

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JANUARY 8, 2004 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Robert Frost, Chairman
Wendell Quimby, Vice-Chair
Victoria L. Rivizzigno
Ann Deakle
John Vallas
Terry Plauche
James Laier (S)
Ernest Scott

Members Absent

Victor McSwain, Secretary
Clinton Johnson

Staff Present

Richard L. Olsen, Planner II
Margaret Pappas, Planner II
Shayla Jones, Long Range Planning
Caldwell Whistler, Planning Technician
Val Manuel, Secretary II

Others Present

Wanda Cochran, Assistant City Attorney
David Daughenbaugh, Urban Forestry
Jennifer White, Traffic Engineering
Pat Stewart, County Engineering
Beverly Terry, City Engineering

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

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

APPROVAL OF MINUTES:

A motion was made by Dr. Rivizzigno and seconded by Mr. Laier to approve the minutes of the October 2, and October 16, 2003, meetings as submitted. The motion carried unanimously.

EXTENSIONS:

Case #SUB2002-00272 (Subdivision)

Baker Estates Subdivision

South side of Airport Boulevard, at the Southern terminus of Flave Pierce Road, 1,970'± East of Walter Smith Road.

46 Lots / 22.0± Acres

Request for a one-year extension of previous approval.

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

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The motion carried unanimously.

Mr. Vallas, Dr. Rivizzigno, and Mr. Plauche recused from discussion and voting.

GROUP APPLICATIONS:

Case #ZON2003-02890 (Planned Unit Development)

Nick Catranis & Louis Ladas

3766 Airport Boulevard (North side of Airport Boulevard, 125'± East of Lleyn Avenue).
The request for Planned Unit Development Approval to allow shared access and shared parking between building sites was considered.

The site plan illustrates the existing buildings, parking, signs, and structures to be removed, along with the proposed parking and building addition.

(Also see Case #SUB2003-00302 – Hellinic Subdivision – Below).

Ms. Laura Davis and her mother, 3775 Swansea Drive do not understand why it is establish as a PUD. Ms. Davis stated that they were not in opposition. Frankly, they are excited. They do have concerns about the future establish of the PUD. She wanted to know about the setbacks, traffic, emergency vehicle standpoint, if there is any room, and the drainage ditch. Ms. Davis said the drainage ditch is located behind her mother's home. She said it is being used to dump trash.

Ms. Davis said it is a hazard on the west end. There is a place where you can dash off Airport Boulevard to the service road. People are going in and out. She wanted to know if the traffic could be reanalyze.

Mr. Olsen said this PUD is a site sign specific not establishing a whole PUD by refiguring the parking and access point. They would need to get with Traffic Engineering.

Mr. Frost was suggested that she could call the action center to report the dumping of trash.

Mr. Frank Dagley, Dagley and Associates, represented the owner, said it is a restricted covenant and you can not build anything on it.

Mr. John Spechalske, 3771 Swansea Drive, said he was concern about the wooded area. He said it use to be a lot of woods to keep the noise out, but now it is not.

Mr. Frost said this PUD does not address that.

Mr. Frost stated that the applicant was present and concerned with the staff recommendation.

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There was no one present in opposition.

In discussion a motion was made by Mr. Vallas and seconded by Dr. Rivizzigno to approve this plan subject to the following conditions:

- 1) the site be brought in to compliance with the landscaping and tree planting requirements of the Zoning Ordinance to the greatest degree practicable, to be coordinated with Urban Forestry; and
- 2) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2003-00302 (Subdivision)

Hellinic Subdivision

3766 Airport Boulevard (North side of Airport Boulevard, 125'± East of Lleyn Avenue).
1 Lot / 1.4± Acres

(For discussion see Case #ZON2003-02890 – Nick Catranis & Louis Ladas – Above).

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

- 1) the required 25' setback line be illustrated on the final plat; and
- 2) placement of a note on the final plat stating that curb cuts to be approved by the Traffic Engineering Department.

The motion carried unanimously.

Case #ZON2003-02897 (Rezoning)

Elcan & Associates, Inc.

North side of Government Street, 225'± East of South Catherine Street.

The request for a change in zoning from B-2, Neighborhood Business, to LB-2, Limited Neighborhood Business, for retail sales was considered.

The plan illustrates the proposed rezoning and subdivision.

(Also see CASE #ZON2003-02896 – Elcan & Associates, Inc. (Rezoning) – Below; and CASE #SUB2003-00308 – Shoppes of Midtown Subdivision – Below).

Mr. Lawler, Lawler and Company, said they are willing to compromise in order to approve a change in the zoning. He said we are here to create a new lot. We are here to add a second residential lot. Lot 1 has already been zoned to B-2. Mr. Lawyer said if they have to, they would move the shopping center.

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There was no present in opposition.

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

- 1) because of the size of existing trees on Government Street and the distance between them, all ingress and egress from Government Street is to be shared access with Lot 2 (Administrative PUD will be required prior to permitting);
- 2) ingress and egress on Government and South Catherine Streets is to be coordinated with Urban Forestry; and
- 3) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Mr. Plauche, Mr. Vallas, and Dr. Rivizzigno recused from discussion and voting.

Case #ZON2003-02896 (Rezoning)

Elcan & Associates, Inc.

West side of Etheridge Street, 190'± South of Farmer Street.

The request for a change in zoning from LB-2, Limited Neighborhood Business, to R-1, Single-Family Residential, to allow a single-family residence was considered.

The plan illustrates the proposed rezoning and subdivision.

(Also see CASE #ZON2003-02897 – Elcan & Associates, Inc. (Rezoning) – Above; and CASE #SUB2003-00308 – Shoppes of Midtown Subdivision – Below).

There was no present in opposition.

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

- (1) dedication of sufficient right-of-way along Etheridge Street to provide 25' from centerline; and
- (2) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Mr. Plauche, Mr. Vallas, and Dr. Rivizzigno recused from discussion and voting.

Case #SUB2003-00308 (Subdivision)

Shoppes of Midtown Subdivision

1500 Government Street and 211, 213, 217, and 219 South Catherine Street (Northwest corner of Government Street and Etheridge Street, extending to the East side of Catherine Street, 175'± North of Government Street, and to the West side of Etheridge Street, 100'± South of Farmer Street).

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4 Lots / 6.2± Acres

(For discussion see Case #ZON2003-02897 – Elcan & Associates, Inc. (Rezoning); and #ZON2003-02896 – Elcan & Associated, Inc. (Rezoning) – Above).

There was no present in opposition.

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

- 1) dedication of sufficient right-of-way along Etheridge Street to provide 25' from centerline;
- 2) provision of a privacy fence and landscaped buffer (as indicated on the plan submitted) along portions of the North and West property lines of Lot 2, where the site abuts existing residences;
- 3) placement of a note on the final plat stating the Lot 2 is denied access to Etheridge Street;
- 4) because of the size of existing trees on Government Street and the distance between them, all ingress and egress from Government Street is to be shared access with Lot 1 (Administrative PUD will be required prior to permitting);
- 5) the 40" Live Oak on the West side of the property (on South Catherine Street) be given preservation status; all work under the canopy would therefore have to be permitted and coordinated with Urban Forestry; and
- 6) ingress and egress on Government and South Catherine Streets is to be coordinated.

The motion carried unanimously.

Mr. Plauche, Mr. Vallas, and Dr. Rivizzigno recused from discussion and voting.

Case #ZON2003-02893 (Rezoning)

Aubrey Hill & Walker Hill

608 and 610 South Broad Street (Northwest corner of Broad Street and Montgomery Street).

The request for a change in zoning from R-3, Multi-Family Residential, to B-3, Community Business, to bring the zoning into compliance for an existing refrigeration equipment service and repair business was considered.

The plan illustrates the existing structures, along with the proposed addition and parking.

(Also see Case #SUB2003-00306 – Hill Marine Subdivision – Below).

Mr. Frank Dagley, Dagley and Associates, represented the owner, said Hill Marine has been in operating since 1970 under a variance. They have purchased the lot next door. They want to expand their business and build an office attach to the existing building and parking lot.

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Mr. Frost said it may be better if they continue operating under a variance.

Mr. Dagley said they have been there since 1970 and they are not going anywhere. They have spoken with the neighbors behind them and there are no objections.

Carol Russell, owner, said Hill Marine has been in business for fifty-eight years. She felt they would be making a big improvement to the area.

Walker Hill, owner, said we will be making a definite improvement to the area. He said the company is not going anywhere. He said we do a lot of work with Bender Shipbuilding. He also said they have a good relationship with the neighbors behind them. He said the company needs room for a warehouse and office space. Mr. Hill said they need room to expand. They are trying to grow and hope the Commission will change their mind.

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

- 1) the site is limited to the existing curb cut to Broad Street and one curb cut to Montgomery Street, with the location and design to be approved by Traffic Engineering,
- 2) dedication of a 25' radius at the corner of Broad Street and Montgomery Street,
- 3) full compliance with landscaping and tree planting requirements of the zoning ordinance,
- 4) provision of the buffer along the west property line when the site abuts the residential property, and
- 5) full compliance with all municipal codes and ordinance, including but not limited to the provision of sidewalks.

The motion carried unanimously.

Hill Marine Subdivision

608 and 610 South Broad Street (Northwest corner of Broad Street and Montgomery Street).

1 Lot / 0.5± Acre

(For discussion see Case #ZON2003-02893 – Aubrey Hill & Walker Hill (Rezoning) – Above).

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

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- 1) the placement of a note on the final plat stating that the site is limited to the existing curb cut to Broad Street and one curb cut to Montgomery Street, with the location and design to be approved by Traffic Engineering,
- 2) dedication of a 25' radius at the corner of Broad Street and Montgomery Street.

The motion carried unanimously.

Case #ZON2003-02889 (Rezoning)

Ernest Murphy

1515 St. Stephens Road (Southeast corner of St. Stephens Road and North Catherine Street).

The request for a change in zoning from B-2, Neighborhood Business, to B-3, Community Business, to bring the zoning into compliance for an existing automotive transmission repair service was considered.

The plan illustrates the existing structures, along with the proposed addition and parking.

(Also see Case #ZON2003-02891 – Ernest Murphy (Rezoning) – Below; and Case #SUB2003-00304 – Murphy's Transmission Subdivision – Below).

Mr. Frank Dagley, with Dagley and Associates, representing the owner said the owner been operating under a variance 1993. He said the owner had problems with the conditions the staff recommended. Mr. Murphy requests improvement to the transmission lot with the subdividing the lot to build a house to live. Mr. Dagley said they do not want to do any thing to the transmission shop. Mr. Murphy had applied with all conditions and can't afford to do condition 1 and 2, and 3. He said 5 and 6 were not required under his variance. Mr. Murphy felt if those conditions were not required in 1993, they should not be required now.

Mr. Olsen said the paving should be automatically.

Mr. Ernest Murphy, 73 Victory Lane, said he bought the property in 1992. He said when he bought the property it was in a degraded state. Mr. Murphy said he had made substantial improvement to the area. Mr. Murphy said he is thankful that the community is well pleased with what he has done to the lot.

Mr. Vallas suggested planting some trees and shrubs to screen the building.

There was no one present in opposition.

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

- 1) dedication of sufficient right-of-way along St. Stephens Road to provide 50' from centerline;

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- 2) dedication of an appropriate radius at the intersection of St. Stephens Road and North Catherine Street;
- 3) completion of the Subdivision Process prior to the issuance of any permits;
- 4) all parking areas to be paved;
- 5) vehicles to be screened from view, as required by the Zoning Ordinance;
- 6) the site be brought into full compliance with the landscaping and tree planting requirements of the Zoning Ordinance to be coordinated with Urban Forestry; and
- 7) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2003-02891 (Rezoning)

Ernest Murphy

1515 St. Stephens Road (East side of North Catherine Street, 170'± South of St. Stephens Road).

The request for a change in zoning from B-2, Neighborhood Business, to B-1, Buffer Business, to allow a single-family residence was considered.

The site plan illustrates the existing building, fencing, and concrete.

(For discussion see Case #ZON2003-02889 – Ernest Murphy (Rezoning) – Above; and Case #SUB2003-00304 – Murphy’s Transmission Subdivision – Below).

There was no one present in opposition.

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

- 1) completion of the subdivision process prior to the issuance of any permits;
- 2) limited to one curb cut, size, location and design to be approved by Traffic Engineering Department; and
- 3) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2003-00304 (Subdivision)

Murphy’s Transmission Subdivision

1515 St. Stephens Road (Southeast corner of St. Stephens Road and North Catherine Street).

2 Lots / 0.7± Acre

(For discussion see Case #ZON2003-02889 (Rezoning) – Ernest Murphy –Above; and Case #ZON2003-02891 – Ernest Murphy (Rezoning) – Above).

There was no one present in opposition.

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

- 1) dedication of sufficient right-of-way along St. Stephens Road to provide 50' from centerline;
- 2) dedication of an appropriate radius at the intersection of St. Stephens Road and North Catherine Street;
- 3) placement of a note on the final plat stating that curb cuts are to be approved by the Traffic Engineering Department.

The motion carried unanimously.

Case #ZON2003-02894 (Planned Unit Development)

Norstedt Subdivision

1450 South University Boulevard (West side of University Boulevard, 615'± North of Zack Logan Avenue North, extending to the East side of Logan Avenue.

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

The plan illustrates the proposed structures and parking.

(Also see Case #SUB2003-00310 – Norstedt Subdivision – Below).

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) completion of the Subdivision process prior to the issuance of any permits;
- 2) provision of the required 10' buffer strip along the South property line,
- 3) and a 6' wooden privacy fence along the South and East property lines – where the site abuts residentially zoned properties;
- 4) completion of the vacation process for the portion of Logan Avenue that
- 5) abuts this site;
- 6) the 60" Live Oak on the East side of the property (University Boulevard
- 7) Service Road) is to be given preservation status (Any work around, including trimming or removal of this tree, requires approval from the Mobile Planning Commission.), all work under the canopy is to be permitted and coordinated with Urban Forestry; and
- 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2003-00310 (Subdivision)

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Norstedt Subdivision

1450 South University Boulevard (West side of University Boulevard, 615'± North of Zack Logan Avenue North, extending to the East side of Logan Avenue.

1 Lot / 1.1± Acres

(For discussion see Case #ZON2003-02894 – Norstedt Subdivision PUD – Above).

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition

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

- 1) provision of the required 10' buffer strip along the South property line, and a 6' wooden privacy fence along the South and East property lines – where the site abuts residentially zoned properties;
- 2) completion of the vacation process for the portion of Logan Avenue that abuts this site;
- 3) placement of a note on the final plat stating that access to Logan Avenue is denied; and
- 4) placement of a note on the final plat stating that the 60" Live Oak on the East side of the property (University Boulevard Service Road) is to be given preservation status (Any work around, including trimming or removal of this tree, requires approval from the Mobile Planning Commission.), all work under the canopy is to be permitted and coordinated with Urban Forestry.

The motion carried unanimously.

Case #ZON2003-02868 (Planning Approval)

St. Paul's Episcopal School

161 Dogwood Lane (Campus area bounded by Old Shell Road, Dogwood Lane, Loyola Lane, Myrtlewood Lane [vacated], South Avenue, Spring Hill College, and Provident Lane).

A request for Planning Approval to allow a proposed intermediate school library expansion, intermediate school classroom expansion, and an art studio within the main campus area, and expansion of bleachers, concessions facilities, and a visitors' press box within the stadium area.

The plan illustrates the existing buildings and parking along with proposed buildings and bridge.

(Also see Case #ZON2003-02867 – St. Paul Episcopal School – Below).

Mr. Frost stated that the applicant is agreeable to the staff recommendation

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There was no one present in opposition.

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

- 1) submission of individual applications for each project (other than those involved in this amended application), providing detailed information with regard to the numbers of classrooms involved, number of parking spaces provided, and detailed information on the location of proposed improvements;
- 2) provision of information with regard to enrollment, broken down by elementary school level, middle school level and high school level, as well as a count of all parking space available to ensure compliance with the parking requirements;
- 3) property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64);
- 4) full compliance with the landscaping and tree planting requirements of the Ordinance for the entire campus, to be coordinated with and approved by Urban Forestry;
- 5) full compliance with City Engineering Comments including the provision of a comprehensive drainage plan; and
- 6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2003-02867 (Planned Unit Development)

St. Paul's Episcopal School

161 Dogwood Lane (Campus area bounded by Old Shell Road, Dogwood Lane, Loyola Lane, Myrtlewood Lane [vacated], South Avenue, Spring Hill College, and Provident Lane).

The request for Planned Unit Development Approval to amend a previously approved Master Plan for an existing school in an R-1, Single-Family Residential district.

The plan illustrates the existing buildings and parking along with proposed buildings and bridge.

(For discussion see Case #ZON2003-02868 – St. Paul's Episcopal School (Planning Approval – Above.)

Mr. Frost stated that the applicant was agreeable with the staff recommendation.

There was no one present in opposition.

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

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- 1) submission of individual applications for each project (other than those involved in this amended application), providing detailed information with regard to the numbers of classrooms involved, number of parking spaces provided, and detailed information on the location of proposed improvements;
- 2) provision of information with regard to enrollment, broken down by elementary school level, middle school level and high school level, as well as a count of all parking space available to ensure compliance with the parking requirements;
- 3) property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64);
- 4) full compliance with the landscaping and tree planting requirements of the Ordinance for the entire campus, to be coordinated with and approved by Urban Forestry;
- 5) full compliance with City Engineering Comments including the provision of a comprehensive drainage plan; and
- 6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

**Case #ZON2003-02909 (Planning Approval)
UMS-Wright Corporation**

65 North Mobile Street (Southwest corner of North Mobile Street and Old Shell Road extending South and West to the Illinois Central Gulf Railroad right-of-way and the South terminus of Martin Street).

The request for Planning Approval to allow a proposed middle school building; re-oriented baseball/softball field; expanded visitors' seating, a concessions building, and covered walkway within the stadium area; concourse addition to the physical activities building and auditorium; and access drive and parking for the baseball field.

The plan illustrates the existing structures and parking areas. Also shown is the future middle school and concourse.

(Also see Case #ZON2003-02892 - UMS-Wright Corporation (Planned Unit Development) – Below.)

Mr. Doug Anderson, representing the owner, said they did not have a problem with the staff's recommendation.

There was no present in opposition.

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

- 1) A motion was made by Mr. Plauche and seconded by Dr. Rivizzigno to approve this plan subject to the following conditions: 1) submission of individual administrative applications for each project (shown on the master plan); provision

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- of enrollment numbers (broken down by grade school, middle school and high school) currently and at the time of each individual application, and review by the Planning Commission prior to any substantial increase in enrollment;
- 2) limited to the existing approved curb cuts;
 - 3) completion of the sidewalk along the entire Mobile Street frontage, as required by the previous approval;
 - 4) provision of landscaping and tree plantings in compliance with numbers and ratios in Section IV.E.3 of the Zoning Ordinance for each project; and
 - 5) compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2003-02892 (Planned Unit Development)

UMS-Wright Corporation

65 North Mobile Street (Southwest corner of North Mobile Street and Old Shell Road extending South and West to the Illinois Central Gulf Railroad right-of-way and the South terminus of Martin Street).

The request for Planned Unit Development Approval to amend a previously approved Master Plan for an existing school in an R-1, Single-Family Residential district.

The plan illustrates the existing structures and parking areas. Also shown is the future middle school and concourse.

(For discussion see Case #ZON2003-02909 – UMS-Wright Corporation (Planning Approval – Above).

There was no present in opposition.

In discussion a motion was made by Mr. Plauche and Dr. Rivizzigno to approve this plan subject to the following conditions:

- 1) submission of individual administrative applications for each project (shown on the master plan); provision of enrollment numbers (broken down by grade school, middle school and high school) currently and at the time of each individual application, and review by the Planning Commission prior to any substantial increase in enrollment;
- 2) limited to the existing approved curb cuts;
- 3) completion of the sidewalk along the entire Mobile Street frontage, as required by the previous approval;
- 4) provision of landscaping and tree plantings in compliance with numbers and ratios in Section IV.E.3 of the Zoning Ordinance for each project; and
- 5) compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2003-02876 (Planned Unit Development)

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Western Hills Subdivision, Resubdivision of Lots 8 & 9, Block 4

East side of West Drive at the East terminus of Northwoods Court, extending to the West side of Center Drive.

The request for Planned Unit Development Approval allow multiple buildings on a single building site for a single-family residential condominium complex.

The plan illustrates the proposed structures, parking, and landscaping.

(Also see Case #SUB2003-00297 – Western Hills Subdivision – Below).

Mr. Deryck Jackson, 693 Pherin Woods Drive said no one received notification of the meeting. He also said his neighbors did not received notification and gave the names of the ones who did not receive notice. Mr. Jackson requested that the meeting be heldover, because there were several issues he wanted to discuss.

Mr. Frost said if there is a notification problem, the application will be heldover.

A motion was made by Mr. Plauche and seconded by Dr. Rivizzigno to holdover these requests to until January 22, 2004 meeting at the staff's request due to omissions for proper notification.

The motion carried unanimously.

Case #SUB2003-00297 (Subdivision)

Western Hills Subdivision, Resubdivision of Lots 8 & 9, Block 4

East side of West Drive at the East terminus of Northwoods Court, extending to the West side of Center Drive.

1 Lot / 4.0± Acres

(For discussion see Case #ZON 2003-02876 – Western Hills Subdivision (PUD) – Above).

A motion was made by Mr. Plauche and seconded by Dr. Rivizzigno to holdover these requests to until January 22, 2004 meeting at the staff's request due to omissions for proper notification.

The motion carried unanimously.

NEW PLANNING APPROVAL APPLICATION:

Case #ZON2003-02888

Pherin Woods Subdivision, Lots 6, 7, 12, 13, 14, 16, 17, 19, and 23

East side of West Drive, 1,000'± South of Old Shell Road and extending through to Center Drive.

The request for Planned Unit Development Approval to allow a further reduced side yard setback on Lot 12, and increase maximum site coverage to 42% for all lots included.

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The plan illustrates the existing building limits and the proposed changes.

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) five-foot side yard setbacks applicable to Lot 12 only;
- 2) increase in site coverage to 42% for the lots in this application only; and
- 3) that the developer provides a certified site survey and calculations that adequate detention volume for increased coverage was designed and constructed.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2003-00301

Aaron's Plaza Subdivision

East side of Schillinger Road, 240'± South of Foxfire Drive.

2 Lots / 18.7± Acres

Mr. John Riggins, 413 Azalea Road, said that two curb cuts would be better. He asked if the staff would change their mind and make it two curb cuts.

There was no one present in opposition

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

- 1) the dedication of any necessary right-of-way to provide 50-feet from the centerline of Schillinger Road;
- 2) placement of a note on the final plat stating that Lot 1 is limited to two curb cuts to Schillinger Road, with the location and design to be approved by County Engineering;
- 3) placement of a note on the final plat stating that Lot 2 is denied access to Haul Road (private road), and limited to two curb cuts to Schillinger Road, with the location and design to be approved by County Engineering;
- 4) the placement of a note on the final plat stating that a buffer, in compliance with Section V.A.7., will be provided where the site adjoins residentially developed property; and
- 5) placement of the required 25-foot minimum building setback line on the final plat.

The motion carried unanimously.

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Mr. Vallas rescued from discussion and voting.

Case #SUB2003-00311

Annwood & Riverside Subdivision

3118 Annwood Drive (Southwest corner of Annwood Drive and Riverside Drive).

4 Lots/ 1.3± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lot 1 is limited to one curb cut;
- 2) the dedication of a 25' radius at the intersection of Riverside Drive and Annwood Drive;
- 3) the provision an eight-foot setback for the structure on Lot 2 or the removal of the structure prior to the recording of the final plat; and
- 4) the removal of the accessory structures on Lot 3 prior to the recording of the final plat.

The motion carried unanimously.

Case #SUB2003-00296

Belle Acres Subdivision

East side of Dauphin Island Parkway, 100'± North of New Belle Fontaine Boulevard, extending to the North termini of Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, and Sixth Avenue.

10 Lots / 20.7± Acres

Mr. Matt Orrell of Polysurveying Engineering – Land Surveying was representing the owner said the streets has been stubbed-out for future use. He said the streets had been open to Lot 6 and 10. The county maintains these roads. Also, fifty percent of the roads in the county are dirt roads.

Mr. Frost was concerned that we are trying to tell them what they can or can not build. The county has no zoning and we do not have a problem with restricting those lots against resubdivision.

Mr. John Wacker, 9145 Lawrence Steiner Road said the stubbed-out roads are actually private drive for the property owner in subdivision. Mr. Wacker said the county is aware of this. Mr. Wacker also said the blue signs are for private road not private property. He had documentation to show the stubbed-out roads.

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A motion was made by Mr. Frost and seconded by Mr. Quimby to holdover this application until February 5, 2004 meeting at the staff's request due to the new information presented at the meeting.

The motion carried unanimously.

Case #SUB2003-00299

Center Street Subdivision

1450 Center Street (Northwest corner of Center Street and Lafayette Street, extending to the south side of Saint Stephens Road, 140'± West of Lafayette Street).

1 Lot / 2.6± Acres

Mr. Jerry Byrd of Byrd Surveying, representing the applicant said they wanted to delete condition 3 and leave it to total rezoning. He said that he could make it a larger lot.

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

- 1) dedication of sufficient right-of-way along St. Stephens Road to provide 50' from centerline;
- 2) placement of a note on the final plat stating that the site is limited to one curb cut to St. Stephens Road, size, design and location to be approved by Traffic Engineering at the time of additional development; and

The motion carried unanimously.

Mr. Vallas rescued from discussion and voting.

Case #SUB2003-00292

Cochran Business Park Subdivision, Resubdivision of Lot 3

6871 Moffett Road (South side of Moffett Road at the South termini of Meadow Lane and Western Woods Drive).

2 Lots / 6.0± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the dedication of any necessary right-of-way to provide 50-feet from the centerline of Moffett Road;
- 2) placement of a note on the final plat stating that Lot 3A and 3B are limited to the existing curb cut to Moffett Road; and

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- 3) the placement of a note on the final plat stating that a buffer, in compliance with Section V.A.7. will be provided where the site adjoins residentially developed property.

The motion carried unanimously.

Case #SUB2003-00307

Duncan-Jurta Subdivision

3800, 3808, and 3820 Cottage Hill Road (North side of Cottage Hill Road at the North terminus of Lakeside Drive West).

2 Lots / 1.4± Acres

Margaret Pappas noticed that Urban Forestry recommendation was omitted from the agenda. She said that they would be added.

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that each lot is limited to one curb cut each; and
- 2) the provision of a buffer in compliance with Section V.A.7 of the Subdivision Regulations where the site adjoins residential property.
- 3) The 60” Live Oak on the Northwest side of the property and 53” Live Oak on the East side of the property (Lot 2, along Cottage Hill Road) are to be given preservation status. (Any work around, including trimming or removal of this tree, requires approval from the Mobile Planning Commission.) All work under the canopy is to be permitted and coordinated with Urban Forestry.

The motion carried unanimously.

Case #SUB2003-00305

Hutson-Key Subdivision

Northwest corner of West I-65 Service Road South and Pleasant Valley Road, extending to the Northeast corner of Michael Boulevard and Hutson Drive, and extending to the Southeast corner of Hutson Drive and Key Street.

24 Lots / 16.8± Acres

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to holdover this application until January 22, 2004 meeting due to an increase in the number of lots.

The motion carried unanimously.

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Case #SUB2003-00288

March Meadows Subdivision

North side of Dawes Road, 450'± East of the North terminus of Wear Road.

2 Lots / 8.8± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the dedication of sufficient right-of-way to provide 50-feet from the centerline of Dawes Road;
- 2) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb cut each to Dawes Road, with the size, location, and design to be approved by County Engineering; and
- 3) the placement of a note on the final plat stating that if any property is developed commercially and adjoins residential property will provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2003-00291

Gary Nelson Estates Subdivision

Northwest corner of Nugget Road and Leroy Stevens Road.

2 Lots / 10.0± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lot 2 is denied direct access to Leroy Stevens Road;
- 2) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb cut each to Nugget Drive, with the size, location, and design to be approved by County Engineering; and
- 3) the placement of a note on the final plat stating that any lot that is developed commercially and adjoins residential property, a buffer in compliance with Section V.A.7. be provided.

The motion carried unanimously.

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Case #SUB2003-00293

Oak Hollow Subdivision

East side of Oak Hill Drive, 3/10 mile± North of Moffett Road.

1 Lot / 5.2± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) 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 #SUB2003-00294

Oleander Park Subdivision

North side of Cottage Hill Road, 370'± East of Maple Drive.

2 Lots / 4.4± Acres

Ms. Norman Herring, 7650 Cottage Hill Road, wanted to know whether they were building apartments.

Mr. Jerry Byrd, Byrd Surveying, said it will be a senior housing residential one-story building with a parking lot.

Ms Herring wanted to know if her property would change to commercial.

Mr. Byrd said no and only on commercial building will a buffer be required.

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb cut each to Cottage Hill Road, with the size, location, and design to be approved by County Engineering Department;
- 2) the developer to obtain the necessary approvals from federal, state and local agencies prior to the issuance of any permits; and

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- 3) the placement of a note on the final plat stating that if any property is developed commercially and adjoins residential property will provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2003-00303

Pecan-Young Subdivision

1152, 1156, and 1160 Pecan Street (Northwest corner of Pecan Street and Youngs Alley).

1 Lot / 0.3± Acre

Ron Coleman, with Rester and Coleman Engineers, requested that we delete condition #3. He wanted to change from 3 lots to 1 lot.

Mary Butler, 1160 Pecan Street, said her mother bought this property from Clarence Crayton. She said this was her family homestead. She was concerned about the 1152 Pecan Street address. She was wondering where did it come from, since it was not there when they bought the property.

Ms. Pappas said that our City Engineering Department assigns street addresses.

There was no one present in opposition.

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

- 1) placement of a note on the final plat stating that the site be limited to a maximum of two dwellings.

The motion carried unanimously.

Case #SUB2003-00295

Rangeline Properties Subdivision

East side of Rangeline Road, 490'± North of Hurricane Bay Drive.

3 Lots / 48.6± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lots 1, 2 and 3 are limited to one curb cut each, with the size, location and design to be approved by County Engineering;

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- 2) the developer to obtain the necessary approvals from federal, state and local agencies prior to the issuance of any permits;
- 3) 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; and
- 4) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

Case #SUB2003-00300

Ridgewood Subdivision, Resubdivision of Lot 1

200 Ridgewood Place (Northeast corner of Ridgewood Place and The Cedars).

1 Lot / 0.6± Acre

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating the approval from the Board of Adjustment for the placement of the garage prior to the issuance of any permits.
- 2) trees on city right of way require a permit from the Mobile Tree Commission prior to removal.

The motion carried unanimously.

Case #SUB2003-00289

Barbara Slaughter Subdivision

6250 Anthony Drive West (West side of Anthony Drive West, 260'± South of Mango Street).

4 Lots / 11.9± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lots 1 and 2 are limited to one curb to Anthony Drive West, with the size, location, and design to be approved by County Engineering;

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- 2) the placement of a note on the final plat stating that if the property is developed commercially and adjoins residential property, a buffer, in compliance with Section V.A.7. of the Subdivision Regulations will be provided; and
- 3) the placement of the 25-foot minimum building setback line on the final plat.

The motion carried unanimously.

Case #SUB2003-00298

Vallimar Subdivision Addition, Resubdivision of and Addition to

1027 and 1051 Blackwell Nursery Road, and 10050 Blakewood Drive North (South side of Blackwell Nursery Road, 715'± West of Snow Road, extending to the Northwest corner of Blakewood Drive North and Blakewood Drive West).

5 Lots / 13.4± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the placement of a note on the final plat stating that Lots 1 and 3 are limited to one shared curb cut to Blackwell Nursery Road, with the size, location and design to be approved by County Engineering;
- 2) the placement of a note on the final plat stating that there will be no further resubdivision of Lot 2; and
- 3) 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.

The motion carried unanimously.

Case #SUB2003-00309

Woodside Subdivision Master Development Plan

Southwest corner of Nan Gray Davis Road and Theodore Dawes Road, extending along the South side of Theodore Dawes Road and the East side of Interstate 10 to the West termini of Woodside Drive North and Barnes Road.

11 Lots / 310± Acres

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

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- 1) no connection with the I-10 service road until the service road is paved to County standards; and
- 2) placement of a note on the final plat stating that any lots that are developed commercially and adjoin residential property must provide buffer in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2003-00241

Gulf Creek Subdivision, Resubdivision of Lot A, Revised Plat of the Resubdivision of Lots 11 & 12

5620 Gulf Creek Circle (North side of Gulf Creek Circle [North], 485'± West of Rabbit Creek Drive).

2 Lots / 0.9± Acre

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

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

- 1) the approval of all applicable federal, state and local agencies prior to the issuance of any permits; and
- 2) 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.

NEW SIDEWALK WAIVER APPLICATION:

Case #ZON2003-02884

Crane Legal (Andrew Crane, Agent)

2607 Dauphin Street (South side of Dauphin Street, 125'± West of the South terminus of Alexander Street).

A request to waived construction of a sidewalk along Dauphin Street was considered.

Mr. Frost stated that the applicant was agreeable to the staff recommendation.

There was no one present in opposition.

A motion was made by Mr. Laier and seconded by Mr. Quimby to approve this request.

The motion carried unanimously.

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OTHER BUSINESS:

There being no further business, the meeting was adjourned.

APPROVED: March 18, 2004

/s/ Victor McSwain, Secretary

/s/ Robert Frost, Chairman

vm