

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JUNE 18, 2009 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Mead Miller
Roosevelt Turner
John Vallas
James F. Watkins, III

Members Absent

Clinton Johnson
Victoria L. Rivizzigno, Secretary
Stephen J. Davitt, Jr.
Nicholas H. Holmes, III

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
Tony Felts,
Planner I
David Daughenbaugh,
Urban Forestry Coordinator
Joanie Stiff-Love,
Secretary II

Others Present

John Lawler,
Assistant City Attorney
John Forrester,
City Engineering

Jennifer White,
Traffic Engineering

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

Mr. Plauche stated the number of members present constituted a quorum and called the meeting to order, advising all attending of the policies and procedures pertaining to the Planning Commission.

HOLDOVERS:

Case #SUB2009-00060 (Subdivision)

Alexis Place Subdivision

3700 Schillinger Road North
East side of Schillinger Road North at the East terminus of Hi Wood Circle South
Number of Lots / Acres: 66 Lots / 16.5± Acres
Engineer / Surveyor: Austin Engineering Co. Inc.
County

The Chair stated the matter had been recommended for approval.

Millard Austin, Austin Engineering Co., spoke on behalf of the applicant, and expressed the following concerns:

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- A. regarding dedication of the right-of-way on the property noted as “future development”, also to be known as lot 67, the individual involved with that parcel was an unwilling participant with regards to participating in the dedication of right-of-way at this time; and,
- B. clarification regarding construction within the easement, stating the easement would be used for utilities.

Mr. Vallas asked if right-of-way dedication could be held off as it related to lot 67, currently labeled as “future development”, until such time as it was developed.

Mr. Olsen advised that could be done if the Commission so desired.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Vallas, to waive of Section V.B.6 of the Subdivision Regulations and to approve the above referenced subdivision, subject to the following conditions:

- 1) **final plat to be signed and recorded simultaneously with Alexis Commercial Park Subdivision;**
- 2) **dedication of sufficient right-of-way to provide a minimum 50’ as measured from the centerline of Schillinger Road North, with the “future development” area excluded from this requirement until it is developed;**
- 3) **placement of a note on the final plat stating that Lots 1-66, which includes all corner lots, are limited to one curb cut each, with the sizes, locations, and designs to be approved by County Engineering and conform with AASHTO standards;**
- 4) **provision of adequate radii, in compliance with Section V.A.16 of the Subdivision Regulations, at all curves within the street network (both sides) and at the intersection of Alexis Park Drive and Schillinger Road North;**
- 5) **construction of the streets to County Engineering Standards and accepted by County Engineering prior to signing the final plat;**
- 6) **placement of a note on the final plat stating that the maintenance of the common areas is the responsibility of the property owners;**
- 7) **placement of a note on the final plat stating that no building construction is allowed within easements;**
- 8) **placement of a note on the 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;**
- 9) **placement of a note on the final plat stating that any lots developed commercially and adjoin residentially developed**

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property shall provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations; and,
10) submission of a letter from a licensed engineer certifying compliance with the City of Mobile's stormwater and flood control ordinances to the Mobile County Engineering department and the Planning Section of Mobile Urban Development prior to issuance of any permits.

The motion carried unanimously.

Case #SUB2009-00069 (Subdivision)

RPM Subdivision

2852 Dauphin Island Parkway

Southwest corner of Dauphin Island Parkway and Levene Road

Number of Lots / Acres: 1 Lot / 0.7± Acre

Engineer / Surveyor: Frank A. Dagley & Associates, Inc.

Council District 3

The Chair announced the matter had been recommended for denial, however, if there were those who wished to speak on the matter to please do so at that time.

Frank Dagley, Frank Dagley and Associates, spoke on behalf of the applicant and requested the matter be held over.

Michael Mallini, 7615 Bay Road, Mobile, AL 36604, spoke in opposition to the matter. He presented a petition showing area residents opposition to the re-location of a state owned ABC store to the location. He also presented documents from Riverside Baptist Church regarding the same.

Mr. Olsen advised Mr. Mallini and the Commission the only issue the Commission had any purview over was the access to Levene Road, as the intended use was a state owned and operated liquor store. He reminded all in attendance that all government entities are exempt from Zoning Ordinances as long as the developments are created by and for the exclusive use of those government entities.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the July 16, 2009, meeting at the applicant's request.

The motion carried unanimously.

Case #ZON2009-01269 (Planned Unit Development)

Mobile Carnival Association, Inc.

561 Stuart Circle

South side of Stuart Circle at its West terminus

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site

Council District 2

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) **compliance with Engineering comments (*Site is located in AE Flood Zone and FEMA designated Floodway; development must meet all FEMA requirements. Fill is not allowed without providing compensation or completing a flood study. Show Minimum FFE on plans and plat. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 2) **revision of the site plan to depict full compliance with the tree and landscaping requirements of the Zoning Ordinance, including the provision of perimeter and parking trees;**
- 3) **placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;**
- 4) **placement of a note on the site plan stating that the site will be illuminated in accordance with the requirements of Section 64-4.A.2. of the Zoning Ordinance;**
- 5) **depiction of a dumpster on the site with screening if one will be used, or placement of a note on the plan stating how waste will be removed from the site; and,**
- 6) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #ZON2009-01268 (Planning Approval)

Mobile Carnival Association, Inc.

561 Stuart Circle

South side of Stuart Circle at its West terminus

Planning Approval to allow a float Barn in a B-4, General Business District
Council District 2

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) **compliance with Engineering comments (*Site is located in AE Flood Zone and FEMA designated Floodway; development must meet all FEMA requirements. Fill is not allowed without providing compensation or completing a flood study. Show Minimum FFE on plans and plat. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 2) **revision of the site plan to depict full compliance with the tree and landscaping requirements of the Zoning Ordinance, including the provision of perimeter and parking trees;**
- 3) **placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;**
- 4) **placement of a note on the site plan stating that the site will be illuminated in accordance with the requirements of Section 64-4.A.2. of the Zoning Ordinance;**
- 5) **depiction of a dumpster on the site with screening if one will be used, or placement of a note on the plan stating how waste will be removed from the site; and,**
- 6) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

EXTENSIONS:

Case #SUB2008-00095 (Subdivision)

Falling Leaf Subdivision, Unit Two

East side of Sollie Road, 400'± North of the East terminus of Isle of Palms Drive, extending to the East terminus of Raleigh Boulevard

Number of Lots / Acres: 82 Lots / 43.8± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 6

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced extension, with the advisement that future extensions will be unlikely without road or bridge construction underway and/or some units being recorded.

The motion carried unanimously.

Case #ZON2008-01208 (Planned Unit Development)

Falling Leaf Subdivision, Units One & Two

East side of Sollie Road, 400'± North of the East terminus of Isle of Palms Drive, extending to the East terminus of Raleigh Boulevard

Planned Unit Development Approval to allow a gated private street single-family residential subdivision with one-lane, one-way streets and reduced lot widths and sizes

Council District 6

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced extension, with the advisement that future extensions will be unlikely without road or bridge construction underway and/or some units being recorded.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2009-00084

Dog River Park Subdivision, Whites Addition to

2115 Staples Road

South side of Staples Road, 70'± East of Morhaven Drive

Number of Lots / Acres: 2 Lots / 0.5± Acre

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

Council District 3

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) **placement of a note on the final plat stating that each lot is limited to one curb cut to Staples Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **illustration of the 25' minimum building setback line along Staples Road;**
- 3) **illustration of the dwellings meeting required side yard setback off the interior property line as per the preliminary plat;**
- 4) **labeling of each lot with its size in square feet, or the provision of a table on the final plat furnishing the same information;**
- 5) **placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened or otherwise protected species; and,**
- 6) **subject to the Engineering Comments: *(Show Minimum FFE on each lot shown on plat. Fill is not allowed without providing compensation or completing a flood study. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit).***

The motion carried unanimously.

Case #SUB2009-00085

Lartigue's Landing Subdivision, Re-subdivision of Lots 2 & 3

South side of Riviere Du Chien Road, 250'± East of the Louisville and Nashville Railroad

Number of Lots / Acres: 2 Lots / 4.2± Acres

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

Council District 4

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The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) **placement of a note on the final plat stating that both lots shall share a common curb cut to Riviere du Chien Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **addition of a signature block to the final plat for the City Traffic Engineer to sign;**
- 3) **illustration of the 25' minimum building setback line along Riviere du Chien Road for Lot A, and a 50'' minimum building setback line for Lot B, as measured from the South line of Lot A;**
- 4) **revision of the plat to label each lot with its size in both square feet and acres, or the provision of a table on the plat furnishing the same information;**
- 5) **placement of a note on the final plat stating that there shall be no future re-subdivision to create additional lots unless a City standard street is to be dedicated and constructed to provide access;**
- 6) **placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,**
- 7) **subject to the Engineering Comments: *(Show Minimum FFE on each lot shown on plat. Fill is not allowed without providing compensation or completing a flood study. Work in wetlands must have approval from Corps of Engineers. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit).***

The motion carried unanimously.

Case #SUB2009-00086

Crest View Subdivision, First Additon, Re-subdivision of Lot 16, Block A

4300 Coalesway Drive

Northwest corner of Coalesway Drive and Belvedere Street

Number of Lots / Acres: 2 Lots / 0.7± Acre

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 4

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Don Coleman, Rester and Coleman Engineers, Inc., spoke on behalf of the applicant and requested the matter be held over.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Miller, to hold the matter over until the July 16, 2009, meeting, per the applicant's request.

The motion carried unanimously.

Case #SUB2009-00087

Downtown West Subdivision, Unit Six, Re-subdivision of Lots 34, 35, 36 & 37, Re-subdivision of Lots 1 & 2, Re-subdivision of Lot 1

4344 Downtowner Loop South

North side of Downtowner Loop South, 340'± East of Downtowner Loop West

Number of Lots / Acres: 2 Lots / 1.3± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 5

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 reference re-subdivision, subject to the following conditions:

- 1) retention of the labeling of the size of the lot, in square feet, or provision of a table on the plat with the same information;**
- 2) depiction of at least a 25-foot minimum building setback line along all public rights-of-way;**
- 3) placement of a note on the final plat limiting Lot 1A to the one existing curb cut and limiting Lot 2A to one curb cut with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards;**
- 4) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,**
- 5) full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2009-00079

Evergreen Gardens Subdivision, Re-subdivision of Lot 162, Unit No. 2.

4225 Higgins Road

Southwest corner of Higgins Road and Todd Acres Drive

Number of Lots / Acres: 3 Lots / 1.0± Acre

Engineer / Surveyor: Haidt Land Surveying

Council District 4

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 reference re-subdivision, subject to the following conditions:

- 1) **retention of the labeling of the size of the lot, in square feet, or provision of a table on the plat with the same information;**
- 2) **deletion of the notation regarding dedication along Higgins Road;**
- 3) **depiction of at least a 25-foot minimum building setback line along Higgins Road;**
- 4) **depiction of at least a 25-foot minimum building setback line along Todd Acres Drive for Lot 1;**
- 5) **depiction of at least a 30-foot minimum building setback line along Todd Acres Drive for Lots 2 and 3;**
- 6) **placement of a note on the final plat limiting Lots 1 and 2 to the existing curb cuts and limiting Lot 3 to one curb cut with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards;**
- 7) **compliance with City Engineering comments: *Show Minimum FFE on each lot shown on plat. Fill is not allowed without providing compensation or completing a flood study. Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit;***
- 8) **placement of a note on the final plat stating that approval of all applicable federal, state, and local agencies would be required prior to the issuance of any permits;**
- 9) **placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,**
- 10) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2009-00080

Deer River Commercial Park Subdivision

North side of Laurendine Road, 3/10 mile ± East of Rangeline Road

Number of Lots / Acres: 4 Lots / 67.5± Acres

Engineer / Surveyor: Austin Engineering Co, Inc.

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 reference subdivision, subject to the following conditions:

- 1) **revision of the plat to label the “future development” parcel as Lot 4;**
- 2) **placement of a note on the final plat stating that Lots 1 and 2 are limited to two curb cuts each, while Lots 3 and 4 are limited to one curb cut each to Laurendine Road, with the sizes, locations, and designs to be approved by County Engineering and in conformance with AASHTO standards;**
- 3) **the applicant receive the approval of all applicable federal, state, and local environmental agencies will be required prior to the issuance of any permits or land disturbance activity;**
- 4) **placement of a note on the final plat stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 5) **retention of the note on the final plat stating that any lots developed commercially and adjoin residentially developed property shall provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations; and,**
- 6) **submission of a letter from a licensed engineer certifying compliance with the City of Mobile’s stormwater and flood control ordinances to the Mobile County Engineering department and the Planning Section of Mobile Urban Development prior to issuance of any permits.**

The motion carried unanimously.

Case #SUB2009-00083

Sellers Family Estates Subdivision

2700 Ellen Drive

East side of Ellen Drive, 780'± South of McLean Drive

Number of Lots / Acres: 4 Lots / 20.8± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Turner, to waive of Sections V.D.1. and V.D.3., so the plat meets the minimum requirements of the Subdivision Regulations and approve the above referenced subdivision, subject to the following conditions:

- 1) **placement of a note on the final plat stating that Lot 1 is limited to two curb cuts to Ellen Drive, and Lots 2, 3, and 4 are limited to one curb cut each onto Ellen Drive, with the size, location, and design of all curb cuts to be approved by County Engineering and conform to AASHTO standards;**
- 2) **illustration of the building setback line for Lots 1 and 2 as measured from the Ellen Drive right-of-way, and as measured from the Lot 4 “pole” for Lot 3, and from the rear line of Lot 2 for Lot 4;**
- 3) **labeling of each lot with its size in acres, or the furnishing of a table on the final plat providing the same information;**
- 4) **placement of a note on the final plat stating that development of the subdivision shall comply with the Environmental and Watershed Protection requirements of Section V.A.5. of the Subdivision Regulations;**
- 5) **placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 6) **placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provided a buffer, in compliance with Section V.A.7 of the Subdivision Regulations; and,**
- 7) **placement of a note on the final plat stating that that there shall be no future re-subdivision of Lots 3 and 4 to create additional lots unless a County standard street is to be dedicated and constructed to provide access.**

The motion carried unanimously.

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Case #SUB2009-00082

T. E. Houston Subdivision

5644 Three Notch Road

North side of Three Notch Road, 430'± East of Calhoun Road, extending to the South side of Jackson Road, 300'± East of Calhoun Road

Number of Lots / Acres: 6 Lots / 4.0± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 4

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Miller, to hold the matter over until the July 16, 2009, meeting, with revisions due by June 29, 2009, so that the following items can be addressed:

- 1) **revision of the plat to eliminate the crossing of the city limits, or provision of a written statement that the owner will petition for inclusion or exclusion from the city;**
- 2) **revision of the plat to depict all existing buildings so that staff can determine if the proposed subdivision will create setback issues;**
- 3) **revision of the plat to depict dedication adequate to provide 50-feet from the centerline of Three Notch Road, and adjustment of the minimum building setback line to reflect dedication;**
- 4) **revision of the plat to show existing curb-cuts which the applicants desire to retain; and,**
- 5) **provision of a written statement justifying the flag lot.**

The motion carried unanimously.

Case #SUB2009-00088

Oak Forest Place Subdivision

South side of Clarke Road, 156'± East of Dawes Road

Number of Lots / Acres: 15 Lots / 9.5± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. DeMouy, with second by Mr. Turner, to waive Section V.D.2. for lot size and lot width and approve the above referenced subdivision, subject to the following conditions:

- 1) **compliance with the Mobile County Flood Damage Prevention**

Ordinance;

- 2) compliance with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances, and submittal of a letter from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances prior to the issuance of any permits;
- 3) placement of a note on the final plat stating that each lot and the common area are limited to one curb-cut each, with the size, design and location to be approved by Mobile County Engineering, and to comply with AASHTO standards;
- 4) placement of a note on the final plat stating that maintenance of the common area is the responsibility of property owners;
- 5) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and federal laws pertaining to wetlands;
- 6) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and federal laws pertaining to endangered and threatened species;
- 7) depiction of the minimum building setback line and lot size information, as depicted on the preliminary plat; and,
- 8) placement of a note on the final plat stating that 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 APPLICATIONS:

Case #ZON2009-01426

Pike Manor Ltd.

5905 Rangeline Road

Northeast corner of Rangeline Service Road and Abigail Drive

Request to waive construction of a sidewalk along Rangeline Service Road and Abigail Drive

Council District 4

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. DeMouy, with second by Mr. Turner, to approve the above requested sidewalk waiver.

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The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2009-01427

Grant Harkness

East side of East I-65 Service Road South, 170'± West of Commerce Court East
Planned Unit Development Approval to allow multiple buildings on a single building
site and shared access across multiple lots
Council District 5

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the July 16, 2009, meeting with revision due by June 29, 2009, so that the following revisions to the site plan can be made:

- 1) **revision of the site plan to reflect the recorded subdivision plat boundary;**
- 2) **revision of the site plan to show all existing buildings on the site, and label their use and size, as well as the location of the dumpster;**
- 3) **revision of the site plan (both lots) to show full compliance with the paving requirements of the Zoning Ordinance;**
- 4) **revision of the site plan and provision of the written description that describes the storage area for Lot 2 – the types of vehicles and equipment kept in the area;**
- 5) **revision of the site plan to depict full compliance with the tree, landscaping and buffering requirements of the Zoning Ordinance for Lot 2; and,**
- 6) **revision of the site plan to comply with Engineering comments, including the depiction and labeling of stormwater detention facilities, if required (*Must provide detention for any impervious areas added since 1984. On-site drainage must tie subsurface to a City maintained drainage system.*)**

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2009-00081 (Subdivision)

UNO Subdivision, Phase Two

2889 Sollie Road

East side of Sollie Road, 245'± South of Shadow Creek Drive

Number of Lots / Acres: 17 Lots / 10.3± Acres

Engineer / Surveyor: Engineering Development Services, LLC

Council District 6

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 reference subdivision, subject to the following conditions:

- 1) **the dedication of sufficient right-of-way along Sollie Road to provide 50-feet from the centerline of Sollie Road;**
- 2) **placement of a note on the site plan and Final Plat stating that direct access to Sollie Road is denied for lots 7, 9, 10 and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, with the size, design, and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 3) **a note should be placed on the Final Plat stating that further subdivision of these remaining parcels would be required prior to development;**
- 4) **full compliance with the Traffic Engineering comments and the placement of a note on the Final Plat stating (*The connection shown between the single family units and the apartment complex is to be an emergency access only and should be gated, as defined by the Traffic Impact Study*).**
- 5) **placement of a note on the site plan and Final Plat limiting corner lots 6, 8, and 13 to one curb cut each, with the size, design, and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 6) **labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;**
- 7) **development of the site to be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,**
- 8) **obtain all necessary federal, state, and local permits for wetlands and floodplain issues.**

The motion carried unanimously.

Case #ZON2009-01406 (Planned Unit Development)

UNO Subdivision, Phase Two

2889 Sollie Road

East side of Sollie Road, 245'± South of Shadow Creek Drive

Planned Unit Development Approval to amend a previously approved Planned Unit Development Approval to allow the construction of a single family residential neighborhood

Council District 6

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 reference Planned Unit Development, subject to the following conditions:

- 1) **placement of a note on the site plan stating that maintenance of the common areas is the responsibility of the homeowners (association);**
- 2) **placement of a note on the site plan and Final Plat stating that direct access to Sollie Road is denied for lots 7, 9, 10 and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, with the size, design, and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 3) **full compliance with the Traffic Engineering comments (*The connection shown between the single family units and the apartment complex is to be an emergency access only and should be gated, as defined by the Traffic Impact Study*).**
- 4) **placement of a note on the site plan and Final Plat limiting corner lots 6, 8, and 13 to one curb cut each, with the size, design, and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 5) **full compliance with 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) **labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;**
- 7) **development of the site to be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 8) **a note should be placed on the site plan stating that further subdivision of these remaining parcels would be required prior to development;**

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- 9) obtain all necessary federal, state, and local permits for wetlands and floodplain issues;
- 10) use of “best management practices” during site development, in compliance with Section V.A.5. of the Subdivision Regulations, to minimize erosion and sedimentation during site development;
- 11) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat; and,
- 12) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

OTHER BUSINESS:

Hearing no further business, the meeting was adjourned.

APPROVED: October 15, 2009

Dr. Victoria Rivizzigno, Secretary

Terry Plauche, Chairman.

jsl