

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF AUGUST 20, 2015 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Mr. James (Jay) F. Watkins, Chairman  
Ms. Jennifer Denson (S), Secretary  
Mr. Nick Amberger (AO)  
Ms. Shirley Sessions  
Mr. John Vallas  
Ms. Libba Latham (PJ)  
Mr. Joel Daves (CC)  
Mr. Allan Cameron (S)  
Mr. P. Nigel Roberts  
Mr. Don Hembree (PJ)  
Mr. Carlos Gant, Vice Chair  
Mr. Thomas Doyle

**Members Absent**

Ms. Sujin Kim

**Urban Development Staff Present**

Bert Hoffman,  
Planner II  
Marie Cross,  
Planner II  
Jessica Watson,  
Secretary II

**Others Present**

Doug Anderson,  
Assistant City Attorney  
George Davis,  
City 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. **2704, 2718, 2756 and 2800 Dauphin Street**  
(North side of Dauphin Street, 95'± West of Mobile Street, extending North to the North side of Illinois Central Gulf Railroad (formerly G.M.&O. Railroad).  
Council District 1  
**ZON2015-01296**  
**Xante Corporation**  
Planned Unit Development approval to amend a previously approved Planned Unit Development to allow expansion of an existing building and multiple buildings on multiple lots with 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 Mr. Vallas, with second by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the tree calculations to reflect compliance with the Zoning Ordinance;**
- 2) **Obtain Planning Approval for an allowance of increased warehouse space;**
- 3) **Obtain approval of a Subdivision application to alter the lot lines to accommodate the proposed building addition;**
- 4) **Obtainment of a permit to relocate the gazebo prior to the issuance of any land disturbance or building permits associated with the**

proposed addition;

- 5) Placement of a note 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. 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. The proposed development must comply with all Engineering Department design requirements and Policy Letters.***);
- 6) 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.*);
- 7) 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).*);
- 8) Compliance with Fire Department comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).*); and
- 9) Provision of two (2) revised PUD plans to the Planning Division prior to the issuance of permits.

The motion carried unanimously.

2. **901, 903, & 911 Dauphin Street and 2, 6, 10, & 14 South Broad Street**  
(Southwest corner of Dauphin Street and South Broad Street, extending to the North side of Conti Street).  
Council District 2

**A. SUB2015-00072 (Subdivision)**

**Lone Oak Subdivision, Lot 1, Resubdivision of Lot 1 / Lot 2**

**Number of Lots / Acres: 2 Lots / 4.5± Acres**

**Engineer / Surveyor: Frank A. Dagley & Associates**

Mr. Daves and Ms. Sessions recused themselves from discussion and voting on the matter.

The Chair announced the applications had been recommended for approval and stated the applicant was agreeable with the recommendations. He added if anyone

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

Kathryn Flowers, 922 Conti Street, spoke in favor of the application. She stated that she was originally in objection to it, but they have taken out the residential property and that was her main concern. She also noted that she feels as if they will be a good neighbor and they have already made improvements to the neighborhood.

Casey Pipes, 2255 Ashland Place, spoke on behalf of the applicant. He thanked the Planning Commission and Staff for their time; it has been long process. He stated that they believe they will have adequate parking and be able to address and control storm water.

Samuel Parker, 907 Dauphin Street, Mobile, Al, spoke in opposition to the matter. He made the following points against the matter:

- A. a float barn is not in harmony with the district;
- B. already have enough traffic congestion;
- C. concerned about drainage issues;

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

- 1) **Dedication of right-of-way along Broad Street, as depicted on the revised preliminary plat;**
- 2) **Placement of a note on the plat stating that Lot 1 is limited to one curb-cut to Dauphin Street and one curb-cut to Conti Street;**
- 3) **Placement of a note on the plat stating that Lot 2 is limited to two curb-cuts to Dauphin Street, one curb-cut to Broad Street, and one curb-cut to Conti Street;**
- 4) **Placement of a note on the plat stating that all unused curb-cuts are to be removed, with appropriate permits for work in city and ALDOT rights-of-way;**
- 5) **Placement of a note on the plat stating that the size, design and location of all curb-cuts are to be approved by Traffic Engineering (and ALDOT on Broad Street), and to comply with AASHTO standards;**
- 6) **Compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Revise the "Site" shown in the vicinity map to match the parcels shown in Subdivision Plan. B. Provide a line that clearly depicts the proposed subdivision boundary. C. Provide a Subdivision Name. The proposed name shown on the Subdivision Plan does not appear to adequately describe the proposed resubdivision of these 11 parcels. D. 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. E. Add a note to 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. F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 29 - #76) the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land*)**

- Disturbance Permit application. G. 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. H. 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. I. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. J. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. K. Show and label all flood zones. L. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. M. Show and label each and every Right-Of-Way and easement. N. Provide and label the monument set or found at each subdivision corner. O. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. P. Provide the Surveyor's Certificate and Signature. Q. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. R. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. S. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 7) *Compliance with Traffic Engineering comments ( Broad Street is an ALDOT maintained roadway. Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. All unused curb-cuts abutting the proposed site work should be removed. Curb stops should be provided to prevent vehicle parking in the landscape areas.);*
  - 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). Preservation status is to be given to the 80" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
  - 9) *Compliance with Fire comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code) ); and*
  - 10) *Provision of a revised PUD and a revised Planning Approval site plan prior to any request for permits for work on Lot 2, and prior to the signing of the final plat.*

The motion carried unanimously with Mr. Daves and Ms. Sessions recusing.

**B. ZON2015-01439 (Planned Unit Development)**

**Lone Oak Subdivision, Lot 1, Resubdivision of Lot 1 / Lot 2**

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

Mr. Daves and Ms. Sessions recused themselves from discussion and voting on the matter.

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

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

- 1) **Curb-cuts limited to the revised site plan, with all unused curb-cuts to be removed prior to a certificate of occupancy for the proposed float barns;**
- 2) **Revision of the site plan to depict any paved curb-cut aprons leading to the crushed rock or concrete surfaces, to be coordinated with Engineering and Traffic Engineering if such aprons are required;**
- 3) **Revision of the site plan to show the three existing live oak trees on Conti Street at Broad Street as being within the public right-of-way, between the sidewalk and the curb, rather than on Lot 2;**
- 4) **Coordination with Planning staff regarding the location and spacing of proposed trees on the site, with the understanding that tree banking may be required;**
- 5) **Provision of a six-foot high wooden privacy fence along the Western boundary of the property where it abuts R-1 properties prior to the use of the site;**
- 6) **Revision of the site plan to show bumper stops for paved parking areas abutting property lines or landscape areas;**
- 7) **Revision of the site plan to show bumper stops or similar barriers around the crushed rock and crushed concrete areas to prevent vehicles from encroaching into landscape areas or across property lines;**
- 8) **Any new lighting on the site to comply with Sections 64-4.A.2., 64-6.A.3.c. and, if applicable, Section 64-6.A.8. of the Zoning Ordinance;**
- 9) **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. 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.*);**
- 10) **Compliance with Traffic Engineering comments ( *Broad Street is an ALDOT maintained roadway. Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. All unused curb-cuts abutting the proposed site work should be removed. Curb stops should be provided to prevent vehicle parking in the landscape***

- areas.);
- 11) **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). Preservation status is to be given to the 80" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*);**
  - 12) **Compliance with Fire comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code) );***
  - 13) **Provision of a revised PUD site plan to the Planning Division prior to the signing of the final plat; and**
  - 14) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously with Mr. Daves and Ms. Sessions recusing.

**C. ZON2015-01441 (Planning Approval)**

**Lone Oak Subdivision, Lot 1, Resubdivision of Lot 1 / Lot 2**

Planning Approval to allow a float barn in a B-4, General Business District.

Mr. Daves and Ms. Sessions recused themselves from discussion and voting on the matter.

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

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

- 1) **Limited to the proposed scope of operations and an approved Planned Unit Development;**
- 2) **Revision of the site plan to reflect PUD site plan revisions;**
- 3) **Completion of the zoning process;**
- 4) **Completion of the subdivision process;**
- 5) **Provision of a revised Planning Approval site plan to the Planning Division prior to the signing of the final plat; and**
- 6) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously with Mr. Daves and Ms. Sessions recusing.

**D. ZON2015-01440 (Rezoning)**

**Historic Restoration Society, Inc.**

Rezoning from R-3, Multiple- Family Residential District, B-1, Buffer Business District, and B-4, General Business District, to B-4, General Business District to eliminate split zoning.

Mr. Daves and Ms. Sessions recused themselves from discussion and voting on the matter.

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

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

- 1) Limited to an approved Planned Unit Development;
- 2) Completion of the Subdivision process; and
- 3) Full compliance with all other municipal codes and ordinances.

The motion carried unanimously with Mr. Daves and Ms. Sessions recusing.

**NEW SUBDIVISION APPLICATIONS:**

3. **4009 & 4015 Bay Front Road**  
(East side of Bay Front Road, 530'± South of Martinwood Lane).  
Council District 3  
**SUB2015-00090**  
**Pearson Subdivision, Resubdivision of Lots 3, 4, & 5 Block 4**  
**Number of Lots / Acres:** 2 Lots / 1.4± Acre  
**Engineer / Surveyor:** Byrd Surveying, 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. Amberger, with second by Ms. Latham to waive Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) Dedication sufficient to provide 30 feet from the centerline of Bayfront Road;
- 2) Illustration of the 25 foot minimum building setback along Bay Front Road for each lot reflecting right-of-way dedication;
- 3) Placement of a note on the Final Plat, stating that Lots A and B are limited to one curb cut each to Bay Front Road, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) Retention of the lot sizes in square feet and acres on the Final Plat, revised for right-of-way dedication;
- 5) Compliance with 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. Show and label the drainage ditch along the south property line of LOT B. This area is receiving drainage from a public street and must be located within an easement or public right-of-way. C. Show and label all flood zones. D. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. E. Show and label each and every Right-Of-Way and easement. F. 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. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #88) the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. H. 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. I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. K. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.*
- 6) **Compliance with Traffic Engineering comments (Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards);**
  - 7) **Compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).); and**
  - 8) **Compliance with Fire Department comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).).**

The motion carried unanimously.

4. **235 South McGregor Avenue**  
(West side of South McGregor Avenue, 415'± North of Pinebrook South).  
Council District 5  
SUB2015-00093  
**Pinewood Subdivision, Resubdivision of Lot 4, Block 1**  
**Number of Lots / Acres:** 2 Lots / 1.0± Acre  
**Engineer / Surveyor:** Austin Engineering Company, 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 Ms. Sessions, with second by Mr. Gant to waive Sections V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Dedication sufficient to provide 40 feet from the centerline of South McGregor Avenue;**
- 2) **Obtainment of a demolition permit for the existing dwelling prior to the signing of the Final Plat;**
- 3) **Illustration of a 25 foot minimum building setback line along South McGregor Avenue for each lot, reflecting right-of-way dedication;**
- 4) **Placement of a note on the Final Plat, stating that Lots 1 and 2 are limited to one curb cut each to South McGregor Avenue, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **Retention of the lot size in square feet and acres on the Final Plat revised for dedication;**
- 6) **Compliance with 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 legible street names to the vicinity map. C. Show and label the existing drainage easement along the rear of LOT 1 and LOT 2. D. Provide and label the monument set or found at each subdivision corner. E. 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. F. Add a note to the SUBDIVISION PLAT stating the LOT 1 and LOT 2 will be allowed to add a combined total of 4,000 sf of impervious area to the amount of impervious area that existed on Lot 4, Pinewood Block 1. G. 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. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*

- 7) *Compliance with Traffic Engineering comments (Each lot is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 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).); and*
- 9) *Compliance with Fire Department comments (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).).*

The motion carried unanimously.

5. **North side of Laughlin Drive South, 385'± West of Laughlin Drive.**  
Council District 4  
SUB2015-00091  
**Laughlin Industrial Park Subdivision, Resubdivision of Lots 16 and 17**  
**Number of Lots / Acres:** 3 Lots / 6.3± Acres  
**Engineer / Surveyor:** Rowe Engineering & Surveying, 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. Amberger, with second by Ms. Latham to waive Section V.D.3. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **retention of the lot sizes in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;**
- 2) **retention of the 25' minimum building setback line on the Final Plat;**
- 3) **placement of a note on the Final Plat stating that Lots A and B are limited to two (2) curb cuts each and Lot C is limited to one (1) curb cut to Laughlin Drive South, with the size, design, and exact location of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **placement of a note on the Final Plat stating that no structures will be erected in any easement;**
- 5) **completion of the subdivision process prior to the issuance of any permits;**
- 6) **compliance with 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. C) 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. D) Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E) Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. F) Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 7) *compliance with Traffic Engineering comments: (Lots A and B are limited to two curb cuts each, and Lot C is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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).); and*
- 9) *compliance with Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code)).*

The motion carried unanimously.

**SIDEWALK WAIVER APPLICATIONS:**

6. **4531 Hamilton Boulevard**  
(South side of Hamilton Boulevard, 2/10± mile West of Rabbit Creek Drive).  
Council District 4  
**ZON2015-01734**  
**Hamilton Blvd, (AL), LLC**  
Sidewalk waiver request to waive construction of a sidewalk along Hamilton Boulevard

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 Mr. Doyle to approve the sidewalk waiver request construction of a sidewalk along Hamilton Boulevard; however future development or re-development of the site will necessitate a new application.

The motion carried unanimously.

**PLANNED UNIT DEVELOPMENT APPLICATIONS:**

7. **7450 Airport Boulevard**  
(North side of Airport Boulevard, 212'± West of Mckenna Court).  
Council District 7  
**ZON2015-01733**  
**Joseph N. Asarisi, P.E.**  
Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple building sites.

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

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.

Joe Asarisi, Asarisi & Associates, spoke on behalf of the applicant. He requested that the application be heldover until the September 3<sup>rd</sup> meeting rather than the September 17<sup>th</sup> meeting.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Latham to hold the matter over until the September 3<sup>rd</sup> meeting to allow the staff to review the revised submittal and meet with the applicant's representative.

The motion carried unanimously with Mr. Vallas recusing.

**REZONING APPLICATIONS:**

8. **456 North McGregor Avenue**  
(East side of North McGregor Avenue, 170'± South of Spring Hill Avenue).  
Council District 7  
**ZON2015-01732**  
**Jeffery E. Quinnelly**  
Amend the Traditional Center District Regulating Plan from Neighborhood General, to Neighborhood Center, to eliminate split zoning.

Ms. Latham recused herself from discussion and voting on the matter.

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.

Mary Francis Craig, 3838 Mordecai Ln, spoke in opposition the matter. She stated that she wanted her neighborhood to remain family residents. The community does not want the added traffic, an office building and they certainly do not want a boutique. She also noted that she provided a petition from the surrounding neighbors in opposition.

Jeff Quinnelly, 3751 Sheips Ln, spoke on his own behalf. He stated that 3 of the people that signed the petition in opposition to the application signed a release in Probate that allowed him to lift the restriction for commercial use.

Mr. Hoffman stated that through the Neighborhood Center overlay should a person developing property voluntarily choose to follow the Village of Springhill recommendations and requirements, then the property that is in the green area (on the map) can be developed for a commercial use; even though it is zoned R-1.

Ms. Craig questioned who has more authority, the Village of Springhill or the Planning Commission.

Mr. Watkins responded that the Planning Commission does. He then stated that the Village of Springhill overlay is a portion of the ordinance that was approved by the Planning Commission and by the City Council.

Jacqueline Edwards, 3769 Sheips Ln, spoke in reference to the application. She questioned what was being placed on the property.

Mr. Hoffman responded that it will be a 2 story building; the ground floor will be retail and the 2<sup>nd</sup> floor will be office space.

Linda St. John, 2 N. Spring Bank Rd, spoke in favor of the application. She stated that she has been working with Mr. Quinnelly about 3 years on this development. She stated that he has diligently been through many obstacles such as moving power lines, and spending a lot of money as well as time.

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

**1) completion of the Subdivision process.**

The motion carried unanimously with Ms. Latham recusing.

**GROUP APPLICATIONS:**

9. **254, 256, 260, and 264 Dogwood Drive**  
(Southwest corner of Airport Boulevard and Dogwood Drive extending to the Southeast corner of Airport Boulevard and South University Boulevard).  
Council District 5

- A. **SUB2015-00088 (Subdivision)**  
**Airport-University Subdivision**  
**Number of Lots / Acres:** 1 Lot / 3.1± Acres  
**Engineer / Surveyor:** Adams Engineering

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

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

John Lawler, 118 N. Royal Street, spoke on behalf of the applicant. He stated that this property has always been viewed as commercial property. The owners of the property would like to develop it as a quick food restaurant. Mr. Lawler stated that they believe most people will use the access from University Boulevard and come back out the same way. All trucks making deliveries will be required to use the University Boulevard entrance and exit. Mr. Lawler stated that the main thing that Map for Mobile considers is things like bike paths, sidewalks, and connectivity between neighborhoods; those are all things that the City can do, not something that this property owner would do. This property owner wants to develop his property and he wants to develop it commercially.

Mr. Daves asked Mr. Lawler if had spoken with the residents of Dogwood Drive regarding this plan.

Mr. Lawler responded that they had in the past and he had a few people that were present willing to speak in favor of the development.

Ms. Denson asked if there are people currently living in the 4 houses on the property.

Mr. Lawler responded that the house right at the point towards Airport Boulevard is vacant; the other three houses have occupants.

Sylvia Thompson, 260 Dogwood Drive, spoke in favor of the application. She stated that she has lived at this location for nearly 9 years. She stated that she believes that this property should be zoned commercially due to the noise from traffic, emergency vehicles and blaring radios.

Shabir Hussain, 7137 Wynnfield Drive, spoke on behalf of Shadmin Haji. Mr. Haji purchased 255 Dogwood Drive; his intention was to relocate his restaurant from Airport and Cody to 255 Dogwood.

B.J. Lyons, 718 Downtowner Blvd, spoke on behalf another owner in the Subdivision. He stated that there property is south of the Belle foods shopping center. This Subdivision was developed back in the 1940's and 50's and the time

has changed the conditions making it unsuitable for residential property; it needs to be commercial.

Mr. Amberger asked about the placement of the site; he stated that the site had been pushed as close to Dogwood Drive as it could be. He stated that he felt like the property itself is rather large relative to the foot print.

Mr. Lawler responded that it was not a final plan, he said after the rezoning they would come in with a site plan that will meet all of the regulations.

Ms. Denson asked if there had been an analysis of the traffic impact on University Boulevard.

Mr. Lawler responded that when he spoke with Traffic Engineering they used as their guide the traffic study that was done with regard to Publix.

Mr. Watkins asked Mr. Lawler if he was in agreement with the recommendations and conditions for approval.

Mr. Lawler responded that he could not agree with the restriction of access to Dogwood and the pylon sign. He did state he was in agreement with the rest of the conditions.

David Doolittle, 268 Dogwood Drive, Mobile, Al., spoke in opposition to the matter. He stated that he was concerned about the increase of traffic on Dogwood and the safety of the residents. He also noted that this is the last residential corner within Mobile.

In rebuttal, Mr. Lawler responded there is only one logical use for this property is a commercial use. He stated that they were asking for equal protection. Mr. Lawler also stated that he felt as if there was a viable use for this property someone would have come forward and developed it in this past 12 years.

Hearing no further opposition or discussion, a motion was made by Mr. Daves, with second by Ms. Denson to deny the request, in association with the denial of the zoning request.

The motion carried unanimously with Mr. Vallas recusing.

**B. ZON2015-01643 (Rezoning)**

**John Lawler**

Rezoning from R-1, Single-Family Residential District, to LB-2, Limited-Neighborhood Business District, to allow a restaurant.

The Chair announced the applications had been recommended to be withdrawn. 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. Daves, with second by Ms. Denson to deny the request after it determined that one or more of the following conditions did not prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The motion carried unanimously with Mr. Vallas recusing.

10. **7205 Bellingrath Road**  
(East side of Bellingrath Road at the East terminus of Will Casher Lane).  
Council District 4

- A. **SUB2015-00089 (Subdivision)**  
**Mack Manufacturing Subdivision, Resubdivision of**  
**Number of Lots / Acres:** 1 Lot / 10.9± Acres  
**Engineer / Surveyor:** Daniel Clark, PLS

The Chair announced the applications 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.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Doyle to hold the matter over until the September 17<sup>th</sup> meeting, due to the fact that only a portion of an adjacent parcel is included, to allow the applicant to include the remainder of Parcel R023802102000176 in the Subdivision, Planned Unit Development and Rezoning, or revise the Subdivision application to two lots to include that remainder with Parcel R023802103000001 as the second lot. Revisions, new labels and additional fees should be submitted no later than August 28<sup>th</sup>.

The motion carried unanimously.

- B. **ZON2015-01728 (Planned Unit Development)**  
**Mack Manufacturing Subdivision, Resubdivision of**  
Planned Unit Development to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site, accommodate existing and future businesses and reduced front landscaping requirements.

The Chair announced the applications 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.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Doyle to hold the matter over until the September 17<sup>th</sup> meeting, due to the fact that only a portion of an adjacent parcel is included, to allow the applicant to include the remainder of Parcel R023802102000176 in the Subdivision, Planned Unit Development and Rezoning, or revise the Subdivision application to two lots to include that remainder with Parcel R023802103000001 as the second lot. Revisions, new labels and additional fees should be submitted no later than August 28<sup>th</sup>.

The motion carried unanimously.

- C. **ZON2015-01681 (Rezoning)**  
**Daniel Clark**  
Rezoning from R-1, Single-Family Residential District, to I-2, Heavy-Industry District, to accommodate and existing and future businesses.

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.

Hearing no opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Doyle to hold the matter over until the September 17<sup>th</sup> meeting, due to the fact that only a portion of an adjacent parcel is included, to allow the applicant to include the remainder of Parcel R023802102000176 in the Subdivision, Planned Unit Development and Rezoning, or revise the Subdivision application to two lots to include that remainder with Parcel R023802103000001 as the second lot. Revisions, new labels and additional fees should be submitted

no later than August 28<sup>th</sup>.

The motion carried unanimously.

11. **1060 Springhill Avenue and 160 North Pine Street**  
(Northeast corner of Springhill Avenue and North Pine Street).  
Council District 2

- A. **SUB2015-00092 (Subdivision)**  
**Dumas Subdivision, Resubdivision of and Addition to Lot 1**  
**Number of Lots / Acres:** 1 Lot / 0.7 Acre  
**Engineer / Surveyor:** McCrory & Williams, Inc.

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

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

- 1) **Retention of the lot size information and 25' minimum building setback line on the Final Plat;**
- 2) **Placement of a note on the Final Plat stating: *(The lot is limited to 1 curb-cut only to each street, with any changes to the size, design and location to be approved by Traffic Engineering, and ALDOT where applicable, and conform to AASHTO standards. Any unused curb-cuts should be closed and replaced with curb-and-gutter.);***
- 3) **Compliance with 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 SUBDIVISION PLAT stating that as shown on the 1984 aerial photo the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. E. Add a 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. F. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. G. Provide and label the monument set or found at each subdivision corner. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. J. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);***
- 4) **Compliance with Traffic Engineering comments *(Spring Hill Avenue***

*(US Highway 98) is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT (where applicable) 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.);*

- 5) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
- 6) **Compliance with Fire Department comments** (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).);* and
- 7) **Completion of the subdivision process and rezoning request prior any requests for Land Disturbance.**

The motion carried unanimously.

**B. ZON2015-01715 (Rezoning)**

**Board of Water and Sewer Commissioners of the City of Mobile**

Rezoning from R-2, Two-Family Residential District, to B-3, Community Business District, to eliminate split zoning.

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

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

- 1) **Provision of a 6' high wooden privacy fence (not to exceed a height of 3' within 25' front yard setback) and/or residential buffer where the site is adjacent to residentially used properties;**
- 2) **Compliance with Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance to ensure parking lot lighting does not shine directly onto adjacent residential properties or into traffic;**
- 3) **Provision of bumper stops or curbing for all parking spaces;**
- 4) **Provision of a dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance, or a note stating that waste removal will be via curb-side pick-up;**
- 5) **Completion of the subdivision process and rezoning request prior to any requests for land disturbance; and**
- 6) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

**12. 121 West I-65 Service Road North**

(West side of West I-65 Service Road North extending to the South side of South Avenue extending to the Northeast corner of College Lane South and Du Rhu Drive).

Council District 7

**A. SUB2015-00094 (Subdivision)**

**Highland at Springhill Subdivision**

**Number of Lots / Acres:** 2 Lots / 12.6 Acres

**Engineer / Surveyor:** Clark, Geer, Latham & Associates / Wattier Surveying

Mr. Vallas and Ms. Latham recused themselves from discussion and voting on the matter.



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.

Thomas E. Latham, 3901 Springhill Ave, spoke on behalf of the applicant. He stated that they are in agreement with all of the Staff's recommendations. He noted that they submitted a traffic impact study to Traffic Engineering and Planning earlier in the week. He stated that the result of the traffic study were favorable to the development, however there are some neighbors that had not got a chance to review it and are not comfortable. The applicant requests the application be heldover for the two weeks rather than four weeks.

The following people spoke in opposition to the matter:

- 1) Virginia Radney, resident of Legacy Oaks Apartments;
- 2) Jerry Spiegle, 5 Dauphin Street, Mobile, Al;

They made the following points against the matter:

- A. concerned about increase traffic;
- B. questioned how many units would be built;
- C. concerned about the curb-cut through the business park.

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 September 3<sup>rd</sup> meeting to allow the applicant to meet with adjacent property owners regarding the proposed development.

The motion carried unanimously with Mr. Vallas and Ms. Latham recusing.

**B. ZON2015-01729 (Planned Unit Development)**

**IMS Development, LLC**

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

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

Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Gant to hold the matter over until the September 3<sup>rd</sup> meeting to allow the applicant to meet with adjacent property owners regarding the proposed development.

The motion carried unanimously.

**C. ZON2015-01730 (Rezoning)**

**IMS Development, LLC**

Rezoning from B-1, Buffer-Business District, and B-3, Community Business District, to B-1, Buffer-Business District, to eliminate split zoning.

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

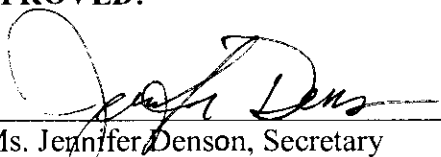
Hearing no further opposition or discussion, a motion was made by Mr. Watkins, with second by Mr. Gant to hold the matter over until the September 3<sup>rd</sup> meeting to allow the applicant to meet with adjacent property owners regarding the proposed development.

The motion carried unanimously.

**OTHER BUSINESS:**

- Business Meeting on August 27<sup>th</sup> at 2:00 PM in the Multi-Purpose Room – topic will be Above Ground Storage Tank recommendations.
- Business Meeting on September 3<sup>rd</sup> at 1:00 PM in the Council Auditorium – presentation of the Map for Mobile – now scheduled for September 17<sup>th</sup> at 1:00 PM.
- Hearing no opposition or discussion, a motion was made by Ms. Denson, with second by Ms. Session to approve the Planning Commission Meeting and Deadline Schedule.
- Mr. Anderson discussed the court hearing regarding Arc Terminals.

**APPROVED:**

  
\_\_\_\_\_  
Ms. Jennifer Denson, Secretary

  
\_\_\_\_\_  
Mr. Carlos Gant, Chairman

/jpw