

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JUNE 19, 2014 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

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

Members Absent

Tracie Lee-Roberson

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
Billy Roach
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.

APPROVAL OF MINUTES:

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

- February 20, 2014
- March 6, 2014
- March 20, 2014
- April 3, 2014

The motion carried unanimously.

HOLDOVERS:

1. **Case #SUB2014-00023 (Subdivision)**
(&2) **First Baptist Church of Tillman's Corner Subdivision**
5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and
5673 Jackson Road
(Northeast corner of Three Notch Road and Calhoun Road extending to the
South side of Jackson Road).
Number of Lots / Acres: 1 Lot / 7.9± Acres
Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
Council District 4

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

Bobby McBride, Rowe Surveying, stated that since the City Council released this property from the City limits they would like to request to withdraw the application.

Hearing no opposition or further discussion, the Planning Commission allowed the applicant to withdraw his subdivision request.

2. **Case #ZON2014-00495 (Planned Unit Development)**
(&1) **First Baptist Church of Tillman's Corner Subdivision**
5660, 5670, 5672, 5680 and 5700 Three Notch Road and 5641, 5651, 5661, and
5673 Jackson Road
(Northeast corner of Three Notch Road and Calhoun Road extending to the
South side of Jackson Road).
Planned Unit Development to allow multiple buildings on a single building site.
Council District 4

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

Hearing no opposition or further discussion, the Planning Commission allowed the applicant to withdraw his subdivision request.

3. **Case #SUB2014-00045**
Calgary Subdivision
1618 Leroy Stevens Road

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

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

Engineer / Surveyor: Austin Engineering Company, Inc.
County

The Chair announced the application had been recommended for 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. Vallas, with second by Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to depict the turnarounds at the terminus of both proposed streets in compliance with Section V.B.14. of the Subdivision Regulations;**
- 2) **Retention of the lot size information in square feet and acres on the Final Plat;**
- 3) **Retention of the 30' 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 common and detention areas shall be maintained by the property owners;**
- 6) **Placement of a note on the Final Plat stating that any proposed streets must be built and paved in asphalt to Mobile County Engineering standards and be accepted by Mobile County prior to the signing of the Final Plat;**
- 7) **Placement of a note on the Final Plat stating that Lots 1 and 26 are denied direct access to Leroy Stevens Road;**
- 8) **Placement of a note on the Final Plat stating that all lots are limited to 1 curb-cut each, with the size, design, and location to be approved by Mobile County Engineering and conform to AASHTO Standards;**
- 9) **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*);**
- 10) **Placement of a note on the Final Plat stating: (*This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.*);**
- 11) **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.);

- 12) Submission of certification to Urban Development by a licensed engineer that detention facilities are adequate to comply with City of Mobile volume and discharge rate standards prior to signing of the Final Plat; and
- 13) Compliance with Engineering Comments and placement of a note on the Final Plat stating: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.).*

The motion carried unanimously.

4. **Case #SUB2014-00042 (Subdivision)**
(**&5** **Tucker Place Subdivision**
&6) 117 Batre Lane
(Northwest corner of Batre Lane and Gaillard Street).
Number of Lots / Acres: 8 Lots / 3.1± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 7

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

Steve Sheridan, 201 Ridgewood Place, spoke on his own behalf. He stated that he would like to address some of the concerns that were brought up at the last meeting and made the following points:

- A. believes that the water will be handled properly on this project;
- B. was told he could not do anything in the right-of-way so was surprised when asked to widen Gaillard Street;
- C. does not understand why he is required to bring Gaillard Street up to fire code when there will still be houses on Gaillard if this project is not developed.

Mr. Watkins asked Mr. Sheridan to clarify if he is proposing to pave 11 feet of the 15 feet easement.

Mr. Sheridan stated that was correct. He also noted that there is one other issue

in widening the street; there is a huge live oak that is on the lot that needs to be taken down. He proposed to get past the tree and then widen out the 11 feet.

David Daughenbaugh, Urban Forestry, stated that he has been out to the site and looked at tree; and the tree is healthy. He stated that they would need to work it out in the design phase with Traffic Engineering because the tree may be an issue for line-of-sight with drivers.

The following people spoke in opposition to the matter:

- Linda St. John, 2 North Springbank Rd;
- Elizabeth Juve, resident of Moulton Place;

They made the following points against the application:

- A. opposed to the sidewalk waiver;
- B. the Village of Springhill has completed over \$450,000 worth of sidewalks;
- C. concerned about residents of Moulton Place losing property;

In rebuttal, Mr. Orrell stated that in his opinion the tree does need to come down. The applicant is willing to improve the current condition of this road and make this better.

Hearing no further opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Manzie to hold the matter over until July 17th meeting to allow the applicant to:

- 1) coordinate the design of the proposed improvements to Gaillard Street and intersection at Batre Lane with Engineering, Traffic Engineering, Urban Forestry and Planning

The motion carried unanimously.

5. Case #ZON2014-00839 (Planned Unit Development)
(&4 Tucker Place Subdivision)
&6) 117 Batre Lane

(Northwest corner of Batre Lane and Gaillard Street).

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

Council District 7

The Chair announced the applications had been recommended for denial. 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 Mr. Turner, with second by Mr. Manzie to hold the matter over until July 17th meeting to allow the applicant to:

- 1) coordinate the design of the proposed improvements to Gaillard Street and intersection at Batre Lane with Engineering, Traffic Engineering, Urban Forestry and Planning

The motion carried unanimously.

6. Case #ZON2014-00838 (Sidewalk waiver)
(&4 Steve Sheridan
&5) 117 Batre Lane

(Northwest corner of Batre Lane and Gaillard Street).

Request to waive construction of a sidewalk along Batre Lane and Gaillard Street).

Council District 7

The Chair announced the applications had been recommended for denial. 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 Mr. Plauche, with second by Mr. Manzie to deny the request to waive construction of a sidewalk along Batre Lane and Gaillard Street.

The motion carried.

7. Case #SUB2014-00026
Travis Family Subdivision

4315 McCovery Road Extension

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

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

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

The Chair announced the application had been recommended for 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. Turner, with second by Mr. DeMouy to waive Section V.D.1. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) placement of a note stating that no future subdivision will be allowed of Lots 2, 3, and 4 will be allowed until additional frontage on a public street is provided;
- 2) retention of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 3) retention of the note on the Final Plat stating that the site appears to be in the path of the proposed March Road Extension major street, and thus may be impacted by the major street in the future;
- 4) retention of the 25' minimum building setback line to extend along the entire width of each lot where the become a minimum of 60' wide;
- 5) retention of the note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 6) placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.);*
- 7) compliance with Fire Department comments *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 8) placement of a note on the Final Plat stating that all lots are limited to one curb cut each to McCovery Road Extension, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and
- 9) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

8. Case #SUB2014-00046 (Subdivision)
(&9& La Belle Subdivision, Resubdivision and Addition to Lot 1
10) 5951 & 5955 Old Shell Road and 14 East Drive
(Southwest corner of Old Shell Road and East Drive).
Number of Lots / Acres: 1 Lot / 1.4± Acre

Agent / Engineer/Surveyor: Don Williams Development
Council District 6

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

- 1) the lot is limited to two curb-cuts to Old Shell Road, with the size, design, and location to be approved by Planning, Urban Forestry and Traffic Engineering, and to comply with AASHTO standards;
- 2) placement of a note on the Final Plat stating the site is denied access to East Drive;
- 3) illustration of the 25' minimum building setback line;
- 4) placement of a note stating the lot size in square feet and acres;
- 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 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 vicinity map, including street names. E. 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; F. Dedication, or verification, of the corner radius (25' minimum or as approved by the City Engineer and Traffic Engineer) at the Southwest corner of Old Shell Road and East Drive. G. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. 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..);
- 6) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
 - 7) compliance with revised Traffic Engineering comments: "*The site plan has been revised to eliminate the curb-cut to East Dr. Site is limited to the existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.*";
 - 8) 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).*);
 - 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; and
 - 10) provision of a revised PUD site plan prior to the signing of the Final Plat.

The motion carried unanimously.

9 Case #ZON2014-00892 (Planned Unit Development)
(&8 La Belle Subdivision, Resubdivision and Addition to Lot 1
&10) 5951 & 5955 Old Shell Road and 14 East Drive

(Southwest corner of Old Shell Road and East Drive).

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

Council District 6

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

- 1) all site lighting to comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance, and the applicant must submit documentation regarding lighting compliance, including the physical location of new lighting on the property and a photometric plan of the lighting;
- 2) the site is limited to the fencing, landscaping, and tree plantings as depicted on the revised Planned Unit Development site plan;
- 3) compliance with revised Traffic Engineering comments: *"The site plan has been revised to eliminate the curb-cut to East Dr. Site is limited to the existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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."*;
- 4) obtaining a demolition permit for the unpermitted structure at the rear of the Picklefish building;
- 5) compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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. A Land Disturbance Permit application shall be submitted 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. 3. 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. 4. The proposed development must comply with all Engineering Department Policy Letters.*);
- 6) provision of a revised PUD site plan prior to the signing of the Final Plat; and
- 7) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

10. **Case #ZON2014-00891 (Rezoning)**
(**&8** **Don Williams**
&9) 5951 & 5955 Old Shell Road and 14 East Drive
(Southwest corner of Old Shell Road and East Drive).
Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, to allow a restaurant and eliminate split zoning.
Council District 6

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

- 1) **limited to an approved Planned Unit Development; and,**
- 2) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

EXTENSIONS:

11. **Case #ZON2013-00748**
DAA Acquisition of Alabama
3030 McVay Drive North
(East side of McVay Drive North, 2/10± mile South of U.S. Highway 90)
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and reduced front landscaping requirements.
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 opposition or discussion, a motion was made by Mr. Plauche with second by Mr. Vallas to approve a one-year extension for the above referenced subdivision. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

12. Case #SUB2014-00058

Curtis Subdivision

North and East sides of McCovery Road, 590'± South of McLeod Road

Number of Lots / Acres: 1 Lot / 2.7± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
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. Turner, with second by Mr. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) retention of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 2) placement of a note on the Final Plat stating that the site appears to be in the path of the proposed March Road Extension major street, and thus may be impacted by the major street in the future;
- 3) retention of the 25' minimum building setback line along all frontages;
- 4) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;
- 5) placement of a note on the Final Plat stating the site must comply with the City of Mobile storm water and flood control ordinances: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.);*
- 6) compliance with Fire Department comments *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 7) placement of a note on the Final Plat stating that the lot is limited to the existing two curb cuts to McCovery Road Extension, with the size, design, and location of the curb cuts to be approved by Mobile County Engineering and conform to AASHTO standards; and

- 8) 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.

NEW SIDEWALK WAIVER APPLICATIONS:

13. **Case #ZON2014-01086**
BDI Rangeline, LLC
5749 Rabbit Creek Drive
(Southeast corner of Rabbit Creek Drive and Rangeline Service Road).
Request to waive construction of a sidewalk along Rabbit Creek Drive.
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 opposition or discussion, a motion was made by Mr. Turner, with second by Mr. DeMouy to approve the request to waive construction of a sidewalk along Rabbit Creek Drive and Rangeline Service Road.

The motion carried unanimously.

NEW ZONING APPLICATIONS:

14. **Case #ZON2014-01081**
Thompson Engineering
120 & 130 Mobile Infirmary Boulevard
(East side of Mobile Infirmary Boulevard, 345'± South of Spring Hill Avenue).
Rezoning from B-1, Buffer Business District and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, to allow future medical offices.
Council District 2

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 stated that they would like to use the 75 foot setback for the potential road as parking until the right-of-way is needed.

Mr. Olsen responded that is not an issue as long as it is not the required parking for the building.

Hearing no opposition or further discussion, a motion was made by Mr. DeMouy, with second by Mr. Vallas to waive Section 64-9.B.2.b of the Zoning Ordinance and to approve the above referenced matter, subject to the following conditions:

- 1) **full compliance with the use, site design and signage regulations of the Zoning Ordinance;**
- 2) **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 curb cut along Lots 2 & 3 to meet city standards."*;**
- 3) **compliance with Urban Forestry comments: *"Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64)."*;**
- 4) **compliance with Fire comments: *"All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile."*; and**
- 5) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously with Mr. Watkins recusing.

GROUP APPLICATIONS:

15. Case #SUB2014-00055 (Subdivision)
(&16) Heroes USA Subdivision

36 & 48 Hillcrest Road

(West side of Hillcrest Road, 110'± South of Old Shell Road).

Number of Lots / Acres: 1 Lot / 1.3± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 7

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

Hearing no opposition or discussion, a motion was made by Mr. Turner, with

second by Mr. Webster to approve the above referenced matter, subject to the following conditions:

- 1) **Compliance with Engineering comments** (*The following comments should be addressed prior to acceptance and signature by the City Engineer: A. 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 19 - # 72) the Lot will not 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. D. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. F. Provide the Surveyor's Certificate. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 2) **Compliance with Traffic Engineering comments** (*Lot A is limited to the two existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 3) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 4) **Compliance with Fire comments** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 5) **Removal of the residential structure prior to the signing of the final plat;**
- 6) **Completion of the rezoning process prior to any request for land disturbance permits for new construction; and**

- 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.*”**

The motion carried unanimously.

16. Case #ZON2014-01032 (Rezoning)
(&15) Rasp, LLC

36 & 48 Hillcrest Road

(West side of Hillcrest Road, 110'± South of Old Shell Road).

Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District to allow the construction of a parking lot and eliminate split zoning.

Council District 7

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

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

- 1) **Completion of the Subdivision process;**
- 2) **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). Increase the green space to a minimum of 5 feet from the trunk of the existing 36" Live Oak Tree located on the North portion of the development next to existing building – removing the asphalt paved to the trunk of the tree.*); and**
- 3) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

17. Case #SUB2014-00056 (Subdivision)
(&18) Government Boulevard Subdivision, Bateh Addition to

East side of Government Boulevard, 964'± North of Rochelle Street.

Number of Lots / Acres: 1 Lot / 4.6± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory Williams
Council District 4

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

Darryl Russell, spoke on behalf of the applicant, and requested a holdover until the July 3rd meeting.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over until the July 3rd meeting at the applicant's request.

The motion carried unanimously.

18. Case #ZON2014-01085 (Rezoning)
(&17) C & S Bateh Properties, LLC

East side of Government Boulevard, 964'± North of Rochelle Street.
Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow for future commercial development.
Council District 4

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over until the July 3rd meeting at the applicant's request.

The motion carried unanimously.

19. Case #SUB2014-00057 (Subdivision)
(&20) Powair International Subdivision

1517 & 1521 South Broad Street
(East side of South Broad Street, 475'± North of Duval Street).
Number of Lots / Acres: 1 Lot / 22.7± Acres
Engineer / Surveyor: Anchor Engineering
Council District 3

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

Greg Saad, 34432 Steelwood Ridge Rd Loxley, Al, spoke on his own behalf. He stated that he was concerned that when they go to the 10 foot dedication and the 25 foot setback would put the building into a non-conforming use. It does not impact the current tenant but it could prevent future tenants.

Wayne Smith, Anchor Engineering, spoke on behalf of the applicant. He requested that they be allowed three curb-cuts rather than just two.

MaryBeth Bergin, Traffic Engineering, stated that she had no issue with that.

Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Mr. Webster to waive any right-of-way dedication or setback requirements for the proposed Royal Street Major Street and to approve the above referenced matter, subject to the following conditions:

- 1) dedication to provide 50' from the centerline of South Broad Street;
- 2) retention of the lot size, in square feet and acres, or provision of a table on the Final Plat with the same information;
- 3) placement of a note on the Final Plat stating that the site is be limited to three curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) retention of the 25' minimum building setback line;
- 5) compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: Dedication of the Broad Street ROW to be approved by the City Engineer and Traffic Engineer prior to submitting the Plat for signature. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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. 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. Provide a copy of the Final Plat along with the original when submitting for City Engineer's signature.*);
- 6) compliance with Traffic engineering comments (*Prior to the issuance of any land disturbance permits, a traffic impact study will be required to be submitted and approved by Traffic Engineering. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements (if any) identified in the study. The site is limited to three curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Coordinate all work possible with ongoing Broad Street construction project. 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.*);
- 7) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 8) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland

- and floodzone issues, if any, prior to the issuance of any permits or land disturbance activities;
- 9) placement of a note stating that no structures will be constructed in any easements; and
 - 10) 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.

20. Case #ZON2014-01088 (Rezoning)
(&19) SAAD Development Corporation

1517 & 1521 South Broad Street
(East side of South Broad Street, 475'± North of Duval Street).
Rezoning from B-3, Community Business District, and I-2, Heavy Industry District, to I-2, Heavy Industry District, to eliminate split zoning.
Council District 3

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

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

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

21. Case #SUB2014-00059 (Subdivision)
(&22) Cobblestone Subdivision, Phase II

17 Towncrier Court
(East side of Towncrier Court, 190'± South of Cobblestone Way North extending to the West side of Foreman Road).
Number of Lots / Acres: 1 Lot / 0.1± Acre
Engineer / Surveyor: Walz Engineering LLC
Council District 7

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

Hearing no opposition or discussion, a motion was made by Mr. DeMouy, with

second by Mr. Manzie to approve the above referenced matter, subject to the following conditions:

- 1) **Compliance with Engineering comments** (*The following comments should be addressed prior to acceptance and signature by the City Engineer: A. 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. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. E. Show and label each and every Right-Of-Way and easement. F. Provide and label the monument set or found at each subdivision corner. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H. Provide the Surveyor's Certificate. I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.*)
- 2) **Placement of a note on the final plat** stating that the lot is limited to one curb-cut, with any modifications to the size, design and location to be approved by Traffic Engineering, and conform to AASHTO standards;
- 3) **Compliance with Traffic Engineering comments** (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 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).*); and
- 5) **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.

22. Case #ZON2014-01091 (Planned Unit Development)
(&21) Cobblestone Subdivision, Phase II

17 Towncrier Court

(East side of Towncrier Court, 190'± South of Cobblestone Way North extending to the West side of Foreman Road).

Planned Unit Development Approval to allow reduced sideyard setbacks
Council District 7

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

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

- 1) **Compliance with Engineering comments** (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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. A Land Disturbance Permit application shall be submitted 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. 3. 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) **Placement of a note on the site plan** stating that the lot is limited to one curb-cut, with any modifications to the size, design and location to be approved by Traffic Engineering, and conform to AASHTO standards;
- 3) **Compliance with Traffic Engineering comments** (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 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).);

- 5) **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.*);
- 6) **Placement of a note on the site plan** stating that the 6-foot side yard setback shall only apply to that area adjacent to the sunroom addition, and that the remainder of the side yard shall maintain a 10-foot side yard setback; and
- 7) **Provision of a revised PUD site plan** prior to the completion of the sun room addition.

The motion carried unanimously.

23. Case #ZON2014-00996 (Planned Unit Development)
(&24) UMS Wright School

65 Mobile Street

(Southwest corner of Mobile Street and Old Shell Road, extending North and West to the CN Railroad right-of-way and the South terminus of Martin Street).
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a parking lot addition and multiple buildings on a single building site.

Council District 1

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

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

- 1) **submission of a photometric plan for the practice field area at the time of submittal of a building permit;**
- 2) **revision of the PA and PUD site plans to accurately depict the location of all structures, inc. storage buildings;**
- 3) **compliance with revised Engineering comments:** *"1. Any work performed in the existing ROW (right-of-way or public drainage easement) 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. A Land Disturbance Permit application shall be submitted 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. 3. 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. 4. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 5. The proposed development must comply with all Engineering Department Policy Letters.”;

- 4) **compliance with Traffic Comments:** *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any 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.”;*
- 5) **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.”;*
- 6) **provision of 16 frontage trees along Old Shell Road abutting the practice field site;**
- 7) **future construction of the proposed middle school facility, additional parking, and any other future development will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;**
- 8) **full compliance with all municipal codes and ordinance; and**
- 9) **submission of a revised PUD site plan prior to any request for permits.**

The motion carried unanimously.

24. Case #ZON2014-01111 (Planning Approval)

(&23) UMS Wright School

65 Mobile Street

(Southwest corner of Mobile Street and Old Shell Road, extending North and West to the CN Railroad right-of-way and the South terminus of Martin Street). Planning Approval to amend a previously approved Planning Approval to allow the expansion of an existing church school.

Council District 1

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

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

- 1) submission of a photometric plan for the practice field area at the time of submittal of a building permit;
- 2) revision of the PA and PUD site plans to accurately depict the location of all structures, inc. storage buildings;
- 3) compliance with Engineering comments: *"1. Any work performed in the existing ROW (right-of-way or public drainage easement) 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. A Land Disturbance Permit application shall be submitted 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. 3. 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. 4. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 5. The proposed development must comply with all Engineering Department Policy Letters."*;
- 4) compliance with Traffic Engineering comments: *"Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any 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."*;
- 5) 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.”;

- 6) provision of 16 frontage trees along Old Shell Road abutting the practice field site;
- 7) future construction of the proposed middle school facility, additional parking, and any other future development will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 8) full compliance with all municipal codes and ordinances; and
- 9) provision of a revised PA site plan prior to any request for permits.

The motion carried unanimously.

OTHER BUSINESS:


- 1) Mr. Olsen discussed various amendments to the Planning Commission by-laws.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by DeMouy to approve the amendments to Planning Commission by-laws.

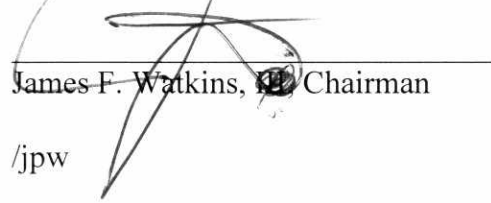
The motion carried unanimously.

- 2) Mr. Olsen then discussed the establishment of a subcommittee for Above Ground Petroleum Product Storage Tanks. The Planning Commission decided on Mr. Roberson, Mr. Webster and Mr. Watkins to be on the subcommittee.

APPROVED: December 4, 2014



Jennifer Denson, Secretary



James F. Watkins, Chairman

/jpw

