

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF MARCH 18, 2004 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Robert Frost, Chairman  
Terry Plauche, Vice-Chair  
Victor McSwain, Secretary  
Victoria L. Rivizzigno  
Ann Deakle  
John Vallas  
Clinton Johnson  
Nicholas H. Holmes, III

**Members Absent**

Wendell Quimby  
James Laier  
Ernest Scott (S)

**Urban Development Staff Present**

Laura J. Clarke, Director,  
Urban Development Department  
Margaret Pappas, Planner II  
Ron Jackson, Urban Forestry  
Shayla Jones, Planner I  
Jennifer Henley, Secretary II

**Others Present**

Jennifer White, Traffic Engineering  
Pat Stewart, County Engineering  
Beverly Terry, City Engineering

Mr. Frost stated the number of members present constituted a quorum and called the meeting to order.

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

**APPROVAL OF MINUTES:**

A motion was made by Mr. Plauche and seconded by Ms. Deakle to approve the minutes of the January 8, and January 22, 2004, meetings as submitted. The motion carried unanimously.

**HOLDOVERS:**

**Case #SUB2004-00007**

**Audubon Cove Subdivision**

Southwest corner of Higgins Road and Audubon Drive, extending South and West to the Southern terminus of Clemson Drive, and to the Northeast corner of Cole Drive and Audubon Drive.

80 Lots / 58.2± Acres

Mr. Don Coleman of Rester and Coleman Engineers, Inc. was representing the applicant and concurred with the staff recommendations.

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There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to waive Section V.C.1., of the Subdivision Regulations, and approve this subdivision subject to the following conditions:

- (1) the approval of all applicable federal, state and local agencies;
- (2) that the use of the common areas be labeled on the final plat, with a note stating that the maintenance thereof is the responsibility of the property owners;
- (3) the provision of traffic calming along the new street to be coordinated with and approved by both Urban Development staff and Traffic Engineering; and
- (4) full compliance with the City Engineering Comments (must comply with all stormwater and flood control ordinances; any work performed in the right of way will require a right of way permit; developer must provide an approved outfall into a City of Mobile maintained system at any point of discharge where one does not exist; this development contains one or more points of discharge where an acceptable outfall does not exist, thus, the developer will be required to provide outfall approved by the City Engineer).

The motion carried unanimously.

**EXTENSIONS:**

**Case #SUB2000-00017 (File #S2000-262)**

**Airmont Place Subdivision**

South side of Pleasant Valley Road, 550' ± West of Montlimar Drive, extending South to the East terminus of Markham Drive.

7 Lots / 22.5± Acres

Request for a one-year extension of previous approval.

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Plauche and seconded by Mr. McSwain to grant a one-year extension of previous approval for this subdivision. However, it should be noted that a fourth extension is unlikely.

The motion carried unanimously.

**Case #SUB2003-00007**

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**Fairfield Place Subdivision (formerly Raines Addition to Wildwood Subdivision)**

East side of Wildwood Place, 130'± South of Vista Bonita Drive South.

33 Lots / 8.9± Acres

Request for a one-year extension of previous approval.

Mr. Don Coleman of Rester and Coleman Engineers, Inc. was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Plauche and seconded by Mr. McSwain to grant a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

**Case #SUB2003-00014**

**Jean's Way Subdivision**

7011 Old Shell Road (South side of Old Shell Road, 75'± East of Wiroh Drive).

2 Lots / 1.2± Acres

Request for a one-year extension of previous approval.

Mr. Jerry Byrd of Byrd Surveying, Inc. was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Plauche and seconded by Mr. McSwain to grant a one-year extension of previous approval for this subdivision. However, it should be noted that a second extension is unlikely.

The motion carried unanimously.

**GROUP APPLICATIONS:**

**Case #ZON2004-00545**

**Ebenezer AME Zion Church (Clarence J. Cooke, Sr., Agent)**

268 St. Charles Avenue (South side of St. Charles Avenue, 365'± East of St. Stephens Road).

The request for Planning Approval to allow a parking lot expansion at an existing church in an R-1, Single-Family Residential district was considered.

The site plan illustrates the existing buildings, landscaping, and surface to be removed along with the proposed parking spaces and landscaping.

(Also see Case #ZON2004-00546 - **Ebenezer AME Zion Church Subdivision** – Below; and Case #SUB2004-00038 - **Ebenezer AME Zion Church Subdivision** – Below)

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Ms. Lynda Burkett with Professional Land Surveyors was present on behalf of the applicant. She stated that the church had been at this location since 1865 and this would be a large improvement for the church and for this piece of property. Ms. Burkett noted that she had erroneously written up this request to include curbing, which was really not necessary for this piece of property. She said they were willing to put curbing at the ingress and egress and to expand that ingress and egress to 24', as well as comply with all other conditions including the bumpers and the parking stripes. They would, however, like to be held harmless from curbing around the entire circumference of the parking area.

Ms. Pappas stated that this would be allowable. She noted that bumper stops would be required.

Mr. Bennie Whigham, a trustee of the Ebenezer AME Zion Church, corrected Ms. Burkett's statement that the church had been there since 1865. He said it was actually 1868.

There was no one present in opposition.

A motion was made by Mr. Vallas and seconded by Mr. Holmes to approve this plan subject to the following conditions:

- (1) that the parking be paved, striped, and the provision of bumper stops;
- (2) that the curb cut be widened to 24-feet, with the location and design to be approved by Traffic Engineering;
- (3) provision of frontage trees along St. Charles Avenue;
- (4) the provision of a buffer where the site adjoins residential development;
- (5) the provision of a three-foot hedge or privacy fence along St. Charles Avenue; and
- (6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

**Case #ZON2004-00546**

**Ebenezer AME Zion Church Subdivision**

268 St. Charles Avenue (South side of St. Charles Avenue, 365'± East of St. Stephens Road).

The request for Planned Unit Development approval to allow multiple buildings on a single building site was considered.

The site plan illustrates the existing buildings, landscaping, and surface to be removed along with the proposed parking spaces and landscaping.

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(For discussion see Case #ZON2004-00545 - **Ebenezer AME Zion Church (Clarence J. Cooke, Sr., Agent)** – Above; also see Case #SUB2004-00038 - **Ebenezer AME Zion Church Subdivision** – Below)

A motion was made by Mr. Vallas and seconded by Mr. Holmes to approve this plan subject to the following conditions:

- (1) that the parking be paved, striped, and the provision of bumper stops;
- (2) that the curb cut be widened to 24-feet, with the location and design to be approved by Traffic Engineering;
- (3) provision of frontage trees along St. Charles Avenue;
- (4) the provision of a buffer where the site adjoins residential development;
- (5) the provision of a three-foot hedge or privacy fence along St. Charles Avenue; and
- (6) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

**Case #SUB2004-00038**

**Ebenezer AME Zion Church Subdivision**

268 St. Charles Avenue (South side of St. Charles Avenue, 365'± East of St. Stephens Road).

1 Lot / 0.7± Acre

(For discussion see Case #ZON2004-00545 - **Ebenezer AME Zion Church (Clarence J. Cooke, Sr., Agent)** – Above; also see Case #ZON2004-00546 - **Ebenezer AME Zion Church Subdivision** – Above)

A motion was made by Mr. Vallas and seconded by Mr. Holmes to approve this subdivision subject to the following condition:

- (1) dedication of sufficient right-of-way to provide 25-feet from the centerline of St. Charles Avenue.

The motion carried unanimously.

**Case #ZON2004-00553**

**Sollie Road Development Subdivision**

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

The request for Planned Unit Development Approval to allow a single-family residential subdivision with alleyway access was considered.

The plan illustrates the subdivision layout.

(Also see Case #SUB2004-00042 - **Sollie Road Development Subdivision** – Below)

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*Mr. Plauche recused himself from the discussion and vote regarding this matter.*

Mr. Stephen Harvey was present on behalf of the developer, Sollie Road Developments. Mr. Harvey said he wanted to address a number of issues that were raised by the Commission members in executive session at the February 19, 2004, meeting. Since that meeting they had met with the staff and addressed each of the issues that were raised. He said they agreed with the staff recommendations and would be happy to answer any questions. He also added that the entrance onto Sollie Road had been changed a little bit and he would ask their engineer to address that.

Mr. Scott Todd, McFadden Engineering, engineer of record for the subdivision development, stated that after the staff had put their report together, City Engineering had a request that they line up the entrance exactly across the street from the entrance to Wynnfield Subdivision. Mr. Todd said that the entrance was moved slightly south after this drawing was posted.

Mr. Maury Friedlander, 740 Museum Drive, stated that he was one of the owners of the property to the east and to the north of the subject property. Mr. Friedlander said that unfortunately they did not receive any official notice of today's hearing, and were not aware until Mr. Harvey just mentioned it, that they had moved the entrance. Also, Mr. Friedlander said they weren't consulted by staff or anyone else about the issues that were brought up in executive session the last time. For informational purposes, he said he spoke to Pat Stewart of the County Engineering Department before the meeting and asked if the County had any input in this. Mr. Friedlander said that since the last meeting the County had entered into an agreement with the City of Mobile for the County to maintain Sollie Road in this area. He felt with the traffic concerns and the proposed entrance onto Sollie Road, that for the County not to have been brought into this was not proper. Mr. Friedlander said he would repeat today most of what he said last time, but he had some new comments. He expressed concern that in the PUD application there were no mixed uses; it was all residential. He said a PUD required adequate access for emergency vehicles, and it should provide a protection from adverse effects to adjacent properties, and none of that was done. Mr. Friedlander said they owned most all of the adjacent property and felt the development would be very adverse to them because of the nature of what they were building, and because of access to their property which they did not think existed. He also expressed concern that emergency vehicles could not turn around in the subdivision because the streets had no turnarounds. The Subdivision Regulations stipulate a 600' maximum for turnaround lengths. He pointed out that the two streets in this development would be 1,880' and 2,400' respectively. Also, there were no driveways designed in this subdivision so an emergency vehicle would not be able to turn around by pulling in a driveway and backing out. Mr. Friedlander noted that the purpose of a PUD was not to avoid the requirements of development and the code requirements such as the length of streets, and turnarounds, but only to accommodate mixed uses within a PUD and in this instance there were no mixed uses. Regarding stub outs, Mr. Friedlander pointed out that there were two stub outs to the property to the east which he owned an interest in. One of those stub outs was in a flood area. He said they would probably never develop the property to the east where that stub out would come,

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so that would leave them with one stub out. Mr. Friedlander noted that his adjoining property was zoned R-2 and R-3 and they could have as many as 100-200 residential units in that area. Their only means of ingress and egress would be through the entrance to Sollie Road, creating a really unbearable traffic burden and an unbearable burden of danger when they entered out onto Sollie Road. He noted that the staff had addressed the fact that they also own the property to the north and perhaps that would be developed and present a second means of ingress and egress to Sollie Road. He said that could happen, but they had no plans on the drawing board for that to happen. They had owned an interest in that property for 30 years and it had not happened yet. In the meantime, there would be one means of ingress and egress to their property coming straight through this subdivision. Mr. Friedlander felt there was already too much traffic proposed to enter onto Sollie Road as they expressed at the last meeting. He said he had just learned from Mr. Harvey that the exit out on Sollie Road had been moved to the south, and they had not seen that. All they were seeing was the plat that they had last time. He was concerned that the new location may even more adversely affect them.

Mr. Frost asked the staff if the plan they were viewing was the current, revised plan.

Mr. Pappas replied that she was not aware of a revised plat having been submitted.

Mr. Friedlander felt that they must have some revised plans or Mr. Harvey would not have said that. However, no one had seen them. Regarding fencing, Mr. Friedlander said there was nothing on the plat that required them to build a fence. He noted that at one point it was discussed that they would build a 6-foot high fence along Sollie Road. Also, there was no indication they were going to provide a fence along Mr. Friedlander's property to the north and east. When the subject property was developed his property would be facing the garages with nothing in between them. They felt at a minimum they should be required to fence those two sides to the north and east. Mr. Friedlander further pointed out that there were no setback lines for the proposed development and their construction was going to be to the line on all three sides, even on Sollie Road. He realized they had a 20-foot wide alleyway, but he did not consider that a setback. He noted that their plat showed that 134 out of 152 lots were virtually 7,200 sq. ft., which was the minimum. Also, 24 of that 134 may be another 60'. Some of the lots were 66' x 120', but 114 of them are 60' x 120' which was minimum size. With that type of subdivision and no mixed uses, he contended it was not applicable for a PUD. Because of the size of the lots he said there would probably be no trees and no vegetation on the lots. Mr. Friedlander pointed out that the applicant did have a large area in the middle of the site that would be undeveloped and would be maintained according to staff recommendations by the property owners association. He said that area was almost all in a flood prone area, so they could not develop it. He contended that it would not really be maintained as a green area, but would just be a wilderness.

Mr. Vallas asked Mr. Friedlander if his property to the north and east would have access to the alleyway, or just the stub outs.

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Mr. Friedlander replied that they would have access to the stub outs, but he did not know about the alleyways.

Ms. Pappas stated that it would be just the City rights-of-way, because the alleyways would be private.

Mr. Friedlander further expressed his concern about emergency access, noting that the applicant still had the 2,400' and 1,800' long streets with no turnarounds and no driveways. He felt the design was punitive to their property, both east and north, and also punitive to those who lived on Sollie Road, and that this would be a subdivision that was really not commensurate with the type of homes that were on Sollie Road and the subdivision on both the north and the south sides.

In response to Mr. Friedlander's comments about the County now maintaining Sollie Road, Mr. Harvey said they did not know anything about that, but the City Engineering Department and the Traffic Department were aware of it. He felt they were more than competent to decide if this would cause any traffic problems.

Mr. Frost asked Mr. Stewart if he cared to comment on this.

Mr. Stewart stated that the County would maintain the driveway going into the right-of-way line.

Continuing, Mr. Harvey addressed the matter of the PUD as discussed by Mr. Friedlander. Mr. Harvey said the only reason they were required to file for a PUD was because some of the streets and alleys did not technically meet the subdivision requirements, which was adequately addressed in the staff report. With regard to emergency vehicles and no turnarounds, Mr. Harvey said there were cul-de-sacs all over the place, which they felt would give plenty of room to turn around in. Mr. Harvey said their streets met the requirements. They were typical city streets, so there should be plenty of room for emergency vehicles to access his property. As to one of the stub outs to his property being in a flood zone, Mr. Harvey said their engineer told them that that was not true. As for the new relocated entrance, Mr. Harvey said their engineer said that it came about because of a traffic recommendation from the City after the staff report was written. They had not had time to redo the plat before the meeting. He said they would be more than willing to leave the entrance where it was now; they were open to suggestions there. Regarding a fence along Shalimar, they would also be open to discussing that. As for Mr. Friedlander saying they had no setbacks, Mr. Harvey said the development would be subject to the Zoning Ordinance which had setbacks. They had not asked for any variances so those typical setbacks would apply. As for the lots being 7,200 sq. ft., he noted that met the requirements of the Subdivision Regulations. Mr. Harvey said they did not feel that every subdivision needed to have two-acre lots. Lastly, regarding Mr. Friedlander's contention that the green area was nothing more than a floodway and they could not develop it anyway, Mr. Harvey said there were approximately eight acres that were not in any flood zone. There was also a lot more property in the flood zone that they could develop, as being in the flood zone did not



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prevent its development, it was just that one would have to comply with federal laws to do so. Mr. Harvey concluded that they thought this was a good subdivision and that it fit in with the City's Smart Growth initiative, and they felt it should be approved. Mr. Harvey said they would be more than willing to answer any questions.

In discussing all of the access to Sollie Road being from one access point, Mr. Vallas asked if any consideration had been given for maybe Lots 1-56 having their own access further to the south.

Mr. Todd replied that they had talked about that but, after the last meeting, the staff determined that they were not going to request or require that because it was only going to affect about 20-25 lots in that southwest corner that they would be adding that second access point for. Another problem was when they looked at the topo map of that area, the very southwest corner was getting toward the bottom of a hill and just from a safety aspect they did not want to put it there. That was the reason they put the entrance further north.

Mr. Vallas asked if a separate entrance could be provided further to the south.

Mr. Scott said in addition to what the staff pointed out, a second entrance would not really remove those Lots 1-56. It would only remove the southern half of those 56 lots.

Mr. Vallas asked that if Lots 1-56 were provided a separate access from the main access point they were now showing, why would it not remove Lots 1-56 from that access point?

Ms. Pappas asked Mr. Vallas if he was talking about a double ending cul-de-sac with one entrance.

Mr. Vallas said that was correct; a double-ending cul-de-sac for entrance off Sollie Road somewhere near Lots 12 or 13.

Mr. Harvey said that was correct. That would prevent having to put in a second bridge over the creek and it would allow a separate access to Sollie Road by those 56 lots.

Mr. Scott said the staff did not request that. He pointed out again that the bottom of the hill was where they would be putting that entrance and exit off of Sollie Road.

Ms. Pappas said she thought County Engineering would also agree that access at the southern portion of this site for 56 lots or just as a secondary access for the entire subdivision would not be prudent.

Mr. Stewart said that the County would not want an entrance at the bottom of the hill for safety reasons.

A motion was made by Ms. Deakle and seconded by Mr. McSwain to approve this plan subject to the following conditions:

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- (1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline;
- (2) construction standards for the alleys to comply with city standards with regard to base and paving material, as indicated by the applicant's engineer;
- (3) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits;
- (4) maintenance of the alleys, as with all common areas (including the undeveloped land adjacent along Second Creek) is to be the responsibility of the property owners association;
- (5) provision of a minimum 6' privacy fence along the Sollie Road frontage, to be setback a sufficient distance from the entrance road to not create a line of sight problem (exact location to be approved by Traffic Engineering); and
- (6) full compliance with all municipal codes and ordinances.

Mr. Plauche recused. The motion carried.

**Case #SUB2004-00042**

**Sollie Road Development Subdivision**

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

152 Lots / 70.3± Acres

(For discussion see Case #ZON2004-00553 - **Sollie Road Development Subdivision** – Above)

*Mr. Plauche recused himself from the discussion and vote regarding this matter.*

A motion was made by Ms. Deakle and seconded by Mr. McSwain to approve this subdivision subject to the following conditions:

- (1) dedication of sufficient right-of-way along Sollie Road to provide a minimum of 50' from centerline;
- (2) construction standards for the alleys to comply with city standards with regard to base and paving material, as indicated by the applicant's engineer;
- (3) developer to obtain all necessary federal, state and local approvals prior to the issuance of any permits;
- (4) placement of a note on the final plat stating that maintenance of the alleys, and all common areas (including the undeveloped land adjacent along Second Creek) is to be the responsibility of the property owners association; and
- (5) placement of a note on the final plat stating that there shall be no direct access from the alley to Sollie Road.

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Mr. Plauche recused. The motion carried.

**Case #ZON2004-00554**

**Treadwell Ford Subdivision**

901 East I-65 Service Road South (East side of East I-65 Service Road South, 1,840'± North of International Drive).

The request for Planned Unit Development Approval to allow multiple buildings on a single building site and shared access between multiple building sites was considered.

The plan illustrates the existing building and parking, along with the proposed building and parking.

(Also see Case #SUB2004-00044 – **Treadwell Ford Subdivision** – Below)

*Mr. Frost recused himself from the discussion and vote regarding this matter. Mr. Plauche chaired this portion of the meeting.*

Mr. Don Coleman of Rester and Coleman Engineers, Inc. was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Vallas and seconded by Ms. Deakle to approve this plan subject to the following conditions:

- (1) full compliance with the landscaping and tree planting requirements for Lot 1;
- (2) the paving of all parking with asphalt or concrete;
- (3) that the southernmost, unused, curb cut be closed, back-filled and grassed;
- (4) that Traffic Engineering and ALDOT approve the location and design for all new curb cuts; and
- (5) full compliance with all municipal codes and ordinances.

Mr. Frost recused. The motion carried.

**Case #SUB2004-00044**

**Treadwell Ford Subdivision**

East side of East I-65 Service Road South, 1,680'± North of International Drive.  
3 Lots / 7.7± Acres

(For discussion see Case #ZON2004-00554 – **Treadwell Ford Subdivision** – Above)

*Mr. Frost recused himself from the discussion and vote regarding this matter. Mr. Plauche chaired this portion of the meeting.*

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A motion was made by Mr. Vallas and seconded by Ms. Deakle to waive Section V.D.3., of the Subdivision Regulations, and approve this subdivision subject to the following condition:

- (1) placement of a note on the final plat stating that Traffic Engineering and ALDOT approval is required for the location and design for any new curb cuts.

Mr. Frost recused. The motion carried.

**NEW PLANNING APPROVAL APPLICATION:**

**Case #ZON2004-00549**

**Eliska Wireless Ventures I, Inc. (T-Mobile), (David Wilkins, Agent)**

South side of Osage Street, 180' ± East of Dr. Martin Luther King, Jr. Avenue.

The request for Planning Approval to allow a 150' monopole cellular communications tower in a B-2, Neighborhood Business district was considered.

The plan illustrates the proposed structures and parking.

Mr. Frost announced that the applicant had requested that this application be heldover until the meeting of April 15, 2004.

A motion was made by Mr. Frost and seconded by Ms. Deakle to holdover this application until the meeting of April 15, 2004, to allow the applicant to submit the necessary applications and revised drawings.

The motion carried unanimously.

**NEW SUBDIVISION APPLICATIONS:**

**Case #SUB2004-00041**

**Cambridge Place Subdivision**

West side of Eliza Jordan Road North, 3/10 mile ± South of Kelly Road.

137 Lots / 61.4 ± Acres

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to approve this subdivision subject to the following conditions:

- (1) the dedication of sufficient right-of-way to provide 50-feet from the centerline;

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- (2) the placement of a note on the final plat stating that Lots 1, 9-11, and 134-137 are denied direct access to Eliza Jordan Road;
- (3) the developer to obtain any necessary federal, state, and local environmental approvals;
- (4) the placement of notes on the final plat labeling the detention area and stating that the maintenance of the common area is the responsibility of the property owners;
- (5) the placement of the 25-foot minimum building setback line on the final plat; and
- (6) the placement of a note on the final plat stating any lots which are developed commercially, and adjoin residentially developed property, must provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

**Case #SUB2004-00040**

**Heron Lakes Subdivision, Phase One, Revised Lot 89**

1135 Heron Lakes Circle (North side of Heron Lakes Circle, 190'± South of Yellow Heron Lane).

1 Lot / 0.3± Acre

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to approve this subdivision.

The motion carried unanimously.

**Case #SUB2004-00036**

**Lipscomb's Landing Subdivision**

3633 Lipscombe Landing (North and South sides of Lipscombe Landing [private street], 950'± East of Lloyd Station Road).

1 Lot / 1.0± Acre

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to waive Section V.D.3., of the Subdivision Regulations, and approve this subdivision subject to the following condition:

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- (1) the approval of all applicable federal, state and local agencies prior to the issuance of any permits.

The motion carried unanimously.

**Case #SUB2004-00039**

**Quinnelly Subdivision**

North side of Hamilton Boulevard, 775'± West of Rangeline Road.

1 Lot / 0.3± Acre

The applicant was not present.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to approve this subdivision subject to the following conditions:

- (1) the dedication of sufficient right-of-way to provide 50' from the centerline;
- (2) the placement of a note on the final plat stating that the site is limited to one curb cut to Hamilton Boulevard, with the size, location and design to be approved by County Engineering;
- (3) the placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7. of the Subdivision and
- (4) the placement of the 25-foot minimum setback line on the final plat.

The motion carried unanimously.

**Case #SUB2004-00037**

**Riviere du Chien Court Subdivision**

West terminus of Riviere du Chien Court.

2 Lots / 16.0± Acres

Mr. Matt Orrell of Polysurveying Engineering - Land Surveying was representing the applicant and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to approve this subdivision subject to the following conditions:

- (1) the approval of all applicable federal, state and local agencies prior to the issuance of any permits; and

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- (2) the placement of a note on the final plat stating that a paved t-shaped turnaround must be approved by Urban Development, City Engineering and Traffic Engineering.

The motion carried unanimously.

**Case #SUB2004-00043**

**Ross Wingo Subdivision, Resubdivision of**

South side of Dickens Ferry Road, 545'± West of Foreman Road, extending to the West terminus of Reichleiu Drive.

2 Lots / 1.6± Acres

The applicant was present and indicated that he concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Ms. Deakle and seconded by Mr. Vallas to waive Section V.D.3., of the Subdivision Regulations, and approve this subdivision subject to the following condition:

- (1) the placement of a note on the final plat stating that both lots are limited to one shared curb cut to Reichleiu Drive, with the size, location and design to be approved by Traffic Engineering.

The motion carried unanimously.

**OTHER BUSINESS:**

**Public Hearing**

To consider the proposed Historic District Overlay.

Mr. Frost announced that due to some last minute concerns and possible language changes, the public hearing to consider the proposed Historic District Overlay would be postponed until the meeting of April 15, 2004.

Mr. Vallas felt that because April 15 was the deadline for filing income taxes and because many children were on spring break, it might be prudent to wait until the following meeting to consider this matter.

Ms. Clarke said that May 6, 2004, would be acceptable to the staff.

A motion was made by Mr. Frost and seconded by Mr. Holmes to call for a public hearing on May 6, 2004, to consider the proposed Historic District Overlay.

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The motion carried unanimously.

There being no further business, the meeting was adjourned.

**APPROVED:**        May 6, 2004

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Victor McSwain, Secretary

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Robert Frost, Chairman

/ms and jh