something they wanted to add. The lots that abut the buffer would have a 6' privacy fence along the rear.

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Mr. Vallas inquired if he was referring to Lots 2-28.

Mr. Metzger said this was correct. He stated that the staff had suggested that the streets within Seton Place would be public streets. However, this was anticipated to be a gated community. He thought this would disallow public streets. He asked that those conditions be modified.

Mr. Olsen said that the conditions were referring to the access road coming off of Cody Road that was part of the Daniel Corporation application from 2 or 3 months ago.

Mr. Vallas inquired if people would be able to pull in off the main road while they were waiting for the gate to open.

Mr. Metzger said that they had not designed the gate, but this was something that they would want to do.

Mr. Frost inquired about the type of gate that would be installed.

Mr. Metzger was unsure.

Ms. Cathy McCaslin of 6919 Providence Estates Drive South was present and stated that she was present at the meeting with Mr. Metzger. She stated that Councilperson Connie Hudson was also present at that meeting. Ms. McCaslin wanted to clarify that the buffer would be at the end of her property and then the fence. She pointed out her property on the map.

Mr. Metzger replied yes.

Ms. McCaslin said that if this was the case she would not contest the smaller lot sizes.

Ms. Lynne Millette of 6911 Providence Estates Drive South was present and stated that she was concerned about the density of the proposed project. She said that some of the homes in Providence Estates would have up to five homes backing up to their property. She commented that there would be 110 patio homes in Seton Place. She said that when they had met with Mr. Metzger, he assured them that the development would be an upscale residential neighborhood. She stated that Mr. Metzger had mentioned at the neighborhood meeting that something would be written into the covenants that only persons 55 or older would be allowed to live there and it would take a unanimous vote of the homeowner's association to change that. She said that these lots would be small and would abut homes that cost between \$300,000 to \$500,000. They did not want such small homes if there were going to be a lot of children and loud noise.

Mr. Frost thought this was a fair housing issue. If they didn't have the covenants and planned to keep this as an elderly type development they would be considered

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discriminating if they turned down a younger person or family. He said that the Commission had no control over covenants and would not be reviewing them.

Mr. Olsen said that the staff was not aware that these were to be private streets.

Mr. Metzger said that the buffer and age restriction Ms. Millette had mentioned was their intention. He commented that some older couples did have children.

Mr. Olsen inquired about the standard construction of the street.

Mr. Metzger said that they would build it to minimum City standards.

Mr. Olsen said that the Subdivision Regulations Private Street Section required that certain notes be put on the plat stating that if the streets were ever accepted by the City that they would be brought into compliance. If the gate ever ceases to operate, then the streets would be dedicated to the City. To have a gate, the street had to be private.

Mr. Metzger said that this was acceptable.

In discussion, Mr. Frost felt that if this were approved, they needed to include the condition that the applicant offered regarding provision of a 10' undisturbed natural buffer and 6' high wooden privacy fence.

A motion was made by Dr. Rivizzigno and seconded by Mr. Nodine to approve this plan subject to the staff recommendations, adding a condition for the provision of a 6' high wooden privacy fence and an undisturbed buffer.

Mr. Olsen reiterated that the staff had not been aware that these streets would be private. They would need to include conditions that were discussed with Mr. Metzger when he was at the podium. The additional conditions should read as follows: *that the private road comply with Section VIII of the Subdivision Regulations; that the streets be constructed to City standards; and placement of a note on the final plat stating that if the gate for the private road is no longer in operation that the road will be dedicated to the City of Mobile.*

Dr. Rivizzigno and Mr. Nodine amended their motion and second respectively to approve this plan subject to the following conditions:

- (1) the provision of a 10' buffer to be left in its natural state, along the East property line where the site abuts residential properties (the buffer is to be exclusive of any easements);
- (2) denial of access to Timbers Drive;
- (3) full compliance with the landscaping and tree planting requirements of the Ordinance;
- (4) full compliance with all municipal codes and ordinances, including but not limited to, the Engineering Comments above;

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- (5) the submission of an Administrative PUD to verify parking for the independent living units;
- (6) that the private road comply with Section VIII of the Subdivision Regulations;
- (7) that the streets be constructed to City standards;
- (8) placement of a note on the final plat stating that if the gate for the private road is no longer in operation that the road will be dedicated to the City of Mobile; and
- (9) provision of a 10' undisturbed natural buffer and 6' high wooden privacy fence as stated by the applicant at the meeting.

The motion carried unanimously.

Case #ZON2003-00118

Seton Place Subdivision (Lee Metzger, Agent)

North side of a proposed public right-of-way, 350'± East of Cody Road and adjacent to the South side of Providence Estates Subdivision, Unit Two, Phase C.

The request for Planned Unit Development Approval to allow a single-family residential subdivision with reduced lot widths and reduced lot sizes was considered.

The plan illustrates the existing structures and roadways, along with the proposed subdivision, structures, and roadways.

(For discussion see Case #ZON2003-00119 - **Providence Hospital (Lee Metzger, Agent)** – Above; also see Case #SUB2003-00008 - **Seton Place Subdivision** – Below)

A motion was made by Dr. Rivizzigno and seconded by Mr. Nodine to approve this plan subject to the following conditions:

- (1) that no permits are issued until the public street is constructed and dedicated to the City of Mobile;
- (2) placement of a note on the final plat stating that Lots 54-64 and 105-110 are denied direct access to the public street to the rear (West);
- (3) if necessary, that the proposed emergency access between Lots 57 and 58 remain private, with a note on the final plat stating that this emergency access is maintained by the property owners;
- (4) that the detention areas be identified as such, with a note on the final plat stating that the maintenance of all detention and common areas is the responsibility of the property owners;
- (5) that the private road comply with Section VIII of the Subdivision Regulations;
- (6) that the streets be constructed to City standards;
- (7) placement of a note on the final plat stating that if the gate for the private road is no longer in operation that the road will be dedicated to the City of Mobile; and

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- (8) provision of a 10' undisturbed natural buffer and 6' high wooden privacy fence as stated by the applicant at the meeting.

The motion carried unanimously.

Case #SUB2003-00008

Seton Place Subdivision

North side of a proposed public right-of-way, 350'± East of Cody Road and adjacent to the South side of Providence Estates Subdivision, Unit Two, Phase C.

110 Lots / 22.4± Acres

(For discussion see Case #ZON2003-00119 - **Providence Hospital (Lee Metzger, Agent)** – Above; also see Case #ZON2003-00118 - **Seton Place Subdivision (Lee Metzger, Agent)** – Above)

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

- (1) that no permits are issued until the public street is constructed and dedicated to the City of Mobile;
- (2) placement of a note on the final plat stating that Lots 54-64 and 105-110 are denied direct access to the public street to the rear (West);
- (3) if necessary, that the proposed emergency access between Lots 57 and 58 remain private, with a note on the final plat stating that this emergency access is maintained by the property owners;
- (4) that the detention areas be identified as such, with a note on the final plat stating that the maintenance of all detention and common areas is the responsibility of the property owners;
- (5) that the private road comply with Section VIII of the Subdivision Regulations;
- (6) that the streets be constructed to City standards;
- (7) placement of a note on the final plat stating that if the gate for the private road is no longer in operation that the road will be dedicated to the City of Mobile; and
- (8) provision of a 10' undisturbed natural buffer and 6' high wooden privacy fence as stated by the applicant at the meeting.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2003-00001

Creel Landing Subdivision

6066 Creel Road (West side of Creel Road, 300'± South of Lundy Road).

25 Lots / 10.7± Acres

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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 Dr. Rivizzigno and seconded by Mr. Nodine to approve this subdivision subject to the following conditions:

- (1) dedication of sufficient right-of-way along Creel Road to provide 50' from centerline;
- (2) dedication and construction of the proposed road to County standards;
- (3) each lot contain a minimum of 15,000 sq.ft.;
- (4) placement of a note on the final plat stating that maintenance of the detention area shall be the responsibility of the property owners;
- (5) placement of a note on the final plat stating that Lots 2 & 3 shall be limited to one shared curb cut, Lots 6 & 7 shall be limited to one shared curb cut, Lots 1 & 8 are limited to one curb cut each, and Lots 4 & 5 are denied curb cuts to Creel Road.

The motion carried unanimously.

Case #SUB2003-00005

Franklin Estates Subdivision

7401 Griffice Road (South side of Griffice Road, 300'± West of Woodward Road, extending to the North side of Moffett Road, 260'± West of the Southern terminus of Woodward Road).

36 Lots / 10.6± Acres

Mr. M. Don Williams of M. Don Williams Engineering was representing the applicant and stated that this application was for 36 lots that would be clustered around a road that had access out to Griffice Road. The area marked as future development had access to Moffett Road and would not be served by the new road. The staff had recommended that the future development area be labeled as Lot 37 and be included in this application because it was part of the original parcel. However, he would like to keep it as future development because they had no intention of ever owning it.

Mr. Frost said that he thought there was concern by the staff that if Lot 37 was not included, another piece of property would be landlocked.

Mr. Olsen said that there was a parcel line that currently existed. If the entire area were shown as future development, it would not create a landlocked parcel, it would be maintaining status quo on those two properties.

Mr. Williams said that they would have to remove that parcel line. He stated that they would like to have conditions 5, 6, 7 and 8, eliminated because all of them referred to the

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assumption that they would be coming back in with development for the future development area.

Mr. Olsen said that those conditions would not be necessary if the land was shown as future development. Any development of that property in the future would require a subdivision application and those conditions could be imposed at that time.

Dr. Rivizzigno inquired if the common area was a retention pond.

Mr. Williams replied yes.

Ms. Pamela Allen Wallace was present and stated that her father, William F. Allen, owned the property at 7350 Moffett Road. She pointed his property out on the map. She said that traffic currently came up Woodward Drive from Griffice Road and enters and exits from Moffett Road. They had concerns about the density of the new lots in regard to traffic on Moffett Road. She said that there was an existing stop sign there and it was difficult to enter Moffett Road at peak traffic times. Her father's driveway went out to Moffett Road.

Mr. Frost said that per the changes made today, the traffic from the subdivision would not affect Moffett Road. They would have access off of Griffice Road.

Ms. Wallace said that there was already a bad traffic situation now. She thought that people would still use Moffett Road.

Mr. Frost said that it appeared people could go out to Ching Dairy Road and then to Moffett Road.

Ms. Wallace felt that a traffic signal might be in order, though it would not really help her father get in and out of his property.

Mr. William Allen stated that the traffic was bad on Moffett Road and that sometimes it was backed-up all the way to Schillinger Road. He already had trouble getting out of his driveway and he was concerned about the additional traffic from these 36 lots.

Mr. Williams said that they had an alternate access to Ching Dairy Road, and they would be supportive of any kind of movement to get a traffic signal installed.

In discussion, a motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to approve this subdivision subject to the recommendations made by the staff with the removal of conditions 5, 6, 7 and 8.

Mr. Olsen asked that they not remove condition 5 completely, but reword it to read: *that the future development parcel be included on the final plat*. This would ensure that the area was shown as future development on the plat and that the parcel line Mr. Williams discussed would be eliminated.

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Ms. Deakle and Dr. Rivizzigno amended their motion and second respectively to approve this subdivision subject to the following conditions:

- (1) the provision of a 20-foot setback along Griffice Road;
- (2) the provision of a 25-foot setback along the new road;
- (3) the provision of a street stub to the West;
- (4) that all encroachments be removed or that the lot lines be shifted to accommodate the encroachments;
- (5) that the future development parcel be included on the final plat.

The motion carried unanimously.

Mr. Frost urged the County to look into the traffic situation to see if maybe a traffic light would be appropriate.

Case #SUB2003-00002

George and Jesse Hicks Subdivision

7250 Griffice Road (North side of Griffice Road, 200'± West of Sky Terra Drive).

2 Lots / 5.0± 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 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 Lot 1 and Lot 2 are limited to one curb cut each, with the size, location, and design to be approved by County Engineering;
- (2) the placement of a note on the final plat stating that if any property is developed commercially and adjoins residential property, a buffer in compliance with Section V.A.7. of the Subdivision Regulations will be provided; and
- (3) the placement of the twenty-five foot setback line on the final plat.

The motion carried unanimously.

Case #SUB2003-00009

West Moffett Commercial Park Subdivision

3385 and 3395 Schillinger Road North and 7875 Moffett Road (West side of Schillinger Road, 280'± South of Moffett Road, extending to the South side of Moffett Road, 145'± West of Schillinger Road).

5 Lots / 43.1± Acres

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Mr. Dan Henry, applicant, was present and concurred with the staff recommendations.

Ms. Nellie Howell was present and stated that her main concern was the drainage from Schillinger Road. She said that she already had drainage on her property from Wards Lane, which sometimes caused flooding.

Mr. Frost said that they would be required to meet the County drainage and flood requirements. He stated that the City had formed a subcommittee to look into drainage issues.

Mr. James Evans was present and stated that he was representing Mr. Charlie Watts of 8050-H Wards Lane. He was concerned about overflow drainage from the surrounding properties and the new development. He inquired if the County had looked at this situation before.

Ms. Sanderson was unsure.

Mr. Frost suggested that Mr. Evans contact Mr. Stewart with the County Engineering Department for further information.

Mr. Henry stated that all of the water drained to one place, which was the northwest corner and eventually into a lake near Moffett Road. They would be providing stormwater detention not only for their site, but for the property behind them. He said this should mean that there was less drainage than there was before and it would actually exceed County Engineering requirements. He stated that the County would not review their drainage plan until the subdivision application had been approved by the Commission.

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

- (1) dedication of sufficient right-of-way along Moffett Road to provide a minimum of 50' from centerline;
- (2) dedication of sufficient right-of-way along Schillinger Road to provide a minimum of 50' from centerline;
- (3) placement of a note on the final plat stating that the subdivision is limited to one curb cut to Moffett Road and one curb cut to Schillinger Road, location and design to be approved by County Engineering;
- (4) placement of a note on the final plat stating that there shall be no cross-easements or access through properties that are not included in this subdivision;
- (5) provision of buffering in compliance with Section V.A.7 where the site abuts residential properties; and
- (6) placement of the required building setback line along all street frontages.

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The motion carried unanimously.

Case #SUB2003-00006

Southview Subdivision, Resubdivision of Lot 2

5363 U.S. Highway 90 West (East side of U.S. Highway 90 West, 600'± South of Rangeline Road, extending to the West side of Halls Mill Road, 800'± South of Rangeline Road).

2 Lots / 7.0± Acres

Mr. Don Coleman with Rester and Coleman Engineers, Inc., was representing the applicant and stated that Lot 2B needed a curb cut to Halls Mill Road. This had been discussed with the staff and they were agreeable to it as long as it was approved by County Engineering.

There was no one present in opposition.

In discussion, Mr. Quimby inquired how the conditions needed to be reworded to address the applicants concerns.

Mr. Olsen suggested modified wording for condition #2: *the placement of a note on the final plat stating that Lot 2A is limited to one curb cut to US Highway 90 and two curb cuts to Halls Mill Road, with the size, location and design to be approved by County Engineering.* He said that another condition would need to be added stating: *the placement of a note on the final plat stating that Lot 2B is limited to one curb cut to Halls Mill Road, with the size, location and design to be approved by County Engineering.*

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

- (1) the dedication of sufficient right-of-way to provide 35-feet from the centerline of Halls Mill Road;
- (2) the placement of a note on the final plat stating that Lot 2A is limited to one curb cut to US Highway 90 and two curb cuts to Halls Mill Road, with the size, location and design to be approved by County Engineering;
- (3) the placement of a note on the final plat stating that Lot 2B is limited to one curb cut to Halls Mill Road, with the size, location and design to be approved by County Engineering; and
- (4) the placement of a note on the final plat stating that any property that is developed commercially and adjoins residential property will provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2003-00003

Valley Road Subdivision

Northeast corner of Valley Road and Gill Road.

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3 Lots / 0.5± Acre

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and stated that when his client purchased this property, he was unaware that there was a substandard right-of-way. The proposed lots would be 7,500 square feet. The staff was asking that the applicant dedicate right-of-way. He asked that they not be required to dedicate, but to provide a 35' setback from the road. If they were to dedicate they would be 450' square feet short of the minimum.

Mr. Frost inquired if there were any plans to expand Valley Road.

Mr. Olsen was unsure. He said that just north of this site a subdivision had been required to dedicate right-of-way by the Commission.

Mr. Orrell thought that there were two other subdivisions that had not been required to dedicate, though he was unsure when they were subdivided. With the dedication the lots would be too small.

Mr. Frost thought that when there were smaller residential lots, that the it was normal to require setbacks, unless they felt that there was going to be an expansion of the road.

Mr. Olsen said they sometimes went with setbacks when there was a major street and it was a setback from the future right-of-way. Whenever there was a substandard right-of-way they normally required the dedication. If a planned major street were substandard they would require dedication to bring it up to standards and then have a setback for the future widening.

There was no one present in opposition.

In discussion, Mr. Vallas thought that the construction of three new homes might served the community better than the additional right-of-way.

Mr. Quimby did not think they could approve lots on a substandard street.

Mr. Vallas commented that this was not a major corridor.

Mr. Nodine inquired if the intent of getting the right-of-way was to extend Valley Road.

Mr. Olsen said that Valley Road ran from Gill Road to Riverside Drive and for much of its length it was substandard. There was a portion of it that went through the subdivision process and dedication was required at that time. The ultimate goal would be to have a 50' right-of-way.

Dr. Rivizzigno was concerned about increased traffic on this substandard road. The new homes may encourage even more development on this street adding even further to the traffic.

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A motion was made by Mr. Quimby and seconded by Mr. Plauche to deny this subdivision for the following reason:

- (1) the subdivision as proposed would not meet the minimum lot requirement of the Zoning Ordinance.

Mr. Vallas wanted to find a way to make this work.

Mr. Olsen said that they could develop this as a two-lot subdivision and the Commission could approve it as such.

Mr. Quimby and Mr. Plauche withdrew their motion and second respectively.

Mr. Frost thought they might want to see a revised plat.

Mr. Olsen suggested that they could hold it over and request a revised plat.

A new motion was made by Mr. Nodine and seconded by Dr. Rivizzigno to holdover the above referenced application until the meeting of February 20, 2003.

The motion carried unanimously.

Case #SUB2003-00007

Raines Addition to Wildwood Subdivision

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

33 Lots / 8.9± Acres

Mr. Frost announced that the applicant had requested a holdover for this application.

A motion was made by Mr. Frost and seconded by Mr. Quimby to holdover the above referenced application until the meeting of February 20, 2003, at the applicant's request.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATION:

Case #ZON2003-00107

Wellington Street Baptist Church

1308 Mobile Street (Northeast corner of Mobile Street and Chastang Street, and West side of Mobile Street at the West terminus of Chastang Street).

The request to waive construction of sidewalks along the East and West sides of Mobile Street and along the North side of Chastang Street was considered.

The applicant was present and concurred with the staff recommendation for approval.

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There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to approve this request.

The motion carried unanimously.

OTHER BUSINESS:

Planning Jurisdiction

Mr. Nodine reported that he was in preliminary discussion with the City staff and the Mayor regarding moving the Planning Jurisdiction back to Schillinger Road. He would be meeting with people over the next few weeks to discuss this further.

Election of Officers

Mr. Olsen said that the Commission would need to elect officers at the next meeting.

Drainage Subcommittee

Mr. Olsen said that they had thought the Subcommittee had reached a consensus. However, they had a meeting a few weeks ago and there seemed to be some problems with the amendment that the staff had sent out.

Mr. Frost inquired if they needed to bring in additional people.

Mr. Olsen said that the main concern that was voiced was the requirement for certification that facilities had been built to standard. At the meeting it came out that the County requires a certification prior to the issuance of a permit that facilities would be built to standards. There was a hesitation for the certification afterwards.

Mr. Frost asked that the staff continue with their efforts. He thought they needed more time to discuss this further.

There being no further business, the meeting was adjourned.

APPROVED: April 17, 2003

/s/ Victor McSwain, Secretary

/s/ Robert Frost, Chairman

jh