

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF AUGUST 4, 2005 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
Adline Clarke
Ann Deakle
Nicholas Holmes
Mead Miller
James Watkins III
John Vallas

Members Absent

James Laier (S)
Clinton Johnson
Victoria L. Rivizzigno
Victor McSwain, Secretary

Urban Development Staff Present

Richard L. Olsen
Deputy Director of Planning
Madeleine Masters, Planner I
David Daughenbaugh, Urban Forestry
Trista Cole, Secretary I
Val Manuel, Secretary II

Others Present

Wanda Cochran, Assistant City Attorney
Jennifer White, Traffic Engineering
Pat Stewart, County Engineering
Beverly Terry, City Engineering

Mr. Plauche stated the number of members present constituted a quorum and called the meeting to order.

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

APPROVAL OF MINUTES:

After discussion a motion was made by Mr. Plauche and seconded by Mr. Miller to approve the minutes of the May 5, 2005, May 19, 2005, June 2, 2005, and June 16, 2005, meetings as submitted.

The motion carried unanimously.

HOLDOVERS:

Case #ZON2005-01291 (Planned Unit Development)

D'Iberville Town Homes Subdivision

South side of Southland Drive, 800'± West of Knollwood Drive, extending to the West terminus of Southland Drive.

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A request for Planned Unit Development Approval to allow reduced lot widths, reduced building setbacks, increased site coverage, shared parking, and reduced street widths in a single-family residential town home subdivision was considered.

The site plan illustrates the proposed development.

(Also see Case #SUB2005-00132 – D’Iberville Town Homes Subdivision – Below).

After discussion a motion was made by Mr. Plauche and seconded by Mr. Holmes to holdover this application until the September 1, 2005, meeting to allow the applicant time to submit revised drawings addressing issues referenced in the staff report. Revisions must be submitted by August 15.

The motion carried unanimously.

Case #SUB2005-00132 (Subdivision)

D’Iberville Town Homes Subdivision

South side of Southland Drive, 800’± West of Knollwood Drive, extending to the West terminus of Southland Drive.

58 Lots / 10.8± Acres

(For discussion see Case ZON2005-01291 – D’Iberville Town Homes Subdivision [PUD] – Above).

After discussion a motion was made by Mr. Plauche and seconded by Mr. Holmes to holdover this application until the September 1, 2005, meeting to allow the applicant time to submit revised drawings addressing issues referenced in the staff report. Revisions must be submitted by August 15.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #ZON2005-01498 (Rezoning)

Millennium Mobile, L.L.C.

11 Government Street

(Southeast corner of Government Street and South Water Street extending to the Mobile River).

A request for a change in zoning from R-1, Single-Family Residential, I-1, Light Industry, and I-2, Heavy Industry, to B-4, General Business, to allow residential condominiums and retail sales was considered.

The plan illustrates the proposed structures and park layout, along with the existing railroad tracks.

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(Also see Case #ZON2005-01499 – Millennium Mobile Subdivision [PUD] – Below; and Case #SUB2005-00155 – Millennium Mobile Subdivision – Below).

Larry Jones, with Thompson Engineering, was present on behalf of the applicant. He noted that the portion of the property that fell within Cooper Riverside Park needed to be a separate lot, therefore they were asking for a three-lot subdivision rather than two lots. Mr. Jones said they were in agreement with the rest of the staff recommendations.

Nick Holmes asked the staff's opinion of their changing from a two-lot subdivision to a three-lot subdivision.

Mr. Olsen said the staff supported that change. It was basically at the City's request so that the portion of Cooper Riverside Park that was to be used was a separate lot.

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

- 1) provision of a sidewalk, where lacking, along Water Street;
- 2) compliance with the tree and landscaping requirements of the Zoning Ordinance, to the greatest extent possible, in coordination with Urban Forestry; and
- 3) full compliance with all other municipal codes and ordinances

The motion carried unanimously.

**Case #ZON2005-01499 (Planned Unit Development)
Millennium Mobile Subdivision**

11 Government Street

(Southeast corner of Government Street and South Water Street extending to the Mobile River).

A request for Planned Unit Development Approval to allow multiple buildings on a single building site with shared access between two lots was considered.

The plan illustrates the proposed structures and park layout, along with the existing railroad tracks.

(For discussion see Case #ZON2005-01498 – Millennium Mobile L.L.C. [Rezoning] – Above; and Case #SUB2005-00155 – Millennium Mobile Subdivision – Below).

After discussion a motion was made by Mr. Vallas and seconded by Mr. Miller to grant preliminary approval to this plan subject to the following conditions:

- 1) depiction of on-site vehicular circulation;

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- 2) vacation of the right-of-way, or redesign of the structure so as not to protrude into the right-of-way for Water Street;
- 3) depiction of dumpster and loading facilities on the site plan;
- 4) provision of a sidewalk, where lacking, along Water Street;
- 5) compliance with the tree and landscaping requirements of the Zoning Ordinance, to the greatest extent possible, in coordination with Urban Forestry;
- 6) full compliance with all other municipal codes and ordinances, and;
- 7) additional application/approval from the Planning Commission if substantial changes are made to the site plan.

The motion carried unanimously.

Case #SUB2005-00155 (Subdivision)

Millennium Mobile Subdivision

11 Government Street

(Southeast corner of Government Street and South Water Street extending to the Mobile River).

3 Lots / 4.6± Acres

The plan illustrates the proposed structures and park layout, along with the existing railroad tracks.

(For discussion see Case #ZON2005-01498 – Millennium Mobile L.L.C. [Rezoning] – Above; and Case #ZON2005-01499 – Millennium Mobile Subdivision [PUD] – Above).

After discussion a motion was made by Mr. Vallas and seconded by Mr. Miller to waive Section V.D. and modified the request to 3 lots at the applicant's request, and approve the above referenced subdivision subject to the following conditions:

- 1) restatement of the bearings depicted on the plat to conform to those stated in the written legal description;
- 2) approval of all applicable federal, state and local agencies prior to the issuance of any permits,
- 3) placement on the final plat stating that it will be a three lot subdivision, and;
- 4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2005-01483 (Rezoning)

White-Spinner & Associates (Nancy Stone, Agent)

East side of Rifles Road, extending from Dauphin Island Parkway to Rosedale Road.

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

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The plan illustrates the proposed building and parking.

(Also see Case #SUB2005-00152 Lawrence Addition to Dauphin Island Parkway Subdivision – Below).

Mr. Plauche pointed out that a handout regarding this application had been provided each member.

Nancy Stone, representing the applicant, presented the request to rezone this property to B-2. She said the subject property was in a commercial area and would not be suitable for a residence. In the past the site had been used for a seafood store, a gas station, a tire store, and a watercraft repair store. She also said the current owners tore down all the old dilapidated buildings that were on the property. Ms. Stone said the buildings had been vacant for two years, so they lost their non-conforming status on this site. She also said that the property was in two lots, and they were requesting that the two lots be combined in a one-lot subdivision.

Mr. Olsen said an adjacent property owner, who could not attend the hearing today, had provided the staff with a list of requested conditions. The first condition was that the developer provides a 6-8' privacy fence along the adjacent property and Rosedale Road. Mr. Olsen said the Zoning Ordinance would automatically require a buffer where it abutted that residential property

The adjacent property owner also asked that the site be cleared and landscaped.

Mr. Olsen said the site would have to be landscaped per the Regulations when it is developed.

Mr. Olsen said the next request was not really something the Planning Commission could deal with, which was keeping grass, trees and foliage cut away from the adjacent property in Rosedale.

Finally, the adjacent property owner requested that there be no alcohol sales at this location.

Mr. Olsen said that was something that the City Council would have to approve.

After discussion a motion was made by Mr. Vallas and seconded by Ms. Deakle to recommend approval of this change in zoning to the City Council subject to the following conditions:

- 1) dedication of sufficient right-of-way to provide 25 feet from the centerline of Rifles Road;
- 2) denial of access to Rosedale Road;
- 3) the provision of a 6' privacy fence along the south property line where the site abuts residentially zoned property, per Section IV.D.1 of the Zoning Ordinance;
- 4) the completion of the subdivision process;

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- 5) number, location and design of curb cuts to be approved by Traffic Engineering;
- 6) compliance with the Fire Department requirement that the development be located within 400' of a fire hydrant;
- 7) conformance to the Landscaping and Tree Planting requirements of the Zoning Ordinance; and
- 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2005-00152 (Subdivision)

Lawrence Addition to Dauphin Island Parkway Subdivision

East side of Rifles Road, extending from Dauphin Island Parkway to Rosedale Road.
1 Lot / 1.1± Acres

(For discussion see Case #ZON2005-01483 White-Spunner & Associates (Nancy Stone, Agent) - Above).

After discussion a motion was made by Mr. Vallas and seconded by Ms. Deakle to approve the above referenced subdivision subject to the following conditions:

- 1) dedication of sufficient right-of-way to provide 25 feet from the centerline of Rifles Road;
- 2) depiction of the 25' building setback line on the final plat, as measured from the dedication;
- 3) the placement of a note on the final plat stating that a 6' privacy fence is required between the site and residentially zoned property, per Section V.A.7 of the Subdivision Regulations; and
- 4) the placement of a note on the final plat stating that the site is denied direct access to Rosedale Road.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2005-00153

Dawes Lake Trace Subdivision, First Addition

West side of Dawes Lake Road East, 500'± South of its North Terminus
12 Lots / 7.5± Acres

A motion was made by Mr. Plauche and seconded by Mr. Miller to holdover this application until September 1, 2005 meeting to allow the applicant time to submit a revised plat that does not contain flag-shaped lots.

The motion carried unanimously.

Case #SUB2005-00154

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Friesland Forest Subdivision

2950 Nic-Lib Lane

(South terminus of Nic-Lib Lane, extending to the North terminus of Willedee Drive North).

2 Lots / 39.8± Acres

Mr. Plauche stated that the applicant was present.

John Van Derwood, applicant, stated that he owned this 40-acre parcel in Semmes and would like to subdivide it into two lots to provide a home site for his brother. The staff had indicated that it exceeded the recommended width-to-depth ratio of the Subdivision Regulations, and that the flag-shaped nature of the proposed Lot 1 was not allowed by the Regulations. Mr. Van Derwood said they had investigated virtually every other avenue of configuring the property so it would conform to the Regulations, but had not been able to come up with anything else. With regard to the width-to-depth ratio, he said he did not see that as a problem because the lots in this area were all different shapes and sizes. The only area in this location that represented a traditional neighborhood was the Willedee subdivision on the south border of the property. He said that subdivision would not be affected because he was granting his brother an easement to access his property. It would back up to the neighbors' back yards and that was a heavily wooded area. Mr. Van Derwood also pointed out that this site was in a rural area. It was not in the middle of town and there was no likelihood that it was going to be developed in any other way in the future. They had no intention of developing the property commercially. They were just trying to get close to their family.

Clark Van Derwood stated that he was John's brother, and he and his wife owned what was indicated on the plat as Lot 1. Mr. Van Derwood said he grew up in Mobile and after graduating college he joined the Army and had been away. Recently he retired and he and his wife moved back to Mobile because they wanted to be near their family. They also wanted to be a part of this community. They were hoping to build their home on the proposed Lot 1. He noted that they had placed a restriction on the lot that indicated it would not be further subdivided. Mr. Van Derwood said they were not commercial developers. One single-family residence would be built on this lot for he and his wife. Further, he contended that they were not in violation of the width-to-depth ratio of the Subdivision Regulations as indicated by the staff in their report. He said he measured the lot to be 399 ½ feet wide and 1100.92 feet long. The Regulations required that the length be no more than 3 ½ times the width, which in this case would be 1398 feet. Mr. Van Derwood explained that the distinctive shape of the lot had to do with the available view and position of the pond on the property, which he and his brother had created. In order that they have a separate access rather than driving through a larger wooded area and carving another road, their access would be to Willedee Drive North. With reference to the flag-shaped lot, he said there were other flag-shaped lots in the area in order to get access to a County road. As to the question of the possibility of extending Willedee Drive North, they had indicated on the plat that they would dedicate a portion of the land, 25' x 60', in the event there ever was a need to extend Willedee Drive North. Mr. Van Derwood respectfully requested that the Commission considers this application and

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grants the waivers so they could build their retirement home and become part of the Mobile community.

Ms. Deakle asked how Lot 2 was currently accessed.

Mr. Van Derwood said their access was via Nic-Lib Lane on the northern side of the lot.

Karen Van Derwood said she wanted to reiterate what her husband and his brother had said. She also contended that they were not in violation of the width-to-depth ratio requirement of the Regulations. Regarding the flag-shaped lot, Mrs. Van Derwood said they attempted to buy a lot in the Willedee subdivision to allow them to have a back access. The owner of the property refused to sell, which left them the only option of coming in through Willedee Drive, which is why they have a very long driveway. Ms. Van Derwood said she did not understand the staff's recommendation that they extend Willedee Drive into their property and pave it to County standards. They were not commercial developers and did not plan on further subdivision. It would also be very expensive, and it would go nowhere. It would add 25 feet and there would be another barricade. There is an existing barricade at the end of Willedee Drive. They also need a second barricade to the right because it would look like an entrance or continuation of that road, and would invite off-roaders and four wheelers into their property. Currently there was fencing on both sides along where the barricade was. They would like to leave that there and have their driveway start at the end of Willedee Drive as it exists today. If there were a need in the future to extend Willedee Drive, the County would have the 25' x 60' easement. Ms. Van Derwood asked that they be allowed to build their home here to be close to their family.

Mr. Holmes asked what the reasoning was for having Lot 1 to the southwest corner as opposed to the southeast corner so that Willedee would just dead end into the lot.

Ms. Van Derwood said the reason was due to the location of the pond. The lot would be on one side of the pond and have a view of the pond, and her brother-in-law would have a view from his side.

In discussion Mr. Watkins asked the staff what type of conditions would be required if the Commission were to consider approval of this application.

Mr. Olsen said that the Subdivision Regulations required that each lot front on a County maintained road. They would therefore recommend dedication and construction of at least a 25' x 60' section of Willedee Drive North. Also, placement of a note on the final plat stating that there would be no future resubdivision.

Mr. Miller asked if the staff could live with the flag-shaped lot.

Mr. Olsen said if the Commission chose to waive Section V.D.3. of the Regulations and approve this, the staff would be okay with it as long as it complied with the requirement of frontage on a County maintained road.

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Mr. Miller asked if the staff felt the extension to Willedee Drive was necessary.

Mr. Olsen said it was necessary, otherwise it would not meet the requirements of the Subdivision Regulations of having frontage on a County maintained road.

Mr. Watkins asked if the staff was anywhere closer to having an amendment to the Ordinance regarding flag-shaped lots and their limitations there. Mr. Watkins said they were seeing more and more of them.

Mr. Olsen said they did not have anything further than the submission he made to the Commission at the last business meeting, but they were continuing to look for other alternatives. Hopefully they would have something to present at the next business meeting.

Mr. Watkins felt the applicant should not be required to build a 60' x 20' strip of asphalt that would serve no real purpose.

Mr. Olsen noted that the original submission for this subdivision, which came up a month or so ago, did precisely that. The staff recommended denial based on the flag-shaped lot being out of character, the width-to-depth ratio, as well as not taking into account the future connection between Willedee Drive and Nic-Lib Lane, which would be an obvious plan for the future as the area develops. The Commission did deny approval of the subdivision based on the recommendations.

Mr. Watkins asked if the Commission were to require the same "no further subdivision" statement on Lot 2 plat as on Lot 1, would that give them any comfort with respect to future subdivision, and getting Willedee Drive to be back into Nic-Lib Lane.

Mr. Olsen said if that was the will of the Commission, the staff would go along with that.

Mr. Vallas felt a requirement of no subdivision may be pretty stiff if there were other children or grandchildren they may want to give five-acre parcels to.

Mr. Olsen said in which case the connection between Willedee Drive and Nic-Lib Lane would be logical and needed.

Mr. Watkins said it was either build out the street stub now, or build out the street stub when they need it.

Mr. Vallas said he was okay with the stub street and flag-shaped lot now. It would get them where they wanted to be. If the applicant felt like the stub street was too much money, he could go back and offer more money for the vacant lot, measuring stub street cost versus the vacant lot cost.

Mr. Watkins said he would be okay with that.

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After discussion a motion was made by Mr. Vallas and seconded by Mr. Miller to waive Section V.D.3. of the Subdivision Regulations and approve the above referenced subdivision subject to the following conditions.

- 1) the dedication and construction of Willedee Drive North sufficient to provide adequate frontage for Lot 1; and
- 2) placement of a note on the final plat stating that there shall be no future resubdividing until such time as additional dedication and construction of roadway is provided.

In further discussion Mr. Watkins asked if the dedication could be required without the construction.

Mr. Olsen said it would have to be constructed. The Subdivision Regulations require frontage on a County maintained right-of-way, and the only way the County will maintain it is if it is constructed.

Mr. Plauche called the question.

The motion carried unanimously.

Case #SUB2005-00150

Greenview Subdivision, Resubdivision of Lot 12, and Greenview Subdivision, First Addition, Resubdivision of Lot 12

6951 Cambridge Drive and 6950 Warrington Drive.

(South side of Cambridge Drive, 105'± West of its East terminus, extending to the North side of Warrington Drive, 75'± West Bedford Avenue).

2 Lots / 0.9± Acre

This application was withdrawn at the applicant's request.

Case #SUB2005-00147

Legacy Subdivision

West side of Eliza Jordan Road, ½ mile± South of Kelly Road.

46 Lots / 26.8± Acres

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

After discussion a motion was made by Mr. Watkins and seconded by Ms. Deakle to approve the above referenced subdivision subject to the following conditions:

- 1) the dedication of sufficient right-of-way to provide 50 feet from the centerline of Eliza Jordan Road;

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- 2) the placement of a note on the final plat stating that Lots 16, 26, 27, 36, 37, and 46 are limited to one curb cut each, with the size, location and design to be approved by County Engineering;
- 3) the provision of a traffic circle in the area of Lots 26 and 27;
- 4) dedication and construction of new roads;
- 5) the provision of temporary turnarounds;
- 6) all detention areas be indicated on the final plat with a note stating that the maintenance thereof is the responsibility of the property owners association;
- 7) the developer to obtain the necessary approvals from federal, state and local agencies prior to the issuance of any permits; and
- 8) the placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2005-00151

McDonald Oil Subdivision

355 and 365 Williams Street

(Area bounded by Williams Street, Airport Boulevard, Dauphin Island Parkway, and Government Street)

1 Lot / 0.7± Acre

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

After discussion a motion was made by Mr. Miller and seconded by Mr. Watkins to approve the above referenced subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that access to Government Street should be denied, and access to Dauphin Island Parkway, Airport Boulevard and Williams Street should be limited to one curb cut each, with the size, location and design to be approved by Traffic Engineering; and
- 2) the dedication of a 25' radius at Government Street.

The motion carried.

Mr. Vallas recused from discussion and voting.

Case #SUB2005-00149

Nelson Estates Subdivision

2338 Leroy Stevens Road

(West side of Leroy Stevens Road, 450'± North of Cottage Hill Road).

12 Lots / 5.0± Acres

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Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

Leo Roeske, a resident of Danielle Drive on the south side of the subject property, asked if the subdivision would have City water and sewer. He had City water and sewer, but the residents on the north side of Danielle Drive did not. Mr. Roeske said he wanted to know if it would be made available to them.

Mr. Olsen said the application indicated that this subdivision would have City water and sanitary sewer. As far as it being made available to the properties on the north side of Danielle Drive, Mr. Olsen said that was something the residents would need to discuss with Mobile Area Water and Sewer System.

Mr. Roeske further stated that he had no problem with traffic, but was concerned about the condition of Leroy Stevens Road, as the asphalt was only about two inches thick and was not going to last much longer.

Mr. Stewart, with County Engineering, stated that had did not know whether Leroy Stevens was scheduled to be re-paved anytime soon, but he would pass it on to the County Engineer that there was a problem out there.

Mr. Roeske asked what kind of housing was proposed for Nelson Estates.

Mr. Olsen said the subdivision was configured as a single-family subdivision, but since it was in the County there was no zoning. The Commission had no control over that.

Mr. Plauche suggested Mr. Roeske meet with the developer in that regard.

After discussion a motion was made by Mr. Miller and seconded by Mr. Watkins to approve the above referenced subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that Lots 1 and 12 are denied direct access to Leroy Stevens Road;
- 2) dedication and construction of new roads;
- 3) the placement of a note on the final plat stating that any property that is developed commercially and adjoins residentially developed property shall provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations; and
- 4) the dedication of a 20' radius at Leroy Stevens Road.

The motion carried unanimously.

Case #SUB2005-00148

West Church Street Community Development Map No. 31 Subdivision

West side of South Scott Street, extending from Monroe Street to Canal Street, and Southeast corner of Monroe Street and South Scott Street.

6 Lots / 0.7± Acre

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Chuck Stefan with the Mitchell Company, developers of the subject property, as well as a representative of the Mobile Housing Board, owners of the subject property, was present in this matter.

Larry Jones, engineer for the developer, was also present representing the applicant and concurred with the staff recommendations.

Jamie Witherspoon Carter, who resides at the corner of Washington Avenue and Monroe Street, noted that this was a historic district and her house was over 130 years old. She wanted to know the type of houses to be developed.

Mr. Olsen explained that the Commission had no jurisdiction over the type or style of the homes. Since this is in a historic district, however, any structure would have to be approved by the Architectural Review Board.

Mr. Stefan stated that they planned to build houses that would meet all the historic standards, and had actually chosen houses in the existing neighborhood that they would replicate. He said their intent, and the Housing Board's intent, were to build a subdivision that would fit in with the neighborhood with historical details in a manner that has already been replicated in the new construction in the area.

Mr. Plauche suggested that Ms. Carter get together with the developer if she had any further questions, but said the Planning Commission could not dictate what goes in there. They only approve the subdivision layout per se.

Ms. Carter said her house was on the corner of Washington Avenue and Monroe Street, and it looked like there was proposed construction on both sides of the street.

Mr. Olsen said they were proposing to resubdivide the property on the east side of Scott Street as well as the property on the west side of Scott Street. Currently there were six existing parcels. They were just reconfiguring the parcel lines to allow them to be developable.

After discussion a motion was made by Mr. Miller and seconded by Mr. Vallas to waive Sections V.D.2. and V.D.9. of the Subdivision Regulations and approve the above referenced subdivision subject to the following conditions:

- 1) placement of a note on the Final Plat stating that each lot be limited to one curb-cut, with the size, location and design to be approved by Urban Forestry and Traffic Engineering, and conform to AASHTO standards, and;
- 2) full compliance with all other municipal codes and ordinances.

The motion carried.

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Ms. Clarke recused from discussion and voting

OTHER BUSINESS:

Presentation by Wanda Cochran regarding The Alabama Open Meetings Act

Ms Cochran reported that effective October 1, 2005, a new law would go into effect governing public meetings. There were only a couple of issues that the law addressed that would affect the Planning Commission. One of those was the public meeting law in which the term “executive session” has a special meaning. “Executive session” typically means that all members of the public are barred, and that the deliberations are held in secret. Ms. Cochran suggested, therefore, that the Commission change the name of their discussion section to either “deliberations” or “discussion” because they always had their discussion with the public present.

Ms. Cochran said there were also some notice requirements, although she thought the notices that were sent out were in compliance with the Act, but she would go over them with the staff just to make sure they were in compliance.

Mr. Plauche asked the staff to determine which term the Commission should use and they would vote on it.

Discussion regarding allowing residential uses in LB-2, B-2 and B-3 districts.

Mr. Olsen said the staff had been looking at amending the Zoning Ordinance Chart of Permitted Uses to allow some residential in commercial districts. He said this would be citywide, and it would be a part of the Smart Growth movement to allow the mixed use. This way it maintains the street level commercial for B-2 and B-3, the heavier commercial districts, but allows them to have either rental units or even the shop owner to live upstairs.

The Commission discussed this matter. Mr. Olsen said the staff had also sent a draft to the Mobile Area Association of Realtors to get input from the commercial developers in the community, and the indication was that they would be in support of such an amendment. The final decision on this, of course, would be the City Council. The Commission would simply hold a public hearing and make a recommendation to amend the Ordinance.

After discussion the Chairman asked the staff to prepare a report on this amendment for the Commission.

There being no further business, the meeting was adjourned.

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APPROVED:

Victor McSwain, Secretary

Terry Plauche, Chairman

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