

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF MAY 21, 2015 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Mr. James (Jay) F. Watkins, Chairman
Mr. Carlos Gant, Vice Chair
Mr. Nick Amberger (AO)
Ms. Shirley Sessions
Mr. Levon Manzie (CC)
Mr. P. Nigel Roberts
Mr. Allan Cameron (S)
Ms. Libba Latham (PJ)
Mr. Don Hembree (PJ)

Members Absent

Ms. Jennifer Denson (S), Secretary
Ms. Sujin Kim
Mr. Thomas Doyle
Mr. John Vallas

Urban Development Staff Present

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

Others Present

Doug Anderson,
Assistant City Attorney
Jesse Yawn,
City Engineering
Marybeth Bergin,
Traffic Engineering
James May
Fire-Rescue Department

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

ROLL CALL:

Mr. Watkins stated the number of members present constituted a quorum and advised all attending of the policies and procedures pertaining to the Planning Commission.

HOLDOVERS:

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

SUB2015-00029

West Point Plaza Subdivision, First Addition

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

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

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

May 21, 2015
Planning Commission Meeting

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

Jeff Johnston, 8970 O'Hara Drive, spoke in opposition the matter. He made the following points against the application:

- A. only in opposition to the cut-through of O'Hara Drive;
- B. received several request from other home-owners to start a petition;
- C. 32 people signed a petition against the access to O'Hara Drive;
- D. the western perimeter of lot 1 is currently being accessed by students at Baker High School;
- E. heard from students that they are being allowed to park on lot 1 by paying a fee;
- F. believes the developer has created their own hardship

Jerry Luker, Speaks & Associates, spoke on the applicant's behalf. He stated that the applicant does not know the use of the lots at this time and was not aware of a formal agreement between the owner and Baker High School.

Mr. Watkins asked Mr. Johnston that if they deny access between the school and Lot 1 and deny access between Lot 1 and Lot 2 will that satisfy the concerns that the neighbors have.

Mr. Johnston stated that the neighbors are concerned about the use of Lot 1.

Hearing no further opposition or discussion, a motion was made by Mr. Amberger, with second by Mr. Hembree to waive Section V.D.1. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) Revision of the 25' minimum setback line to be depicted as a box where the pole meets the flag on Lot 1;**
- 2) Placement of a note on the Final Plat limiting the proposed Lot 1 to one curb-cut to O'Hara Drive;**
- 3) Placement of a note on the Final Plat limiting the proposed Lot 2 to one curb-cut to Fangorn Road;**
- 4) Placement of a note on the Final Plat limiting the proposed Lot 3 to one curb-cut to Anna Court;**
- 5) Placement of a note on the Final Plat denying access from Lot 1 to the Baker High School property adjacent to the West;**
- 6) Placement of a note on the Final Plat stating that cross access between Lots 1 and 2 is denied;**
- 7) Placement of a note on the Final Plat stating that the size, design, and location of all curb-cuts are subject to approval by Mobile County Engineering and shall apply with AASHTO standards;**
- 8) Placement of a note on the Final Plat stating that this site is located in the County, thus any lots which are developed commercially and**

adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;

- 9) Placement of a note on the Final Plat stating that there shall be no additional subdivision of any lot until adequate, compliant frontage on a public or compliant private street is provided; and
- 10) Placement of Engineering comments as a note on the plat stating that the site must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.

The motion carried unanimously.

2. West terminus of Wynnridge Drive extending to the South terminus of Widgeon Drive.
Council District 6
SUB2015-00028
Wynnfield Subdivision, Unit 5
Number of Lots / Acres: 25 Lots / 15.2± Acres
Engineer / Surveyor: Austin Engineering Company, Inc.

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

Ruffin Graham, 6576 Airport Blvd, spoke on behalf of the applicant. He requested that this application be heldover until the July 9th meeting.

John Waldron, 3407 Raleigh Way, spoke on behalf of the Raleigh Home Owners Association. He stated that the Raleigh Home Owners Association is asking that this application be denied. He also asked that he be included any future notifications regarding this application.

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 July 9th meeting at the applicant's request.

The motion carried unanimously.

3. **4512 Higgins Road**
(North side of Higgins Road, 250'± West of Shipyard Road).
Council District 4
ZON2015-00650
David Pitts
Rezoning from R-1, Single-Family Residential District, to B-3, Community Business District, to allow a laydown yard for postal truck storage.

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

- 1) **Provision of screening along the rear and side property lines of the outside storage area in compliance with Section 64-4.D of the Zoning Ordinance;**
- 2) **Provision of screening setback 10' from the front property line in the form of a 3 to 5 foot high berm or evergreen hedge, or a 6 foot high privacy fence setback 25 feet from the front property line; and**
- 3) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

4. **1601 & 1609 Center Street and 189 Lyons Park Avenue**
(Southwest corner of Center Street and Lyons Park Avenue, also; interior streets Lucy Street, Lambert Street, Sadie Street, and Hill Street all to be vacated)
Council District 2
SUB2015-00045
USA POB Subdivision, Addition to
Number of Lots / Acres: 1 Lot / 10.0± Acres
Engineer / Surveyor: Wattier 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 Ms. Sessions, with second by Mr. Manzie to waive Section V.D.8. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) Submission of 7 probated copies of the Final Plat of USA POB Subdivision, prior to the signing of the Final Plat for USA POB Subdivision, Addition to;
- 2) Retention of the lot size information and the minimum building setback line on the Final Plat;
- 3) Placement of a note on the Final Plat stating: *(No permanent structure(s) can be placed or constructed in any easement.);*
- 4) Placement of a note on the Final Plat stating: Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 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. 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. Correct the spelling of "SPRINGHILL" to "SPRING HILL" and "MLK JR AVE" to "ST STEPHENS RD" in the vicinity map. 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. Show the recording information for the vacated Right-of-Way labeled as "12' ALLEY – TO BE VACATED". H. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. I. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 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 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.);

- 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 of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and*
- 9) **Completion of the Street Vacation process prior to the signing of the Final Plat.**

The motion carried unanimously.

5. **915 South Lawrence Street**
(West side of Lawrence Franklin Connector at the West terminus of South Carolina Street).
Council District 3
SUB2015-00048
Maritech Marine Subdivision, Phase 2
Number of Lots / Acres: 1 Lot / 0.3± Acre
Engineer / Surveyor: Rowe Engineering & Surveying, Inc.

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

Hearing no opposition or discussion, a motion was made by Mr. Hembree, with second by Mr. Gant to hold the matter over until the June 18th meeting in order to be heard in conjunction with a new Planned Unit Development application addressing the existing right-of-way encroachment problems.

The motion carried unanimously.

6. **4959 & 4963 Moffett Road**
(South side of Moffett Road extending to the North side of Overlook Road).
Council District 1
SUB2015-00049
Moffett Road Waffle House Subdivision

Number of Lots / Acres: 1 Lot / 0.5± Acre

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

- 1) **Dedication of right-of-way to provide 50' as measured from the centerline of Moffett Road; if necessary**
- 2) **Dedication of right-of-way to provide 25' as measured from the centerline of Overlook Road; if necessary**
- 3) **Revision of the minimum building setback lines to reflect either a minimum distance of 25' along all street frontages, or as approved at the May 2015 meeting of the Board of Zoning Adjustments;**
- 4) **Revision of the Final Plat to depict a corner radius along each street corner, in compliance with Section V.D.6, if determined necessary by the City Engineer;**
- 5) **Placement of a note on the Final Plat stating that the lot is limited to 1 curb-cut each on both Moffett Road and Overlook Road, with the size, design or location to be approved by Traffic Engineering and ALDOT conform to AASHTO standards;**
- 6) **Revision of the lot size information to be depicted in both square feet and in acres on the Final Plat;**
- 7) **Compliance with Fire Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
- 8) **Compliance with Engineering Comments and placement as a note on the Final Plat:** *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: (A. Clarify the area between the "WEST LINE OF OVERLOOK ROAD PER ROW MAP" and the east property line of the proposed subdivision. B. 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. C. 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. 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. 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. F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. 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. H. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. I. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 9) **Compliance with Traffic Engineering Comments:** *(Moffett Road (US Highway 98) is an ALDOT maintained roadway, and thus requires approval for any changes proposed in the right-of-way. Site is limited to a maximum of one curb cut per street frontage, with 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.); and*
- 10) **Labelling of the minimum right-of-way width for all abutting streets.**

The motion carried unanimously.

7. **948 Carol Street**

(East side of Carol Street, 605'± South of Crowell Street).

County

SUB2015-00040

Glen Acres Subdivision, Resubdivision of Lot 35 Block L

Number of Lots / Acres: 2 Lots / 1.0± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

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

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that Condition #1 would not be necessary because the plat they submitted shows a

60ft right-of-way. He also stated that the condition #5 needed to be revised to take out the last three words.

Hearing no opposition or further discussion, a motion was made by Mr. Hembree, with second by Mr. Manzie to waive Section V.D.1. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) Revision of the minimum building setback line to reflect a minimum distance of 25' for Lot B;
- 2) Placement of a note on Final Plat stating no future subdivision of Lot B until additional frontage on a paved public or private street is provided;
- 3) Placement of a note on the Final Plat stating that each lot is limited to 1 curb-cut each to Carol Street, with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 4) Retention of the lot size information on the Final Plat;
- 5) Placement of a note on the Final Plat stating: *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.);*
- 6) Compliance with Fire Comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and*
- 7) Compliance with Engineering Comments and placement as a note on the Final Plat: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.).*

The motion carried unanimously.

8. **3456 Stein Avenue**
(Northeast corner of Stein Avenue and Dogwood Lane).
Council District 7

SUB2015-00047

Parker Estates Subdivision

Number of Lots / Acres: 2 Lots / 0.6± Acre

Engineer / Surveyor: Polysurveying Engineering-Land Surveying

The Chair recused himself from discussion and voting on the matter.

Mr. Gant 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.

Steve Gordon, 3451 Stein Street, spoke in opposition the matter. He requested that the application be heldover until June 18th based on the fact that he felt as if he did not have enough time to evaluate the application.

Mr. Olsen stated that the notification went out per the requirements; the Staff reports were posted late. He noted that Mr. Gordon received the notice on May 12th; the notice states that if you need more information to contact our office. Anyone is welcome to come down and look at the file at any time.

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that this is a minor 2 lot Subdivision that is zoned R-1. The home builder has an immediate plan to build a 4,000 square foot home on Lot 1 and expecting to do the same on Lot 2. He requested that the application be approved at this meeting.

Russell Buffkin, 262 Dogwood Lane, spoke in reference to the application. He stated that he would also like to see the application be heldover to allow the community more time to evaluate the application.

Hearing no further opposition or discussion, a motion was made by Ms. Latham, with second by Mr. Roberts to hold the matter over until the June 4th meeting to allow the neighborhood to review the proposed subdivision.

The motion carried unanimously with The Chair recusing.

9. Northwest corner of Grelot Road and Air Terminal Drive, extending to the North terminus of Selby Phillips Drive

County

SUB2015-00041

Woodberry Forest Additions, Subdivision, Resubdivision of Lot 1,

Correction Plat

Number of Lots / Acres: 2 Lots / 13.0± Acres

Engineer / Surveyor: Austin Engineering Company, Inc.

The Chair announced the application had been recommended for approval. He

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

Ruffin Graham, 6576 Airport Blvd, spoke on behalf of the applicant. Mr. Graham noted that this application and the following two are all part of a project that he has been working on. He stated that there was a 60ftx130ft leg that is coming off of the parent track that needs to be addressed; when the surrounding property was purchased the land owner of the parent track wanted access back to Selby Phillips Drive and he retained ownership of that particular strip. He noted that he is now purchasing the property for Rosefield Subdivision and is going to do away with that access point. He then asked what the buffer needed to be between commercial and residential.

Mr. Olsen responded that the buffer could be a 6ft privacy fence or a 10ft planting strip.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Manzie to hold the matter over until June 4th to allow the applicant to revise the subdivision to 3 lots. Revisions and required labels and notification fees to be submitted by 10:00 AM, Tuesday, June 26.

The motion carried unanimously.

- 10. West side of Air Terminal Drive at the North terminus of Selby Phillips Drive**
County
SUB2015-00043
Chesapeake Subdivision, Unit 2
Number of Lots / Acres: 51 Lots / 30.0± Acres
Engineer / Surveyor: Austin Engineering Company, Inc.

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

Ruffin Graham, 6576 Airport Blvd, spoke on behalf of the applicant. He stated that they are already under construction for this application but he does not know when they will start construction for Rosefield. The issue is that there is a condition for Chesapeake that requires submission to the Planning Division of the required seven copies of the recorded Rosefield Subdivision prior to the signing of the Final Plat for Unit 2. He stated that he would rather not be held up on this project.

Mr. Hoffman stated that these three applications are all linked due to their geographical proximity, as well as the small overlap that Mr. Graham mentioned that fronts Selby Phillips Drive. The problem that could be resolved with the Woodberry Forrest Additions Subdivision, which is currently a proposed 2 lot Subdivision, if a third lot could have been created

for the small tail going out on Selby Phillips it would have removed out of what might cause the Chesapeake 2 to be held up because of the Rosefield Subdivision. The Rosefield Subdivision will be using the Lot A of the first three applications and when it is developed it will lose that small tail going on to Selby Phillips which is being subdivided into the Chesapeake Subdivision.

Mr. Olsen stated that what could be done, rather than going through a whole new subdivision process, is that it could be heldover and staff could accommodate it for the next meeting and because it is changing the number of lots new notifications would have to be sent out.

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Manzie to hold the matter over until June 4th to be heard with Woodberry Forest Additions Subdivision, Resubdivision of Lot 1, Correction Plat.

The motion carried unanimously.

11. North side of Grelot Road, 125'± East of Selby Phillips Drive

County

SUB2015-00042

Rosefield Subdivision

Number of Lots / Acres: 31 Lots / 9.3± Acres

Engineer / Surveyor: Austin Engineering Company, Inc.

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

Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Manzie to hold the matter over until June 4th to be heard with Woodberry Forest Additions Subdivision, Resubdivision of Lot 1, Correction Plat.

The motion carried unanimously.

PLANNED UNIT DEVELOPMENT APPLICATIONS:

12. North side of Airport Boulevard, 2/10± mile West of Border Circle West.

Council District 7

ZON2015-01000

Richardson, Inc.

Planned Unit Development approval to amend a previously approved Planned Unit Development to allow 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. Hembree, with second by Ms. Sessions to approve the above referenced matter, subject to the following conditions:

- 1) Revision of the site plan to depict the correct distance of the southern lot line, adjacent to the Airport Boulevard right-of-way;
- 2) Placement of a note on the site plan stating any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance. Photometric plans will be required at the time of land disturbance;
- 3) Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setback along Airport Boulevard;
- 4) Compliance with Engineering Comments (***ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.***);
- 5) Compliance with Traffic Engineering Comments (*On-site signage*)

will be required to direct traffic into the site on the left side of the driveway as opposed to the typical right side, due to the proposed circulation illustrated on the site plan.);

- 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 of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 8) **Submission of an approved, revised PUD site plan prior to the issuance of a Land Disturbance Permit;**
- 9) **Development limited to the revised site plan, – future development of Lots 1 and 4 will require new PUD applications to amend the existing PUD; and**
- 10) **Full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

GROUP APPLICATIONS:

13. **Southwest corner of University Boulevard Service Road and Aurelia Street,
extending to the Northwest corner of Ocain Street and University Boulevard Service Road
Council District 4**

- A. **SUB2015-00044 (Subdivision)**
Alabama Baptist Children's Home Subdivision
Number of Lots / Acres: 1 Lot / 1.3± Acre
Engineer / Surveyor: Haidt Land Surveying

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.

Fred Haidt, Haidt Land Surveying, spoke on behalf of the applicant. He stated that he is in agreement with the Subdivision recommendations, but the rezoning is being recommended for denial with three conditions. The first condition stated that there is a minimum size for new B-1 or B-2 districts to be at least 2 acres, but in the same statement it stated that the size is to serve as a general guide. The proposed lot is now zoned R-1 and if rezoned would be the largest B-1 in the area. He also noted that the lot has been vacant for the past 32 year as R-1. The second condition is the characteristics of the neighborhood; everything along University Blvd is changing to business.

There are only three other vacant lots that are zoned R-1 along University from Cottage Hill to Grelot. Condition #3 was due to no site plan; he stated that they would submit that before any permits were provided. It was not submitted now because they are not sure when they are going to build and being a non-profit they do not have the funds until the land is purchased to determine how they would like to develop it.

Mr. Olsen stated that a site plan would have to be provided at the time of permitting. Generally there is one provided, even if is conceptual, to give the Commission an idea of how the property is to be developed to accommodate the proposed use.

John Means, owner of the property, spoke on his own behalf. He stated that he would like to support the purchasers attempt to purchase this property and he thinks that the application is fully reasonable. He did note that one of the points not brought up early is that this property is completely walled with a 9ft wall that runs the west perimeter of the property and buffers it from the residential property. He also noted that there is clear precedence on the north and east sides with B-1 zoned properties.

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

- 1) illustration of the 25' minimum building setback line along all frontages;
- 2) retention of the lot size in square feet and acres;
- 3) revision of the Final Plat to illustrate University Boulevard has a compliant right-of-way of at least 100';
- 4) placement of a note on the Final Plat stating that no structures are allowed in any easement;
- 5) 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. Add a vicinity map. B. Provide and label the POB. C. 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. D. 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. 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. F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. 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. H. Provide an updated Plat to Engineering Dept. for review prior to submittal for City Engineer's signature. I. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 6) full 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) 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*
- 8) compliance with Fire comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.).*

The motion carried unanimously.

B. ZON2015-00989 (Rezoning)

Alabama Baptist Children's Home c/o Dana Watson

Rezoning from R-1, Single-Family Residential District, to B-1, Buffer-Business District, to allow an emergency shelter for women and children.

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

- 1) Compliance with Engineering Comments (1. Any work performed**

- in the 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). 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. 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. Any proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 2) 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.);*
 - 3) Compliance with Forestry Comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).)*
 - 4) Compliance with Fire Department Comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and*
 - 5) Full compliance with all municipal Codes and Ordinances.*

The motion carried unanimously.

14. **4219 Moffett Road**
(South side of Moffett Road, 200'± East of Carre Drive East).
Council District 7

A. SUB2015-00046 (Subdivision)

4219 Moffett Road Subdivision

Number of Lots / Acres: 1 Lot / 1.4± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

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

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that they are in agreement with the Subdivision conditions, but wanted to address the Rezoning application. Mr. Byrd stated that to the east of this property there is a large apartment complex which is B-3 zoning and there is B-2 property across the street. They are requesting this property to be rezoned to B-1 for offices. This property has been used since 1985 as an accounting office and that was with use of a variance from the Board of Adjustment.

Michael Friedlander, 744 Museum Drive, spoke on behalf of the owner. He stated that the front building has been modified from a house to an office. Building #2 is in sad state and the plan is to fix it up and use it as his real estate office.

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

- 1) **retention of the 25' minimum building setback line along Moffett Road;**
- 2) **placement of a note on the Final Plat stating the site is limited to the two existing curb-cuts to Moffett Road with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards;**
- 3) **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. Add legible street names to the vicinity map. B. Review and revise, as necessary, the written legal description or the boundary label for the south property line. C. 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. D. 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. 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. F. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G. Provide the Surveyor's Certificate and Signature. H. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. I. 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. 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.);

- 4) full compliance with Traffic Engineering comments: (Moffett Road (US Highway 98) is an ALDOT maintained roadway, and thus requires approval for any changes proposed in the right-of-way. Site is limited to no more than its existing two curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.); and*
- 5) compliance with Fire comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.).*

The motion carried unanimously.

B. ZON2015-01003 (Planned Unit Development)

4219 Moffett Road Subdivision

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

The Chair announced the PUD application 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. Hembree, with second by Mr. Amberger to approve the above referenced matter, subject to the following conditions:

- 1) revision of the site plan to either include a note stating that curb-side pickup will be utilized or illustrate a dumpster enclosure with sanitary sewer connection compliant with Section 64-4.D.9. of the Zoning Ordinance;
- 2) revision of the site plan to include a note stating that curb-side pickup will be utilized or illustrate a dumpster enclosure with sanitary sewer connection compliant with Section 64-4.D.9. of the Zoning Ordinance;
- 3) provision of concrete, asphalt, or an approved alternative paving surface for all parking and maneuvering areas, or approval of a variance;
- 4) full compliance with tree planting and landscape area requirements, or approval of a variance;
- 5) provision of a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance, or approval of a variance;
- 6) compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and ALDOT (251-470-8200). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The*

- proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) **compliance with Traffic Engineering comments (*Moffett Road (US Highway 98) is an ALDOT maintained roadway, and thus requires approval for any changes proposed in the right-of-way. Site is limited to no more than its existing two curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);**
 - 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) **placement of a note stating that the site is limited to an approved Planned Unit Development;**
 - 10) **submittal of two (2) revised site plans to the Planning Division prior to the signing of the Final Plat; and**
 - 11) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

C. ZON2015-01002 (Rezoning)

Y'ALL, LLC

4219 Moffett Road

Rezoning from R-1, Single-Family Residential District, to B-1, Buffer- Business District, to allow an office building.

The Chair announced the Rezoning application 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. Hembree, 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 municipal codes and ordinances.**

The motion carried unanimously.

OTHER BUSINESS:

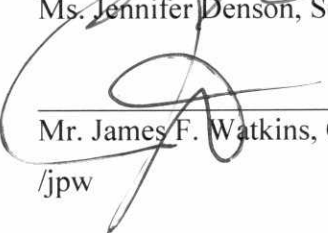
- **Business meeting to be set for June 11 at 2 PM, to allow presentation of AGST subcommittee information to entire Planning Commission**

May 21, 2015
Planning Commission Meeting

- **Planning Commission extends its thanks to Laura Clarke for her years of service and assistance.**
- **Announcement regarding the Map for Mobile presentation the evening of May 21, 2015, at The Grounds.**

APPROVED: April 7, 2016



Ms. Jennifer Denson, Secretary

Mr. James F. Watkins, Chairman

/jpw