

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF MAY 15, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
John Vallas
James F. Watkins, III
Tracie Lee-Roberson

Members Absent

Scott Webster
Levon Manzie
Roosevelt Turner
Don Hembree
Carlos Gant

Urban Development Staff Present

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

Others Present

Doug Anderson,
Assistant City Attorney
George Davis,
City Engineering
Marybeth Bergin,
Traffic Engineering

Fire-Rescue Department

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

ROLL CALL:

Mr. Plauche stated the number of members present constituted a quorum and called the meeting to order, advising all attending of the policies and procedures pertaining to the Planning Commission.

HOLDOVERS:

1. Case #SUB2014-00026

Travis Family Subdivision

4315 McCovery Road Extension

(North and East side of McCovery Road Extension, 590'± South of McLeod Road).

Number of Lots / Acres: 4 Lots / 4.0± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
County

The Chair announced the application had been recommended for holdover and stated the applicant was agreeable with the recommendations. He added if anyone wished to speak on the matter they should do so at that time. Hearing no opposition or discussion, a motion was made by Mr. Plauche, with

second by Mr. DeMouy to hold the matter over until the June 5, 2014 meeting, so that the following revisions can be made and submitted by May 19, 2014:

- 1) inclusion of the entire parcel, including additional mailing labels and fees;
- 2) placement of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 3) placement of a note on the final plat stating that the site appears to be in the path of the proposed March Road Extension major street, and thus may be impacted by the major street in the future;
- 4) revision of the 25' minimum building setback line to extend along the entire width of each lot where the become a minimum of 60' wide;
- 5) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 6) placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: (Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.);
- 7) compliance with Fire Department comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);
- 8) placement of a note on the Final Plat stating that all lots are limited to one curb cut each to McCovery Road Extension, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and
- 9) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

2. Case #SUB2014-00023 (Subdivision)
(&3) First Baptist Church of Tillman's Corner Subdivision
5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and 5673 Jackson Road

(Northeast corner of Three Notch Road and Calhoun Road extending to the South side of Jackson Road).

Number of Lots / Acres: 1 Lot / 7.9± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.

Council District 4

The Chair announced the applications had been recommended for withdrawal. He added if anyone wished to speak on the matter they should do so at that time.

Don Rowe, Rowe Surveying, spoke on behalf of the applicant. He stated that the church was finally able to have a meeting to decide which way to go with this application, but their attorney is out of town at this time. He requested that the church requested another holdover.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy to hold the matter over until the June 19, 2014 at the applicant's request.

The motion carried unanimously.

3. Case #ZON2014-00495 (Planned Unit Development)
(&2) First Baptist Church of Tillman's Corner Subdivision

5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and 5673 Jackson Road

(Northeast corner of Three Notch Road and Calhoun Road extending to the South side of Jackson Road).

Planned Unit Development to allow multiple buildings on a single building site.
Council District 4

The Chair announced the applications had been recommended for withdrawal. He added if anyone wished to speak on the matter they should do so at that time.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy to hold the matter over until the June 19, 2014 at the applicant's request.

The motion carried unanimously.

4. Case #SUB2014-00033 (Subdivision)
(&5) Tilcor Subdivision

5442 U.S Highway 90 West

(West side of U.S. Highway 90 West, 325± North of Tillmans Corner Parkway).

Number of Lots / Acres: 2 Lots / 0.9±

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 4

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

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

- 1) **retention of the 60' minimum building setback line on the Final Plat;**
- 2) **retention of the labeling of lot sizes in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 3) **placement of a note on the Final Plat stating that Lot B is limited to one right in only curb-cut and Lot A is limited to one curb-cut onto U.S Highway 90 West, with the size, design, and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;**
- 4) **retention of the labeling of the right-of-way width of U.S Highway 90;**
- 5) **submission of a sidewalk waiver prior to the signing of the Final Plat;**
- 6) **placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;**
- 7) **compliance with Engineering comments: "The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances). B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 21 - # 91) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition.**

Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate and Signature. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. I. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.”;

- 8) compliance with Traffic Engineering comments: “US Highway 90 is an ALDOT maintained roadway. Each lot should be limited to one curb-cut each, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. The southern driveway has been revised to show an improved radius on the south side of the driveway. Prior to issuance of any permits, the applicant will need to provide verification from ALDOT regarding their approval of the driveway modifications. If the cross-access to the shopping center west of this site is to be maintained, the access point will need to be reconstructed with proper ingress/egress. Currently it appears as though extra asphalt was laid to transition over the curb from the shopping center. The current PUD site plan is unclear regarding this connection, as the asphalt stops short of the existing curb and the new 6” concrete curb on-site does not connect to the existing curb in the shopping center parking lot. Two handicap spaces are listed on the parking data table, however only one is illustrated. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.”;
- 9) compliance with Urban Forestry comments: “Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;
- 10) compliance with Fire comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.”
- 11) submission of 2 copies of a revised PUD site plan prior to the signing of the Final Plat.

The motion carried unanimously.

5. Case #ZON2014-00733 (Planned Unit Development)
(&4) Tilcor Subdivision

5442 U.S Highway 90 West

(West side of U.S. Highway 90 West, 325± North of Tillmans Corner Parkway).

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

Council District 4

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

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

- 1) retention of the 60' minimum building setback line;
- 2) retention of the frontage trees and perimeter trees on the site plan;
- 3) retention of the "Landscaping Data" chart depicting the total landscaping and frontage landscaping calculations;
- 4) retention of the lot sizes in square feet and acres;
- 5) placement of a note on the Final Plat stating that Lot B is limited to one right in only curb-cut and Lot A is limited to one curb-cut onto U.S Highway 90 West, with the size, design, and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 6) retention of the dumpsters on the site plan;
- 7) retention of the note on the site plan stating dumpsters will be enclosed on all three sides and connected to sanitary sewer;
- 8) retention of the 24' wide drive aisles as depicted on the site plan;
- 9) submission of a sidewalk waiver prior to the approval of any permits;
- 10) labeling of the right-of-way width of U.S Highway 90 West on the site plan;
- 11) revise site plan to remove one of the dashed lines to indicate the center property line between Lot A and Lot B matching the proposed subdivision;
- 12) revise site plan to show all existing and proposed features, including the freestanding sign in the parking space;
- 13) revise the "Parking Data" table to coincide with the number of parking spaces depicted on the site plan;
- 14) modify existing and proposed parking spaces to provide one 9-foot wide van accessible parking space with a 7- foot wide access aisle, and appropriate signage;

- 15) compliance with Engineering comments: “1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Add a note to the PUD Plan stating that the proposed development must comply with the following Engineering Department Policy Letters: i. 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System)”;
- 16) compliance with Traffic Engineering comments: “US Highway 90 is an ALDOT maintained roadway. Each lot should be limited to one curb-cut each, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. The southern driveway has been revised to show an improved radius on the south side of the driveway. Prior to issuance of any permits, the applicant will need to provide verification from ALDOT regarding their approval of the driveway modifications. If the cross-access to the shopping center west of this site is to be maintained, the access point will need to be reconstructed with proper ingress/egress. Currently it appears as though extra asphalt was laid to transition over the curb from the shopping center. The current PUD site plan is unclear regarding this connection, as the asphalt stops short of the existing curb and the new 6” concrete curb on-site does not connect to the existing curb in the shopping center parking lot. Two handicap spaces are listed on the parking data table, however only one is illustrated. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.”;
- 17) compliance with Urban Forestry comments: “Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;
- 18) compliance with Fire comments: “All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.”;
- 19) lighting of the entire site to comply with Sections 64-4.A.2. and 64-6.A.8 of the Zoning Ordinance, which will include the submission of

a photometric plan at the time of a land disturbance permit; and
20) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

EXTENSIONS:

6. Case #SUB2012-00139 (Subdivision)
(&7) **Savell Subdivision**
3108 Club House Road and 1707 Brill Road
(West side of Club House Road, 240'± West of Dauphin Island Parkway).
Number of Lots / Acres: 2 Lots / 2.5± Acres
Engineer / Surveyor: Don Williams Engineering
Council District 3

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy to approve the extension request. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

7. Case #ZON2012-03144 (Rezoning)
(&6) **Jean Savell**
3108 Club House Road and 1707 Brill Road
(West side of Club House Road, 240'± West of Dauphin Island Parkway).
Rezoning from R-1, Single-Family Residential District, to R-1, Single-Family Residential District, and B-1, Buffer-Business District, to allow an antique shop.
Council District 3

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy to approve the extension request. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

8. **Case #SUB2014-00041**

Harbin Estate Subdivision

8550 & 8600 Gold Mine Road North

(North side of Goldmine Road North, 160'± North of Goldmine Road East).

Number of Lots / Acres: 2 Lots / 4.9± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
County

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

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

- 1) **retention of the lot sizes, in square feet and acres, or provision of a table on the Final Plat with the same information;**
- 2) **retention of the 25' minimum building setback line for both lots;**
- 3) **placement of a note stating that no structures will be erected in any easement;**
- 4) **placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;**
- 5) **placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.)*;**
- 6) **compliance with Fire Department comments *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*;**
- 7) **placement of a note on the Final Plat stating that Lot 1 is limited to one curb cut to Gold Mine Road North and Lot 2 is limited to one curb cut to Gold Mine Road North and one curb cut to Gold Mine Road East, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 8) **add setback in lieu of dedication for that portion of Lot 2 fronting the extension of Gold Mine Road East; and**

- 9) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

9. **Case #SUB2014-00045**

Calgary Subdivision

1618 Leroy Stevens Road

(West side of Leroy Stevens Road, 2/10± mile South of Jeff Hamilton Road Extension).

Number of Lots / Acres: 26 Lots / 12.9± Acres

Engineer / Surveyor: Austin Engineering Company, Inc.
County

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over until June 19, 2014 meeting with revisions due by May 23, 2014 to address the following:

- 1) **Inclusion of parcel (R022707362000016.007.) within this request, to include lot and notification fees and labels, if required, or the submission of a notarized letter from the adjacent property owner requesting the exclusion of the parcel from this subdivision.**

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

10. **Case #ZON2014-00831**

Redeemed Community Church

6254 Howells Ferry Road

(North side of Howells Ferry Road, 500'± West of Grider Road).

Request to waive construction of a sidewalk along Howells Ferry Road.

Council District 7

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

Hearing no opposition or discussion, a motion was made by Mr. DeMouy, with second by Ms. Roberson to approve the request to waive construction of a

sidewalk along Howells Ferry Road.

The motion carried unanimously.

GROUP APPLICATIONS:

11. Case #SUB2014-00040 (Subdivision)
(&12) MLK Avenue Redevelopment Corporation Subdivision, Resubdivision of Lot 1A

320 North Broad Street

(Northeast corner of North Broad Street and Congress Street).

Number of Lots / Acres: 2 Lots / 2.8± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, Inc.

Council District 2

The Chair announced the applications had been recommended for approval. He added if anyone wished to speak on the matter they should do so at that time.

Darryl Russell, The Coleman Engineering Group of McCrory & Williams, spoke on behalf of the applicant. He stated that the applicant was agreeable to all conditions except for condition 1 on the Subdivision and the PUD. He requested that the conditions be waived.

Mr. Olsen responded that the staff would be in agreement with that.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Watkins to waive Section V.D.9 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to depict the correct lot size in square feet and acres to coincide with the lot size on the PUD site plan;**
- 2) **Retention of the right-of-way widths for all streets;**
- 3) **Placement of a note on the Final Plat stating the site is limited to curb-cuts defined by Traffic Engineering Comments, with any changes to the size, design, and location to be approved by Traffic Engineering and ALDOT (as necessary), and conform to AASHTO standards;**
- 4) **Placement of a note on the Final Plat stating that no permanent structures can be constructed in any easement;**
- 5) **Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.)*;**

- 6) Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding flood zones.);*
- 7) Compliance with Traffic Engineering Comments and placement of a note on the Final Plat stating: *(Broad Street is an ALDOT maintained roadway. Broad Street is limited to a maximum of two curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Congress Street is limited to a maximum of two curb cuts, and Lyons Street is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) Compliance with Engineering Comments: *(The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - # 75) each LOT will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. B. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.);*
- 9) Compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 10) Compliance with Fire Department Comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.); and*
- 11) Submission of a revised PUD site plan prior to the signing of the Final Plat.

The motion carried unanimously.

12. Case #ZON2014-00837 (Planned Unit Development)
- (&11) MLK Avenue Redevelopment Corporation Subdivision, Resubdivision of Lot 1A
320 North Broad Street
(Northeast corner of North Broad Street and Congress Street).
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between two building sites.
Council District 2

The Chair announced the applications had been recommended for approval. He added if anyone wished to speak on the matter they should do so at that time.

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

- 1) **Revision of the site plan to depict the correct site and lot sizes in square feet and acres to coincide with the lot sizes on the Final Plat;**
- 2) **Revision of the site plan to illustrate compliant accessible parking spaces for the proposed Lot 2 and design compliance with the requirements of the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design);**
- 3) **Revision of the site plan to identify any trees desired for tree credits and to reflect full compliance with Section 64-4.E. of the Zoning Ordinance regarding tree and landscaping compliance;**
- 4) **Revision of the site plan to depict any proposed lighting along with a note stating any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance;**
- 5) **Revision of the site plan to depict the location of any proposed freestanding sign structure and comply with Section 64-11. of the Zoning Ordinance at the time of permitting;**
- 6) **Revision of the site plan to reflect the removal of the 8' x 8' shed near the southwest corner of Lot 2;**
- 7) **Retention of sidewalks, proposed dumpster locations and associated notes on the site plan;**
- 8) **Placement of a note on the site plan stating that no permanent structure can be constructed in any easement;**
- 9) **Compliance with Traffic Engineering Comments and placement of a note on the site plan stating: *(Broad Street is an ALDOT maintained roadway. Broad Street is limited to a maximum of two curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Congress Street is limited to a maximum of two curb cuts, and Lyons Street is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);***
- 10) **Compliance with Engineering Comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and**

Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Each Lot Owner shall be required to submit a Land Disturbance Permit application for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 4. Add a note to the PUD Plan stating that the proposed development must comply with all Engineering Department Policy Letters: i. 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System).);

- 11) **Compliance with Urban Forestry Comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 12) **Compliance with Fire Department Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.); and*
- 13) **Completion of the Subdivision process prior to any request for building-related permits;**
- 14) **Submission of a revised PUD site plan prior to the signing of the Final Plat; and**
- 15) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

13. Case #SUB2014-00043 (Subdivision)
(&14) L.C. Miller Subdivision

7900 & 7908 Airport Boulevard

(North side of Airport Boulevard, 560'± West of Schillinger Road South).

Number of Lots / Acres: 2 Lots / 3.4

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 7

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

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. DeMouy to waive Section V.D.1 of the Subdivision Regulations and to approve the above referenced matter, subject to the

following conditions:

- 1) **Compliance with Engineering comments** (*The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 16 - # 75) the LOTS will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Label the POB on the Plat. E. Provide and label the monument set or found at each subdivision corner. F. Add a signature block for the Traffic Engineer. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. I. Remove the County Engineer's signature block note from the Plat (located above the Mobile City Planning signature block. J. Correct the Mobile City Planning signature block to read "Planning Commission" instead of "Planning".)*)
- 2) **Compliance with Traffic Engineering comments** (*Any redevelopment of the Lot 1 will require modifications to existing two curb cuts to limit the site to only one curb cut along Airport Blvd, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 3) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 4) **Compliance with Fire comments** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 5) **Placement of a note on the final plat** stating that Lot 1 is limited to

two existing curb-cuts until such time that it is redeveloped, then it shall be limited to one curb-cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;

- 6) Placement of a note on the final plat stating that Lot 2 is limited to one existing curb-cut, with any changes to the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 7) Placement of a note on the final plat stating that there shall be no future subdivision of Lot 1 until additional frontage on a public street is provided;
- 8) Submission of two copies of the revised PUD site plan prior to the signing of the final plat; and
- 9) Placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

The motion carried unanimously.

14. Case #ZON2014-00840 (Planned Unit Development)
(&13) L.C. Miller Subdivision

7900 & 7908 Airport Boulevard

(North side of Airport Boulevard, 560'± West of Schillinger Road South).

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

Council District 7

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

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

- 1) **Compliance with Engineering comments** (*1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007*

& #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Each Lot Owner shall be required to submit a Land Disturbance Permit application for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 4. Add a note to the PUD Plan stating that the proposed development must comply with all Engineering Department Policy Letters: i. 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System))

- 2) Compliance with Traffic Engineering comments (Any redevelopment of the Lot 1 will require modifications to existing two curb cuts to limit the site to only one curb cut along Airport Blvd, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 3) Compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);
- 4) Compliance with Fire comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);
- 5) Placement of a note on the site plan stating that Lot 1 is limited to two existing curb-cuts until such time that it is redeveloped, then it shall be limited to one curb-cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) Placement of a note on the site plan stating that there shall be no future subdivision of Lot 1 until additional frontage on a public street is provided;
- 7) Provision of one van accessible parking space and access aisle, paved in asphalt or concrete, next to the proposed accessible ramp into the office, with appropriate signage, by obtaining a land disturbance permit prior to the signing of the final plat;
- 8) Relocation of the existing freestanding sign to be located a minimum of 18 inches inside the right-of-way line, on private property, including the obtaining of a sign permit prior to the signing of the final plat;
- 9) Submission of two copies of the revised PUD site plan prior to the signing of the final plat; and
- 10) Placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state and

Federal regulations regarding endangered, threatened or otherwise protected species.

The motion carried unanimously.

- 15. Case #SUB2014-00042 (Subdivision)**
(&16 Tucker Place Subdivision
&17) 117 Batre Lane
(Northwest corner of Batre Lane and Gaillard Street).
Number of Lots / Acres: 8 Lots / 3.1± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 7

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

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He asked that they be allowed a 25 foot dedication from the centerline rather than a 30 foot. He also requested that widening of Gaillard Street be waived.

Chief Roach, Mobile Fire Department, stated that he could not waive the widening of Gaillard Street; 20 feet of pavement is a minimum that the Fire Code requires.

The following people spoke in opposition to the matter:

- Dwayne Graham, resident of Moulton Place;
- Elizabeth Juve, resident of Moulton Place;
- Quinn Hiller, 141 Batre Lane;
- Joe Currier, 116 Batre Lane;

They made the following points against the application:

- A. concerned about the traffic burden on Gaillard Street;
- B. Gaillard Street is only 17 feet wide;
- C. Gaillard Street currently only serves 7 houses;
- D. this development would be doubling the number of houses;
- E. concerned about topography;
- F. does not want driveways on Gaillard Street;
- G. concerned about the sharp turn on Batre Lane;
- H. there is a drainage issue in the area;
- I. believes that the detention pond will be a safety hazard;
- J. will miss the natural vegetation.

The Planning Commission went into Executive Session to allow Ms. Roberson

to speak with Mr. Anderson to determine that it would be appropriate for her to vote on this application due to the proximity of a public school.

In rebuttal, Mr. Orrell stated that there will be natural vegetation remaining along the fence. He also noted that they are hoping that the rear access to the properties will help with any traffic issues.

Mr. Watkins asked the average square footage of the lots

Mr. Orrell responded that they are roughly 10,000 square feet.

In deliberation, Mr. Vallas stated that he was in support of the property being developed in some way. He wanted the residents to understand that just because they have enjoyed the 3 acres in its natural state does not mean that they have the right for it to remain that way.

Hearing no further opposition or discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to hold the matter over until the June 19th meeting to allow the applicant to consider revisions such as increasing the width of Gaillard Street to city standard, relocating the access point to Batre Lane for the easement for rear access to the lots, and consideration of reducing the number of lots. Revisions to be submitted by May 29th.

The motion carried.

16. Case #ZON2014-00839 (Planned Unit Development)
(&15 Tucker Place Subdivision
&17) 117 Batre Lane

(Northwest corner of Batre Lane and Gaillard Street).

Planned Unit Development Approval to allow reduced front and side yard setbacks in a proposed subdivision.

Council District 7

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

Hearing no further opposition or discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to hold the matter over until the June 19th meeting to allow the applicant to consider revisions such as increasing the width of Gaillard St to city standard, relocating the access point to Batre Ln for the easement for rear access to the lots, and consideration of reducing the number of lots. Revisions to be submitted by May 29th.

The motion carried.

17. Case #ZON2014-00838 (Sidewalk waiver)
(&15 Steve Sheridan
&16) 117 Batre Lane
(Northwest corner of Batre Lane and Gaillard Street).
Request to waive construction of a sidewalk along Batre Lane and Gaillard
Street).
Council District 7

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

Hearing no further opposition or discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to hold the matter over until the June 19th meeting to be considered in conjunction with the Subdivision and PUD applications.


The motion carried unanimously.

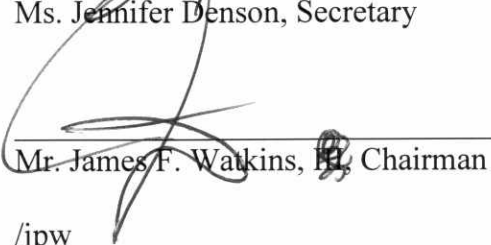
OTHER BUSINESS:

Mr. Olsen discussed with the Commission members which date they would prefer to have the business meeting. It was decided that it would be held on June 12, 2014 at 1:00.

Mr. Olsen also discussed 60-201-2014 and passed out packets from Mr. Rossler. He stated that this would be discussed more at the business meeting.

APPROVED: December 4, 2014



Ms. Jennifer Denson, Secretary

Mr. James F. Watkins, PL, Chairman

/jpw