

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF SEPTEMBER 16, 2010 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Stephen J. Davitt, Jr.
Nicholas H. Holmes, III
Herb Jordan
Mead Miller
Roosevelt Turner
John Vallas
James F. Watkins, III

Members Absent

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
Tony Felts,
Planner I
David Daughenbaugh,
Urban Forestry Coordinator
Joanie Stiff-Love,
Secretary II

Others Present

John Lawler,
Assistant City Attorney
Jennifer White,
Traffic Engineering
Capt. Sam Allen
Fire Department

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

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.

APPROVAL OF MINUTES:

Mr. Plauche moved, with second by Mr. DeMouy, to approve the minutes from the following, regularly held, Planning Commission meetings:

- June 17, 2010
- July 8, 2010
- July 22, 2010

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2010-00094

Jade Subdivision

600 Shannon Street
Southwest corner of Shannon Street and Kreitner Street
Number of Lots / Acres: 1 Lot / 0.3± Acre
Engineer / Surveyor: Moseley Surveying Company
Council District 5

The Chair announced the application had been recommended for approval and stated the applicant was agreeable with the recommendations then 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. Turner, with second by Dr. Rivizzigno, to approve the above referenced matter, subject to the following conditions:

- 1) **placement of a note on the final plat stating that the lot is limited to one curb-cut, with the size, location, and design of the curb-cut to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **labeling of the lot with its size in square feet, or the furnishing of a table on the final plat providing the same information;**
- 3) **illustration of the 25' minimum building setback line along all street frontages; and,**
- 4) **placement of a note on the plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

Case #SUB2010-00096

Combs Place Subdivision, Re-subdivision of Lot 2

2055 and 2063 Grider Road
West side of Grider Road at the West terminus of Rosehill Lane
Number of Lots / Acres: 2 Lots / 6.4± Acres
Engineer / Surveyor: Richard L. Patrick, PLS
Council District 7

The Chair announced the application had been recommended for approval and stated the applicant was agreeable with the recommendations then 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

September 16, 2010
PLANNING COMMISSION MEETING

by Mr. Turner, to waive Sections V.D.1. and V.D.3. and approve the above referenced matter, subject to the following conditions:

- 1) **illustration of the 25' minimum building setback line along Grider Road;**
- 2) **placement of a note on the final plat stating that each lot is limited to one curb-cut to Grider Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **revision of the plat to label each lot with its size in both acres and square feet, or the furnishing of a table on the final plat providing the same information;**
- 4) **placement of a note on the plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, prior to the issuance of any permits or land disturbance activities;**
- 5) **subject to the Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [State Act 61-929 and City Code Chapters 57 and 64]. Preservation status is to be given to the 35" Live Oak Tree located on the North side of proposed Lot 2. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger); and,***
- 6) **subject to the Engineering comments: *(Detention will be required for Lots 2 & 3, the detention shall detain the 100 year storm event, with a 2 year release rate onto the downhill properties. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit).***

The motion carried unanimously.

Case #SUB2010-00097

Hunters Subdivision, Re-subdivision of Lots 1, 2 & 3

3784 Bay Front Road

Northwest corner of Bay Front Road and Seafarer Lane

Number of Lots / Acres: 2 Lots / 0.5± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 3

The Chair announced the application had been recommended for approval.

The following people spoke in favor of the matter:

September 16, 2010
PLANNING COMMISSION MEETING

- Jerry Byrd, Byrd Surveying, on behalf of the applicant; and,
- Ann Geisenheimer, 7579 Bay Road, Mobile, AL, the owner.

They made the following points regarding the issue of requiring further dedication of right-of-way along both roads:

- A. there was an existing 50 foot right-of-way in the area where dedication was being requested;
- B. based upon the amount of traffic on the roads their opinion was the roads were wide enough;
- C. Seafarer Road was not a dirt road, but rather a shell covered road that drained well and had no ditches;
- D. the houses that fronted Seafarer were over 40 years old; and,
- E. Bay Front Road was rebuilt by the City of Mobile after Hurricane Katrina to its current status, and inasmuch, if additional right-of-way was desired, the City should have done so at that time.

Mr. Olsen responded that that though Bay Front Road had been re-built by the City, the staff still considered it a substandard road due to its lack of adequate right-of-way. He noted that Seafarer Lane was not built to standard as it had by their definition dirt frontage for the houses located there. He added that based upon the Subdivision Regulations, a 60 foot right-of-way was required along a street that had no curb and gutter. He noted with regards to Bay Front Road that the City had not installed curb and gutter when it was rebuilt after Hurricane Katrina because there was not adequate right-of-way in the area to do so. He noted, however, that based upon the information, the staff would have no problem with the Commission approving the matter with a change to the first condition to say “dedication sufficient to 30 feet from the centerline of Bay Front Road and 25 feet from the center-line of Seafarer Lane.”

Mr. Byrd stated the applicant would agree to such a change.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Davitt, to waive Section V.D.9. along the Seafarer Lane frontage only, and approve the above referenced matter, subject to the following conditions:

- 1) dedication sufficient to 30 feet from the centerline of Bay Front Road and 25 feet from the centerline of Seafarer Lane;**
- 2) dedication sufficient to comply with Section V.B.16. of the Subdivision Regulations regarding curb radii at Bay Front Road and Seafarer Lane;**
- 3) retention of the 25-foot minimum building setback line along Bay Front Road and the 20-foot minimum building line along Seafarer Lane on the Final Plat with modifications as required due to dedications;**
- 4) retention of the lot area size labeling, in square feet, on the Final Plat with modifications as required due to dedications;**

September 16, 2010
PLANNING COMMISSION MEETING

- 5) placement of a note on the Final Plat stating that each lot is limited to one curb-cut, with the size, design, and exact location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 6) full compliance with City Engineering comments: *show Minimum Finished Floor Elevation on Plat; there is to be no fill placed within the limits of the flood plain without providing compensation; must comply with all stormwater and flood control ordinances; any work performed in the right-of-way will require a right-of-way permit;*
- 7) placement of a note on the Final Plat stating that the approval of all applicable federal, state, and local agencies would be required prior to the issuance of any permits or land disturbance activities; and,
- 8) 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.

Case #SUB2010-00099

River Road Park Subdivision

East side of Dog River Road, 985'± North of Rabbit Creek Court

Number of Lots / Acres: 5 Lots / 30.46± Acres

Engineer / Surveyor: Hunter C. Smith PLS

County

Mr. Watkins recused himself from discussion and voting on the matter.

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hunter Smith, Smith, Kolb, and Associates, spoke on behalf of the applicant and advised they had submitted a letter withdrawing the application.

The Chair asked for confirmation of such a letter and Mr. Hoffman advised it had been received.

Upon hearing of the receipt of the letter withdrawing the application, the Commission accepted the applicant's request to withdraw the matter.

September 16, 2010
PLANNING COMMISSION MEETING

Case #SUB2010-00098

Woodberry Forest Additions Subdivision

West side of Air Terminal Drive, 1500'± North of Dawes Road and extending

Southwest to the Northern terminus of Selby Phillips Drive

Number of Lots / Acres: 92 Lots / 47.9± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

County

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

The following people spoke in favor of the matter:

- Don Coleman, Rester and Coleman, for the applicant; and,
- B.J. Lyon, for the applicant.

They made the following points:

- A. noted that the plat had been redone and the corrections the staff had asked for had been put on said plat;
- B. noted that the plat stated the property in question was land locked, but, in fact, it was not; and,
- C. noted there was a buyer ready to move on the property and that a holdover could put that sale at risk.

Mr. Olsen advised that the staff had just received the amended plat and had not had time to review the same. He noted that there were 17 points that the staff had required the applicant to put on the plat and that to review those would take time so he stood by the need to hold the matter over until the October 21, 2010, meeting. He also added that the Subdivision Regulations require that justification be submitted when substandard lots are proposed and that the amended plat did not do so.

Hearing no further opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Roosevelt, to hold the matter over until the October 21, 2010, meeting, with revisions and documentation due to the Planning Section by October 6, 2010, to address the following:

- 1) submission of documentation demonstrating that there is a hardship on the site or that the design is innovative as stated in Section VIII of the Subdivision Regulations;**
- 2) revision of the plat to clearly indicate that access to adjacent land-locked parcels is addressed through deeds or public rights-of-way, and provision of supporting documentation;**
- 3) revision of the plat to depict required dedication along Air Terminal Drive/Wilson Road West to provide 50 feet, as measured from the centerline of Air Terminal Drive/Wilson**

Road West;

- 4) **revision of the plat to depict dedication sufficient to provide 50 feet for the proposed right-of-way for Grelot Road Extension;**
- 5) **revision of the plat to depict compliance with Section V.B.16 regarding curb radii for the intersection of Air Terminal Road/Wilson Road West, or submission of appropriate documentation showing that the intersection will be aligned with the roundabout and will not be a traditional intersection;**
- 6) **revision of the plat to depict 120-foot diameter cul-de-sac right-of-ways;**
- 7) **revision of the lot layout and size as necessary due to right-of-way dedications and changes;**
- 8) **labeling of the width of all rights-of-way and cul-de-sacs;**
- 9) **depiction of the 25-foot minimum building setback line along all right-of-way frontages;**
- 10) **placement of a note on the Final Plat denying Lots 1 and 43 access to Air Terminal Road/Wilson Road West;**
- 11) **placement of a note on the Final Plat limiting all residential lots (Lots 1-91) to one curb-cut with the size, design, and location of all curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 12) **placement of a note on the Final Plat denying Lot 92 access to Selby Phillips Drive;**
- 13) **placement of a note on the Final Plat limiting Lot 92 to one curb-cut to Air Terminal Road/Wilson Road West with the size, design, and location of all curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 14) **placement of a note on the Final Plat limiting Lot 92 to one curb-cut to Grelot Road Extension at such time as Grelot Road Extension is constructed to County standards, with the size, design, and location of all curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 15) **placement of a note on the Final Plat stating that the development will be designed to comply with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances prior to the issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;**
- 16) **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; and,
- 17) 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.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2010-02117

DAA Acquisition of Alabama

3030 McVay Drive North

East side of McVay Drive North, 2/10± mile South of U.S. Highway 90

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

Council District 4

The Chair announced the application had been recommended for approval.

Frank Dagley, Frank A. Dagley and Associates, spoke on the matter and made the following points regarding Conditions 4 and 5:

- A. regarding compliance with tree planting, the applicant felt that having to plant trees in the automotive inventory parking area using such means as tree islands limited their ability to use the property in the most effective and efficient manner, and inasmuch did not want to be required to have trees planted in their automotive inventory area;
- B. felt the number of trees being required was excessive;
- C. with regard to buffering the commercial property from residential properties, the applicant wanted the ability to utilize vegetative buffer rather than install wooden privacy fencing; and,
- D. due to the nature and location of the business, felt the requirement of installing a sidewalk was not necessary.

Mr. Olsen responded by advising the applicant that a vegetative buffer would have to be six feet high at the time it was planted and that it would have to be sufficiently dense at that time as well. Mr. Olsen also reminded the applicant that Planned Unit Development application approval was site plan specific and would not waive the need for the sidewalk in the area. He added that only a sidewalk waiver could do that.

In deliberation, Mr. Davitt moved, with second by Mr. Vallas, to approve the matter subject to the staff's recommendations, amending Condition 4 to give the applicant discretion regarding the number of trees to be planted and the type of buffer to be

September 16, 2010
PLANNING COMMISSION MEETING

installed along McVay Drive.

Mr. Watkins stated he was not comfortable with giving complete tree planting discretion to the applicant.

Mr. Miller noted that the 23 additional trees required for the inventory area, in addition to the frontage and perimeter trees on the remainder of the site so that the applicant was in compliance with the City's tree planting ordinance was not too high a requirement for the type of business the applicant was in.

Mr. Holmes stated that in the past the Commission had required compliance with Urban Forestry's tree and landscaping conditions for automotive dealerships and that the same should apply to this applicant.

Mr. Daughenbaugh, Urban Forestry, noted that in the past the UDD Department had worked closely with automotive sales centers to achieve their goal of putting their inventory at the front of their properties for marketing purposes as well as meeting Urban Forestry's goal of planting all of the trees required by the Zoning Ordinance. He noted this was usually done by allowing the car dealerships to "clump" trees together at specific locations at or near the front of their properties, as well as allowing the dealers to plant trees in less visible locations on the properties as long as the required number of trees was reached. He added that this policy had been in place since 1992 and had worked well for all parties.

Mr. Watkins stated he wanted whatever motion approved by the Commission to include the verbiage that Urban Forestry would be given discretion with regards to where the required trees would be located on the site.

Mr. Vallas stated that he would like whatever motion approved by the Commission to include clarification as to the type of buffer allowed and required along McVay Drive.

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

- 1) revision of the site plan to remove one of the curb-cuts to McVay Drive as per the plat restriction, and make changes to circulation as necessary;**
- 2) revision of the site plan to depict either curbing or bumper stops for all parking spaces along the edge of the paved area;**
- 3) revision of the site plan to depict bumper stops for all parking spaces abutting the fence between the designated customer parking area and the designated inventory parking area;**
- 4) revision of the site plan to depict full compliance for the entire lot with the landscaping and tree planting requirements of the Zoning Ordinance (location of tree plantings required for the**

- inventory area to be coordinated with Urban Forestry);
- 5) revision of the site plan to depict construction of sidewalks along both McVay Drive and Macmae Drive, or submission and approval of a sidewalk waiver application;
 - 6) compliance with City Engineering comments: *“Drainage from detention will need to be connected to a City maintained system through a privately maintained drainage easement, court recorded release agreement from all affected downhill properties or the detention shall detain the 100 year storm event, with a 2 year release rate onto the downhill properties. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit;”*
 - 7) compliance with Traffic Engineering comments: *“Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Narrow existing driveways closest to McVay and sign and mark as one-way or consider consolidating the two driveways to one thirty-six foot wide driveway;”*
 - 8) provision of two copies of the revised site plan incorporating the above changes to the Planning Section of the Urban Development Department prior to the issuance of any permits (revised plans MAY provide either a 6’ privacy fence or landscaped buffer where the site abuts residential, and as the parking facility is not across McVay Drive North from residential properties a screen hedge is not required; and
 - 9) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2010-00095 (Subdivision)

Josephine Allen Subdivision

North side of Dr. Thomas Avenue North at the Northern terminus of Reddy Street, and extending North to the Southern terminus of Borer Avenue and Butts Street, and to the Northern terminus of Ross Avenue (private street)

Number of Lots / Acres: 4 Lots / 43.8± Acres

Engineer / Surveyor: Speaks and Associates Consulting Engineers, Inc.

Council District 2

(Also see **Case #ZON2010-02093 (Planned Unit Development) Josephine Allen Subdivision**, below)

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

September 16, 2010
PLANNING COMMISSION MEETING

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

- 1) **revision to depict compliance with Engineering comments (A flood study is required to establish a base flood elevation in flood zone "A". Show Minimum Finished Floor Elevation on Plat for each lot. There is to be no fill placed within the limits of the flood plain without providing compensation. A drainage easement will be required for any structure carrying public water, width, and alignment of such easements to be coordinated with City Engineer. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit.);**
- 2) **placement of Urban Forestry comments as a note on the plat, and compliance thereof: (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). Preservation status is to be given to the 50" Live Oak Tree, 35" Live Oak Tree, 40" Live Oak Tree, and the 36" Live Oak Tree located on Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Note that the 55" and 60" Live Oak Trees will require tree removal permits from Urban Forestry if removal is requested, but due to their condition, preservation status is not advised.);**
- 3) **compliance with Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Move driveway access on Dr. Thomas Avenue to the west end of the parking lot to avoid conflicts with the Stimrad Road intersection);**
- 4) **depiction and labeling of a minimum 25-foot building setback line for Lots 3 and 4, where they abut public streets;**
- 5) **placement of a note on the final plat stating that curb-cuts for Lots 1, 2, 3, and 4 are limited to an approved Planned Unit Development;**
- 6) **placement of a note on the plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, prior to the issuance of any permits or land disturbance activities;**
- 7) **development to comply with all applicable federal, state, and local regulations relating to floodplain development;**
- 8) **submittal of a revised PUD site plan prior to the signing of the final plat; and,**
- 9) **completion of the Subdivision process prior to any request for**

land disturbance or building permits.

The motion carried unanimously.

Case #ZON2010-02093 (Planned Unit Development)

Josephine Allen Subdivision

North side of Dr. Thomas Avenue North at the Northern terminus of Reddy Street, and extending North to the Southern terminus of Borer Avenue and Butts Street, and to the Northern terminus of Ross Avenue (private street)

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

Council District 2

(Also see **Case #SUB2010-00095 (Subdivision) Josephine Allen Subdivision**, above)

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

- 1) **revision to depict compliance with Engineering comments:** (*A flood study is required to establish a base flood elevation in flood zone "A". Show Minimum Finished Floor Elevation on Plat for each lot. There is to be no fill placed within the limits of the flood plain without providing compensation. A drainage easement will be required for any structure carrying public water, width and alignment of such easements to be coordinated with City Engineer. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit.*);
- 2) **placement of Urban Forestry comments as a note on the site plan, and compliance thereof:** (*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). Preservation status is to be given to the 50" Live Oak Tree, 35" Live Oak Tree, 40" Live Oak Tree, and the 36" Live Oak Tree located on Lot 1. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger. Note that the 55" and 60" Live Oak Trees will require tree removal permits from Urban Forestry if removal is requested, but due to their condition, preservation status is not advised.*);
- 3) **compliance with Traffic Engineering comments:** (*Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Move driveway access on Dr. Thomas Avenue to the west end of the parking lot to avoid conflicts with the Stimrad Road intersection*);

September 16, 2010
PLANNING COMMISSION MEETING

- 4) **compliance with Fire Department comments: (*All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Specific compliance with Section 508.5.1 – Fire Hydrants, and Appendices C and D – Fire Hydrant Spacing and Access.*);**
- 5) **revision of the site plan to depict a new location for the dumpster for the cultural arts center on Lot 2, so that the dumpster is not within any required building setback;**
- 6) **depiction and labeling of a minimum 25-foot building setback line for Lots 3 and 4, where they abut public streets;**
- 7) **labeling of the actual setback from the common lot line of Lots 3 and 4 for any building located less than 8-feet from the common lot line;**
- 8) **site plans depicting full compliance with the tree and landscaping requirements of the Zoning Ordinance for proposed Lots 1 and 2, including calculations for landscape areas and required PUD common open space for development on Lot 1, to be submitted with any application for land disturbance or building permits for each respective lot;**
- 9) **placement of a note on the site plan stating that curb-cuts for Lots 1, 2, 3, and 4 are limited to an approved Planned Unit Development;**
- 10) **placement of a note on the site plan stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, prior to the issuance of any permits or land disturbance activities;**
- 11) **development to comply with all applicable federal, state, and local regulations relating to floodplain development;**
- 12) **submission of a revised PUD site plan prior to the signing of the final plat;**
- 13) **completion of the Subdivision process prior to any request for land disturbance or building permits; and,**
- 14) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

**Case #ZON2010-02105 (Planned Unit Development)
Mobile Christian School Incorporated Subdivision**

5900 Cottage Hill Road

North side of Cottage Hill Road, 230' ± West of Freemont Drive

Planned Unit Development Approval to amend a previously approved Master Plan to allow multiple buildings on a single building site and redesign existing sports facilities
Council District 6

(Also see **Case #ZON2010-02104 (Planning Approval) Mobile Christian School Incorporated Subdivision**, below)

The Chair announced the application had been recommended for approval.

The following people spoke in favor of the matter:

- Mark Irwin, Mobile Christian School, representing the school; and,
- Scott Hardy, LPA Group, on behalf of the applicant.

They expressed their concern regarding Condition 3 noting that along the western property line a very thick vegetative buffer was already in existence. They noted the school's desire to leave the western side in its vegetative condition but to use 6 foot wooden privacy fencing along the eastern side.

The Chair noted that this Planned Unit Development application called for differences in what had previously been planned for the playing fields and what the school now wanted. He then asked if either of the fields in question were lighted and was advised they both were.

Mr. Olsen noted that due to the density of the current vegetative buffer, the staff would have no problems amending their recommendations regarding buffering to reflect the use of what was already in place.

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

- 1) submission of individual applications for each project (other than that involved in this amended application), providing detailed information with regard to the numbers of classrooms involved, number of parking spaces provided, and detailed information on the location of proposed improvements;**
- 2) 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);**
- 3) the provision of a vegetative buffer along the West property line, as currently exists; and a 6' privacy fence along the East**

- property line, as currently exists, along all proposed project areas;
- 4) submission of two copies of the revised Site Plan illustrating the location of all light poles with the photo metrics of each light pole;
 - 5) the placement of a note on the Site Plan stating that any additional classrooms or administration buildings to the campus would require a Traffic Impact Study; and,
 - 6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2010-02104 (Planning Approval)
Mobile Christian School Incorporated Subdivision

5900 Cottage Hill Road

North side of Cottage Hill Road, 230'± West of Freemont Drive

Planning Approval to amend a previously approved Master Plan to allow a new baseball field, dugouts, press box, track, and football field to an existing school in an R-1, Single-Family Residential District

Council District 6

(Also see **Case #ZON2010-02105 (Planned Unit Development) Mobile Christian School Incorporated Subdivision**, above)

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

- 1) submission of individual applications for each project (other than that involved in this amended application), providing detailed information with regard to the numbers of classrooms involved, number of parking spaces provided, and detailed information on the location of proposed improvements;
- 2) 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);
- 3) the provision of a vegetative buffer along the West property line, as currently exists; and a 6' privacy fence along the East property line, as currently exists, along all proposed project areas; ;
- 4) submission of two copies of the revised Site Plan illustrating the location of all light poles with the photo metrics of each light pole;
- 5) the placement of a note on the Site Plan stating that any additional classrooms or administration buildings to the campus would require a Traffic Impact Study; and,
- 6) full compliance with all municipal codes and ordinances.

September 16, 2010
PLANNING COMMISSION MEETING

The motion carried unanimously.

OTHER BUSINESS:

Mr. Holmes asked the staff to do research and report back to the Commission on how other communities handled the issue of small lot size. He noted that due to the economy, there seemed to be an increase in the number of lots being sold with reduced lot size and he wondered as to what the impact of this trend would be on the community.

Mr. Olsen stated that the staff would compile that research as time allowed and get it back to the Commission when the same was completed.

Hearing no further business, the meeting was adjourned.

APPROVED: October 7, 2010

Dr. Victoria Rivizzigno, Secretary

Terry Plauche, Chairman

jsl