

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF MAY 20, 2004 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
Victor McSwain, Secretary
Ann Deakle
Nicholas Holmes
Mead Miller
John Vallas
James F. Watkins, III

Members Absent

Clinton Johnson
James Laier (S)
Victoria L. Rivizzigno

Urban Development Staff Present

Margaret Pappas, Planner II
Shayla Jones, Long Range Planning
Ron Jackson, Urban Forestry
Val Manuel, Secretary II

Others Present

John Lawler, Assistant City Attorney
Jennifer White, Traffic Engineering
Pat Stewart, County Engineering
Beverly Terry, City Engineering

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

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

APPROVAL OF MINUTES:

A motion was made by Ms. Deakle and seconded by Mr. Holmes to approve the minutes of the February 19, 2004, meeting as submitted. The motion carried unanimously.

HOLDOVERS:

Case #SUB2004-00081 (Subdivision)

Burton Industrial Park Subdivision

5770 I-10 Industrial Parkway North (North side of I-10 Industrial Parkway North, 2/10 mile± West of U.S. Highway 90 West).

2 Lots / 1.3± Acres

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Ms. Linda Burkett, with Marshall A. McLeod Professional Land Surveyors, stated that they were having difficulties in locating the adjacent property owner. She requested that the application be heldover for a month.

A motion was made by Mr. Plauche and seconded by Mr. Vallas to holdover this application until the June 17, 2004, meeting at the applicant's request.

The motion carried unanimously.

Case #SUB2004-00088 (Subdivision)

Dyson Estates Subdivision, First Addition, Resubdivision of Lot 1

South side of Gulf Creek Circle (South), 225'± West of Rabbit Creek Drive.

4 Lots / 0.8± Acre

Ms. Pappas stated that the applicant had submitted a letter to the staff requesting that this application be withdrawn. Since the letter was submitted Tuesday before the meeting, it did not allow the staff enough time to mail out notices to all the adjoining property owners.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to withdraw this application at the applicant's request.

The motion carried unanimously.

EXTENSIONS:

Case #SUB2001-00177 (Subdivision)

File #S96-193

Bellingrath Road Country Club Estates Subdivision, Addition to

East terminus of Country Club Boulevard and extending through to the Southwest corner of Old Military Road and Section Line Road.

569 Lots / 243.0± Acres

Request for a one-year extension of previous approval.

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

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Watkins to approve a one-year extension of approval for this subdivision.

The motion carried unanimously.

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GROUP APPLICATIONS:

Case #SUB2004-00100 (Subdivision)

Alderbrook Subdivision, Lot 27, Resubdivision of and Addition to

1941 Foxgate Road (East side of Foxgate Road at its North terminus).

1 Lot / 1.6± Acres

AND

Case #SUB2004-00099 (Subdivision)

Miller Creek Estates Subdivision

North terminus of Foxgate Road, adjacent to the North side of Alderbrook Subdivision, extending to the South terminus of Sasser Lane

2 Lots / 37.2± Acres

Jerry Byrd, Byrd Surveying and Engineering Company, was present representing the applicant. Regarding Miller Creek Estates, it was recommended for denial due to the access to Foxgate Drive. Mr. Byrd asked that instead of Miller Creek being a two-lot subdivision, they would like to have a one-lot subdivision with all frontage running off the end of Foxgate Road. Mr. Byrd said that if the Commission could approve Miller Creek Estates as one lot, then he felt that Alderbrook could be recommended for approval. He said that if the Commission would be inclined to accept his offer, Miller Creek would be a legal lot of record, and then they could approve Alderbrook.

Ms. Pappas explained that the applicant wanted to take the 108' x 220' parcel in Alderbrook and include it with a portion of the nonconforming lot of record. Then all of the frontage would be to Foxgate Road. She stated that the staff was fine with that. Ms. Pappas said that the applicant would like to take the balance of the property, which is Miller Creek Estates Subdivision, and turn it into one lot. She stated that the staff would recommend denial of access to Sasser Lane, because it was unimproved up to this point and limit it to one access to Foxgate Road. Ms. Pappas said that the staff would be agreeable, since this overall 40-acre parcel was a parcel of record. She stated if the Commission were to approve, as revised by Mr. Byrd, it would still have all of Miller's Creek Estates Subdivision as one lot, and then the small piece would become part of the existing legal lot of record (Lot 27 Alderbrook). Ms. Pappas stated that the staff would be agreeable with that, with denial of access to Sasser Lane, and compliance with all federal, state and local permitting requirements for both subdivisions.

Mr. Byrd later asked that these applications be held over to the meeting of June 3, 2004.

A motion was made by Mr. Plauche and seconded by Mr. Vallas to holdover these applications until the June 3, 2004, meeting at the applicant's request.

The motion carried unanimously.

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Case #ZON2004-01047 (Planning Approval)

GulfHealth Properties, Inc.

201 Cox Street (Northwest corner of Cox Street and Center Street).

The request for Planning Approval to allow a child day care center in a B-1, Buffer Business district was considered.

The plan illustrates the existing building and parking.

(Also see Case #ZON2001-01040 – Coleman Cox Street Subdivision (PUD) – Below; and Case #SUB2004-00101 – Coleman Cox Street Subdivision – Below).

Sarah Coleman, applicant, stated that she and her husband own Jessie G. Coleman Day Care located at 130 Louiselle Street, next door to the Mobile Infirmary Day Care. Ms. Coleman said that they purchased the subject property located at the corner of Center and Cox Street. She said that they plan to renovate the property to meet all DHR requirements and relocate their day care from Louiselle Street. Ms. Coleman said that the new property would be an up-to-date facility offering a safer environment for their children. Their contractors had met with Urban Forestry to insure that no heritage trees would be damaged. She also said that one reason they were moving was due to increased traffic on Louiselle Street and flooding. Ms. Coleman said currently there are over seven thousand cars a day traveling in front of their day care. She said traffic is so slow at the proposed new location that the City does not even report it. Ms. Coleman also felt that this new site would be safer than their present site, because the cars would be able to enter from Cox Street and exit onto Center Street. She said that the peak drop off time is 8:30 a.m. and pick up is 5:30 p.m., and they are closed on the weekend. Ms. Coleman said that their day care was not affiliated with the Mobile Infirmary, and it was open to the public.

Becky DeVillier, administrator at USA Children's and Women's Hospital, 1700 Center Street addressed the Commission. Ms. DeVillier stated that she was present representing the University of South Alabama, specifically the women and children that attend Children's and Women's Hospital. Ms. DeVillier stated that they have been implementing a beautification program for a number of years to really improve their environment to make it safe and healthy for the children and women. She said that they created a sculpture park that forms their entrance to the hospital. She also said that they have a very peaceful and quiet environment for their families. As part of that beautification program, Ms. DeVillier said they are in the process of vacating Center Street from the end of the Children's and Women's Parkway Road to the Mobile Infirmary's property on Center Street. Ms. DeVillier also said that they were concerned about having the day care in the area, because it would potentially increase the traffic to their park. She said that they are currently in the process of extending the park to the front door of the hospital and doing an extensive renovation. Ms. DeVillier said that they own all the property that surrounds the hospital. She stated that they were very concerned about keeping their environment in very top condition. She also expressed concern about the difficulty of the turnaround in this property and being able to bring vehicles in. Ms DeVillier felt that the traffic would back up on the street at peak times.

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She said with ten to fifteen ambulances going down that street each day, she felt that it was a potentially hazardous situation. Ms. DeVillier stated that they had worked very carefully to work out the traffic pattern to minimize the traffic on Cox Street in order to have a safe entry and exit for ambulances. She expressed their strong opposition to this proposal and asked that it not be approved or at least hold it over for thirty days so they would have more time to negotiate with the parties at hand.

In rebuttal, Ms. Coleman stated that although they respect USA's request for a holdover, they requested that the application be heard today. Ms. Coleman emphasized that they would by no means bring down the appearance of the park and their entrance. She said that their building would be brought up to City codes. Regarding the increased traffic, Ms. Coleman stated that their parents did not have to come through the park. She said that they could come down Center Street. Ms. Coleman stated that these were public streets and not for the private use of the hospital. She said that their real estate representative had spoken with Bill Metzger of the Traffic Engineering Department and their Department had no concerns about the traffic situation. In fact, she stated that Cox and Center Streets were low volume minor streets.

In later discussion Ms. Deakle asked the Traffic Engineering Department if the cars would stack up and block the ambulance entrance.

Jennifer White of Traffic Engineering stated that the hospital met the minimum requirements for stacking on their own property. Ms. White felt that stacking would not be an issue.

Ms. Deakle asked about the comment that USA was trying to vacate Center Street.

Ms. White noted that the section they wanted to vacate was west of where the day care would be.

Ms. Pappas said that based on the description it would be from the former Walshwood, their new entrance road, from that point west.

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

- 1) limited to the site plan submitted, as required to be revised by these approvals;
- 2) reconfiguration of the North parking facility to provide for two-way circulation and drive;
- 3) removal of all paved areas that will no longer be part of the active parking and circulation facilities;
- 4) elimination of any inactive curb cuts, including removal of paved surfaces and installation of fill and landscape materials;
- 5) completion of the subdivision process; and
- 6) full compliance with all municipal codes and ordinances.

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The motion carried unanimously.

Mr. Vallas recused from discussion and voting.

Case #ZON2004-01040 (Planned Unit Development)

Coleman Cox Street Subdivision

201 Cox Street (Northwest corner of Cox Street and Center Street).

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

The plan illustrates the existing building and parking.

(For discussion see Case #ZON2004-01047 – GulfHealth Properties, Inc. [Planning Approval] – Above; see also Case #SUB2004-00101 – Coleman Cox Street Subdivision – Below).

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

- 1) limited to the site plan submitted, as required to be revised by these approvals;
- 2) reconfiguration of the North parking facility to provide for two-way circulation and drive;
- 3) removal of all paved areas that will no longer be part of the active parking and circulation facilities;
- 4) elimination of any inactive curb cuts, including removal of paved surfaces and installation of fill and landscape materials;
- 5) completion of the subdivision process; and
- 6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Mr. Vallas recused from discussion and voting.

Case #SUB2004-00101 (Subdivision)

Coleman Cox Street Subdivision

201 Cox Street (Northwest corner of Cox Street and Center Street).

1 Lot / 0.8± Acre

(For discussion see Case #ZON2004-01047 – GulfHealth Properties, Inc. [Planning Approval] – Above; see also Case #ZON2004-01040 – Coleman Cox Street Subdivision [PUD] – Above).

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

- 1) dedication of a 25' radius at the intersection of Cox Street and Center Street;

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- 2) elimination of any inactive curb cuts, including removal of paved surfaces and installation of fill and landscape materials; and
- 3) placement of the required 25' minimum building setback line along all street frontages.

The motion carried unanimously.

Mr. Vallas recused from discussion and voting.

Case #ZON2004-01046 (Planning Approval)

Pleasant View Baptist Church

1517 Katye Street (West side of Katye Street, 120'± South of Bank Avenue, extending to the East side of Ruby Street, 190'± South of Bank Avenue).

The request for Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential district, to include increased parking and a storage building was considered.

The plan illustrates the existing building, along with the proposed building and asphalt parking.

(Also see Case #ZON2004-01045 – Pleasant View Baptist Church Subdivision [Planning Approval]– Below; and Case #SUB2004-00097 – Pleasant View Baptist Church Subdivision – Below).

Linda Burkett, with Marshall McLeod Professional Land Surveyors, commented on three of the conditions placed on this application by the staff. Ms. Burkett stated that this church was in a residential neighborhood. She said there were many curb cuts on this property up and down the street. The staff recommendation is to close down those curb cuts, however, the front of the church has natural ingress and egress by their signs. She said they would like to maintain that so they would be entering on the right and exiting on the left. Ms. Burkett said that they would like to keep the curb cuts open. She had photos to illustrate that when the new road was put in no sidewalk was installed.

Leroy Evans, 1520 Ruby Street said there was no sidewalks in the neighborhood. The church has been told once before about the flooding problem. Mr. Evans said the runoff would actually flood houses to the left and right side. Mr. Evans asked the Commission to consider that the residents were trying to beautify Trinity Gardens, and not to flood-out the residents.

In rebuttal, Ms. Burkett stated that she appreciated the comments of the residents and said they were required by the City to have a drainage plan, and they would comply with all City codes for building the parking lot.

Mary Williams, 1514 Ruby Street, said that she lived next door to the subject property. Ms. Williams stated that when they moved dirt in, it would cause flooding up under her house when it rained. She said that she was concerned that construction would make her flooding problem worse.

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In discussion Mr. Plauche noted that the three-foot high fence or wall would be required along Katye Street to screen the parking area from the residential development on the north side of Katye Street.

Regarding condition #4, the closure of all unused curb cuts and curbs, Ms. Pappas said she understood that the church would like to keep the curb cuts that surrounds the existing sign on Katye Street.

Ms. White stated that the drainage concerns would be addressed by City Engineering.

Regarding the recommendation for the provision of sidewalks along all frontage streets, Ms. Pappas noted that even if that condition were excluded from the conditions on the Planning Approval and PUD, they would still have to go through the formal waiver process.

Ms. White said that if the curb cuts were one way in and one way out, it wouldn't be that big of a deal, because they would kind of act as one, going on each side of the sign. She said that they would actually need to include it as part of the diagram and actually show one-way traffic flow pattern so that nobody's try to go out the opposite end.

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

- 1) provision of a buffer, in compliance with Section IV.D.1. where the site adjoins residential development;
- 2) full compliance with the landscaping and tree planting requirements of the Ordinance;
- 3) provision of three-foot high shrubbery along Katye Street to screen the parking area from the residential development on the North side of Katye Street;
- 4) closure of all unused curb cuts, including curbing, back-fill and sod;
- 5) if the new building is used to park the church van, that a paved driveway be provided;
- 6) the marking and signing of all traffic flows as required by Traffic Engineering;
- 7) provision of sidewalks along all street frontages; and
- 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

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Case #ZON2004-01045 (Planned Unit Development)

Pleasant View Baptist Church Subdivision

1517 Katye Street (West side of Katye Street, 120'± South of Bank Avenue, extending to the East side of Ruby Street, 190'± South of Bank Avenue).

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

The plan illustrates the existing building, along with the proposed building and asphalt parking.

(For discussion see Case #ZON2004-01046 – Pleasant View Baptist Church Subdivision [PUD] – Above; see also Case #SUB2004-00097 – Pleasant View Baptist Church Subdivision – Below).

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

- 1) provision of a buffer, in compliance with Section IV.D.1. where the site adjoins residential development;
- 2) full compliance with the landscaping and tree planting requirements of the Ordinance;
- 3) provision of three-foot high shrubbery along Katye Street to screen the parking area from the residential development on the North side of Katye Street;
- 4) closure of all unused curb cuts, including curbing, back-fill and sod;
- 5) if the new building is used to park the church van, that a paved driveway be provided;
- 6) the marking and signing of all traffic flows as required by Traffic Engineering;
- 7) provision of sidewalks along all street frontages; and
- 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2004-00097 (Subdivision)

Pleasant View Baptist Church Subdivision

1517 Katye Street (West side of Katye Street, 120'± South of Bank Avenue, extending to the East side of Ruby Street, 190'± South of Bank Avenue).

1 Lot / 1.6± Acres

(For discussion see Case #ZON2004-01046 – Pleasant View Baptist Church Subdivision [Planning Approval] – Above; see also Case #ZON2004-01045 – Pleasant View Baptist Church Subdivision [PUD] – Above).

A motion was made by Mr. Vallas and seconded by Mr. Miller to approve the above referenced subdivision subject to the following condition:

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- 1) the dedication of the necessary right-of-way to provide 25-feet from the centerline of Katye Street.

The motion carried unanimously.

Case #ZON2004-01049 (Planning Approval)

University Church of Christ, Alpine Hills (William T. Partridge, Jr., Agent)

5651 Zeigler Boulevard (South side of Zeigler Boulevard, 650'± West of University Boulevard, extending to the West side of University Boulevard, 1,050'± South of Zeigler Boulevard).

The request for Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential district to include an administrative office addition was considered.

The plan illustrates the existing and proposed buildings.

(Also see Case #ZON2004-01050 – University Church of Christ, Alpine Hills Subdivision [PUD] – Below; see also Case #SUB2004-00105 University Church of Christ, Alpine Hills Subdivision – Below).

Bill Partridge, W.T. Partridge, Jr. and Associates, was present representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Holmes to approve this plan subject to the following conditions:

- 1) reconfiguration of circulation and parking in the general vicinity of the proposed building, to be approved by Urban Development Staff and the Traffic Engineering Department;
- 2) provision of appropriate signage to deter stopping and blocking of the aisle adjacent to the covered drop-off;
- 3) plans for permitting to reflect all trees required and/or claimed for credit from the previous project; and
- 4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2004-01050 (Planned Unit Development)

University Church of Christ, Alpine Hills Subdivision (William T. Partridge, Jr., Agent)

5651 Zeigler Boulevard (South side of Zeigler Boulevard, 650'± West of University Boulevard, extending to the West side of University Boulevard, 1,050'± South of Zeigler Boulevard).

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

The plan illustrates the existing and proposed buildings.

(For discussion see Case #ZON2004-01049 – University Church of Christ, Alpine Hills Subdivision [Planning Approval] – Above; see also Case #SUB2004-00105 University Church of Christ, Alpine Hills Subdivision – Below).

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Holmes to approve this plan subject to the following conditions:

- 1) reconfiguration of circulation and parking in the general vicinity of the proposed building, to be approved by Urban Development Staff and the Traffic Engineering Department;
- 2) provision of appropriate signage to deter stopping and blocking of the aisle adjacent to the covered drop-off;
- 3) plans for permitting to reflect all trees required and/or claimed for credit from the previous project; and
- 4) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2004-00105 (Subdivision)
University Church of Christ, Alpine Hills Subdivision (William T. Partridge, Jr., Agent)

5651 Zeigler Boulevard (South side of Zeigler Boulevard, 650'± West of University Boulevard, extending to the West side of University Boulevard, 1,050'± South of Zeigler Boulevard).

Lot / 9.0± Acres

(For discussion see Case #ZON2004-01049 – University Church of Christ, Alpine Hills Subdivision [Planning Approval] – Above; see also Case #ZON2004-01050 University Church of Christ, Alpine Hills Subdivision [PUD]– Above).

There was no one present in opposition.

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

- 1) placement of a note on the final plat stating that the site is limited to two curb cuts to Zeigler Boulevard and one curb cut to University Boulevard, location and design to be approved by Traffic Engineering; and
- 2) placement of a note on the final plat stating that there shall be no direct connection or direct cut through from Zeigler Boulevard to University Boulevard.

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The motion carried unanimously.

NEW PLANNING APPROVAL APPLICATION:

Case #ZON2004-01048

The House of Joshua Christian Center Church, Inc. (Rev. Joseph Day, Agent)

2727 Mill Street (South side of Mill Street, 350'± East of Bay Shore Avenue).

A request for Planning Approval to allow a church in an R-1, Single-Family Residential district was considered.

The site plan illustrates the existing building, drive, and trees, along with proposed parking.

Rev. Joseph Day was present representing the applicant and concurred with the staff recommendations. He said that the structure had previously been used as a church in the 70's and early 80's and he was seeking approval to continue to use the building as a church.

In discussion Ms. Pappas stated that the applicant could not use the building until the building was brought up to City code. She said that condition #2 gives him seven months to bring the parking and landscaping up to code if they choose to stay there. Ms. Pappas noted that they were in the process of finding another facility, but if condition #2 is not complied with, however, the whole thing becomes null and void.

There was no one present in opposition

A motion was made by Ms. Deakle and seconded by Mr. Miller to approve this plan subject to the following conditions:

- 1) the structure be brought into compliance with all applicable building, electrical, mechanical, plumbing and fire codes prior to any non-residential occupancy;
- 2) the site be brought into full compliance with all requirements of the Zoning Ordinance, including paved parking, access, landscaping and tree plantings, and signage by January 15, 2005;
- 3) any work on or under the 35" Live Oak in the southeast corner of the property is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger; and
- 4) if conditions 1 & 2 are not complied with in the specified time frames, this approval will expire and become null and void.

The motion carried unanimously.

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NEW SUBDIVISION APPLICATIONS:

Case #SUB2004-00104

Chambliss Subdivision

3421 Riviere du Chien Road (East side of Riviere du Chien Road, 250'± South of the East terminus of Juniper Avenue).

2 Lots / 7.0± Acres

Ms. Pappas stated that the applicant had submitted documentation to verify that this was a legal lot of record. The staff therefore recommended approval with the waiver of Section V.D.3. the width-to-depth ratio; the submission of documentation that there are two houses on one lot to establish both as legal non-conforming uses in existence prior to 1968; and, the approval of all applicable federal, state, and local agencies.

A motion was made by Mr. Vallas and seconded by Ms. Deakle to waive Section V.D.3. and approve the above referenced subdivision subject to the following conditions:

- 1) the submission of documentation to establish the second dwelling as a legal nonconforming use prior to 1967; and
- 2) the approval of all applicable federal, state, and local agencies.

The motion carried unanimously.

Case #SUB2004-00103

Indian Commercial Park Subdivision, Phase II

South side of Zeigler Boulevard, 200'± East of Schillinger Road, extending to the East side of Schillinger Road, 300'± South of Zeigler Boulevard.

14 Lots / 7.0± Acres

Mr. Don Coleman of Rester and Coleman Engineers, Inc., was representing the applicant. Mr. Coleman requested a holdover until the June 3, 2004 meeting.

A motion was made by Mr. Plauche and seconded by Mr. Holmes to holdover this application until the June 3, 2004, meeting at the applicant's request.

The motion carried unanimously.

Case #SUB2004-00096

Fairoaks Subdivision, Resubdivision of Block 7, Revised

2478 Pinetree Drive (North side of Pinetree Drive at its West terminus).

2 Lots / 0.8± Acre

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

There was no one present in opposition.

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A motion was made by Ms. Deakle and seconded by Mr. Watkins to waive Section V.D.2. and approve the above referenced subdivision subject to the following condition:

- 1) the placement of the 25-foot minimum setback line on the final plat.

The motion carried unanimously.

Case #SUB2004-00095

Shipman Place Subdivision

North side of Baltimore Street, 85'± West of Marine Street, extending to the West side of Marine Street, 40'± North of Baltimore Street.

2 Lots / 0.3± Acre

A motion was made by Mr. Plauche and seconded by Mr. Vallas to holdover this application until the June 3, 2004, meeting as recommended by the staff.

The motion carried unanimously.

Case #SUB2004-00102

Taylor Estates Subdivision

48 Hillwood Road (Northwest corner of Hillwood Road and Drury Lane).

2 Lots / 1.5± Acres

Mr. Don Coleman of Rester and Coleman Engineers, Inc., was representing the applicant. Mr. Coleman requested a holdover until the June 3, 2004 meeting.

A motion was made by Mr. Plauche and seconded by Ms. Deakle to holdover this application until the June 3, 2004, meeting at the applicant's request.

The motion carried unanimously.

Case #SUB2004-00098

Todd Estates Subdivision

South side of Henning Drive South, 240'± West of Henning Drive East.

3 Lots / 4.5± Acres

Jerry Byrd, Byrd Surveying and Engineering, was present representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to waive Section V.D.3. and approve the above referenced 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

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2) the placement of the 25-foot minimum setback lines on the final plat.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2004-01056

CEI Engineering Associates, Inc.

East side of East I-65 Service Road South, ¼ mile± South of the West terminus of Emogene Street.

The request to waive construction of a sidewalk along East I-65 Service Road South was considered.

The applicant was present and concurred with the staff recommendation for approval.

A motion was made by Mr. Vallas and seconded by Mr. Miller to approve this request.

The motion carried unanimously.

Case #ZON2004-01016

Christ Temple Apostolic Church

801 Virginia Street (South side of Virginia Street, extending from South Washington Avenue to South Broad Street).

The request to waive construction of sidewalks on all street frontages was considered.

Eugene Morgan, Chairman to the Building Committee Chairman for the church, stated that their representative was coming from out of town and apparently had been delayed. He requested that the application be held over until the June 3, 2004 meeting.

A motion was made by Mr. Plauche and seconded by Mr. Vallas to holdover this application until the June 3, 2004, meeting at the applicant's request.

The motion carried unanimously.

Case #ZON2004-01015

Ronald Twilley

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

The request to waive construction of a sidewalk along Center Drive.

The applicant was present and concurred with the staff recommendation for approval.

A motion was made by Mr. Watkins and seconded by Mr. Miller to approve this request.

The motion carried unanimously.

OTHER BUSINESS:

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Call for Public Hearing – Smart Growth Initiative Document

Ms. Pappas stated that this was basically a statement of policy and practice. It would not amend any codes or ordinances by virtue of its adoption. It does, however, lay out the framework for amending codes and ordinances that would be in compliance with the City's Smart Growth Plan which the Commission adopted a year ago this past April. This hearing will be held on June 17, 2004.

Call for Public Hearing – Petition to Annex

Ms. Pappas stated that a petition and all the corresponding documents for the City to consider annexation had been submitted by Integrity Music. The first step in consideration is for the Planning Commission to review the petition. This public hearing will be held July 15, 2004.

There being no further business, the meeting was adjourned.

APPROVED: July 15, 2004

Victor McSwain, Secretary

Terry Plauche, Chairman

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