

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF APRIL 17, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Scott Webster
John Vallas
Don Hembree
Tracie Lee-Roberson
Carlos Gant
James F. Watkins, III
Levon Manzie

Members Absent

Roosevelt Turner

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 #SUB2014-00021 (Subdivision)**
(&2 Emerald Oaks LLC, Subdivision
&3) 2350 Demetropolis Road
(West side of Demetropolis Road, 400'+ North of Brookfield Drive North).
Number of Lots / Acres: 1 Lot / 12.5± Acres
Engineer / Surveyor: Driven Engineering
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. Watkins, with second by Mr. Plauche to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to illustrate the lot size in square feet and acres;**
- 2) **Revision of the Final Plat to illustrate the 25' minimum building setback line along Demetropolis Road and the abutting street stub on the west side of the property;**
- 3) **Revision of the Final Plat to illustrate a 100' right-of-way for Demetropolis Road;**
- 4) **Placement of a note on the Final Plat stating the site is denied access to Vivian Drive and limited to one curb-cut to Demetropolis Road with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **Placement of a note on the Final Plat stating that no permanent structures can be constructed in any easement;**
- 6) **Placement of a note on the Final Plat stating that all common and detention areas shall be maintained by the property owners;**
- 7) **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.);**
- 8) **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. 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. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information; E. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. F. Provide a vicinity map. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic**

Engineer, City Engineer, and County Engineer. H. Provide the Surveyor's Certificate and Signature. I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. 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. K. Any areas receiving drainage from a public street will require a drainage easement, the width and alignment of any required easement shall be coordinated with, and approved by, the City Engineer.);

- 9) Compliance with Traffic Engineering Comments: (Site is limited to one curb-cut to Demetropolis Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. A secondary access may be granted if needed based on fire code requirements. Any secondary access will be restricted to emergency access only. Access to the unimproved right-of-way of Vivian Drive is denied. A traffic impact study will need to be conducted for this site, based on its development intensity and proposed access point aligned with the existing signalized intersection. 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. The submission and approval of the traffic study must be completed prior to the issuance of any permits for land disturbing activities.);
- 10) 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). Preservation status granted for all 45" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut location, building locations, and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.);
- 11) 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
- 12) Completion of the Rezoning process prior to the signing of the Final Plat.

The motion carried unanimously.

- 2 Case #ZON2014-00392 (Planned Unit Development)
(&1 Emerald Oaks LLC, Subdivision
&3) 2350 Demetropolis Road
(West side of Demetropolis Road, 400'+ North of Brookfield Drive North).

Planned Unit Development Approval to allow multiple buildings on a single building site.
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. Watkins, with second by Mr. Plauche to approve the above referenced matter, subject to the following conditions:

- 1) **Submission of a PUD request to the Planning Commission with associated labels and fees once a finalized site plan for development has been prepared;**
- 2) **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. A Land Disturbance Permit application will be required 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. The existing drainage way and drainage easement will need to be protected and maintained during each phase of construction. Any proposed revisions to either will need to be approved by the City Engineer. 5. 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) ii. 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) iii. 3-18-2004 Policy Letter (Additional subdivision street requirements));**
- 3) **Compliance with Traffic Engineering Comments: (Site is limited to one curb-cut to Demetropolis Road, with size, location and design to**

be approved by Traffic Engineering and conform to AASHTO standards. A secondary access may be granted if needed based on fire code requirements. Any secondary access will be restricted to emergency access only. Access to the unimproved right-of-way of Vivian Drive is denied. A traffic impact study will need to be conducted for this site, based on its development intensity and proposed access point aligned with the existing signalized intersection. 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. The submission and approval of the traffic study must be completed prior to the issuance of any permits for land disturbing activities.);

- 4) **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). Preservation status granted for all 45" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut location, building locations, and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.);
- 5) **Revision of the layout, as necessary, to reflect Engineering, Traffic Engineering and Urban Forestry comments;**
- 6) **Completion of a traffic impact study, as required by Traffic Engineering; and**
- 7) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

3 Case #ZON2014-00394 (Rezoning)
(&1 Emerald Oaks LLC, Subdivision
&2) 2350 Demetropolis Road

(West side of Demetropolis Road, 400'+ North of Brookfield Drive North).
Rezoning from R-1, Single-Family Residential District, to R-3, Multiple-Family District to allow a multi family development.
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. Watkins, with second by Mr. Plauche to approve the above referenced matter, subject to the following conditions:

- 1) **Completion of the Subdivision process;**
- 2) **Limited to an approved PUD; and**
- 3) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

4. Case #SUB2014-00027

HLR Jeff Hamilton Subdivision

North side of Jeff Hamilton Road, 650'± West of Oyler Road.

Number of Lots / Acres: 3 Lots / 12.4± Acres

Engineer / Surveyor: Lawler and Company
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 Mr. DeMouy, with second by Dr. Rivizzigno to waive Section V.D.3 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to illustrate the correct distance of the southeastern property line along Jeff Hamilton Road for the proposed Lot 3;**
- 2) **Revision of the note regarding the Notary Public on the Final Plat to read 'State of *Alabama*';**
- 3) **Retention of the lot size information and 25' minimum building setback line on the Final Plat;**
- 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 that all proposed lots are limited to one curb-cut each to Jeff Hamilton Road, with the size, design, and location to be approved by Mobile County Engineering and conform to AASHTO standards. Coordination with Mobile County Engineering is also required if the applicant proposes a continued shared access between the proposed Lots 1 and 2;**
- 6) **Compliance with and retention of Engineering Comments on the Final Plat;**
- 7) **Compliance with Fire Comments and placement of a note on the Final Plat stating: *(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) Retention of commercial buffering notes on the Final Plat; and
- 9) Retention of endangered species notes on the Final Plat.

The motion carried unanimously.

5. **Case #SUB2014-00032**

Infirmiry Foundation Spring Hill Subdivision

1806 Spring Hill Avenue

(North side of Springhill Avenue, 405'± West of Mobile Infirmiry Boulevard).

Number of Lots / Acres: 1 Lot / 3.7± Acres

Engineer / Surveyor: Thompson Engineering

Council District 1

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

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 Dr. Rivizzigno, with second by Mr. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) placement of a note on the final plat stating that a buffer in compliance with Section V.A.8. of the Subdivision Regulations will be required;
- 2) placement of a note on the Final Plat stating the lot is limited to two curb-cuts onto Spring Hill Avenue, with the size, design, and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 3) retention of the 25' minimum building setback line on the Final Plat;
- 4) retention of the lot size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 5) 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.
- 6) 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 27 - #72) 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. B. 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. C. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information; D. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. Add a note that the easternmost driveway curb cut (vacant) shall be removed, the middle driveway curb cut (east side of circular drive) shall be replaced with a commercial curb cut, and any cracked or broken sidewalk panels will be required to be replaced at time of development. F. 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.";

- 7) *compliance with Traffic Engineering comments: "Spring Hill Avenue is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards.";*
- 8) *compliance with Urban Forestry: "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 granted for all 50" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut locations and location of the proposed buildings, street, and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.";* and
- 9) *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. "*

The motion carried unanimously with Mr. Watkins recusing.

6. **Case #SUB2014-00028**
304 Government Street Subdivision

304 Government Street

(Northeast corner of Government Street and South Claiborne Street, 108'± West of South Jackson Street, extending to the Southwest corner of South Jackson Street and Conti Street, 135'± East of South Claiborne Street).

Number of Lots / Acres: 2 Lots / 1.0± Acre

Engineer / Surveyor: Bluewater Design, LLC
Council District 2

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

Bobby McBride, Rowe Surveying, spoke on behalf of the applicant. He requested that condition 5E be waived.

George Davis, City Engineering, stated that he was agreeable with deleting that requirement.

John Peebles, NAI Mobile, spoke on behalf of Government Street Presbyterian Church. He stated that they wanted to make sure that this project would not negatively impact the 175 year old structure and they would like to know more about the project in general.

Mr. Vallas asked that if the application was for the project or the Subdivision.

Mr. Olsen responded that the application was for the Subdivision; the project does not require any approvals by the Planning Commission. It is a use that would be allowed by right.

Mr. Peebles expressed that he felt like this was the only opportunity he had to establish that their structural plans would not have a negative impact on the church.

Jeremy Milling, Milling Commercial Realty, spoke on behalf of the property owner. He noted that there are details that are still being worked out as far as the project goes and the developer was not ready to go public with that information.

George Irvine, member of Government Street Presbyterian Church, stated that he wanted to echo what Mr. Peebles had discussed; he would also like more time to be able to hear about the project.

Hearing no opposition or further discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Webster to waive Sections V.B.14 and V.D.9 and to approve the above referenced matter, subject to the following conditions:

- 1) **Waiver of the corner radius provisions of Section V.D.6. of the Subdivision Regulations, subject to Traffic Engineering and Engineering approvals;**
- 2) **Retention of the lot size in square feet and acres on the Final Plat;**
- 3) **Placement of a note on the Final Plat stating that both lots are limited to the existing curb-cuts with any changes to the size, design or location to be approved by Traffic Engineering, Engineering and ALDOT (as appropriate), and conform to AASHTO standards;**
- 4) **Placement of a note on the Final Plat stating: *(Development of the site must comply with local, state and federal regulations regarding flood zones.);***

- 5) **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 30 - #71) 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. 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. Show and label all flood zones. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Provide and label the monument set or found at each subdivision corner. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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.);*
- 6) **Compliance with Traffic Engineering Comments:** *(Government Street is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards.);*
- 7) **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).);*
- 8) **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.).*

The motion carried unanimously.

7. **Case #SUB2014-00031**

MIB Subdivision

120 & 130 Mobile Infirmary Drive

(East side of Mobile Infirmary Drive, 345'± South of Spring Hill Avenue).

Number of Lots / Acres: 3 Lots / 1.6± Acre

Engineer / Surveyor: Thompson Engineering
Council District 1

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

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

Christopher Baker, Thompson Engineering, spoke on behalf of the applicant. He requested that Lot 2 remain on the Subdivision plat.

George Davis, City Engineering, stated that he had no problem with eliminating item 10K.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Dr. Rivizzigno to waive Sections VD.1., V.D.2. and V.D.3 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **the submission of a rezoning application prior to the signing of the Final Plat for all lots;**
- 2) **any development of Lot 1 that proposes cross access or shared access with adjacent properties are to go through the appropriate PUD & Subdivision process;**
- 3) **placement of a note on the Final Plat stating that Lots 1 through 3 are limited to a total of two curb-cuts onto Mobile Infirmary Boulevard, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **labeling of the right-of-way width of Mobile Infirmary Boulevard;**
- 5) **illustration of the 25' minimum building setback line as measured from the Mobile Infirmary Boulevard right-of-way edge on the Final Plat;**
- 6) **illustration of the 75' rear yard setback from the east property lines to accommodate the proposed major street;**
- 7) **the labeling of each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 8) **placement of a note on the Final Plat stating no structures shall be constructed or placed in any easements;**
- 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;

- 10) 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 28 - # 74) the Three (3) 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. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. E. Show and label all flood zones. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Show and label each and every Drainage Easement. H. Provide and label the monument set or found at each subdivision corner. I. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. 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."*;
- 11) compliance with Traffic Engineering comments: *"Lots 1-3 are limited to a total of two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any additional development will require modifications to existing +/- 125' curb cut along the proposed Lots 2 & 3 to meet City standards."*;
- 12) compliance with Urban Forestry: *"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)"*;
- 13) 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."*; and

- 14) placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for floodplain issues, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously with Mr. Watkins recusing.

NEW PLANNING APPROVAL APPLICATIONS:

8. **Case #ZON2014-00552**
Islamic Society of Mobile

54, 59 and 63 East Drive

(East side of East Drive, 400' South of Old Shell Road, and extending to the West side of Allen Drive).

Planning Approval to amend a previously approved Planning Approval to allow an expansion of an existing church and school in an R-1, Single-Family Residential District.

Council District 6

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

The following people spoke in favor of the application:

- Shafik Hammami, President of the Islamic Society of Mobile;
 - Alan Reimer, AR Design Works;
 - Timothy Garrett, 60 East Drive;
 - Ronald Ali, leader of the Mosque on Duval Street;
-
- A. since the previous approval they have modified the plans to provide the required number of parking spaces;
 - B. believes that the modern looking building will enhance the neighborhood;
 - C. the building will be hurricane safe;
 - D. feels as if they are a victim of traffic generated from the University of South Alabama;
 - E. most of the parishioners come to service from the University or from nearby apartments and travel by foot;
 - F. building will meet all of the 2012 codes in all aspects;
 - G. it is a pre-fab steal building;
 - H. it will be fully sprinkled;
 - I. 93 neighbors signed a petition that they are in agreement with the expansion;
 - J. the Mayor stated in the last hearing that it is the City's job to address the congestion issue and they did address it;

- K. the Islamic Society is the only place on East Drive that has No Parking signs;
- L. the Islamic Society was the only one's that were proactive in attacking the congestion situation.

Mr. Vallas asked Mr. Hammami what the existing square footage and what the proposed square footage of the building is.

Mr. Hammami responded that the existing square footage is 5,400 and the proposed square footage is 12,800.

Mr. Olsen stated that Mr. Anderson is recusing from the application. Ms. Flo Kessler is the acting attorney for this application.

The following people spoke in opposition to the matter:

- BJ Lyons, 718 Downtowner Blvd;
- Bryan Lee, 300 Trent Mill Court;
- Dianne Howard, 99 East Drive;

They made the following points against the application:

- A. neighbors are concerned about safety;
- B. does not understand how the staff calculated the parking spaces;
- C. request that the application be heldover to make sure that this body could properly be assured that the parking spaces are properly calculated;
- D. too much development on too little property;
- E. does not think a commercial property belongs in a residential area;
- F. this development leaves no room for growth;
- G. have had parishioners park in neighbors driveway;
- H. agrees that the building needs improvement.

Mr. Olsen stated that for a church, whether there is a church affiliated with it or not, is based on the capacity of the sanctuary. Mr. Lyons is correct 7 feet is in the code, but from that you extract restrooms, hallways, corridors, aisles and anything that is not used for the actual congregation. Based on that, the designer used 15 feet per person, which is not uncommon based on information that was found online.

Mr. Vallas asked Mr. Lee what neighborhood is the Islamic Society in the middle of.

Mr. Lee responded that East Drive is residential properties.

Mr. Vallas stated that to be fair to the applicant this is not in the middle of

Ridgefield Subdivision.

Mr. Lee responded that no it is not in the middle of Ridgefield; he did not know the name of the Subdivision is it in the middle of.

Dr. Rivizzigno addressed Mr. Lee stating that he kept on referring to the mosque as a commercial property.

Mr. Lee responded that he is not a contractor but he did not believe that they will be building to residential standards.

Dr. Rivizzigno stated that with planning permission that a religious building can be in residential land use.

Mr. Lee stated that he knew that the Commission grants variances.

Dr. Rivizzigno responded that it is not by variance, it is by right and they have already been given that right.

Mr. Lee stated that is correct and know they want to demolish everything that is there and take this small 1.5 acre piece of property and basically they are going to fill up this entire property with growth with no room for expansion.

Mr. Vallas noted that they are not here to vote on expansion they are here to vote on this current application.

Mr. Lyons reiterated that he does not believe that the number of parking spaces have been calculated correctly given that there are no seats.

Mr. Olsen stated that the Staff's calculations were based on extracting not just the restrooms, but any type of aisle way that would be required under code within the worship area. That is based on a conversation with the Chief Building Inspector. Should the neighbors disagree with the Staff's calculation they always have the option under the Zoning Ordinance to file an administrative appeal to the Board of Zoning Adjustment saying we are in error in our calculations.

Mr. Vallas questioned how many existing parking spaces are on this site.

Mr. Olsen responded that he believes it is around 27 parking spaces.

Mr. Vallas stated so we are going from 27 parking spaces to 77 parking spaces.

Mr. Olsen stated that was correct.

In rebuttal, Mr. Hammami stated that Muslims have a prayer rug that they use

to pray on. They are roughly 3ft by 5ft and they are laid out side by side for the parishioners to pray on. So, we give each person enough room to stand and kneel and do the property prayer. That is why we have more room than the normal 7 square foot and that is acceptable nationwide as far as space for prayer for Muslim communities.

Mr. Watkins asked Mr. Hammami what is the size of the congregation and what is the future plans as far as growth.

Mr. Hammami responded that unlike other churches they do not have official memberships; so it varies.

Mr. Hembree questioned Mr. Hammami why the majority of the names on the petition are at the same address.

Mr. Hammami stated that has he mentioned previously on each side of their property they have apartment complexes. So, they asked the one's that are closest to the property and the one's that would be mostly be affected if anything.

Mr. Vallas asked if many of the parishioners live in those apartments.

Mr. Hammami responded that yes some of the do.

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

- 1) modifications to the site plan to correct the legal description and to illustrate the site as a single, legal lot of record;**
- 2) development limited to the site plan proposed, as required to be revised by this approval;**
- 3) once the proposed building is completed and has been issued a Temporary Certificate of Occupancy, the church and school shall relocate to the new building, existing buildings shall be demolished, and parking areas shall be expanded and landscaping and tree plantings installed to complete the project within 30 days of the issuance of the Temporary CO;**
- 4) revision of the landscaping and tree planting plan to provide the correct number of frontage and overall all tree plantings;**
- 5) provision of screening of parking as required by 64.6.A.3.i;**
- 6) provision a 6' privacy fence along the North, South, and East property lines (no higher than 3' in the required 25' setback) to screen residential properties from the parking facility;**

- 7) compliance with Engineering Department 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.);
- 8) compliance with Traffic Engineering Department Comments (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 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.);
- 11) 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, if any, prior to the issuance of any permits or land disturbance activities;
- 12) placement of a note on the site plan stating that any changes from the approved plan shall require a new Application for Planning Approval from the Planning Commission
- 13) submission of a revised site plan to reflect conditions of approval prior to the issuance of any permits; and
- 14) full compliance with all municipal codes and ordinances.

The motion carried with Mr. Hembree and Mr. Manzie in opposition.

GROUP APPLICATIONS:

9. Case #SUB2014-00030 (Subdivision)
(10& **Mining Subdivision**
11& West side of Todd Acres Drive at the North terminus of Private Road 371
12) (Jackson Lane).
Number of Lots / Acres: 1 Lot / 52.0± Acres
Engineer / Surveyor: Don Williams Engineering
Council District 4

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.

Dr. Rivizzigno asked how large the barrow pit would be.

Mr. Williams responded that it would be about 40 acres.

Dr. Rivizzigno then asked when the pit is finally dug out will the applicant have to reclaim.

Mr. Williams responded that was correct and that is another ADEM issue; it would be considered a landfill at that point.

Crystal Essian, spoke on behalf of the residents of the area in opposition of the application and made the following points:

- A. will negatively impact the residents of the area;
- B. dump trucks are tearing the roads up;
- C. roads are not graded.

Mr. Williams stated that the applicant will be maintaining the roads and believes that they will maintain it better than the City has been. They also will have a water truck that will water the road down when it becomes dusty in the summer time.

Hearing no further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to waive Section V.D.4 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **entering of an agreement with the appropriate City departments relating to the maintenance of Jackson Lane (Private Road 371) prior to signing the Subdivision Plat;**

- 2) dedication of a 60' right-of-way within the Subdivision with a 25' building setback line from such, or the recording of a 60' easement and depiction of such on the Final Plat with a 25' building setback line;
- 3) placement of a note on the Final Plat stating that access to the subdivision is limited to Jackson Lane (Private Road 371);
- 4) retention of the labeling of the lot size in acres, or the furnishing of a table on the Final Plat providing the same information;
- 5) placement of a note on the Final Plat stating that a 25' natural vegetative buffer is required around the perimeter of the area to be disturbed;
- 6) subject to the Engineering comments: *(The following comments should be addressed prior to acceptance and signature by the City Engineer: A. Provide a SUBDIVISION PLAT prepared by a Professional Land Surveyor with all of the required information and notes (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances, vicinity map). 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 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. Provide the LOT labels with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information; E. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. F. Show and label all flood zones. G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. H. Show and label each and every Right-Of-Way and easement. I. Provide and label the monument set or found at each subdivision corner. J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. K. Provide the Surveyor's Certificate and Signature. L. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. M. 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.);*
- 7) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and*

conform to AASHTO standards.);

- 8) 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)];*
- 9) subject to the 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);*
- 10) 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;
- 11) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required for wetlands prior to the issuance of any permits or land disturbance activities;
- 12) completion of the Rezoning process prior to signing the Final Plat, or completion of the Subdivision process prior to a Land Disturbance request;
- 13) verification of all three parcels included as being under one ownership prior to signing the Final Plat; and
- 14) submission to Planning of four (4) copies each of revised Planning Approval and PUD site plans prior to signing the Final Plat.

The motion carried unanimously.

10. Case #ZON2014-00614 (Planned Unit Development)
(&9& Mining Subdivision

11& West side of Todd Acres Drive at the North terminus of Private Road 371
12) (Jackson Lane).

Planned Unit Development Approval to allow shared access between two building sites.
Council District 4

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 further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) entering into an agreement with the appropriate City departments relating to the maintenance of Jackson Lane (Private Road 371) prior to signing the Subdivision Plat;
- 2) placement of a note on the site plan stating that the site access is

- limited to only Todd Acres Drive (Private Road 371);
- 3) revision of the site plan to indicate any required right-of-way dedication and building setback line, or any required easement and building setback line;
 - 4) revision of the site plan to provide a 25' natural vegetative buffer around the perimeter of the area to be disturbed;
 - 5) revision of the site plan to provide security fencing and gates as necessary to keep out trespassers;
 - 6) 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 development in or near flood plain and wetlands areas;
 - 7) placement of a note on the site plan stating that the approval of all local, state and federal agencies would be required regarding threatened or endangered species;
 - 8) subject to the Engineering comments: *(1) JACKSON LANE is considered a PRESCRIPTIVE ROW (right-of-way), in that the City maintains the existing driving surface without the benefit of Public ROW. Any proposed work within the existing Jackson Lane roadway such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require review and approval from the City of Mobile Engineering Department. 2) The Applicant has stated that the Applicant/Owner is proposing to provide the maintenance of the road, including the portion between Todd Acres Drive and the RR tracks. Any maintenance agreement must be approved by the City Engineer and Legal Department. 3) Any and all proposed land disturbing activity will need to 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. 4) Each Lot Owner shall be required to submit a Land Disturbance Permit application for any proposed land disturbing activity. 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. 5) According to the FEMA flood map information, this property may be located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot.);*
 - 9) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
 - 10) 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));

- 11) **subject to the 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);*
- 12) **submission to Planning of four (4) copies of a revised site plan indicating compliance with all approval conditions, prior to the signing of the Final Plat; and**
- 13) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

11. Case #ZON2014-00613 (Planning Approval)
(&9 Mining Subdivision

&10 West side of Todd Acres Drive at the North terminus of Private Road 371
&12) (Jackson Lane).

Planning Approval to allow the operation of a borrow pit in an I-2, Heavy Industry District.
Council District 4

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 further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) **entering into an agreement with the appropriate City departments relating to the maintenance of Jackson Lane (Private Road 371) prior to signing the Subdivision Plat;**
- 2) **revision of the site plan to indicate any required right-of-way dedication and building setback line, or any required easement and building setback line;**
- 3) **obtaining of a land disturbance permit every year that the pit is in operation;**
- 4) **submission of a plan depicting the maximum extent of the pit, the estimated time frame for use, a dust mitigation and road maintenance plan, and a reclamation plan to be implemented at the time of pit closure, all to be submitted at the time of the first land disturbance application;**
- 5) **hours of operation to be limited from 7:00 AM to 5:00 PM;**
- 6) **placement of a note on the site plan stating that the site access is limited to only Todd Acres Drive (Private Road 371);**
- 7) **revision of the site plan to provide a 25' natural vegetative buffer**

- around the perimeter of the area to be disturbed;
- 8) revision of the site plan to provide security fencing and gates as necessary to keep out trespassers;
 - 9) 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 development in or near flood plain and wetlands areas;
 - 10) placement of a note on the site plan stating that the approval of all local, state and federal agencies would be required regarding threatened or endangered species;
 - 11) subject to the 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.)* ;
 - 12) subject to the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.)*;
 - 13) 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)]*;
 - 14) subject to the 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)*;
 - 15) submission to Planning of four (4) copies of a revised site plan indicating compliance with all approval conditions, prior to the signing of the Final Plat; and
 - 16) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

12. Case #ZON2014-00612 (Rezoning)
 - (&9 JDS Construction
 - &10 5150 & 5210 Jackson Lane and 5160 Private Road 371
 - &11) (West side of Todd Acres Drive at the North terminus of Private Road 371 (Jackson Lane).
- Rezoning from R-A, Residential-Agricultural District, to I-2, Heavy Industry

District, to allow a borrow pit.
Council District 4

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 further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) **completion of the Rezoning process prior to signing the Final Plat; and**
- 2) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

13. **Case #SUB2014-00029 (Subdivision)**
(&14) **Atlantis Subdivision, Resubdivision of Lot 1**

5089 Government Boulevard

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

Number of Lots / Acres: 2 Lots / 18.8± Acres

Engineer / Surveyor: Preble-Risch LLC

Council District 4

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 further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) **illustration of the building setbacks along all street frontages as depicted on the preliminary plat;**
- 2) **retention of the lot sizes in square feet and acres;**
- 3) **placement of a note stating the development is limited to its existing curb cuts;**
- 4) **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.*);**
- 5) **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 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. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. 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. E. 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.);

- 6) *compliance with Traffic Engineering comments (All new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Development is contingent upon completion of off-site improvements, as indicated in the study, and approved by Engineering and Traffic Engineering. For this phase of construction, it includes the construction of a left turn lane on Halls Mill Road at the site driveway, and a left turn lane on Halls Mill Road at Demetropolis Road.);*
- 7) *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). Preservation status is to be given to the 108" Live Oak Tree located on the South side of Lot 1. 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. Tree removal permits are required from Urban Forestry before removing or trimming 24" DBH or larger Live Oak Trees.) and a not on the Final Plat indicating the preservation status;*
- 8) *completion of the Subdivision process prior to any request for land disturbance permits for Phase 2; 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.

14. Case #ZON2014-00611 (Planned Unit Development)
- (&13) Atlantis Subdivision, Resubdivision of Lot 1

5089 Government Boulevard
(Northwest corner of Halls Mill Road and Demetropolis Road extending to the East side of Government Boulevard).
Planned Unit Development to amend a previously approved Planned Unit Development to allow multiple buildings on a single business site.
Council District 4

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 further opposition or discussion, a motion was made by Ms. Roberson, with second by Mr. Watkins to approve the above referenced matter, subject to the following conditions:

- 1) **compliance with Engineering comments** (*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). 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.*);
- 2) **compliance with Traffic Engineering comments** (*All new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Development is contingent upon completion of off-site improvements, as indicated in the study, and approved by Engineering and Traffic Engineering. For this phase of construction, it includes the construction of a left turn lane on Halls Mill Road at the site driveway, and a left turn lane on Halls Mill Road at Demetropolis Road.*);
- 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). Preservation status is to be given to the 108" Live Oak Tree located on the South side of Lot 1. 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. Tree removal permits are required from Urban Forestry before removing or trimming 24" DBH or larger Live Oak Trees.*); and

- 4) 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.*).

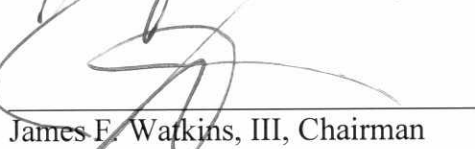
The motion carried unanimously.

OTHER BUSINESS:

APPROVED: August 7, 2014



Ms. Jennifer Denson, Secretary



James F. Watkins, III, Chairman

/jpw