

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF SEPTEMBER 6, 2012 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Herb Jordan
Mead Miller
Roosevelt Turner
John Vallas
James F. Watkins, III

Members Absent

Victoria L. Rivizzigno, Secretary

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Joanie Stiff-Love,
Secretary II

Others Present

John Lawler,
Assistant City Attorney
George Davis,
City Engineering
Marybeth Bergin,
Traffic Engineering

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. Plauche stated the number of members present constituted a quorum and called the meeting to order, advising all attending of the policies and procedures pertaining to the Planning Commission.

APPROVAL OF MINUTES:

Mr. Plauche moved, with second by Mr. Watkins, to approve the minutes from the following, regularly held, Planning Commission meetings:

- December 1, 2011
- December 15, 2011

The motion carried unanimously.

HOLDOVERS:

Case #SUB2012-00055 (Subdivision)
Creel Company Subdivision
3804 Norwood Lane

September 6, 2012
Planning Commission Meeting

(North side of Norwood Lane, 70'± West of Stimpson Lane [not open] extending to the South side of Isabella Lane [not open] 100'± West of Stimpson Lane [not open])

Number of Lots / Acres: 1 Lot / 3.1± Acres

Engineer / Surveyor: Derek Peterson – Land Use Consultant
Council District 1

(Also see **Case #ZON2012-01430 (Rezoning) The Creel Company Inc.**, below)

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

- 1) **dedication to provided 25' from the centerline of Norwood Lane;**
- 2) **dedication to provide 25' from the centerline of Isabella Lane;**
- 3) **illustration of the 25' minimum building setback line along both Norwood Lane and Isabella Lane as measured from any required dedication;**
- 4) **placement of a note on the Final Plat stating that the lot is limited to one curb-cut to Norwood Lane, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 5) **placement of a note on the Final Plat stating that the site is denied access to Isabella Lane until such time it is developed to City standards, and then the lot is limited to one curb-cut to Isabella Lane, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 6) **revision of the plat to label the lot with its size in square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;**
- 7) **placement of a note on the Final Plat stating that the approval of all applicable federal, state, and local agencies would be required due to wetland issues prior to the issuance of any permits;**
- 8) **placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species;**
- 9) **subject to the Engineering comments: *"1. On the plat, show the location (if any) of wetlands or state that there are no wetlands present if applicable. 2. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 3. Stormwater detention is required for the existing development. 4. The existing improvements made since 1984 and any proposed improvements will need to be submitted for a Land Disturbance permit. Submitted plans and engineering calculations will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan***

(1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 5. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). 6. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes);”

- 10) compliance with the Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”* and,
- 11) submission of a revised zoning site plan prior to the signing of the Final Plat.

The motion carried unanimously.

Case #ZON2012-01430 (Rezoning)

The Creel Company Inc.

3804 Norwood Lane

(North side of Norwood Lane, 70'± West of Stimpson Lane [not open] extending to the South side of Isabella Lane [not open] 100'± West of Stimpson Lane [not open])

Rezoning from R-1, Single-Family Residential District, to I-1, Light Industry District, to allow a contractors storage yard.

Council District 1

(Also see Case #SUB2012-00055 (Subdivision) **Creel Company Subdivision**, above)

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. Turner, with second by Mr. Jordan, to deny the rezoning request for the two existing lots of record along the East and West sides of Stimpson lane for the following reasons:

- 1) **there is no site plan provided for the lot on the East side of Stimpson Lane and it contains approximately 1.05 acres, before any required street frontage dedications, and is less than the four acres generally specified by Section 64-3.5. of the Zoning Ordinance;**
- 2) **there is no site plan provided for the lot on the West side of Stimpson Lane and it contains approximately 0.89 acre, before any required street frontage dedications, and is less than the four acres generally specified by Section 64-3.5. of the Zoning Ordinance; and,**
- 3) **the proposed rezoning for each lot is speculative at this time.**

September 6, 2012
Planning Commission Meeting

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Jordan, to approve the rezoning request for the Western-most site subject to the following conditions:

- 1) revision of the site plan to indicate a compliant 24' wide entrance drive;
- 2) revision of the site plan to indicate a minimum 60' vehicular queuing depth out of the public right-of-way, or the furnishing of a note on the site plan stating that the gates are to be closed only when the site is not in use and are to remain open during operational hours;
- 3) 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 trash collection will be via curb-side or private collection service;
- 4) revision of the site plan to indicate a City-standard public sidewalk, or the submission and approval of a Sidewalk Waiver application;
- 5) obtaining of all required after-the-fact permits for site development;
- 6) completion of the Subdivision process prior to any request for permits;
- 7) approval of the pending Surfacing, Tree Planting and Screening Variances by the Board of Zoning Adjustment, or the revision of the site plan to indicate compliance with any such requests denied by the Board; and,
- 8) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2012-00066 (Subdivision)

Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road)

Number of Lots / Acres: 2 Lots / 12.0± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.

Council District 4

(Also see **Case #ZON2012-01620 (Planned Unit Development) Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A**, and, **Case #ZON2012-01621 (Rezoning) D & M Properties, LLC**, below)

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.

Don Rowe, Rowe Surveying, spoke on behalf of the applicant. He requested that the application be heldover until the next meeting.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 4, 2012, meeting with revisions to be submitted by September 14.

The motion carried unanimously.

Case #ZON2012-01620 (Planned Unit Development)
Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road)

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

Council District 4

(Also see **Case #SUB2012-00066 (Subdivision) Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A**, above, and, **Case #ZON2012-01621 (Rezoning) D & M Properties, LLC**, below)

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.

Don Rowe, Rowe Surveying, spoke on behalf of the applicant. He requested that the application be heldover until the next meeting.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 4, 2012, meeting with revisions to be submitted by September 14.

The motion carried unanimously.

Case #ZON2012-01621 (Rezoning)

D & M Properties, LLC

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road)

Rezoning from B-3, Community Business District, and I-1, Light-Industry District, to I-2, Heavy Industry District, to eliminated split zoning and bring the zoning into compliance for an existing concrete manufacturing facility.

Council District 4

(Also see **Case #SUB2012-00066 (Subdivision) Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A**, and, **Case #ZON2012-01620 (Planned Unit Development) Plantation Commercial Park Subdivision, Unit Two, Re-subdivision of Lot 13A**, above)

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.

Don Rowe, Rowe Surveying, spoke on behalf of the applicant. He requested that the application be heldover until the next meeting.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the October 4, 2012, meeting with revisions to be submitted by September 14.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2012-00075

Uteg Place Subdivision

1040 Stevens Lane

(East side of Stevens Lane at its South terminus)

Number of Lots / Acres: 1 Lot / 1.5± Acre

Engineer / Surveyor: Wattier Surveying, Inc.

Council District 7

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

- 1) **dedication of sufficient right-of-way to provide a portion of a 60' radius cul-de-sac in the Northwest corner of the property;**
- 2) **placement of a note on the final plat stating the lot is limited to one curb-cut to Stevens Lane, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **placement of a note on the Final Plat stating that the lot is denied access to Carre Drive South until such time it is developed to City standards;**
- 4) **illustration of the 25' minimum building setback line along Stevens Lane;, revised to show a setback around any dedicated cul-de-sac radius at the South terminus of Stevens Lane;**
- 5) **revision of the plat to illustrate a 25' by 25' minimum building setback block-out in the Northeast corner of the lot at the West terminus of Carre Drive South;**
- 6) **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;**
- 7) **illustration of the 15' utility easement and the 30' drainage easement on the Final Plat;**
- 8) **placement of a note on the Final Plat stating that no structures are to be placed in any easements;**
- 9) **placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;**
- 10) **placement of a note on the Final Plat stating that approval of all applicable federal, state, and local environmental agencies for wetlands or floodplains**

issues is required prior to the issuance of any permits or land disturbance activities;

- 11) subject to the Engineering Comments: *“The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide topographic information of the existing drainage way and exposed sanitary sewer line to establish/verify drainage and utility easements. GIS topography does not seem to match the existing ground topography. 2. Final size and location of the public drainage easement shall be approved by the City Engineer. 3. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 4. A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat); and,*
- 12) subject to the Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.”*

The motion carried unanimously.

Case #SUB2012-00076

Bexley Lane Subdivision

4700 Bexley Lane

(North side of Bexley Lane, 220'± West of Charleston Court)

Number of Lots / Acres: 1 Lot / 1.0± Acre

Engineer / Surveyor: Wattier Surveying, Inc.

Council District 7

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

- 1) dedication to provide 30' from the centerline as on the preliminary plat;
- 2) illustration of the 25' minimum building setback line along Bexley Lane adjusted to be measured from required dedication;
- 3) retention of the lot size in square feet and acres;
- 4) provision of documentation that the shed has been relocated to 8' from the side property line or obtaining of a demolition permit;
- 5) compliance with Engineering comments: *“The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. Provide a signature block and signature for the Traffic Engineering Department. 3. Note that the ROW is “Hereby Dedicated” on the Final Plat. 4.*

Show existing drainage and easements adjacent to the proposed lot;”

- 6) **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;”**
- 7) **placement of a note on the Final Plat limiting Lot 1 to one curb-cut to Bexley Lane, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards; and,**
- 8) **placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

Case #SUB2012-00071

Oakstone Subdivision

Southeast corner of Lancaster Road and Laurendine Road

Number of Lots / Acres: 11 Lots / 32.7± Acres

Engineer / Surveyor: Austin Engineering Co. Inc.
County

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. DeMouy, with second by Mr. Vallas, to waive Section V.D.1., and approve the above referenced matter, subject to the following conditions:

- 1) **dedication of sufficient right-of-way to provide 50-feet from the centerline of Laurendine Road;**
- 2) **dedication of sufficient right-of-way radius at the southeast quadrant of the Laurendine Road/Lancaster Road intersection, with the size and design to be approved by County Engineering and conform to AASHTO standards;**
- 3) **the approval of all applicable federal, state, and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;**
- 4) **certification via placement of a note on the Final Plat stating that the property owner/developer will comply with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected flora and fauna;**
- 5) **the placement of a note on the Final Plat stating that the development will be designed to comply with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances, and requiring submission of a letter from a licensed engineer**

- certifying that the design complies with the stormwater detention and drainage facility requirements of the City of Mobile Stormwater and Flood Control Ordinances prior to the signing of the Final Plat. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;
- 6) the placement of a note on the Final Plat stating that Lots 1 and 2 be allowed a total of three curb-cuts to Laurendine Road with one being a shared common curb-cut at the interior property line of the two lots, with the size, design, and location to be approved by Mobile County Engineering Department and conform to AASHTO standards;
 - 7) the placement of a note on the Final Plat stating that Lot 11, is denied access to Laurendine Road and limited to one curb-cut to Lancaster Road, with the size, design, and location to be approved by County Engineering and conform to AASHTO standards;
 - 8) the placement of a note on the Final Plat stating Lots 3-10 are allowed one curb-cut each to Lancaster Road, with the size, design, and location to be approved by Mobile County Engineering and conform to AASHTO standards;
 - 9) retention of the labeling of the lots with its size in square feet/acres, or placement of a table on the plat with the same information;
 - 10) 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 Regulations; and,
 - 11) placement of a note on the plat stating that maintenance of the detention and common areas is the responsibility of the subdivision's property owners.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2012-01878

Gresham, Smith and Partners

7460 Airport Boulevard

(North side of Airport Boulevard, 405'± West of Border Circle West)

Request to waive construction of a sidewalk along Airport Boulevard

Council District 7

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

Mr. DeMouy, to approve the request to waive a sidewalk along Airport Boulevard.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2012-01872

Chinnis Holdings LLC

5401 Cottage Hill Road

(Southwest corner of Cottage Hill Road and Vivian Drive)

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between two building sites to include an 8' X 20" trailer.

Council District 4

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012, meeting with revisions to be submitted by September 14 and the following modifications be made to the site plan:

- 1) **revision of the site plan to include or submittal of a listing of all existing and proposed uses on the site, listed by suite number and by square feet;**
- 2) **revision of the front parking area to reflect Traffic Engineering comments: *“The parking layout along Cottage Hill Rd should be illustrated in a straight line parallel with the building and driving aisle, and not parallel with the roadway right-of-way. As illustrated the first space nearest the Cottage Hill Rd driveway is non-standard length, and the three spaces nearest the Vivian Dr driveway require excessive backing to exit the spaces. As noted, the driveway size, location and design are to be approved by Traffic Engineering and conform to AASHTO standards. Driveway radii are not shown; a 20' radius is typical for passenger cars and a 30' radius is desirable for large trucks. The site plan does not include sidewalk along either roadway frontage.), and to ensure that the front parking area consists of uniform rows of parking;”***
- 3) **revision of the site plan to place the barbeque trailer on a concrete or asphalt paved surface;**
- 4) **revision of the site plan to relocate the proposed dumpster and enclosure to be on a dumpster pad connected to sanitary sewer via a grease trap, meeting all required setbacks, and providing adequate room for dumpster servicing on site;**
- 5) **revision of the site plan to properly show the right-of-way width of Vivian Drive reflecting the previous dedication, and depiction of the property line**

- to reflect dedication;
- 6) provision of parking bumpers or curbing as necessary to prevent vehicles from being parked in landscape areas, and depiction of said curbing or bumpers on the site plan;
 - 7) revision of the site plan to provide landscape area quantities in square feet for both overall and frontage landscape areas;
 - 8) revision of the site plan to depict frontage tree compliance as required by 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). Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.), as well as the location, size and species of any existing trees on the site;”*
 - 9) compliance with Engineering comments: *“1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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. Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”* and,
 - 10) revision of the site plan to show handicap parking spaces that comply with any requirements of the Americans with Disabilities Act (*for example, ensure that one of the spaces is “van accessible,” that all spaces are appropriately signed, and that an accessible route is provided to all tenant spaces*).

The motion carried unanimously.

Case #ZON2012-01876

Flexicrew

Northeast corner of Laughlin Drive and Laughlin Drive South
Planned Unit Development Approval to allow multiple buildings on a single building site.

Council District 4

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.

Frank Dagley, Dagley Engineering, spoke on behalf of the applicant. He requested wording be changed on Conditions 9 and 10.

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

- 1) **completion of the Subdivision process for Laughlin Industrial Park Subdivision, Re-subdivision of Lots 4 & 5;**
- 2) **revision of the site plan to indicate either bumper stops or curbing along the Northwest edge of the parking lot;**
- 3) **revision of the site plan to indicate any stormwater detention as may be required by City Engineering;**
- 4) **placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species;**
- 5) **subject to Engineering comments: *“1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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. Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”***
- 6) **subject to Traffic Engineering comments: *“Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;”***
- 7) **subject to 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 a revised PUD site plan to Planning illustrating the conditions of approval for this PUD prior to any applications for land disturbance or building permits;**
- 9) **perimeter fencing or gates are to be allowed with location and design to be approved by appropriate departments and Planning;**
- 10) **freestanding HVAC or generator units are to be allowed with location and design to be approved by appropriate departments and Planning; and,**

11) compliance with all other municipal codes and ordinances.

The motion carried unanimously.

NEW ZONING APPLICATIONS:

Case #ZON2012-01684

Bestor Ward

6420 Wall Street

(North side of Wall Street, 520' ± West of Hillcrest Road)

Rezoning from B-1, Buffer-Business District, to B-3, Community Business District, to allow light assembly computerized electronics product assembly.

Council District 6

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.

Bestor Ward, 450 Saint Louis Street, spoke on his own behalf. He stated that the tenant that is currently located in the building would like to expand their business, but to allow that the property would need to be rezoned to B-3.

Bess Rich, 625 Cumberland Rd, spoke on the matter. She recommended that if the property is rezoned that it should be rezoned to a light version of B-3 or even B-2. She felt like that would be more in character with the area.

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

- 1) **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). Full compliance with landscaping and tree requirements of the Zoning Ordinance;”***
- 2) **submission of a revised site plan depicting full compliance with the tree and landscaping requirements of the Zoning Ordinance, and the obtaining of any permits necessary to bring the site into full compliance;**
- 3) **compliance with Traffic Engineering comments: *“Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;”***
- 4) **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;”* and,**

5) full compliance with all other applicable municipal codes and ordinances.

The motion carried unanimously with Mr. Vallas recusing from the vote.

GROUP APPLICATIONS:

Case #SUB2012-00070 (Subdivision)

Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

Number of Lots / Acres: 1 Lot / 1.79± Acre

Engineer / Surveyor: Haidt Land Surveying

Council District 1

(Also see **Case #ZON2012-01665 (Planned Unit Development)**)

Prayer Tabernacle Early Church of Jesus Christ, and, Case #ZON2012-01664 (Planning Approval) Prayer Tabernacle Early Church of Jesus Christ, below)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012 meeting in order to be considered in conjunction with revised PUD and Planning Approval applications.

The motion carried unanimously.

Case #ZON2012-01665 (Planned Unit Development)

Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

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

Council District 1

(Also see **Case #SUB2012-00070 (Subdivision) Prayer Tabernacle Early Church of Jesus Christ, above, and, Case #ZON2012-01664 (Planning Approval) Prayer Tabernacle Early Church of Jesus Christ, below)**

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

September 6, 2012
Planning Commission Meeting

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012, meeting with revisions due by September 17, 2012, in order for the applicant to address the following items:

- 1) revision of the site plan to indicate the 25' minimum building setback lines along all street frontages;
- 2) revision of the site plan to indicate two compliant curb-cuts to Mobile Street;
- 3) revision of the site plan to eliminate vehicular access to Jessie Street;
- 4) revision of the site plan to indicate 24'-wide two-way traffic aisles or minimum 12'-wide one-way traffic aisles;
- 5) revision of the site plan to locate the 60" Live Oak Tree on the South side of the site for which preservation status is to be given, with revisions to the parking and traffic aisle in that area to be coordinated with Urban Forestry to provide sufficient protection to the tree;
- 6) revision of the site plan to indicate compliant handicap van accessible parking spaces;
- 7) revision of the site plan to include landscaping and tree planting calculations, and the illustration of compliant areas for such;
- 8) revision of the site plan to indicate compliant buffering from adjacent residential sites;
- 9) revision of the site plan to indicate a compliant dumpster pad and enclosure;
- 10) revision of the site plan to indicate a detention area, if required by City Engineering;
- 11) revision of the site plan to indicate the proposed location(s) of chain link fencing and gates, with gates complying with any required traffic queuing setbacks; and,
- 12) revision of the two site plans submitted to agree with respect to future covered parking spaces.

The motion carried unanimously.

Case #ZON2012-01664 (Planning Approval)
Prayer Tabernacle Early Church of Jesus Christ

1213 & 1223 Mobile Street

(West side of Mobile Street extending to the East side of Jessie Street, 240'± South of Main Street)

Planning Approval to allow an expansion of an existing church in an R-1, Single-Family Residential District.

Council District 1

(Also see Case #SUB2012-00070 (Subdivision) **Prayer Tabernacle Early Church of Jesus Christ**, and, Case #ZON2012-01665 (Planned Unit Development) **Prayer Tabernacle Early Church of Jesus Christ**, above)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012, meeting with revisions due by September 17, 2012, in order for the applicant to address the following items:

- 1) revision of the site plan to indicate the 25' minimum building setback lines along all street frontages;
- 2) revision of the site plan to indicate two compliant curb-cuts to Mobile Street;
- 3) revision of the site plan to eliminate vehicular access to Jessie Street;
- 4) revision of the site plan to indicate 24'-wide two-way traffic aisles or minimum 12'-wide one-way traffic aisles;
- 5) revision of the site plan to locate the 60" Live Oak Tree on the South side of the site for which preservation status is to be given, with revisions to the parking and traffic aisle in that area to be coordinated with Urban Forestry to provide sufficient protection to the tree;
- 6) revision of the site plan to indicate compliant handicap van accessible parking spaces;
- 7) revision of the site plan to include landscaping and tree planting calculations, and the illustration of compliant areas for such;
- 8) revision of the site plan to indicate compliant buffering from adjacent residential sites;
- 9) revision of the site plan to indicate a compliant dumpster pad and enclosure;
- 10) revision of the site plan to indicate a detention area, if required by City Engineering;
- 11) revision of the site plan to indicate the proposed location(s) of chain link fencing and gates, with gates complying with any required traffic queuing setbacks; and,
- 12) revision of the two site plans submitted to agree with respect to future covered parking spaces.

The motion carried unanimously.

Case #SUB2012-00072 (Subdivision)

Dauphin Street Subdivision, The Army's Addition to

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

September 6, 2012
Planning Commission Meeting

Number of Lots / Acres: 1 Lot / 2.73± Acre
Engineer / Surveyor: Byrd Surveying, Inc.
Council District 2
(Also see **Case #ZON2012-01863 (Planned Unit Development) Dauphin Street Subdivision, The Army's Addition to**, below)

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

The following people spoke in opposition to the matter:

- Rudolph Auerbach, 1752 Dauphin Street, Mobile;
- John Klotz, 959 Dauphin Street, Mobile;
- Buffy Donlon, 253 State Street, Mobile;
- Gina Finnegan, 1306 Dauphin Street, Mobile;

They made the following points against the application:

- A. lived next door to the Salvation Army since it opened;
- B. the clients of Salvation Army linger in the neighborhood;
- C. a lot of the people that are lingering have severe mental, drug and alcohol problems and have criminal histories;
- D. because of the type of services provided at the existing facility, persons living in the area are quite disturbed that the Salvation Army wants to upgrade this facility;
- E. the existing facility on Dauphin Street is a result of spot zoning that occurred over 30 years ago;
- F. the surrounding area is primarily residential R-1;
- G. the existing complex overwhelms the neighborhood;
- H. some of the clients may be in the status of probation or parole from law enforcement agencies;
- I. roughly 20 years ago the neighborhood was still a neighborhood of residences and families with small children;
- J. purchased home on Dauphin Street because they were very encouraged about living there;
- K. purchased home next door because it was a blighted property and felt like it was a good investment, but has been proven wrong;
- L. can support or encourage cosmetic improvements to the Salvation Army, but cannot support any increase in capacity or services.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) **revision of the site plan to reflect dedication of a corner radius at South Pine**

- Street; and,
2) revision of the proposed lot area in square feet to reflect dedication.

The motion carried unanimously.

Case #ZON2012-01863 (Planned Unit Development)

Dauphin Street Subdivision, The Army's Addition to

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

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

Council District 2

(Also see Case #SUB2012-00072 (Subdivision) **Dauphin Street Subdivision, The Army's Addition to**, above)

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) revision of the site plan to reflect dedication of a corner radius at South Pine Street;
- 2) revision of the site plan to eliminate the sub-standard curb-cut to South Pine Street and redesign of the proposed parking lot to reflect full compliance with the tree and landscaping requirements of the Zoning Ordinance, and to provide compliant two-way access and circulation via the existing Dauphin Street curb-cut;
- 3) revision of the site plan to depict all existing trees (size and species) as well as landscape area and calculations for the site;
- 4) revision of the site plan to include adequate information to verify that the site and parking lot lighting complies with Sections 64-4. and 64-6. of the Zoning Ordinance;
- 5) compliance with Traffic Engineering comments: *“Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. By design, the existing driveway on Dauphin Street will become one-way; the curb-cut should be modified accordingly. The width of the existing driveway on Pine Street is not illustrated, but appears to only be adequate for one-way traffic. Signage within the parking lot will be required to direct exiting traffic to Pine Street. The minimum aisle width for one-way circulation is 14’; the 13’ aisle as illustrated is not acceptable;”*
- 6) compliance with Engineering comments: *“1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification*

- statements, legal description, required notes). 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). 4) Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. 5) A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;” and,*
- 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). Preservation status is to be given to the 45” and 48” Live Oak Trees located on the North side of Army’s Addition to Dauphin Street. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.”*

The motion carried unanimously.

Case #ZON2012-01865 (Rezoning)

The Salvation Army

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120’± East of Pine Street)

Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, to eliminate split zoning in a proposed commercial subdivision.

Council District 2

(Also see **Case #ZON2012-01864 (Planning Approval) The Army’s Addition to Dauphin Street Subdivision**, below)

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) **amendment of the application to rezone the entire property to B-1, Buffer Business, including the submission of a revised legal description to include the entire site as part of the rezoning request; and,**
- 2) **revision of the site plan to reflect revisions required as part of the Planning Approval, Planned Unit Development and Subdivision applications.**

The motion carried unanimously.

Case #ZON2012-01864 (Planning Approval)
The Army's Addition to Dauphin Street Subdivision

1009 & 1023 Dauphin Street

(Southeast corner of Dauphin Street and Pine Street, extending to the North side of Caroline Avenue, 120'± East of Pine Street)

Planning Approval to amend a previously approved Planning Approval to allow a parking lot expansion for an emergency shelter in a B-2, Neighborhood Business District.

Council District 2

(Also see **Case #ZON2012-01865 (Rezoning) The Salvation Army**, above)

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) **provision of a narrative describing the scope and nature of all activities undertaken in the shelter, including the number of beds, the hours of operation, services provided, etc;**
- 2) **provision of a narrative justifying the addition of more parking to the site, given the scope of services and activities at the site;**
- 3) **provision of a narrative listing how much of the building, in square feet, is dedicated to sleeping quarters, office use, storage, feeding area, kitchens, etc;**
- 4) **revision of the site plan to reflect dedication of a corner radius at South Pine Street;**
- 5) **revision of the site plan to eliminate the sub-standard curb-cut to South Pine Street and redesign of the proposed parking lot to reflect full compliance with the tree and landscaping requirements of the Zoning Ordinance, and to provide compliant two-way access and circulation via the existing Dauphin Street curb-cut;**
- 6) **revision of the site plan to depict all existing trees (size and species) as well as landscape area and calculations for the site;**

- 7) revision of the site plan to include adequate information to verify that the site and parking lot lighting complies with Sections 64-4. and 64-6. of the Zoning Ordinance;
- 8) compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. By design, the existing driveway on Dauphin Street will become one-way; the curb-cut should be modified accordingly. The width of the existing driveway on Pine Street is not illustrated, but appears to only be adequate for one-way traffic. Signage within the parking lot will be required to direct exiting traffic to Pine Street. The minimum aisle width for one-way circulation is 14’; the 13’ aisle as illustrated is not acceptable;”*
- 9) compliance with Engineering comments: *“1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). 4) Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. 5) A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;” and,*
- 10) compliance with Urban Forestry comments: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 45” and 48” Live Oak Trees located on the North side of Army’s Addition to Dauphin Street. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.”*

The motion carried unanimously.

Case #SUB2012-00073 (Subdivision)
Chipco Industrial Park, Blakeley Island Subdivision
581 Cochrane Causeway
(West side of Cochrane Causeway, 3/4± mile North of Bankhead Tunnel)

Number of Lots / Acres: 2 Lots / 37.1± Acres

Engineer / Surveyor: Cowles, Murphy, Glover & Associates

Council District 2

(Also see **Case #ZON2012-01870 (Planned Unit Development) Chipco Industrial Park, Blakeley Island Subdivision**, and, **Case #ZON2012-01869 (Sidewalk Waiver) CMT Terminals**, below)

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

- 1) **the placement of the lot sizes in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;**
- 2) **retention of the 25' minimum building setback line on the Final Plat;**
- 3) **placement of a note on the Final Plat stating that each lot is limited to two (2) curb-cuts, with the size, design, and exact location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 4) **placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species;**
- 5) **subject to the Engineering comments: *“Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”* and,**
- 6) **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.”

The motion carried unanimously.

**Case #ZON2012-01870 (Planned Unit Development)
Chipco Industrial Park, Blakeley Island Subdivision**

581 Cochrane Causeway

(West side of Cochrane Causeway, 3/4± mile North of Bankhead Tunnel)

Planned Unit Development Approval to allow multiple buildings on multiple building sites with shared access between building sites.

Council District 2

(Also see Case #SUB2012-00073 (Subdivision) Chipco Industrial Park, Blakeley Island Subdivision, above, and, Case #ZON2012-01869 (Sidewalk Waiver) CMT Terminals, below)

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

- 1) **revision of the site plan to illustrate the 25' minimum building setback line along Cochrane Causeway;**
- 2) **revision of the site plan to provide the location of the required trees, providing the required spacing to allow for compliance with Homeland Security and the Coast Guard standards, to be coordinated with Urban Development;**
- 3) **revision of the site plan to provide the existing total and frontage landscaping square feet and percentages;**
- 4) **revision of the site plan to provide a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, or the placement of a note on the site plan stating that trash collection will be curb-side or via private pick-up service;**
- 5) **labeling of any required detention area as common area and the placement of a note on the site plan stating that the maintenance of the common area is the responsibility of the property owners;**
- 6) **subject to the Engineering comments: *“Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”

- 7) subject to 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;” and,
- 8) submittal of two copies of a revised site plan prior to signing of the Final Plat for the Subdivision.

The motion carried unanimously.

Case #ZON2012-01869 (Sidewalk Waiver)

CMT Terminals

581 Cochrane Causeway

(West side of Cochrane Causeway, 3/4± mile North of Bankhead Tunnel)

Request to waive construction of a sidewalk along Cochrane Causeway.

Council District 2

(Also see **Case #SUB2012-00073 (Subdivision) Chipco Industrial Park, Blakeley Island Subdivision**, and, **Case #ZON2012-01870 (Planned Unit Development) Chipco Industrial Park, Blakeley Island Subdivision**, above)

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. Watkins, with second by Mr. Miller, to approve the request to waive construction of a sidewalk along Cochrane Causeway.

The motion carried unanimously.

Case #SUB2012-00077 (Subdivision)

Frazer-Suffich Subdivision

119 Upham Street, 120 & 124 Frazier Court

(West side of Upham Street, 415'± North of Old Shell Road extending to the East side of

September 6, 2012
Planning Commission Meeting

Frazier Court at its North terminus)

Number of Lots / Acres: 2 Lots / 0.9± Acre

Engineer / Surveyor: Rowe Surveying & Engineers Co., Inc.

Council District 1

(Also see Case #ZON2012-01879 (Sidewalk Waiver) William Suffich, Jr., below)

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

- 1) retention of the dedication to provide 25' from the centerline of Upham Street to the City of Mobile;
- 2) successful vacation of the 7.5' drainage and utility easement or illustration of the 7.5' drainage and utility easement;
- 3) retention of the 25-foot minimum building setback line along all right-of-way frontages;
- 4) retention of the lot labels with sizes in square feet and acres, or placement of a table on the plat with the same information;
- 5) compliance with Engineering comments: *"The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. Provide a signature block and signature for the Traffic Engineering Department. 3. Correct the flood zone note; and show and label the existing flood zones;"*
- 6) 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;"*
- 7) placement of a note on the Final Plat limiting Lot A to one curb-cut to Frazer Court and Lot B to the two existing curb-cuts to Upham Street, with the size, design, and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards; and,
- 8) placement of a note on the Final Plat stating that approval of all applicable federal, state, and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.

The motion carried unanimously.

Case #ZON2012-01879 (Sidewalk Waiver)
William Suffich, Jr.

September 6, 2012
Planning Commission Meeting

120 & 124 Frazier Court
(East side of Frazier Court at its North terminus)
Request to waive construction of a sidewalk along Frazier Court.
Council District 1
(Also see **Case #SUB2012-00077 (Subdivision) Frazer-Suffich Subdivision**, above)

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. Turner, with second by Mr. DeMouy, to approve the request to waive construction of a sidewalk along Frazier Court.

The motion carried unanimously.

Case #SUB2012-00079 (Subdivision)
Schillinger Towne Centre Subdivision, Re-subdivision of Lot 4
595 & 685 Schillinger Road South
(South side of Thomas Road, 240'± East of Schillinger Road South extending to the North side of Old Government Street Road, 240'± East of Schillinger Road South)
Number of Lots / Acres: 2 Lots /27.0± Acres
Engineer / Surveyor: Rowe Surveying & Engineers Co., Inc.
Council District 6
(Also see **Case #ZON2012-01880 (Planned Unit Development) Schillinger Towne Centre Subdivision, Re-subdivision of Lot 4**, below)

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 Mr. Turner, to waive Sections V.D.1 and V.D.3, and approve the above referenced matter, subject to the following conditions:

- 1) **illustration of the 25-foot minimum building setback along all road frontages;**
- 2) **retention on the Final Plat of the labeling of each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 3) **placement of a note on the Final Plat stating that the subdivision is limited to two curb-cuts to Schillinger Road (the southern driveway should be limited to a right-in, right-out only driveway), three curb-cuts to Thomas Road to be located within the area which is to be improved to County**

- standards, and four curb-cuts to Old Government Street Road;
- 4) labeling of any required detention area as common area and the placement of a note on the Final Plat stating that the maintenance of the common area is the responsibility of the property owners;
 - 5) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species;
 - 6) compliance with Engineering comments: *“Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”*
 - 7) compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Curb-cuts should be limited to the existing curb-cuts on all three roadway frontages. Taking into consideration an upcoming safety project on this section of the Schillinger Road corridor, the southern driveway should be limited to a right-in, right-out only driveway;”*
 - 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;”*
 - 9) verification that the required rear privacy fence, with permits, prior to signing the Final Plat; and,
 - 10) submittal of two copies of a revised PUD site plan prior to signing the Final Plat.

The motion carried unanimously.

Case #ZON2012-01880 (Planned Unit Development)
Schillinger Towne Centre Subdivision, Re-subdivision of Lot 4

595 & 685 Schillinger Road South
(South side of Thomas Road, 240'± East of Schillinger Road South extending to the
North side of Old Government Street Road, 240'± East of Schillinger Road South)
Planned Unit Development Approval to allow shared access and parking between
multiple building sites.

Council District 6

(Also see **Case #SUB2012-00079 (Subdivision) Schillinger Towne Centre
Subdivision, Re-subdivision of Lot 4**, above)

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 Mr. Turner, to approve the above referenced matter, subject to the following conditions:

- 1) **illustration on the site plan the 25-foot minimum building setback line along all road frontages;**
- 2) **revision of the site plan to illustrate a 6-foot high wooden privacy fence along the rear (East) property line;**
- 3) **revision of the site plan to provide a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, and with a compliant sanitary sewer connection, or the placement of a note on the site plan stating that trash collection will be curb-side or via private pick-up service;**
- 4) **revision of the site plan to depict compliance with frontage trees, to be coordinated with Urban Forestry and the square footage and percentages of total and frontage landscaping;**
- 5) **labeling of any required detention area as common area and the placement of a note on the site plan stating that the maintenance of the common area is the responsibility of the property owners;**
- 6) **subject to the Engineering comments: *“Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). Any and all proposed development within the property lines will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and***

- approved prior to beginning any of the construction work;”*
- 7) **compliance with Traffic Engineering comments:** *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Curb-cuts should be limited to the existing curb-cuts on all three roadway frontages. Taking into consideration an upcoming safety project on this section of the Schillinger Road corridor, the southern driveway should be limited to a right-in, right-out only driveway;”*
 - 8) **subject to 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;”*
 - 9) **verification that the required rear privacy fence has been installed, with permits, prior to signing the Final Plat for the Subdivision; and,**
 - 10) **submittal of two copies of a revised site plan prior to signing of the Final Plat for the Subdivision.**

The motion carried unanimously.

Case #SUB2012-00078 (Subdivision)

Westwood Plaza Subdivision, Re-subdivision of Lot 1

7765 Airport Boulevard

(Southeast corner of Airport Boulevard and Schillinger Road South, extending to the Northeast corner of Schillinger Road South and Thomas Road)

Number of Lots / Acres: 4 Lots /19.1± Acres

Engineer / Surveyor: Rowe Surveying & Engineers Co., Inc.

Council District 6

(Also see **Case #ZON2012-01881 (Planned Unit Development) The Guardian Life Insurance Company of America**, below)

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.

The applicant requested that the application be withdrawn from consideration.

Hearing no opposition or discussion, the Commission accepted the applicant’s request to withdraw the matter.

The motion carried unanimously.

Case #ZON2012-01881 (Planned Unit Development)

The Guardian Life Insurance Company of America

7765 Airport Boulevard

(Southeast corner of Airport Boulevard and Schillinger Road South, extending to the Northeast corner of Schillinger Road South and Thomas Road)

Planned Unit Development Approval to allow shared access and parking between

September 6, 2012
Planning Commission Meeting

multiple building sites.

Council District 6

(Also see **Case #SUB2012-00078 (Subdivision) Westwood Plaza Subdivision, Re-subdivision of Lot 1**, above)

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.

The applicant requested that the application be withdrawn from consideration.

Hearing no opposition or discussion, the Commission accepted the applicant's request to withdraw the matter.

The motion carried unanimously.

Case #SUB2012-00080 (Subdivision)

Pinebrook Subdivision

3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968, 3972 Airport Boulevard and 271, 273, 275, 277, 279, 281 and 283 South McGregor Avenue

(Northwest corner of Airport Boulevard and McGregor Avenue)

Number of Lots / Acres: 5 Lots / 18.5± Acres

Engineer / Surveyor: Clark, Geer, Latham & Associates

Council District 5

(Also see **Case #ZON2012-01903 (Planned Unit Development) Pinebrook Subdivision**, below)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Jordan, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) **revision of the plat to depict dedication along the entire frontage of South McGregor Avenue to provide 50-feet from centerline;**
- 2) **compliance with Engineering comments: “1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3) Dedicate ROW to provide 50’ width from centerline along South McGregor Avenue. Location to be as approved by Traffic Engineering and Engineering. 4) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). 5) Any and all proposed development within the property lines will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 6) A complete set of construction plans for the site work (including drainage, utilities, grading, storm water systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.”

The motion carried unanimously.

Case #ZON2012-01903 (Planned Unit Development)

Pinebrook Subdivision

3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968, 3972 Airport Boulevard and 271, 273, 275, 277, 279, 281 and 283 South McGregor Avenue

(Northwest corner of Airport Boulevard and McGregor Avenue)

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple building sites.

Council District 5

(Also see Case #SUB2012-00080 (Subdivision) Pinebrook Subdivision, above)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Jordan, to hold the matter over until the October 4, 2012 meeting, so that the following revisions can be made by September 14, 2012:

- 1) revision of the site plan to depict dedication along the entire frontage of South McGregor Avenue to provide 50-feet from centerline;
- 2) revision of the site plan to depict any new building footprint that may be proposed to accommodate the prospective tenant for the site;
- 3) revision of the site plan to reflect compliance with the Traffic Impact Study recommendations and Traffic Engineering comments: *“The right-of-way width on McGregor Avenue is not illustrated the same on the Subdivision plan versus the PUD plan. Right-of-way dedication should be consistent across the property frontage, in accordance with the Master Street Plan. A revised traffic impact study was submitted for this development. Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements identified in the study. It should be noted*

that the improvements include the installation of a traffic signal near the western property limits on Airport Boulevard and the removal of the traffic signal near the northern property limits on McGregor Avenue. Although it is not clearly stated, the proposed signal must have hard-wire connection via fiber to the existing, adjacent signal system that begins at McGregor Avenue and runs east. This requires compatible signal equipment including but not limited to the controller, detection, and interconnectivity. City standard mast arm installation is also required. The improvements also include physical changes, such as a concrete island, to limit the right-in, right-out driveway on McGregor Avenue; striping will not be considered a physical improvement. Additional driveways on Airport Boulevard must either be modified or closed, as discussed in the study, as well as modifications to the median along Airport Boulevard. Design plans for all improvements within the public right-of-way must be approved by Engineering and Traffic Engineering;”

- 4) *revision of the site plan to comply with Engineering Comments: “1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3) Dedicate ROW to provide 50’ width from centerline along South McGregor Avenue. Location to be as approved by Traffic Engineering and Engineering. 4) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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). 5) Any and all proposed development within the property lines will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 6) A complete set of construction plans for the site work (including drainage, utilities, grading, storm water systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work;”*
- 5) **revision of the site plan to accurately depict the tenant location and mix, and to accurately provide tenant space sizes in square feet;**
- 6) **revision of the site plan to show all existing dumpsters and dumpster pads;**
- 7) **revision of the site plan to depict a compliant and realistic parking and truck/vehicle circulation scheme, showing any required one-way circulations, even if the scheme will result in a reduction in the total number of parking spaces below what meets typically required parking ratios by use;**
- 8) **revision of the site plan to reflect compliance with parking and other site requirements of the Americans with Disabilities Act, as it relates to the proposed changes to the site/tenant space;**

- 9) revision of the site plan to label any existing drive-throughs and one-way aisles;
- 10) 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). Full compliance with landscaping and tree requirements of the Zoning Ordinance;”*
- 11) revision of the site plan to depict existing sidewalks, and new sidewalks along all other road frontages where they have not been waived by the Planning Commission;
- 12) revision of the site plan to depict an accessible pedestrian crossing at the proposed signalized intersection; and,
- 13) revision of the site plan to provide tree and landscape area information to depict full compliance with the tree and landscaping requirements of the Zoning Ordinance.

The motion carried unanimously.

Case #SUB2012-00074 (Subdivision)

Magnolia Village Subdivision

7025 Magnolia Grove Avenue

(North terminus of Magnolia Grove Parkway)

Number of Lots / Acres: 25 Lots /10.0± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

Council District 7

(Also see **Case #ZON2012-01875 (Rezoning) Development Consulting, Inc.**, below)

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

- 1) placement of a note on the Final Plat, stating each lot be limited to one curb-cut;
- 2) retention of the labeling of the lots with its size in square feet/acres;
- 3) provision of the 25-foot minimum building setback line along all street frontages;
- 4) dedication to provide 50-foot right-of-way for all streets and 120-foot diameter for all cul-de-sacs;
- 5) labeling of any required detention area as common area and the placement of a note on the Final Plat stating that the maintenance of the common area is the responsibility of the property owners;
- 6) placement of a note on the Final Plat stating that approval of all applicable

federal, state, and local agencies for endangered, threatened, or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;

- 7) **compliance with Engineering comments:** *“Any and all proposed development for the subdivision infrastructure will need to be in conformance with the Stormwater Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); the Rules For Erosion and Sedimentation Control and Stormwater Runoff Control; and the Engineering Department policies and procedures pertaining to subdivisions. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. The final size and location of drainage and utility easements shall be approved by the City Engineer. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes, including a Traffic Engineering Dept). Stop and street name signs will need to be installed at the intersection of Champion Run and Fairway Lane. Provide existing ROW information along Magnolia Grove Parkway. Additional ROW or radii may be required by Traffic Engineering or the City Engineer;”* and,
- 8) **completion of the Subdivision process prior to any application for land disturbance or building permits.**

The motion carried unanimously.

Case #ZON2012-01875 (Rezoning)

Development Consulting, Inc.

7025 Magnolia Grove Avenue

(North terminus of Magnolia Grove Parkway)

Rezoning from B-3, Community Business District, to R-1, Single-Family Residential District to allow a single-family residential subdivision.

Council District 7

(Also see Case #SUB2012-00074 (Subdivision) **Magnolia Village Subdivision**, above)

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

- 1) **completion of the subdivision process; and,**
- 2) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

OTHER BUSINESS:

Hearing no further business, the meeting was adjourned.

APPROVED: August 8, 2013



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

jpw