

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF APRIL 16, 2015 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Mr. James (Jay) F. Watkins, Chairman  
Mr. Carlos Gant, Vice Chair  
Ms. Sujin Kim  
Mr. Nick Amberger (AO)  
Ms. Libba Latham (PJ)  
Mr. Don Hembree (PJ)  
Ms. Shirley Sessions  
Mr. Thomas Doyle

**Members Absent**

Ms. Jennifer Denson (S), Secretary  
Mr. Levon Manzie (CC)  
Mr. P. Nigel Roberts  
Mr. John Vallas  
Mr. Allan Cameron (S)

**Urban Development Staff Present**

Richard L. Olsen,  
Deputy Director of Planning  
Bert Hoffman,  
Planner II  
Jessica Watson  
Secretary II

**Others Present**

Doug Anderson,  
Assistant City Attorney  
George Davis,  
City Engineering  
Marybeth Bergin,  
Traffic Engineering  
James May  
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. Watkins stated the number of members present constituted a quorum and advised all attending of the policies and procedures pertaining to the Planning Commission.

**HOLDOVERS:**

1. **1621 Virginia Street**  
(Southeast corner of Virginia Street and Lott Street, extending to the North side of Dublin Street East).  
Council District 2
  - A. **SUB2014-00131 (Subdivision)**  
**Ladd Peebles Stadium Subdivision**  
**Number of Lots / Acres:** 2 Lots / 43.1± Acres  
**Engineer / Surveyor:** Joe Schifano

The Chair announced the applications had been recommended for holdover. He added

if anyone wished to speak on the matter they should do so at that time.

Brooks Milling, Hand Arendall LLC, spoke on behalf of the applicant. He requested that the applications be heldover until June 18<sup>th</sup>; they are in the process of submitting drawings to reflect a revised location.

Jerryln Rushing London, 3720 Holly Ridge Circle, spoke in opposition to the matter. She stated that she is opposed to a cell phone tower at this location and believes that there are too many cell phone towers already.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Amberger to hold the matter over until the May 21<sup>st</sup> meeting to allow the applicant to make revisions to the site plans and plat, with revisions to be submitted to staff by April 24<sup>th</sup>.

The motion carried unanimously.

**B. ZON2014-02188 (Planned Unit Development)**

**Ladd Peebles Stadium Subdivision**

Planned Unit Development Approval to allow shared access between two building sites.

The Chair announced the applications had been recommended for holdover. 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. Watkins, with second by Mr. Amberger to hold the matter over until the May 21<sup>st</sup> meeting to allow the applicant to make revisions to the site plans and plat, with revisions to be submitted to staff by April 24<sup>th</sup>.

The motion carried unanimously.

**C. ZON2014-02190 (Planning Approval)**

**Ladd Peebles Stadium Subdivision**

Planning Approval to allow a cell tower in a B-3, Community Business District.

The Chair announced the applications had been recommended for holdover. 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. Watkins, with second by Mr. Amberger to hold the matter over until the May 21<sup>st</sup> meeting to allow the applicant to make revisions to the site plans and plat, with revisions to be submitted to staff by April 24<sup>th</sup>.

The motion carried unanimously.

2. **7054 Howells Ferry Road**

(Northeast corner of Howells Ferry Road and Cody Road).

Council District 7

**ZON2015-00264**

**Robert Brown**

Rezoning from R-1, Single-Family Residential District and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, to allow a banquet hall.

The Chair announced the application had been recommended for holdover and stated the applicant was agreeable with the recommendation. 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. Hembree, with second Ms. Latham to hold the matter over until the May 7, 2015 meeting so that all applications may be heard at the same meeting as the Planned Unit Development.

The motion carried unanimously.

3. **1607 East I-65 Service Road South**

**(East side of East I-6 Service Road South, 950'+ North of I-65 Commerce Drive).**

Council District 4

**ZON2015-00394**

**Grant Harkness**

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow an additional building.

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.

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that this application is for Blue Rents and the application is to build an additional building on their site. The 6900 square foot building will be used for storage. Mr. Dagley stated that there are several of the conditions that they are not in agreement with. The first condition he noted is that there is no heavy equipment on the site and do not feel as if they need to get Planning Approval. The second condition is that Staff is requesting that the applicant come into full compliance with paving or obtaining a variance to allow continuing use of aggregate surfacing. They would like the gravel storage area to remain; Blue Rents has occupied this site since the 1960's. He asked that condition #4 be removed; he noted that any future development would require the applicant to come back to revise the PUD and landscaping requirements could be addressed at that time. Mr. Dagley stated that they would like condition #5 to be

revised to add that the buffer will be provided when the adjacent residential property is developed. He also stated that all buildings that are on the site are shown on the site plan.

Mr. Olsen responded that the Staff used OSHA's definition of heavy equipment to define what was found on Blue Rent's website.

Grant Harkness, 1601 East I-65 Service Road South, spoke on his own behalf. He stated that over the years they have transitioned from the heavy equipment rental business into the event rental business. He stated that their heaviest piece of equipment that they have at this time is roughly 5,000 pounds.

Mr. Olsen stated that rather than eliminating Condition #1 they could change it to state No additional heavy equipment rental and leasing.

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

- 1) no additional heavy equipment rental and leasing beyond what currently exists;
- 2) provision of tree plantings as required by the 2005 Planned Unit Development approval;
- 3) placement of a note on the site plan stating that any future expansions will require full tree planting and landscape area requirements, to the greatest degree practicable;
- 4) provision of a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance;
- 5) illustration of all buildings on the site;
- 6) comply 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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For*

*Erosion and Sedimentation Control and Storm Water Runoff Control. 4. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);;*

- 7) **comply with Traffic Engineering comments (Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and 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.); and**
- 8) **provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to issuance of any permits.**

The motion carried unanimously.

**4. 915 South Lawrence Street  
(West side of South Lawrence Street at the West terminus of South Carolina Street).**

Council District 3

**A. ZON2015-00398 (Planned Unit Development)  
Maritech Marine & Industrial Services, Inc.**

Planned Unit Development Approval to allow multiple buildings on a single Building site.

The Chair announced the application had been recommended to be withdrawn 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.

After discussion, the Planning Commission allowed the applicant to withdraw the application.

**B. ZON2015-00397 (Sidewalk Waiver)  
Maritech Marine & Industrial Services, Inc.**

Request to waive construction of a sidewalk along South Lawrence Street.

The Chair announced the application had been recommended to be withdrawn 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.

After discussion, the Planning Commission allowed the applicant to withdraw the application.

**EXTENSIONS:**

**5. 10 North Royal Street**

(Northeast corner of North Royal Street and Dauphin Street extending to the Southwest corner of North Water Street and St Francis Street.

Council District 2

**Case #SUB2014-00039 (Subdivision)**

**Battlehouse Parking Deck Two Subdivision**

**Number of Lots / Acres:** 2 Lots / 3.5± Acres

**Engineer / Surveyor:** Goodwyn, Mills & Cawood, Inc.

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. Watkins, with second by Ms. Latham to approve a one year extension of approval for the above referenced application. The applicant was advised that future extensions will be unlikely.

The motion carried unanimously.

**NEW SUBDIVISION APPLICATIONS:**

**6. 6461 Barnes Drive**

(South side of Barnes Drive, 2/10± mile West of Nan Gray Davis Road).

County

**SUB2015-00027**

**Wide Acres Subdivision, Resubdivision of Lot 38**

**Number of Lots / Acres:** 2 Lots / 1.8± Acre

**Engineer / Surveyor:** Driven Engineering, Inc.

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.

Dennis Evans, 4069 Moffett Road, spoke on his own behalf. He stated that he was not aware of the conditions for approval.

The Chair allowed Mr. Evans time to review the conditions.

Mr. Evans stated that he was in agreement with the conditions.

Hearing no opposition or further discussion, a motion was made by Mr. Hembree, with second by Mr. Amberger to waive Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) Placement of a note on the Final Plat stating that Lot 1 is limited to the existing curb-cut to Barnes Road, with any changes to the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 2) Placement of a note on the Final Plat stating that Lot 2 is limited to 1 curb-cut to Barnes Road, with the size, design or location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 3) Revision of the lot size information to include both acres and square feet on the Final Plat;
- 4) Retention of the 25' minimum building setback line on the Final Plat;
- 5) 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.);*
- 6) 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and*
- 7) Compliance with Engineering Comments and placement as a note on the Final Plat: *(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.

7. South side of Airport Boulevard, extending to the West terminus of Fangorn Road, the Southern terminus of Anna Court, and the Eastern terminus of O'Hara Drive  
County

**SUB2015-00029**

**West Point Plaza Subdivision, First Addition**

**Number of Lots / Acres:** 3 Lots / 18.8 ± Acres

**Engineer / Surveyor:** Speaks & Associates Consulting Engineers, Inc.

The Chair announced the application had been recommended for holdover 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.

The following people spoke in opposition to the matter:



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1. Raymond Smoot, 9040 O'Hara Drive;
2. Jeff Johnston, 8970 O'Hara Drive;
3. Stacy Still, 880 O'Hara Drive;

They made the following points against the application:

- A. this will directly affect traffic in their neighborhood;
- B. the neighborhood is currently one way in and one way out;
- C. concerned traffic will try to avoid Baker High School and use the street as a cut-through;
- D. concerned about safety of children;
- E. would like a buffer zone between their homes and the road;

Mr. Olsen stated that only lot 1 will have access to O'Hara Drive.

Mr. Watkins stated that the access to lot 1 from O'Hara Drive is only a driveway it is not a public roadway.

Hearing no further opposition or discussion, a motion was made by Mr. Hembree, with second by Mr. Amberger to hold the matter over until the May 21<sup>st</sup> meeting and that the applicant submit revisions by May 4<sup>th</sup> in order to provide sufficient time to address the following:

- 1) **Documentation of ownership for parcels R022707260000042.001 & R022707260000042;**
- 2) **Justification must be provided for the irregular, flag pole shape of Lot 1 as indicated in Section V.D.1. of the Subdivision Regulations;**
- 3) **Revision of the lot size in both square feet and acres on the Final Plat, if approved.**
- 4) **Retention of the right-of-way widths for O'Hara Drive, Fangorn Road, and Anna Court on the Final Plat, if approved;**
- 5) **Depiction of the 25' minimum building setback line illustrated as a box around each street stub for proposed Lots 1, 2, and 3 on the Final Plat, if approved;**
- 6) **Documentation pertaining to the overall layout of the site and any future developments;**
- 7) **Placement of a note on the Final Plat limiting the proposed Lot 1 to one curb-cut to O'Hara Drive;**
- 8) **Placement of a note on the Final Plat limiting the proposed Lot 2 to one curb-cut to Fangorn Road;**
- 9) **Placement of a note on the Final Plat limiting the proposed Lot 3 to one curb-cut to Anna Court;**
- 10) **Placement of a note on the Final Plat stating that this site is located in the County, thus 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) **Placement of a note on the Final Plat stating that there shall be no additional**



subdivision of any lot until frontage on a public or compliant private street is provided.

- 12) Placement of Engineering comments as a note on the plat stating that the site 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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.

The motion carried unanimously.

8. West terminus of Wynnridge Drive extending to the South terminus of Widgeon Drive.  
Council District 6

**SUB2015-00028**

**Wynnfield Subdivision, Unit 5**

**Number of Lots / Acres:** 25 Lots / 15.2± Acres

**Engineer / Surveyor:** Austin Engineering Company, Inc.

The Chair announced the application had been recommended for holdover 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.

The following people spoke in opposition to the matter:

1. Scott Mueller, 7581 Canvas Back Drive;
2. Clay Rushing, 7199 Wynn Cliff Drive;
3. Mark Odom, 7571 Canvas Back Drive;
4. Bess Rich, 625 Cumberland Road East;

They made the following points against the application:

- A. concerned about the increase of traffic to the neighborhood;
- B. believes that it could increase the crime rate of the area;
- C. not opposed to the addition to the Subdivision;
- D. opposed to the connection of the Subdivisions;
- E. concerned that traffic will use it as a cut through from Schillingers Road to Sollie Road.

Millard Austin, Austin Engineering, spoke on behalf of the applicant. He stated that they are in agreement with the neighborhood 100%. The connection that is suggested by the

Staff is in a wetland and they do not propose to connect the neighborhoods at this time.

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Gant to hold the matter over until the May 21<sup>st</sup> meeting with revisions due by May 1<sup>st</sup> to allow the applicant to address the following:

- 1) **Submission of an overall site layout for the proposed Unit 5 and area reserved for future development, in compliance with Section I.B.1. of the Subdivision Regulations;**
- 2) **Compliance with Section V.B.1. of the Subdivision Regulations to depict the continuation of the existing street stub (Widgeon Drive) to the north;**
- 3) **Provision of a street stub to the south and west of the site to ensure connectivity with the Raleigh Subdivision and the landlocked parcel to the west;**
- 4) **Revision of the plat to depict only a cul-de-sac at the eastern terminus of Wynngate Way, adjacent to the proposed Lots 22 and 23;**
- 5) **Revision of the Subdivision name on the plat from "Wynnfiend" to "Wynnfield";**
- 6) **Revision of the site layout to comply 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.*);**
- 7) **Revision to reflect Traffic Engineering comments: (*Per Section V.B.12 of the Subdivision Regulations, the alignment of Wynngate Way from Curve 4 to Curve 6 should be modified to eliminate the series of reverse curves with no 100 foot tangent in between. Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*); and**
- 8) **Revision to reflect Engineering comments: (*The following comments should be addressed prior to submitting the FINAL PLAT for 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) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. 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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 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. Add street names to the vicinity map. E. Label the area enclosed by*)**

*the curves #14 – 17 (located between Lots 2 and 43). Is it Common Area? F. Provide an updated Plat for review after revising the centerline of Wynngate Way to meet the requirements the Subdivision Regulations. G. Review and revise the written legal description to include a written bearing and distance near Lot 6. H. Correct the Subdivision Name from “Wynnfiend” to “Wynnfield”. I. Remove references to Mobile County Engineer. J. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. K. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. L. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.).*

The motion carried unanimously.

**NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:**

**9. 4485 Laughlin Drive South**

(South side of Laughlin Drive South, 2/10± mile West of Laughlin Drive).

Council District 4

**ZON2015-00632**

**Joseph N. Asarisi, P.E.**

Planned Unit Development Approval to allow multiple buildings on single building site and shared access and parking.

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 Ms. Sessions, with second by Mr. Gant to approve the above referenced matter, subject to the following conditions:

- 1) revision of the site plan to remove the third curb-cut to Laughlin Drive South;
- 2) revision of the site plan to show full compliance with tree planting and landscape area requirements;
- 3) comply with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: A. 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). B. 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. C. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. E. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

- 4) *comply 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) *comply with Urban Forestry comments (Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.); and*
- 6) *provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to issuance of any permits.*

The motion carried unanimously.

10. (North side of Airport Boulevard 405'± West of Border Drive).  
Council District 7  
**ZON2015-00642**  
**J. Burmeister, LLC**

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access, parking and increase signage for a proposed restaurant.

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

Todd Dempsey, 165 West I-65 Service Road North, spoke on behalf of the applicant. He stated that he believed there may have been a typo on the site plan. The 40 feet building setback should actually be labeled as a 40 feet permissible building area. He asked if they could get approval contingent on relabeling the site plan to show that they are in compliance.

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

by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) Provision and depiction of frontage trees along Airport Boulevard on the revised site plan;
- 2) Revision of the site plan to quantify and illustrate full compliance with the tree and landscape requirements of the Zoning Ordinance;
- 3) Provision of bumper stops or curbing for all new proposed parking spaces on the revised site plan;
- 4) Placement of a note on the site plan stating any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance. Photometric plans will be required at the time of land disturbance;
- 5) Revision of the site plan to depict all proposed dumpsters in compliance with Section 64-4.D.9. of the Zoning Ordinance on the revised site plan, to include a connection to sanitary sewer;
- 6) 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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) Compliance with Traffic Engineering Comments: *(A traffic study was previously completed for this site, which included an estimated trip generation for the outparcel developments. No revision to the impact study will be required. 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.);*



- 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) **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.);*
- 10) **Submission of an approved, revised PUD site plan prior to the issuance of a Land Disturbance Permit;**
- 11) **Development limited to the revised site plan, – future development will require new PUD applications to amend the existing PUD;**
- 12) **Submission of a variance application to the Board of Zoning Adjustment for any desired increase in allowable signage;**
- 13) **Provision of a copy of the recorded PUD Restrictions; and**
- 14) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

11. North and South sides of Abigail Road, 495'± East of Rangeline Road  
Council District 4  
**ZON2015-00646**

**Rangeline Business Park, LLC**

Planned Unit Development Approval to allow substandard access and maneuvering to include a 20' wide gate and 20' wide driveway and a 6' high privacy fence for a potential laydown yard for future tenants.

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. Hembree, with second by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) **Provision of an 8' high wooden privacy fence along all property lines that abut residentially developed property;**
- 2) **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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

- 3) **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.);*
- 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 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.);*
- 6) **Any alterations of the approved PUD site plan will require new PUD applications; and**
- 7) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

#### **NEW PLANNING APPROVAL APPLICATIONS:**

**12. 453 & 457 Conti Street**

(South side of Conti Street, 45'± West of South Hamilton Street and South side of Conti Street, 55'± East of South Lawrence Street).

Council District 2

**ZON2015-00638**

**Steven Carter (S&A Investment Strategies LLC)**

Planning Approval to allow an event space with a building occupancy of over 100 persons (including employees), in the Downtown Development District.

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

Steven Carter, 453 Conti Street, spoke on his own behalf. He stated that he purchased both of these buildings to start this business; the Anna Marie Cottage. He stated that

there are no parking requirements for this location, he has obtained all of his permits and he plans to set the hour of operations to go no longer than about 10:30 p.m.

Steve Stone, 52 Bienville, spoke on behalf of the applicant. He stated that he would like to avoid the holdover if possible; they have already submitted the information requested by Staff.

Mr. Olsen responded that they do have conditions prepared.

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

- 1) **Placement of a note on the PUD site plan stating that the maximum occupancy load is limited to 120 people for the combined sites;**
- 2) **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.);*
- 3) **Compliance with Engineering Comments:** *( 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 with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). It will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.);*
- 4) **Submission of an approved, revised site plan prior to the issuance of any building-related permits;**
- 5) **Obtainment of Architectural Review Board approval for all proposed site improvements, prior to the issuance of any building-related permits;**
- 6) **Any alterations to the approved site plan or scope of operations will require new Planning Approval applications; and**
- 7) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

#### **GROUP APPLICATIONS:**

**13. 5464 Norden Lane**

(West terminus of Lusanne Drive extending to the West terminus of Norden Drive South).  
Council District 7

**A. SUB2015-00030 (Subdivision)**  
**Springhill Landing Subdivision, Phase Two**  
**Number of Lots / Acres:** 2 Lots / 0.4± Acre  
**Engineer / Surveyor:** Don Williams

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. Hembree, with second by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) all new road construction must comply with Engineering Department requirements;
- 2) placement of a note on the Final Plat stating that each lot is limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) revision of the plat to depict the 25-foot minimum building setback line along the Lusann Drive frontage;
- 4) revision of the plat to label each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 5) labeling of all common areas, including detention common areas, and placement of a note on the Final Plat stating that the maintenance of the common areas is the responsibility of the property owners;
- 6) provision of sidewalks along all new streets within the development where the construction of new homes will occur;
- 7) compliance with the Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for 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) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. 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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. C. Revised plans and design calculations related to the approved detention facility will need to be submitted for the change in proposed impervious area. 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. Provide a written legal description for the proposed subdivision and matching bearing*

*and distance labels. F. Show and label each and every Right-Of-Way and easement. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 8) compliance with the Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 9) compliance with the 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).*);
- 10) compliance with the 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);
- 11) submission of a revised PUD site plan prior to the signing of the Final Plat;
- 12) finalization of the vacation process prior to the signing of the Final Plat; and
- 13) completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction.

The motion carried unanimously.

**B. ZON2015-00655 (Planned Unit Development)**

**Springhill Landing Subdivision, Phase Two**

Planned Unit Development Approval to amend a previously approved Planned Unit Development to include two additional lots.

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. Hembree, with second by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) within the First Phase, depiction and labeling of the front (25 feet +), side (5feet) and rear (8 feet) setbacks for all lots, with the exception of Lot 1 which will have a side yard setback on the South boundary of 8 feet, and Lot

- 13, which will have a side yard setback on the East boundary of 8 feet, and for Lots 2, 6, 7 and 11, where the side yard setback on one side shall match the width of the proposed drainage and utility easements, where the easements are greater than 5 feet;
- 2) within Phase Two, depiction of the 25' minimum building setback line along the Lusann Drive frontage;
  - 3) within Phase One; labeling of the maximum site coverage allowed for all lots, with Lots 1-3 and 11-13 to be 35%, and Lots 4-10 to be 40%;
  - 4) within Phase Two; retention of the note on the site plan stating that standard setbacks and site coverages for Lots 1 and 2 of Phase Two apply;
  - 5) labeling of each lot with its size in square feet and acres, or the furnishing of a table on the site plan providing the same information;
  - 6) revision of the site plan to depict and label the provision of a six-foot high wooden privacy fence placed along the rear of Lots 2-8, where they abut the floodway and drainage easement for Twelve Mile Creek, to be constructed as each lot is developed, subject to Engineering approval due to possible drainage issues;
  - 7) all new road construction must comply with Engineering Department requirements;
  - 8) placement of a note on the site plan stating that each lot and common area is limited to one (1) curb-cut each, with the size, design and location of all curb-cuts to be approved by Traffic Engineering;
  - 9) placement of a note on the site plan stating that no structure, including HVAC and similar mechanical equipment, may be built within any easements;
  - 10) labeling of all common areas, including detention common areas, and placement of a note on the site plan stating that the maintenance of the common areas is the responsibility of the property owners;
  - 11) provision of sidewalks along all new streets within the development, on the side of the street where new homes will be constructed (excludes common area and lot with existing house);
  - 12) 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 Mobile City Code, Chapter 17, Storm Water Management and Flood Control);*



*the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.* 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer. 5. The detention facility for the 16 lot subdivision 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). This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 6. Add a note to the PUD Site Plan 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters. 8. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area (Twelve Mile Creek Floodway). You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each of the proposed Lots that are located within the SFHA.);


- 13) compliance with the 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);
- 14) compliance with the Traffic Engineering comments (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 15) compliance with the 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).);
- 16) compliance with Zoning Ordinance restrictions regarding items within side yard setbacks (Ordinary projections of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, and necessary mechanical features may project not more than two (2) feet into any yard.);
- 17) submission of a revised PUD site plan prior to the signing of the Final Plat;
- 18) completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction; and
- 19) compliance with all other municipal codes and ordinances.



**April 16, 2015**  
**Planning Commission Meeting**

The motion carried unanimously.

**APPROVED:** May 7, 2015

  
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Ms. Jennifer Denson, Secretary  
\_\_\_\_\_  
Mr. James F. Watkins, Chairman

/jpw