

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JUNE 18, 2015 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

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

Members Absent

Ms. Sujin Kim
Mr. P. Nigel Roberts
Mr. Don Hembree (PJ)
Mr. Allan Cameron (S)

Urban Development Staff Present

Bert Hoffman,
Planner II
Carla Davis,
Planner II
Lisa Watkins
Secretary I

Others Present

Doug Anderson,
Assistant City Attorney
George Davis,
City Engineering
Mary Beth Bergin,
Traffic Engineering Department
Captain Brandon Jackson,
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. **915 South Lawrence Street**
(West side of Lawrence Franklin Connector at the West terminus of South Carolina Street).
Council District 3
 - A. **SUB2015-00048 (Subdivision) (Holdover)**
Maritech Marine Subdivision, Phase 2
Number of Lots / Acres: 1 Lot / 0.3± Acre
Engineer / Surveyor: Rowe Engineering & Surveying, 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 Mr. Vallas, with second by Ms. Latham to waive Section V.B.9. and V.D.9. 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 the lot is denied access to the remnant South Lawrence and South Carolina Streets and Interstate 10;**
- 2) placement of a note on the Final Plat stating that the lot is limited to one curb-cut to the Lawrence Franklin Connector, with the size, design and location of the curb-cut to be approved by Traffic Engineering and conform with AASHTO standards;**
- 3) retention of the 25-foot minimum building setback line from the Lawrence Franklin Connector and South Carolina Street only (setback waived along Interstate 10 and the remnant of South Lawrence Street on the western boundary of the lot);**
- 4) retention of the labeling of the lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 5) 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. Delete the reference to the POB located at the southwest corner of LOT 1, Maritech Marine Subdivision, unless needed. 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. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. 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. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. G. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);**

- 6) compliance with the revised Traffic Engineering comments (Site is limited to one curb cut for Lawrence Franklin Connector and one curb cut to South Lawrence Street, with 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 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).);
- 8) compliance with the Fire-Rescue 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).] and
- 9) submission to the Planning Division and approval of two (2) copies of a revised PUD site plan prior to signing the Final Plat.

The motion carried unanimously.

B. ZON2015-01298 (Planned Unit Development)

Maritech Marine Subdivision, Phase 2

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 opposition or discussion, a motion was made by Mr. Vallas, with second by Ms. Latham to approve the above referenced matter, subject to the following conditions:

- 1) revision of the site plan to indicate a zero or 5'+ rear setback for the proposed new building;
- 2) revision of the site plan to provide parking calculations for the warehouse use;
- 3) if necessary, revision of the site plan to provide any additional parking required by the inclusion of the warehouse parking calculations;
- 4) revision of the site plan to include bumper stops and/or curbing for the parking area;
- 5) revision of the site plan to include a public sidewalk along the expanded Lawrence Franklin Connector street frontage of the site;
- 6) revision of the site plan to indicate a compliant dumpster or the placement of a note on the site plan stating that no dumpster will be

utilized and refuse collection will either be curb-side or via private can collection services;

- 7) subject to the 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). Application and/or questions can be sent to rightofway.permits@cityofmobile.org. 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 proposed development must comply with all Engineering Department design requirements and Policy Letters.];
- 8) subject to the revised Traffic Engineering comments: (Site is limited to one curb cut for Lawrence Franklin Connector and one curb cut to South Lawrence Street, with 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.);
- 9) subject to 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-Rescue 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).];
- 11) submission to the Planning Division and approval of two (2) copies of a revised PUD site plan prior to signing the Final Plat; and
- 12) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

2. 1621 Virginia Street

(Southeast corner of Virginia Street and Lott Street, extending to the North side of Dublin Street East and Gulf Mobile and Ohio Railroad).
Council District 2

A. SUB2014-00131 (Subdivision)

Ladd Peebles Stadium Subdivision

Number of Lots / Acres: 2 Lots / 43.1± Acres

Engineer / Surveyor: Joe Schifano

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

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

Belinda Bodie, 1018 Highland Colony Pkwy Ridgeland, MS, spoke on behalf of the applicant. She stated that they are requesting to locate this facility at the stadium in order to improve their coverage in and around the stadium and south of the stadium. This site will also provide some extra capacity at the stadium for special events that are held there. She stated that they have two other carriers that are interested in the site as well, both AT&T and Verizon. Verizon has already submitted an application pending approval by the City for the site. Back in January, the Commission asked that the site be shifted to the west on the property away from the houses to the east. The City agreed allowed the shift to the west. Ms. Bodie noted that they held a neighborhood meeting back in April with the residents and two of the main questions that came out of the meeting were: "Why do you need a site in this area?" and "What other options did you consider?". In regards to what other site were considered, the first site that was looked at was the Alabama Power structure and unfortunately Alabama Power does not allow collocation on their facilities. The second site was locating on the stadium lights, but the poles themselves are welded to the stadium and after construction review it was determined that was not a viable option.

The following people spoke in opposition to the matter:

- 1) Dorothy Hollingshead, 369 Tuttle Ave.;
- 2) Jerryln Rushing London, 1169 Herring Lake Circle;
- 3) Alita Nicholson, 1615 West Ave;

They made the following points against the matter:

- A. they feel as if no one is recognizing the fact that the community is against the proposed tower;
- B. they feel as if it should be place at other locations;
- C. the community has submitted many letters and petitions showing opposition to this matter;

- D. it may be conducive for good business; but it is not conducive for a residential neighborhood;
- E. it will have a negative impact on property values;

Brooks Milling, Hand Arendall LLC, spoke on behalf of the applicant. He stated that those in opposition want to protect and improve their neighborhood; they are energized and organized. They have delivered letters in opposition from people within Maysville and also Leinkauf and adjoining neighborhoods. The residents are opposed to a tower anywhere at Ladd Peebles Stadium or in their neighborhood. As grounds for their opposition they cite health concerns, property value considerations, safety concerns, aesthetics, the proximity to schools, and the proximity to residences. Mr. Milling stated that he respects their concerns and their commitment to the betterment of their neighborhood. He stated that he believed these concerns arise out of fear; a fear of the unknown, a fear of how their neighborhood and lives will change if this facility is built at the stadium. But, he also stated that their fear is not well founded. Communications towers are safe; we know them, they are in all areas of our city. He stated that he received a letter of objection from a school board member saying that it is inappropriate to place this cell tower so close to Williamson High School; that's surprising given that Williamson has its own communications tower that it has built.

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

- 1) **retention of the labeling of both lots with their sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 2) **retention of the note on the Final Plat stating that Lot 2 is limited to the existing curb cuts to all streets, with the size, location and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **retention of the 25' minimum building setback line along all street frontages, except Virginia Street;**
- 4) **retention of the 40' minimum building setback line along Virginia Street;**
- 5) **revision of the plat to coincide with the scale as given on the plat;**
- 6) **subject to 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. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. 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. G. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. The drawing must be on a larger size sheet than the 11" x 17" plan submitted for this review. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature. The original and copy must be on a larger size sheet than the 11"x17" plan submitted for this review.];

- 7) subject to the Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 8) subject to 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).];
- 9) subject to the 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).]; and
- 10) submission and approval of three (3) copies of revised Planning Approval and PUD site plans to Planning prior to signing the Final Plat.

The motion carried with Mr. Vallas recusing.

B. ZON2014-02188 (Planned Unit Development)

Ladd Peebles Stadium Subdivision

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

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

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

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

- 1) revision of the site plan to indicate a compliant vehicular access and parking surface outside the tower compound should the Surface Variance request be denied by the Board of Zoning Adjustment;
- 2) revision of the site plan to indicate compliant tree plantings, if required, around the tower compound, to be coordinated with the Planning Division, should the Tree Planting Variance request be denied by the Board of Zoning Adjustment;
- 3) subject to the Board of Zoning Adjustment approving the associated Height, Setback and Residential Buffer Variance (if required) requests prior to any land disturbance activities;
- 4) subject to the Engineering comments: [Due to the proposed subdivision, LOT 2 may need to be assigned a different 911 address. Please contact the Engineering Department (208-6216) to discuss the options. **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 proposed development must comply with all Engineering Department Policy Letters.];
- 5) subject to the Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 6) subject to 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).];
- 7) subject to the 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).];
- 8) submission and approval of three (3) copies of a revised site plan prior to signing the Final Plat; and
- 9) full compliance with all municipal codes and ordinances.

The motion carried with Mr. Vallas recusing.

C. ZON2014-02190 (Planning Approval)

Ladd Peebles Stadium Subdivision

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

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

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

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

- 1) the tower limited to a monopole design, 147' high, with a 5' lightning rod above, with an overall height of 152' above ground level;
- 2) revision of the site plan to indicate a compliant vehicular access and parking surface outside the tower compound should the Surface Variance request be denied by the Board of Zoning Adjustment;
- 3) revision of the site plan to indicate compliant tree plantings, if required, around the tower compound, to be coordinated with the Planning Division, should the Tree Planting Variance request be denied by the Board of Zoning Adjustment;
- 4) subject to the Board of Zoning Adjustment approving the associated Height, Setback and Residential Buffer (if required) Variance requests prior to any land disturbance activities;
- 5) subject to the 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 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.];

- 6) subject to the Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
- 7) subject to 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).];
- 8) subject to the 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).];
- 9) submission and approval of three (3) copies of a revised site plan prior to signing the Final Plat; and
- 10) full compliance with all municipal codes and ordinances.

The motion carried with Mr. Vallas recusing.

NEW SUBDIVISION APPLICATIONS:

3. 4363 Downtowner Loop North

(South side of Downtowner Loop North, 180'± East of Downtowner Loop East).
Council District 5

SUB2015-00060

Downtown West Subdivision, Unit 2, A Resubdivision of Lots 7 & 8

Number of Lots / Acres: 1 Lot / 1.1± Acre

Engineer / Surveyor: Gregory C. Spies

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.

George Davis, City Engineering, asked that the applicant submit an updated plat to the Engineering Department for a review before they get all signatures.

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

- 1) placement of a note on the Final Plat stating that the Lot is limited to its existing curb cuts, with any changes in size, location, or design to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) revision of the plat to label each lot with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 3) revision of the plat to illustrate the 25' minimum building setback line along Downtowner Loop North;

- 4) compliance with Engineering comments: *(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). Application and/or questions can be sent to rightofway.permits@cityofmobile.org. 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. The proposed development must comply with all Engineering Department design requirements and Policy Letters. E. 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. Add The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. Add to perform any work in the ROW, a right of way permit is required. F. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. The drawing must be on a larger size sheet than the 11"x17" plan submitted for this review.)*
- 5) compliance with Traffic Engineering comments: *(Site is limited to no more than two curb cuts to Downtowner Loop N with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.)*
- 6) 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).)*
- 7) 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)); and*
- 8) completion of the subdivision process prior to any requests for new construction.

The motion carried unanimously.

4. **6960 & 6970 McDonald Road**
(West side of McDonald Road, 760'± South of Old Pascagoula Road).
County
SUB2015-00061
Doris Davis Family Division Subdivision
Number of Lots / Acres: 3 Lots / 3.0± Acres
Engineer / Surveyor: Polysurveying Engineering – Land Surveying

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 Mr. Gant to waive Section V.D.1. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Dedication sufficient to provide 50' from the centerline of McDonald Road;**
- 2) **Retention of the lot size information on the Final Plat, revised for dedication;**
- 3) **Revision of the 25-foot minimum building setback line to reflect dedication;**
- 4) **Placement of a note on the Final Plat, if approved, stating that the proposed lots are limited to 1 curb-cut each to McDonald Road, with the size, design and location of the new curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 5) **Placement of a note on Final Plat stating that there will be no future subdivision of Lots 2 and 3 until additional frontage on a paved public or private street is provided;**
- 6) **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.;**
- 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.)***
- 8) **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). 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) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

PLANNED UNIT DEVELOPMENT APPLICATIONS:

5. 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 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 Ms. Sessions, with second by Ms. Denson to hold the matter over until the August 6th meeting and that the applicant submit revisions by July 2nd in order to address the following:

- 1) **Revision of the site plan to note the species of existing trees on the site, with trees to be removed clearly indicated;**
- 2) **Revision of the site plan to provide the square footage of all existing and proposed structures with their uses identified;**
- 3) **Revision of the site plan to indicate the size, curbing or bumper stops for all new parking spaces;**
- 4) **Revision of the site plan to depict lighting in compliance with the Zoning Ordinance, if applicable;**
- 5) **Submission of an application for Planning Approval if the intended use of the proposed building addition will be to accommodate an expansion of the existing warehouse and results in an excess of 40,000 square feet;**
- 6) **Revision of the site plan to indicate a compliant dumpster and pad or the placement of a note on the site plan stating that no dumpster will be utilized and refuse collection will either be curb-side or via private can collection services;**
- 7) **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.);

- 8) 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.);*
- 9) 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).);*
- 10) 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*
- 11) Submission of a Subdivision application by July 6th to alter the lot lines to accommodate the proposed building addition*

The motion carried unanimously.

GROUP APPLICATIONS:

- 6. 2480 Government Boulevard**
(North side of Government Boulevard, 520'± West of Pinehill Drive).

Council District 5

A. SUB2015-00064 (Subdivision)

Aaiden Place Subdivision

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

Engineer / Surveyor: Don Williams

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.

Aaron Rogers, 2480 Government Street, spoke on his own behalf.

Mr. Watkins asked Mr. Rogers if he was aware of the staff's recommendations.

Mr. Rogers responded that he was not.

Mr. Hoffman went over the recommendations for both the Subdivision application and the Rezoning application.

Mr. Watkins suggested the applicant get with Staff to provide some additional commentary on the rezoning.

Mr. Vallas asked what the anticipated use for the property.

Mr. Rogers responded that their potential tenants are a physician, photographer and barber.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Gant to hold the matter over until the August 6, 2015 meeting, with revisions due by July 6, 2015 to address the following:

- 1) **provision of the scale of the plat;**
- 2) **provision of a North arrow;**
- 3) **provision of signature boxes for the property owner and various city departments;**
- 4) **illustration of the minimum building setback line along Government Boulevard to provide 150' from the centerline;**
- 5) **provision of the lot size in square feet and acres;**
- 6) **revision of the plat to illustrate the right-of-way for Government Boulevard;**
- 7) **placement of a note on the plat stating that the lot should be limited to the existing curb cuts to Government Boulevard with changes in the size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards;**
- 8) **full 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 (FLIGHT 26 - #80) the Lot 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. Label the major street names in the vicinity map. G. 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. H. Provide labels showing the existing parcels 1, 2, and 3. Probate records indicate that the 2 westernmost parcels are listed as Parcel A and Parcel B. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. I. Show and label each and every Right-Of-Way and easement. J. Provide and label the monument set or found at each subdivision corner. K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. L. Provide the Surveyor's Certificate and Signature. M. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. N. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. O. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 9) full compliance with Traffic Engineering comments (Government Boulevard (U.S. Highway 90) 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 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. The provided site plan does not adequately show the site's existing access and parking. Aerial photography of the site includes walkways from the building to the asphalt parking area, but the walkways are not indicated on the plans. Eight of the parking spaces shown are on grass, which is not permitted. It appears that all of the paved parked encroaches in the right-of-way, if not completely in the right-of-way.);

- 10) **full 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
- 11) **compliance with Fire comments:** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2012 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).*

The motion carried unanimously.

B. ZON2015-01301 (Rezoning)

EAA LLC / Eryka Rogers

Rezoning from B-1, Buffer Business District, to B-2, Neighborhood Business District, to accommodate a future business.

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

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Gant to hold the matter over until the August 6, 2015 meeting, with revisions due by July 6, 2015 to address the following:

- 1) **the subject site does not meet the size criteria for a new zoning district as stated in Section 64-9.A.2.b. of the Zoning Ordinance; and**
- 2) **the applicant failed to adequately justify the need for rezoning per Section 64-9. of the Zoning Ordinance.**

The motion carried unanimously.

7. 5753 Old Shell Road

(Southeast corner of Old Shell Road and Long Street).
Council District 6

A. SUB2015-00063 (Subdivision)

Shed Development Subdivision

Number of Lots / Acres: 2 Lots / 2.1± Acres

Engineer / Surveyor: Thomas E. Latham

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

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

William Lata, Clark, Geer, Latham & Associates, spoke on behalf of the applicant. He stated that the site is designed for two drive-thru's and will need more than one curb-cut. One of the restaurants will not have a separate ordering station, therefore under the ordinance it only has to have three queuing spaces.

Mr. Hoffman stated that Staff was in agreement with the change.

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

- 1) **Placement of a note on the final plat stating that Lot 1-B is limited to one curb-cut to Old Shell Road, that Lot 1-A is limited to two curb-cuts to Long Street, and that the size, design and location of all curb-cuts are subject to Traffic Engineering approval and are to comply with AASHTO standards;**
- 2) **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). Application and/or questions can be sent to rightofway.permits@cityofmobile.org. 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 proposed development must comply with all Engineering Department design requirements and Policy Letters. 5. 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. Add The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. Add to perform any work in the ROW, a right of way permit is required.);

- 3) **Compliance with Traffic Engineering comments** (*Prior to the issuance of any land disturbance permits for a proposed hotel, a traffic impact study will be required to be submitted and approved by Traffic Engineering. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements (if any) identified in the study. The overall site is limited to two curb cuts to Old Shell Road, and five curb cuts to Long Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any driveway permits for Long Street are contingent upon improvements to the roadway as needed to meet city standards. Any driveway permits for Old Shell Road are contingent upon the closure of the mid-block median cut adjacent to the site. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 4) **Compliance with Urban Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));*
- 5) **Compliance with Fire comments** (*All projects within the City 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));*
- 6) **Provision of a revised PUD site plan prior to the signing of the final plat; and**
- 7) **Completion of the Subdivision process prior to requesting permits for new construction on Lot 1-B.**

The motion carried unanimously with Ms. Latham recusing.

B. ZON2015-01292 (Planned Unit Development)

Ken Kleban

Planned Unit Development Approval to allow shared access and parking between two separate lots.

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

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

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

the following conditions:

- 1) Revision of the site plan to depict and label the 25-foot minimum building setback line along the Old Shell Road and Long Street frontages;
- 2) Full compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpsters;
- 3) Full compliance with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance regarding site and parking area lighting;
- 4) Approval limited to the maximum square footage of food and/or beverage establishments as proposed (8,952 square feet);
- 5) Approval limited to the outside dining areas depicted on the site plan;
- 6) 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). Application and/or questions can be sent to rightofway.permits@cityofmobile.org. 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 proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) Compliance with Traffic Engineering comments *(Prior to the issuance of any land disturbance permits for a proposed hotel, a traffic impact study will be required to be submitted and approved by Traffic Engineering. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements (if any) identified in the study. The overall site is limited to two curb cuts to Old Shell Road, and five curb cuts to Long Street, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any driveway permits for Long Street are contingent upon improvements to the roadway as needed to meet city standards. Any driveway permits for Old Shell Road are contingent upon the closure of the mid-block median cut adjacent to the site. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*

- 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 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));*
- 10) **Provision of a revised PUD site plan prior to the signing of the final plat; and**
- 11) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously with Ms. Latham recusing.

8. **2648, 2650 and 2652 Government Boulevard**
(Northwest corner of Government Boulevard and Merwina Avenue, extending to the South side of Kreitner Street at its West terminus).
Council District 5

- A. **SUB2015-00059 (Subdivision)**
CDW Shannon Heights Resubdivision
Number of Lots / Acres: 4 Lots / 3.2± Acres
Engineer / Surveyor: Joseph T. Regan, Jr.

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

Calvin Weaver Jr., 5305 Old Shell Road, spoke on behalf of the applicant. He stated that they are simply trying to convey the property; on proposed lot 3 they have an accepted offer under contract. However, they did not anticipate having to add sidewalks and additional parking. They just wanted to split up the lots for future sales; they anticipate the other lots to be strictly warehouses. Mr. Weaver then requested that they application be heldover until the next meeting.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Gant to hold the matter over until the August 6th meeting at the applicant's request.

The motion carried unanimously.

- B. **ZON2015-01276 (Planned Unit Development)**
CDW Shannon Heights Resubdivision
Planned Unit Development Approval to allow shared access and parking between multiple lots.

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

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Gant to hold the matter over until the August 6th meeting at the applicant's request.

The motion carried unanimously.

C. ZON2015-01275 (Rezoning)

CDW LLC, Calvin Weaver

Rezoning from B-2, Neighborhood Business District, and R-1, Single-Family Residential District, to B-3, Community Business District, to accommodate existing businesses and eliminate split zoning.

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

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Ms. Gant to hold the matter over until the August 6th meeting at the applicant's request.

The motion carried unanimously.

9. 1437 Cochrane Causeway

(West side of Cochrane Causeway, 1000'± South of the South terminus of the Cochrane-Africatown Bridge).
Council District 2

A. ZON2015-01289 (Planned Unit Development)

Cowles, Murphy, Glover & Associates

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

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

Gary Cowles, Cowles, Murphy, Glover & Associates, 457 St. Michael Street, Mobile, AL, represented the application and indicated that he was in agreement with staff recommendations.

The following people spoke in opposition to the matter:

- 1) Kelli Baker, 255 State Street, Mobile, AL, spoke on her own behalf as President of the De Tonti Square Homeowners Association;

- 2) Johnna Rogers, 250 St. Anthony Street, Mobile, AL, spoke on her own behalf and as a board member of the De Tonti Square Homeowners Association;
- 3) Bethany Knight Metzger, 1736 Hunter Avenue, Mobile, AL, spoke in her capacity as a realtor at Roberts Brothers in Mobile;
- 4) Lister C. Portis, 604 Camel Street, Mobile, AL, spoke on his own behalf.

They made the following points against the matter:

- A. They smell asphalt cooking on a daily basis;
- B. The smell affects their property values – houses are for sale that no one will buy;
- C. The smell and the expansion of petroleum facilities makes living downtown less and less desirable;
- D. They have invested large sums of money in their properties downtown and intended to spend more in the future but have put their plans on hold for now;
- E. It is not economically smart for the continued growth and tourism in Mobile to approve such distasteful things right in the City especially when there are other areas that are appropriately zoned;
- F. People moving into the area have concerns about buying homes in Mobile versus Baldwin County due to the pipeline, petroleum storage tanks, and open air coal terminals;
- G. There are schools, historic churches and many residences in close proximity to these tanks, and if there was an explosion at this site, the safety of these people would be compromised.

Ms. Latham asked if there would be any manufacturing on-site and if there was currently asphalt stored on-site now.

Mr. Cowles replied that there is no manufacturing on-site; that statement from the opposition was misinformation. There may be asphalt currently stored on-site. He stated that petroleum, asphalt and chemical products all have a smell. There are such smells produced at this site and other sites along the river. Ms. Rogers alluded to the use of the previously approved sulfuric acid tanks to “cook” the asphalt. That statement is entirely unfounded. The site is a terminal facility where no manufacturing or processing takes place; it is a storage facility only. He understood Mr. Portis’s concerns, but he didn’t believe that Mr. Portis was at risk from an explosion at this facility. This facility has been previously approved for several tanks. The current project is to replace a previously approved 80,000 barrel tank and reduce the storage to three 10,000 barrel tanks. This change is to accommodate a customer who has produced approximately 350 jobs in this state, and they will use this facility to store asphalt they make in Tuscaloosa. They will sell this specialized asphalt material to their customers to make roads and shingles. The reduction is approximately 49,500 gallons of storage capacity. The material will come in by barge and go out by trucks.

Mr. Gant asked if the tanks approved in the previous PUD were approved to store asphalt products currently and by amending this PUD they would be reducing the amount of product stored there.

Mr. Hoffman confirmed that the site is already approved for petroleum products storage, which includes asphalt, as well as sulfuric acid.

Mr. Vallas asked why they wanted three smaller tanks.

Mr. Cowles replied that it was to satisfy the needs of their client who needed to store three distinctly different types of asphalt.

Mr. Doyle, Mr. Watkins, and Ms. Denson discussed that the site was already approved for two large tanks, and had they wanted to build one large tank, they wouldn't have had to come before the Planning Commission at all.

Mr. Cowles verified that was correct.

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

- 1) **revision of the site plan to indicate the dumpster in the Northern portion of the site to be in compliance with Section 64-4.D.9. of the Zoning Ordinance;**
- 2) **retention of the note on the site plan stating that any use of the site other than that of this approval, or any physical changes to the site, will require a new Planned Unit Development application;**
- 3) **compliance with the Engineering comments: *[1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. 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). 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 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. 5. 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. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.];

- 4) compliance with the Traffic Engineering comments: (Cochran Causeway 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 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.);
- 5) compliance with the 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).];
- 6) submission to Planning of two (2) copies of a revised site plan incorporation all conditions of approval prior to submitting for construction permits; and
- 7) full compliance with all municipal codes and ordinances.

The motion carried with one vote in opposition.

B. ZON2015-01288 (Planning Approval)
Cowles, Murphy, Glover & Associates

Planning Approval to amend a previously approved Planning Approval to allow the expansion of an existing bulk site fuel storage facility.

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

Gary Cowles, Cowles, Murphy, Glover & Associates, 457 St. Michael Street, Mobile, AL, represented the application and indicated that he was in agreement with staff recommendations.

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

- 1) revision of the site plan to indicate the dumpster in the Northern portion of the site to be in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 2) retention of the note on the site plan stating that any use of the site other than that of this approval, or any physical changes to the site, will require a new Planned Unit Development application;
- 3) compliance with the 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 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.];*
- 4) compliance with the Traffic Engineering comments: *(Cochran Causeway 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 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.);*
- 5) compliance with the 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).];*
- 6) submission to Planning of two (2) copies of a revised site plan incorporation all conditions of approval prior to submitting for construction permits; and
- 7) full compliance with all municipal codes and ordinances.

The motion carried with one vote in opposition.


OTHER BUSINESS:


Mr. Anderson stated that they have set up the tour of the Enhanced Scrutiny Area and parts of AfricaTown for PC members on Monday, June 22 at 3 PM.

Mr. Hoffman informed Commission members about the Downtown Development District Workshop for PC and BOA members, Wednesday, June 24 from 11 AM to 1 PM.

Hearing no further business, the meeting was adjourned.

APPROVED: April 7, 2016



Ms. Jennifer Denson, Secretary

Mr. James F. Watkins, Chairman
/jpw