

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF JUNE 5, 2008 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William DeMouy, Secretary
Steven Davitt
Nicholas Holmes, III
Victoria L. Rivizzigno
Roosevelt Turner
John Vallas

Members Absent

Clinton Johnson
James Watkins, III
Debra Butler
Mead Miller

Urban Development Staff Present

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

Others Present

John Lawler,
Assistant City Attorney
John Forrester,
City Engineering
Butch Ladner,
Traffic Engineering

Joanie Stiff-Love,
Secretary II

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

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.

HOLDOVERS:

Case #SUB2008-00050 (Subdivision)

Kent Estates Subdivision

1216 Silver Drive
East side of Silver Drive, 35'± North of its South terminus
Number of Lots / Acres: 1 Lot / 0.2± Acre
Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 1

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

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- 1) placement of a note on the final plat stating that Lot 1 is limited to one curb cut onto Silver Street with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards; and,
- 2) placement of a note on the plat stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species.

The motion carried unanimously.

Case #SUB2008-00063 (Subdivision)

Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2

3730 Halls Mill Road

North side of Halls Mill Road, 130'+ West of Varner Drive

Number of Lots / Acres: 1 Lot / 1.2+ Acres

Engineer / Surveyor: M. Don Williams Engineering

Council District 4

Don Williams, Williams Engineering, spoke on behalf of the applicant and withdrew the application.

Case #ZON2008-00733 (Planned Unit Development)

Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2

3730 Halls Mill Road

North side of Halls Mill Road, 130'+ West of Varner Drive

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

Council District 4

Don Williams, Williams Engineering, spoke on behalf of the applicant and withdrew the application.

Case #SUB2008-00079 (Subdivision)

Gordon & Marian Howell Estates Subdivision

8220 and 8250 Oak Hill Drive

North side of Oak Hill Drive, 200'+ West of Oak Hill Drive Extension North

Number of Lots / Acres: 4 Lots / 25.2+ Acres

Engineer / Surveyor: Lovitte Surveying, Inc.

County

Lee Lovitte, Lovitte Surveying, Inc., spoke on behalf of the applicant and asked that the required right-of-way easement be reduced to 30 feet as the original application included a 30 foot ingress/egress easement, as well as the other property owners who would benefit from the requested 60 foot easement should bear some part of the burden in the creation of right-of-way to their properties.

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Mr. Vallas asked for clarification regarding the right-of-way.

Mr. Olsen advised that the revised plat did illustrate the full 60 feet discussed but the applicant was asking for approval as originally submitted. He added the staff would not argue the point if the Commission chose to approve it per the applicant's request.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Turner, to approve the above referenced subdivision, subject to the following conditions, revising the right-of-way requirement to 30 feet:

- 1) **labeling of the 25' minimum building setback line along all street frontages on the final plat;**
- 2) **placement of a note on the final plat stating that Lots 1, 1A, 2 and 3 are limited to one curb cut each, along with one curb cut for the easement, with the size, design and location of all curb cuts to be approved by Mobile County Engineering;**
- 3) **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;**
- 4) **labeling of each lot size, in square feet, on the final plat;**
- 5) **placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened or otherwise protected species; and,**
- 6) **placement of a note on final plat stating that there will be no additional re-subdivision of lot 1A without additional adequate street frontage on a dedicated and constructed County maintained road.**

The motion carried unanimously.

EXTENSIONS:

Case #SUB2007-00060 (Subdivision)

Southern Oaks Subdivision, Unit Six, Part B

(Northwest side of Wear Road, ½ mile± South of Dawes Road).

Number of Lots / Acres: 11 Lots / 5.6± Acres

Engineer / Surveyor: Austin Engineering Co., Inc.

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension.

The motion carried unanimously.

Case #SUB2007-00091 (Subdivision)

Augusta Subdivision, Unit Seven

West side of Vassar Court, 265'± North of Augusta Drive North

Number of Lots / Acres: 15 Lots / 8.7± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension, subject to the original conditions:

- 1) the inclusion of the remaining portion of parcel R022707350000030.005 prior to the signing off the Final Plat;
- 2) the labeling of Lot 16 as "Future Development" on the Final Plat;
- 3) the new roads within the proposed subdivision be dedicated and constructed to County Engineering standards;
- 4) the placement of a note on the Final Plat stating that Lots 1 & 15, which are corner lots are limited to one curb cut, with the size, design, and location to be determined by County Engineering;
- 5) placement of a note on the final plat stating that any lots which are developed commercially (or multi-family residential) and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations;
- 6) placement of a note on the final plat stating that a letter of certification by an licensed engineer to certify that the stormwater detention, drainage facilities, and release rate comply with the City of Mobile stormwater and flood control ordinances, will be provided to the Mobile County Engineering Department and the Planning Section, Urban Development Department, City of Mobile, prior to the issuance of any permits;
- 7) labeling of the lots with its size in square feet, or provision of a table on the plat with the same information;
- 8) the approval of all applicable federal, state, and local agencies would be required prior to the issuance of any permits or land disturbance activities;

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- 9) the depiction of the 25-foot minimum building setback lines the new streets;
- 10) the cul-de-sac be modified to comply with V.B.14 and 15; and,
- 11) compliance with Section V.A.5, Environmental and Watershed Protection.

The motion carried unanimously.

Case #SUB2007-00059 (Subdivision)

Palmer Woods Subdivision, Phase III

West side of Oakhill Drive, ½ mile± North of Moffett Road

Number of Lots / Acres: 48 Lots / 20.2± Acres

Engineer / Surveyor: Austin Engineering Co. LLC

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension, subject to the previous conditions of approval:

- 1) the dedication of sufficient right-of-way to provide 50-feet from the centerline of Oak Hill Drive;
- 2) the placement of a note on the Final Plat stating that Lot 103 is allowed one curb cut to Oak Hill Drive, with the size, location, and design to be approved by Mobile County Engineering;
- 3) the placement of a note on the Final Plat stating that Lots 102 and 104 are denied direct access to Oak Hill Drive;
- 4) the placement of the minimum building setback lines along Oak Hill Drive on Lots 102, 103 & 104;
- 5) provision of the minimum requirements of Section V.D.2;
- 6) provision of a certification letter from a licensed engineer to the Planning Section of Urban Development, certifying that the stormwater detention, drainage facilities, and release rate comply with the City of Mobile stormwater and flood control ordinances, prior to the signing and recording of the Final Plat;
- 7) placement of a note on the 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;
- 8) labeling of all lots with size in square feet, or placement of a table on the plat containing the lot size information; and,
- 9) modification of the cul-de-sacs to 120' diameters to meet the 2003 International Fire Code requirements as per the April 3,

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2008 amendment to the Subdivision Regulations. The applicant should be aware that, unless road construction is begun, further extensions are unlikely.

The motion carried unanimously.

Case #SUB2007-00103 (Subdivision)

Torrington Place Subdivision

9737 and 9891 Nursery Road

Southeast corner of Nursery Road and Snow Road North

Number of Lots / Acres: 54 Lots / 18.5± Acres

Engineer / Surveyor: Austin Engineering Co. LLC

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension.

The motion carried unanimously.

Case #SUB2007-00136 (Subdivision)

Camden Pointe Subdivision

3633 Dawes Road

East side of Dawes Road, 630'± South of Dawes Lake Road

Number of Lots / Acres: 60 Lots / 18± Acres

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

County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension.

The motion carried unanimously.

Case #SUB2007-00117 (Subdivision)

Winchester Subdivision

East termini of Winchester Drive North and Winchester Drive South

Number of Lots / Acres: 234 Lots / 84.8± Acres

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

County

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The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to approve the above referenced request for extension.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2008-00105

Wimbledon Subdivision, Unit 2, Block 11, Re-subdivision of Lot 12

Northwest corner of Kingsway and Wilkinson Way

Number of Lots / Acres: 1 Lot / 0.5 Acre

Engineer / Surveyor: M. Don Williams Engineering

Council District 5

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Holmes, with second by Dr. Rivizzigno, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) placement of a note on the final plat stating that the subdivision is limited to one curb cut, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) labeling of the lot with its size in square feet, or the provision of a table on the final plat with the same information;**
- 3) placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,**
- 4) subject to City Engineering comments: *(Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit).***

The motion carried unanimously.

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Case #SUB2008-00110

Coleman Lakes Estates Subdivision

East side of Dawes Lake Road East, 300'± North of Private Road 442

Number of Lots / Acres: 1 Lot / 23.2 Acres

Engineer / Surveyor: Speaks and Associates, Consulting Engineers, Inc.
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Dr. Rivizzigno, to waive Section V.D.3. of the Subdivision Regulations and approve the above reference subdivision, subject to the following conditions:

- 1) **the approval of all applicable federal, state, and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;**
- 2) **certification via placement of a note on the 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;**
- 3) **the placement of a note on the Final Plat limiting the development to one curb cut, with the size, design, and location to be approved by County Engineering and conform to AASHTO standards;**
- 4) **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,**
- 5) **depiction of the 25-foot minimum building setback lines from all street frontages.**

The motion carried unanimously.

Case #SUB2008-00111

Pine Trace Subdivision, Re-subdivision of Lot 3

8561 Dawes Lake Road

North and South sides of Private Road 442, 390'± East of Dawes Lake Road East

Number of Lots / Acres: 1 Lot / 7.6 Acres

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by

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Dr. Rivizzigno, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) **the approval of all applicable federal, state, and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;**
- 2) **certification via placement of a note on the 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;**
- 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 Regulations; and,**
- 4) **depiction of the 25-foot minimum building setback lines from all street frontages.**

The motion carried unanimously.

Case #SUB2008-00103

Keyser Estates Subdivision

9372 Calhoun Road

North side of Calhoun Road at its West terminus

Number of Lots / Acres: 2 Lots / 17.5 Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair announced the matter was recommended for holdover until the July 10, 2008, meeting, but if there were those present who wished to speak to please do so at that time.

The following people spoke in favor of the application:

Matt Orrell, Polysurveying of Mobile, on behalf of the applicants/owners;
Ben Keyser, Jr., 9372 Calhoun Road, Semmes, AL; and,
Ben Keyser, III, 9372 Calhoun Road, Semmes, AL, owner of lot 1.

The following points were made in favor of approving the matter that day:

- A. it is a family subdivision, which has been subdivided previously for one of the family members and that is what is being attempted again at this point;
- B. the private road is not necessary at this point, however, the applicant will make a note on the final plat regarding lot 2, stating no further subdivision will take place until county approved access

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- is provided;
- C. the family member getting the property is under time constraints due to loans, etc.;
 - D. the driveway is 30 foot and goes to the back of the property and serves all of the family members as ingress/egress to the property;
 - E. the owner did not consider giving his other son a parcel of the property as another subdivision; and,
 - F. the remaining portion of the property, though large, is wetlands and can not be developed.

Mr. Olsen stated the following reasons for the staff's recommendations:

- A. at the subdivision of the property in 2005 by the Planning Commission, it was stated there would be no further re-subdivision or future development of the property;
- B. the subdivision before the Commission today would create a flag shaped lot, something the Commission recently amended the regulations to disallow, unless there are unique circumstances or it is characteristic of the area;
- C. nothing in the application advised the staff this was to be a family subdivision, which would have given the staff the opportunity to approve the private drive with certain improvements; and,
- D. given the overall size of the property, future re-subdivision is possible, which had to be taken into consideration during the review process.

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

- 1) **placement of a note on the Final Plat stating Lots 1 and 2 are to share a common curb cut;**
- 2) **placement of a note on the Final Plat stating that there shall be no future re-subdivision until adequate frontage is provided on a paved, county standard and maintained street;**
- 3) **submission of a letter from a licensed engineer certifying compliance with the City of Mobile's stormwater and flood control ordinances to the Mobile County Engineering department and the Planning Section of Mobile Urban Development prior to issuance of any permits;**
- 4) **the approval of all applicable federal, state, and local agencies for wetlands prior to the issuance of any permits or land disturbance activities;**
- 5) **certification via placement of a note on the plat stating that the property owner/developer will comply with all local, state, and federal regulations regarding endangered, threatened, or**

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- otherwise protected flora and fauna;**
- 6) 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,**
 - 7) depiction of the 25-foot minimum building setback lines from the access strip or “pole”.**

The motion carried unanimously.

Case #SUB2008-00107

McCord-Hamilton Subdivision, Re-subdivision of Lot 2

2344 Park Place

North side of Park Place, 390'± West of Riverside Drive

Number of Lots / Acres: 2 Lots / 1.2 Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 4

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting, with revised information provided by June 23, 2008, so that the following can take place:

- 1) revision of the plat to depict all existing structures, including the metal garage that was permitted in October 2007, or provision of a statement indicating that the garage was not built; and,**
- 2) provision of justification for a flag-lot, via evidence of other legal flag-lots in the vicinity, or other flag-parcels predating the applicability of the Subdivision Regulations.**

The motion carried unanimously.

Case #SUB2008-00109

Crichton Commerce Place Subdivision

3240 Moffett Road

North side of Moffett Road, 315'± West of Western Drive

Number of Lots / Acres: 2 Lots / 15.7 Acres

Engineer / Surveyor: Frank A. Dagley & Associates, Inc.

Council District 1

Frank Dagley, Frank A. Dagley and Associates, Inc., spoke on behalf of the applicant, saying the applicant was agreeable with the recommendations, with the exception of condition 9, which asked for the completion of the subdivision process prior to the

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application for land disturbance/building permits. He added that typically, if a subdivision is pending, applications are submitted for land disturbance/building permits prior to the completion of the process, and asked if that condition could be removed.

Mr. Olsen stated that were some unique issues with the overall property, but that the staff would be fine with removing the verbiage regarding land disturbance but would want to keep the requirement that the final plat be recorded prior to the issuance of building permits.

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

- 1) **placement of a note on the final plat stating that lots 1 and 2 are limited to one curb-cut each onto Moffett Road, with the size, design, and location to be approved by Traffic Engineering and ALDOT, and to conform with AASHTO standards;**
- 2) **placement of a note on the final plat stating that lots 1 and 2 are denied access to Crichton Street until it is improved to city standards, at which time each lot is limited to one curb-cut each, with the size, design, and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **depiction and labeling of the 25-foot minimum building setback line from all street frontages, as required by Section V.D.9. of the Subdivision Regulations;**
- 4) **the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;**
- 5) **use of “best management practices” during site development, in compliance with Section V.A.5. of the Subdivision Regulations, to minimize erosion and sedimentation during site development;**
- 6) **compliance with Engineering comments (*Show Minimum FFE on plans and plat for all lots located within the X-Shaded and AE Flood Zones. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS show wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands*)**

- are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.);*
- 7) approval of all applicable federal, state, and local agencies for wetlands or floodplain issues prior to the issuance of any permits or land disturbance activities;
 - 8) placement of a note on the 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; and,
 - 9) completion of the subdivision process prior to the application for building permits.

The motion carried unanimously.

Case #SUB2008-00112

Russell Place Subdivision Re-subdivision of Lot 1

5000 Dawes Road

North side of Dawes Road, at the North terminus of Wear Road

Number of Lots / Acres: 2 Lots / 2.9± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. DeMouy, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) illustration of the 25' minimum building setback line as measured from the previously dedicated right-of-way;
- 2) placement of a note on the final plat stating that each lot is limited to one curb cut to Dawes Road, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;
- 3) labeling of each lot with its size in square feet and acres, or the provision of a table on the plat furnishing the same information;
- 4) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local,

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- state, and Federal regulations regarding endangered, threatened, or otherwise protected species; and,
- 5) **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.**

The motion carried unanimously.

Case #SUB2008-00113
Haley Dyer Subdivision

3551 Alba Club Road
Southeast corner of Alba Club Road and Massengale Drive
Number of Lots / Acres: 2 Lots / 0.5± Acre
Engineer / Surveyor: Polysurveying Engineering-Land Surveying
Council District 4

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting, with revisions due by June 20, 2008, to allow the applicant to submit the following:

- 1) **submittal of a revised plat to show the current structure with all the proper dimensions and setbacks; or,**
- 2) **submittal of a plat with a note stating the structure is to be demolished (with proper permits) prior to the signing of the final plat or issuance of any land disturbance or building permits.**

The motion carried unanimously.

Case #SUB2008-00114
Northview Subdivision, Re-subdivision of Lot 21

1813 Larkwood Drive
West side of Larkwood Drive at its North terminus, extending to the East side of Harris Road, at its North terminus
Number of Lots / Acres: 2 Lots / 0.4± Acre
Engineer / Surveyor: Polysurveying Engineering-Land Surveying
Council District 1

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second

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by Mr. Turner, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) **depiction of the existing residence and any accessory structures on the proposed Lot 2, if it is to remain, and the labeling of the front and side yard setbacks to ensure that it is a minimum of 25-feet and 8-feet from the Larkwood Drive and the common rear lot boundary with Lot 1, and the maintaining of the minimum required lot sizes for Lots 1 and 2;**
- 2) **placement of a note on the final plat stating that each lot is limited to one curb-cut, with the size, design, and location to be approved by Traffic Engineering, and to conform with AASHTO standards;**
- 3) **compliance with Engineering comments: (*Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 4) **placement of a note on the 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;**
- 5) **the labeling of the lots with their size in square feet; and,**
- 6) **completion of the subdivision process prior to applying for permits for new construction.**

The motion carried unanimously.

Case #SUB2008-00115

Plantation Acres Subdivision, Re-subdivision of

3650 & 3664 Leroy Stevens Road

West side of Leroy Stevens Road, 600' ± North of Fordham Road

Number of Lots / Acres: 2 Lots / 11.0± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to waive Section V.D.3. of the Subdivision Regulations and approve the above referenced re-subdivision, subject to the following conditions:

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- 1) placement of a note stating that Lot 1 is limited to one curb cut and Lot 2 is limited to two curb cuts to Leroy Stevens Road, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;
- 2) the applicant obtain the approval of all applicable federal, state, and local environmental agencies prior to the issuance of any permits or land disturbance activities;
- 3) placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;
- 4) labeling of the lots with their sizes in square feet, or the provision a table on the plat with the same information;
- 5) placement of a note on the final plat stating that any lots developed commercially and adjoin residentially developed property shall provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations; and,
- 6) submission of a letter from a licensed engineer certifying compliance with the City of Mobile's stormwater and flood control ordinances to the Mobile County Engineering department and the Planning Section of Mobile Urban Development prior to issuance of any permits.

The motion carried unanimously.

Case #SUB2008-00104

Spencer Ruggs, Sr. Subdivision

3825 Alta Vista Drive

East side of Alta Vista Drive, 395'± North of Staples Road

Number of Lots / Acres: 3 Lots / 0.7± Acre

Engineer / Surveyor: Moseley Surveying Company

Council District 4

Spencer Ruggs, Sr., read the staff's recommendations and stated he was in agreement with them.

The following people spoke against the development:

Mr. and Mrs. Marvin Williamson, 3901 Alta Vista Drive; and,
Otis L. Harris, 3820 Alta Vista Drive,

and made the following comments:

- A. the lot the applicant wants to build on is 124 feet by 121 feet and it is thought that he wants to build 3 houses on that lot;
- B. concern that the house size to be built on the lots would be much

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- smaller than those already in the area, thus not being in character with the neighborhood; and,
- C. concern over building in a flood zone.

Mr. Vallas asked Engineering for comments regarding finished floor elevations for the area in question.

John Forrester, Engineering, said minimum finished floor elevation was 1 foot above base flood elevation.

Mr. Vallas asked if the houses would be built upon slab foundations.

Mr. Ruggs said they would be built upon a slab that met flood elevation requirements.

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

- 1) **removal of the existing accessory structure on Lot 2 (with appropriate permits) prior to the recording of the final plat;**
- 2) **depiction of the existing residence on Lot 3, if it is to remain, and the labeling of the side yard setback to ensure that it is a minimum of 8-feet from the common lot boundary with Lot 2, and the maintaining of the minimum required widths and size for Lots 1 and 2;**
- 3) **placement of a note on the final plat stating that each lot is limited to one curb-cut, with the size, design, and location to be approved by Traffic Engineering, and to conform with AASHTO standards;**
- 4) **compliance with Engineering comments: (*Show Minimum Finished Floor Elevation (FFE) on plans and plat for all lots located within the X-Shaded and AE Flood Zones. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 5) **placement of a note on the 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;**
- 6) **the labeling of the lots with their size in square feet; and,**
- 7) **completion of the subdivision process prior to applying for**

permits for new construction.

The motion carried unanimously.

Case #SUB2008-00116

Collins Subdivision, First Addition, Re-subdivision of Lots 17, 18, & 19

North side of Sermon Road South, extending from U S 90 to Sermon Road West

Number of Lots / Acres: 3 Lots / 3.5± Acres

Engineer / Surveyor: Polysurveying Engineering-Land Surveying
County

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to 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 re-subdivision, subject to the following conditions:

- 1) **placement of a note on the 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 certification 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 issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;**
- 2) **Certification via placement of a note on the 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;**
- 3) **labeling of the lot size in square feet on the plat, or provision of a table on the plat with the same information;**
- 4) **placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property shall provide a buffer in compliance with Section V.A.7. of the Subdivision Regulations;**
- 5) **placement of a note on the final plat stating that Lot 19 is denied curb cuts to U S Hwy 90; and,**
- 6) **the plat be modified to remove the depiction of a 35' reservation, and to illustrate a 60' setback (150' from centerline) from U S Hwy 90 (on Lot 19).**

The motion carried unanimously.

Case #SUB2008-00117

Cottage Hill Gardens Subdivision, Re-subdivision of Lot 14

625 Azalea Road

North side of Azalea Road, 750'± West of Village Green Drive

Number of Lots / Acres: 3 Lots / 1.5± Acres

Engineer / Surveyor: Rowe Surveying and Engineering Company, Inc.

Council District 5

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Davitt, to waive Sections V.D.1. and V.D.3 of the Subdivision Regulations for the flag-lot, and approve the above referenced re-subdivision, subject to the following conditions:

- 1) **placement of a note on the plat stating that all three lots are limited to one (1) shared curb-cut, with the size, design, and location of the curb-cut to be approved by Traffic Engineering and conform to AASHTO standards (movement of Lot A's pole to be between Lots B and C may be depicted on the final plat, if desired);**
- 2) **placement of a note on the plat stating that shall be no additional subdivision of Lot A until additional frontage on a public street, or a private street built to City standards, is provided;**
- 3) **provision of an application for (administrative) Planned Unit Development approval prior to the application for land disturbance or building permits;**
- 4) **compliance with Engineering comments: *(Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit.)*;**
- 5) **compliance with Fire comments: *(All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Shall comply with Section 508.5.1 of the 2003 IFC.)*;**
- 6) **the labeling of each lot with its size in square feet, as depicted on the preliminary plat;**
- 7) **use of "best management practices" during site development, in compliance with Section V.A.5. of the Subdivision Regulations, to minimize erosion and sedimentation during site**

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- development;
- 8) **removal or demolition of the existing residential structure, with appropriate permits, prior to the signing of the final plat; and,**
 - 9) **placement of a note on the 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 #SUB2008-00120

McNeil Subdivision

9481 and 9501 Jeff Hamilton Road

South side of Jeff Hamilton Road, 500'± East of Walston Road

Number of Lots / Acres: 3 Lots / 4.9± Acres

Engineer / Surveyor: Rowe Surveying and Engineering Company, Inc
County

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the July 3, 2008, meeting, with revisions due by June 19, 2008, to allow the applicant to address the following:

- 1) **redesign each lot to meet the width to depth ratio; or,**
- 2) **provide justification for waiver.**

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2008-01364

Group I Automotive, Inc.

1005 East I-65 Service Road South

East side of East I-65 Service Road South, 1030'± North of International Drive

Request to waive construction of a sidewalk along East I-65 Service Road South

Council District 5

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

Mr. DeMouy stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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Hearing no opposition or discussion, a motion was made by Mr. Davitt, with second by Mr. Vallas, to approve the above requested sidewalk waiver.

The motion carried unanimously.

Case #ZON2008-01372

Faith City Cathedral

521 Mobile Street

West side of Mobile Street at the West terminus of McKinney Street

Request to waive construction of a sidewalk along McKinney Street

Council District 1

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to approve the above requested sidewalk waiver.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2008-01324

Dulari J. Smith

88 Hillcrest Road

West side of Hillcrest Road, 270'± North of Cedar Bend Court

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

Council District 7

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **revision of the site plan to depict a dumpster or waste storage facilities, in compliance with Section 64-4.D.9. of the Zoning Ordinance;**
- 2) **placement of a note on the site plan stating that any changes to the site plan, that would normally require a building or land disturbance permit, will require a new application for Planned Unit Development approval prior to the issuance of any**

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- permits;
- 3) revision of the site plan to clearly depict a fence or protection buffer strip along the North, West and South perimeters of the site, in accordance with Section 64-4.D.1. of the Zoning Ordinance;
 - 4) placement of a note on the site plan stating that the parking area will be illuminated in accordance with the requirements of Section 64-6.A.3.c. of the Zoning Ordinance, if the parking area is used at night;
 - 5) placement of a note on the site plan stating that the site is limited to one curb-cut onto Hillcrest Road, with the size, design, and location of the curb-cut to be approved by Traffic Engineering and in compliance with AASHTO standards;
 - 6) provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the signing of the Final Plat;
 - 7) completion of the Subdivision process; and,
 - 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

NEW ZONING APPLICATIONS:

Case #ZON2008-01380

Bill Bunch

4960 Dauphin Island Parkway

West side of Dauphin Island Parkway, 580'± North of Marina Drive North

Rezoning from R-1, Single Family Residential, to B-3, Community Business, to bring the zoning into compliance for an existing marina and boat yard

Council District 4

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting to allow the applicant to submit an application for a one-lot subdivision or provide evidence that the parcel was created prior to 1952, and a Planned Unit Development application. The application/information should be provided to the Planning Department of Urban Development no later than by June 16, 2008.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2008-00108 (Subdivision)

Kilsun Uhn Subdivision

3005 Springhill Avenue

Southwest corner of Springhill Avenue and Hemley Avenue, extending to the East side of Ogden Avenue, 160'± South of Springhill Avenue

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

Engineer / Surveyor: Frank A. Dagley & Associates, Inc.

Council District 1

(Also see Case #ZON2008-01368 (Rezoning) Kilsun Uhn, below)

Frank Dagley, Frank A. Dagley and Associates, spoke on behalf of the applicant and asked that the Commission reconsider granting access from this subdivision to Ogden Avenue and provided proof that there was other commercial access to Ogden.

Butch Ladner, Traffic Engineering, asked for clarification on the curb cuts approved.

Mr. Olsen advised that they would be eliminating one existing curb cut, making it 2 curb cuts to Spring Hill Avenue and one curb cut to Ogden Avenue.

Hearing no opposition or further discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Davitt, to approve the above referenced subdivision, subject to the following conditions:

- 1) **placement of a note on the final plat stating that Lot 1 is limited to two curb cuts onto Spring Hill Avenue, one curb cut to Ogden Avenue, and with access denied to Hemley Avenue. The size, design, and exact location are to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **revision of the plat to depict a 25' minimum building setback line on all street frontages;**
- 3) **vacation of the 15' right-of-way for the unopened alley prior to signing of the final plat;**
- 4) **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;**
- 5) **construction of standard city sidewalks on all street frontages; and,**
- 6) **placement of a note on the plat stating that the site must be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species.**

The motion carried unanimously.

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Case #ZON2008-01368 (Rezoning)

Kilsun Uhn

3005 Springhill Avenue

Southwest corner of Springhill Avenue and Hemley Avenue, extending to the East side of Ogden Avenue, 160'± South of Springhill Avenue

Rezoning from R-1, Single-Family Residential, and B-3, Community Business, to B-3, Community Business to allow retail sales

Council District 1

(Also see **Case #SUB2008-00108 (Subdivision) Kilsun Uhn Subdivision**, above)

(See for **Case #SUB2008-00108 (Subdivision) Kilsun Uhn Subdivision** discussion)

Hearing no opposition or further discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Davitt, to approve the above referenced subdivision, subject to the following conditions:

- 1) **the site is limited to two curb cuts onto Spring Hill Avenue, one curb cut to Ogden Avenue, and with access denied to Hemley Avenue. The size, design, and exact location are to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **provision of a buffer in compliance with Section 64-4.D.1 of the Zoning Ordinance; the parking area shall be illuminated in accordance with the requirements of Section 64-6.A.3.c. of the Zoning Ordinance, if the parking area is used at night;**
- 3) **full compliance with the tree and landscape ordinance; and,**
- 4) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case SUB2008-00123 (Subdivision)

Elijah House Subdivision

1867 Duval Street

South side of Duval Street, at the South terminus of Murray Hill Court [private street]

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

Engineer / Surveyor: Patrick Land Surveying

Council District 3

(Also see **Case ZON2008-01386 (Planned Unit Development) Elijah House Subdivision**, and, **Case Zon2008-01384 (Planning Approval) Elijah House Subdivision**, below)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the matter over until the July 10, 2008, meeting, with revisions due by June 20, 2008, to allow for the following:

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- 1) revision of the plat to depict dedication of right-of-way sufficient to provide 80-feet, as measured from the centerline of Duval Street;
- 2) depiction and labeling of the 25-foot minimum building setback line from the dedicated right-of-way;
- 3) compliance with Engineering comments: *(Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.)*; and,
- 4) revision of the lot size information.

The motion carried unanimously.

Case ZON2008-01386 (Planned Unit Development)

Elijah House Subdivision

1867 Duval Street

South side of Duval Street, at the South terminus of Murray Hill Court [private street]
Planned Unit Development Approval to allow multiple buildings on a single building site

Council District 3

(Also see **Case SUB2008-00123 (Subdivision)**)

Elijah House Subdivision above, and, **Case Zon2008-01384 (Planning Approval)**

Elijah House Subdivision, below)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the matter over until the July 10, 2008, meeting, with revisions due by June 20, 2008, to allow for the following:

- 1) revision of the site plan to reflect dedication of right-of-way along Duval Street, per the Subdivision conditions;
- 2) revision of the site plan to depict paved parking as adjusted to accommodate the right-of-way dedication;
- 3) compliance with Engineering comments: *(Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will*

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- require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.);*
- 4) **revision of the tree and landscape plan for the site to accommodate the right-of-way dedication, and to depict all trees claimed for credit;**
 - 5) **revision of the site plan to depict an 8-foot high wooden privacy fence along the rear property line of the site;**
 - 6) **depiction of concrete wheel stops to ensure that vehicles will not encroach upon any required landscape areas; and,**
 - 7) **depiction of the 25-foot minimum building setback line, adjusted for the required right-of-way dedication.**

The motion carried unanimously.

Case Zon2008-01384 (Planning Approval)

Elijah House Subdivision

1867 Duval Street

South side of Duval Street, at the South terminus of Murray Hill Court [private street]
Planning Approval to allow an outreach program with housing to include prison release inmates in a B-3, Community Business District
Council District 3

(Also see **Case SUB2008-00123 (Subdivision) Elijah House Subdivision**, and, **Case ZON2008-01386 (Planned Unit Development) Elijah House Subdivision**, above)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the matter over until the July 10, 2008, meeting, with revisions due by June 20, 2008, to allow for the following:

- 1) **revision of the site plan to reflect dedication of right-of-way along Duval Street, per the Subdivision conditions;**
- 2) **revision of the site plan to depict paved parking as adjusted to accommodate the right-of-way dedication;**
- 3) **compliance with Engineering comments (*Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property.*);**
- 4) **revision of the tree and landscape plan for the site to**

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- accommodate the right-of-way dedication, and to depict all trees claimed for credit;
- 5) revision of the site plan to depict an 8-foot high wooden privacy fence along the rear property line of the site;
 - 6) depiction of concrete wheel stops to ensure that vehicles will not encroach upon any required landscape areas;
 - 7) depiction of the 25-foot minimum building setback line, adjusted for the required right-of-way dedication; and,
 - 8) provision of additional written description of the nature of the residents and the screening criteria, if any, utilized to select residents for the facility.

The motion carried unanimously.

**Case SUB2008-00100 (Subdivision)
Amity Missionary Baptist Church Subdivision**

2451 St. Stephens Road

South side of St. Stephens Road, extending from Strange Avenue to Como Street, and Southwest corner of St. Stephens Road and Como Street

Number of Lots / Acres: 2 Lots / 1.2± Acres

Engineer / Surveyor: Frank A. Dagley & Associates, Inc.

Council District 1

(Also see **Case ZON2008-01210 (Rezoning) Amity Missionary Baptist Church Subdivision**, below)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting, with all revisions due by June 16, 2008, to allow for the following:

- 1) revision of the plat to reflect dedication along Como Street to provide a City-standard sidewalk along the West side, as well as the corner radius for the Southeast corner of Como Street and St. Stephen's Road that complies with Section V.D.6. of the Subdivision Regulations;
- 2) revision of the plat to depict and label the minimum building setback line from all streets, modifying the setback line along Como Street to accommodate a possible 50-foot wide right-of-way; and,
- 3) revision of the plat to label each lot with its size in square feet, adjusted for any required dedication.

The motion carried unanimously.

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Case ZON2008-01210 (Rezoning)

Amity Missionary Baptist Church Subdivision

2451 St. Stephens Road

South side of St. Stephens Road, extending from Strange Avenue to Como Street, and Southwest corner of St. Stephens Road and Como Street

Rezoning from R-1, Single-Family Residential, and B-2, Neighborhood Business, to B-2, Neighborhood Business to eliminate split zoning for a proposed church

Council District 1

(Also see **Case SUB2008-00100 (Subdivision) Amity Missionary Baptist Church Subdivision**, above)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting, with all revisions due by June 16, 2008, to allow for the following:

- 1) **submission of an application for Planned Unit Development by the June 16th application deadline (for the July 24th meeting), to address parking on an adjacent lot (with the site plan reflecting conditions below);**
- 2) **revision of the site plan for the Zoning application to reflect Traffic Engineering comments: *(To eliminate conflicts in the parking areas some parking spots need to be removed or relocated. In the western lot the two spaces on the north side of the lot should be removed as well as the one parking space on the southeast end of the lot. In the east lot remove two spaces on the northwest end of the aisle located at the drive to eliminate conflicts with the driveway. Parking spaces located on the west side of the building on the south end of the aisle do not have adequate aisle width. Minimum aisle width is twenty-four feet. Changes should be made to accommodate the standard.)*;**
- 3) **revision of the site plan to reflect dedication along Como Street sufficient to provide a City-standard sidewalk along the West side, as well as the corner radius for the Southeast corner of Como Street and St. Stephen's Road that complies with Section V.D.6. of the Subdivision Regulations;**
- 4) **revision of the site plan to depict and label the minimum building setback line from all streets, modifying the setback line along Como Street to accommodate a possible 50-foot wide right-of-way;**
- 5) **revision of the site plan to depict a sidewalk along the West side of Como Street;**
- 6) **revision of landscape area calculations to reflect changes in the size of the site due to right-of-way dedication; and,**

- 7) revision of the site plan to depict and label a buffer that complies with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residentially zoned property.

The motion carried unanimously.

**Case SUB2008-00106 (Subdivision)
Fort Conde Restoration Subdivision**

163 and 165 St. Emanuel Street

East side of St. Emanuel Street, extending from Theatre Street to Monroe Street

Number of Lots / Acres: 4 Lots / 0.6± Acre

Engineer / Surveyor: Polysurveying Engineering-Land Surveying

Council District 2

(Also see **Case ZON2008-01362 (Planned Unit Development) Fort Conde Restoration Subdivision**, below)

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to waive Sections V.D.2. and 3. of the Subdivision Regulations, and approve the above referenced subdivision, subject to the following conditions:

- 1) completion of the subdivision and PUD processes prior to the issuance of a C/O;
- 2) placement of a note on the final plat stating that each lot is limited to one curb cut to St. Emanuel Street, and Lot 4 is limited to one curb cut to Monroe Street, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) depiction of the 5' minimum building setback line prior to signing the final plat;
- 4) provision of an adequate radius, in compliance with Section V.B.16. of the Subdivision Regulations, at the intersection of St. Emanuel Street and Monroe Street;
- 5) provision of a revised PUD site plan to the Planning Section of Urban Development prior to signing the final plat; and,
- 6) compliance with Engineering Comments: *(Show all special flood hazard areas on the plat. Show Minimum FFE on plans and plat for all special flood hazard areas. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of*

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4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property).

The motion carried unanimously.

Case ZON2008-01362 (Planned Unit Development)

Fort Conde Restoration Subdivision

163 and 165 St. Emanuel Street

East side of St. Emanuel Street, extending from Theatre Street to Monroe Street

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

Council District 2

(Also see **Case SUB2008-00106 (Subdivision) Fort Conde Restoration Subdivision**, above)

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Turner, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) completion of the subdivision and PUD processes prior to the issuance of a C/O;**
- 2) coordination with Urban Forestry regarding the number and placement of required trees, if any;**
- 3) revision of the site plan to illustrate the location of a dumpster (and proper screening), or the placement of a note indicating that one will not be provided;**
- 4) placement of a note on the site plan stating that Planned Unit Development review is site plan specific; therefore any future changes to the site plan (including the addition of parking) will require an amendment to the PUD; and,**
- 5) provision of a revised PUD site plan to the Planning Section of Urban Development prior to signing the final subdivision plat.**

The motion carried unanimously.

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Case SUB2008-00121 (Subdivision)

ZPM Subdivision

South side of Grelot Road, 520'± East of Knollwood Drive

Number of Lots / Acres: 5 Lots / 3.0± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 6

(Also see **Case ZON2008-01383 (Planned Unit Development) ZPM Subdivision**, below)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting to allow the applicant to:

- 1) submit justification for consideration as a private road subdivision.**

The motion carried unanimously.

Case ZON2008-01383 (Planned Unit Development)

ZPM Subdivision

South side of Grelot Road, 520'± East of Knollwood Drive

Planned Unit Development Approval to allow multiple buildings on a single building site in a private street commercial subdivision

Council District 6

(Also see **Case SUB2008-00121 (Subdivision) ZPM Subdivision**, above)

The Chair announced the matter was recommended for holdover, but if there were those present who wished to speak to please do so at that time.

Hearing on opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the July 10, 2008, meeting to allow the applicant to:

- 1) submit justification for consideration as a private road subdivision;**
- 2) provide additional information relating to building height(s), scope of use, access, etc. All additional information to be provided no later than June 20.**

The motion carried unanimously.

Case SUB2008-00122 (Subdivision)

Rochester Place Subdivision

Northwest corner of Airport Boulevard and General Pershing Avenue (not open),
extending North and West to the South side of South Sunset Drive Number of Lots /

Acres: 10 Lots / 3.2± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 5

(Also see **Case ZON2008-01382 (Planned Unit Development) Rochester Place Subdivision**, below)

Don Coleman, Rester and Coleman Engineers, Inc., spoke on behalf of the applicant and made the following points:

- A. the subdivision had been in place for quite some time, but they wished to make it private at this time, and in as much they request that the sidewalk requirement be waived;
- B. the previous subdivision approval, which had expired, did not require sidewalks and there are no existing sidewalks in the subdivision now; and,
- C. the applicants wish to make the subdivision a private, gated community and asking the City to vacate Rochester Place in their efforts to do so.

Mr. Turner asked Mr. Olsen for a position on sidewalks within private, gated communities.

Mr. Olsen advised he believed there should be sidewalks where physically possible. He also advised the Commission that approval for the condominiums involved included requiring sidewalks.

Hearing no opposition or further discussion, a motion was made by Mr. Davitt, with second by Dr. Rivizzigno, to approve the above mentioned subdivision, subject to the following conditions:

- 1) **compliance with Section VIII of the Subdivision Regulations;**
- 2) **completion of the vacation process prior to signing of the Final Plat;**
- 3) **compliance with the landscaping and tree planting requirements of the Ordinance;**
- 4) **placement of a note on the final plat stating that if the gate ceases to operate, the road must be dedicated to the City;**
- 5) **preservation of the 53" Oak (any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger), as well as, protection status for any existing trees that are located within the existing right-of-way; and,**

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- 6) **placement of a note on the final plat stating that the site is denied direct access to Sunset Drive South.**

The motion carried unanimously.

Case ZON2008-01382 (Planned Unit Development)

Rochester Place Subdivision

Northwest corner of Airport Boulevard and General Pershing Avenue (not open), extending North and West to the South side of South Sunset Drive.

Planned Unit Development Approval to allow a gated private street single-family residential subdivision

Council District 5

(Also see **Case SUB2008-00122 (Subdivision) Rochester Place Subdivision**, above)

(See for Case **SUB2008-00122 (Subdivision) Rochester Place Subdivision** discussion)

Hearing no opposition or further discussion, a motion was made by Mr. Davitt, with second by Dr. Rivizzigno, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **compliance with Section VIII of the Subdivision Regulations;**
- 2) **completion of the vacation process prior to signing of the Final Plat;**
- 3) **compliance with the landscaping and tree planting requirements of the Ordinance;**
- 4) **provision of sidewalks along ALL street frontages (public or private);**
- 5) **placement of a note on the final plat stating that if the gate ceases to operate, the road must be dedicated to the City;**
- 6) **preservation of the 53" Oak (any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger), as well as, protection status for any existing trees that are located within the existing right-of-way; and,**
- 7) **placement of a note on the final plat stating that the site is denied direct access to Sunset Drive South.**

The motion carried unanimously.

Case SUB2008-00118 (Subdivision)

Longleaf Gates Subdivision

North side of Girby Road 1800'± West of Rue Preserve, and extending Northwest to Lloyds Lane

Number of Lots / Acres: 163 Lots / 84.2± Acres

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

Council District 6

(Also see **Case ZON2008-01378 (Planned Unit Development) Longleaf Gates Subdivision**, below)

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Holmes, to waive Section V.D.2., and with the requirement that Phase Two will have public streets, the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions:

- 1) **revision of the plat to encompass the entirety of the parcels associated with the “future development” area;**
- 2) **submission of applications to correct split-zoning conditions in the “future development” area in conjunction with the other future applications that will be required for the area;**
- 3) **placement of a note on the plat stating that maintenance of the common areas is the responsibility of the homeowners (association);**
- 4) **placement of a note on the plat stating that additional street-stub connections will be required in the “future development area” – to adjacent public streets and landlocked properties (for emergency access only);**
- 5) **placement note on the site plan and plat stating that direct access to Girby Road and Lloyd’s Lane is denied for all lots and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, and each alley is limited to one curb-cut on each end, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;**
- 6) **full compliance with the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans);***
- 7) **full compliance with Engineering comments: *(Show Minimum***

- Finished Floor Elevation (FFE) on plans and plat for all lots located within the X-Shaded and AE Flood Zones. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS show wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system (i.e. downstream culvert at Girby Rd) to accept drainage from this property.);*
- 8) full compliance with Fire comments: *(All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Shall comply with Section 508.5.1 of the 2003 IFC.);*
 - 9) full compliance with Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
 - 10) provision of documentation proving that adequate build-able area is provided for all lots with wetlands;
 - 11) labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;
 - 12) revision of the site plan and plat to also include site coverage information for the lots;
 - 13) development of the site to be undertaken in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;
 - 14) obtain all necessary federal, state, and local permits for wetlands and floodplain issues;
 - 15) use of “best management practices” during site development, in compliance with Section V.A.5. of the Subdivision Regulations, to minimize erosion and sedimentation during site

- development;
- 16) compliance with Section VIII. of the Subdivision Regulations, regarding the provision of a private street;
 - 17) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision;
 - 18) placement of a note on the plat identifying which streets are private, and that they are privately maintained and not dedicated to the public;
 - 19) placement of a note on the plat stating that if the private street is not constructed and maintained to the appropriate City standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
 - 20) placement of a note on the plat stating that the gate must remain operational and in use as a condition of the continuation of private street status; and,
 - 21) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case ZON2008-01378 (Planned Unit Development)

Longleaf Gates Subdivision

North side of Girby Road 1800'± West of Rue Preserve, and extending Northwest to Lloyds Lane

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow a private street, gated subdivision, and a public street subdivision, both with reduced lot sizes, reduced front yard and side yard setbacks, and increased site coverage

Council District 6

(Also see **Case SUB2008-00118 (Subdivision) Longleaf Gates Subdivision**, above)

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

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Dr. Rivizzigno, with second by Mr. Holmes, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **revision of the site plan to encompass the entirety of the parcels associated with the “future development” area;**

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- 2) submission of applications to correct split-zoning conditions in the “future development” area in conjunction with the other future applications that will be required for the area;
- 3) revision of the site plan to eliminate any parking for the clubhouse that may require backing into the street right-of-way;
- 4) placement of a note on the site plan stating that maintenance of the common areas is the responsibility of the homeowners (association);
- 5) placement of a note on the site plan identifying which streets are private (for both phases), and that they are privately maintained and not dedicated to the public;
- 6) placement of a note on the site plan stating that additional street-stub connections will be required in the “future development area” – to adjacent public streets and landlocked properties (for emergency access only);
- 7) placement of a note on the site plan and plat stating that direct access to Girby Road and Lloyd’s Lane is denied for all lots and common areas, and each lot (and common area if required for maintenance purposes) should be limited to one curb-cut each, and each alley is limited to one curb-cut on each end, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;
- 8) full compliance with the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans);*
- 9) full compliance with Engineering comments: *(Show Minimum Finished Floor Elevation (FFE) on plans and plat for all lots located within the X-Shaded and AE Flood Zones. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS show wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-*

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- of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system (i.e. downstream culvert at Girby Rd) to accept drainage from this property.);*
- 10) full compliance with Fire comments: *(All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate. Shall comply with Section 508.5.1 of the 2003 IFC.);*
 - 11) full compliance with Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).);*
 - 12) labeling of all lots with size in square feet, or provision of a table with the lot size information on the plat;
 - 13) revision of the site plan and plat to also include site coverage information for the lots;
 - 14) development of the site to be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened, or otherwise protected species;
 - 15) obtain all necessary federal, state, and local permits for wetlands and floodplain issues;
 - 16) use of “best management practices” during site development, in compliance with Section V.A.5. of the Subdivision Regulations, to minimize erosion and sedimentation during site development;
 - 17) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat; and,
 - 18) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2008-00084 (Subdivision) (Holdover)

Kemira Industrial Subdivision

1 Cyanamid Road

North terminus of Cyanamid Road [private street], extending to the South side of Hog Bayou

Number of Lots / Acres: 1 Lot / 39.9± Acres

Engineer/ Surveyor: Lawler and Company

Council District 2

(Also see Case #ZON2008-01045 (Planned Unit Development) (Holdover)

Kemira Industrial Subdivision, and, Case #ZON2008-01446 (Planning Approval)

Kemira Water Solutions, Inc. (Lawler and Company, Agent), below)

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The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

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

- 1) labeling of the lot with its size in square feet and acres, or the provision of a table on the plat providing the same information;**
- 2) placement of a note on the final plat stating that the approval of all applicable federal, state, and local agencies would be required prior to the issuance of any permits;**
- 3) 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; and**
- 4) subject to the Engineering Comments: *(Show Minimum FFE on plans and plat for all lots located within the X-Shaded and AE Flood Zones. No fill allowed within a special flood hazard area without providing compensation or completing a flood study showing that there is no rise for the proposed fill within the special flood hazard area. Must comply with all stormwater and flood control ordinances. Cannot concentrate stormwater runoff to an adjacent property without a release agreement or a private drainage easement. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system to accept drainage from this property).***

The motion carried unanimously.

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Case #ZON2008-01045 (Planned Unit Development) (Holdover)

Kemira Industrial Subdivision

1 Cyanamid Road

North terminus of Cyanamid Road [private street], extending to the South side of Hog Bayou

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

Council District 2

(Also see **Case #SUB2008-00084 (Subdivision) (Holdover) Kemira Industrial Subdivision**, above, and, **Case #ZON2008-01446 (Planning Approval) Kemira Water Solutions, Inc. (Lawler and Company, Agent)**, below)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Davitt, with second by Mr. Vallas, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) full compliance with all municipal codes and ordinances;**
- 2) submission of a revised master plan PUD for any future expansion; and,**
- 3) obtaining of any permits, licenses, etc. required by local, state, and Federal agencies for the operation of the laboratory and documentation submitted prior to the issuance of any permits by the City Of Mobile.**

The motion carried unanimously.

Case #ZON2008-01446 (Planning Approval)

Kemira Water Solutions, Inc. (Lawler and Company, Agent)

1 Cyanamid Road

North terminus of Cyanamid Road [private street], extending to the South side of Hog Bayou

Planning Approval to allow a laboratory expansion at an existing chemical plant at which hazardous materials or substances are used or produced

Council District 2

(Also see **Case #SUB2008-00084 (Subdivision) (Holdover) Kemira Industrial Subdivision**, and, **Case #ZON2008-01045 (Planned Unit Development) (Holdover) Kemira Industrial Subdivision**, above)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Davitt, with second by Mr. Vallas, to approve the above referenced Planning Approval, subject to the following

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conditions:

- 1) **full compliance with all municipal codes and ordinances;**
- 2) **submission of a revised Planning Approval for any future expansion or change in the scope of operations beyond this approval;**
- 3) **monitoring of the laboratory along with any physical safeguards required by local, state, and Federal agencies to prevent airborne, ground, or water pollution, and/or contamination; and,**
- 4) **obtaining of any permits, licenses, etc. required by local, state, and Federal agencies for the operation of the laboratory and documentation submitted prior to the issuance of any permits by the City of Mobile.**

The motion carried unanimously.

Case #SUB2008-00057 (Subdivision) (Holdover)

South Schillinger Commercial Park Subdivision, Phase Two

880 and 930 Schillinger Road South

West side of Schillinger Road South, 835' + North of the West terminus of Hitt Road

Number of Lots / Acres: 4 Lots / 30.5+ Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 7

(Also see **Case #ZON2008-01444 (Planned Unit Development) South Schillinger Commercial Park Subdivision, Phase Two**, below)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Davitt, to approve the above referenced subdivision, subject to the following condition:

- 1) **the placement of a note on the Final Plat requiring a Traffic Impact Study prior to additional development of Lots 2A and 3A.**

The motion carried unanimously.

Case #ZON2008-01444 (Planned Unit Development)
South Schillinger Commercial Park Subdivision, Phase Two
880 and 930 Schillinger Road South
West side of Schillinger Road South, 835'+ North of the West terminus of Hitt Road
Planned Unit Development Approval to allow a private street commercial subdivision
Council District 7
(Also see **Case #SUB2008-00057 (Subdivision) (Holdover) South Schillinger Commercial Park Subdivision, Phase Two**, above)

The Chair stated the applicant was agreeable with the recommendations and asked if anyone wished to speak on the matter to do so at that time.

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Davitt, to approve the above referenced Planned Unit Development, subject to the following condition:

- 1) **inclusion of a narrative giving a detailed description of the use of the existing building;**
- 2) **inclusion of calculations for site coverage, parking ratios based on internal uses of buildings, and for landscaping and trees of the existing development on Lot 2A;**
- 3) **depiction of parking, internal circulation, dumpster location (if any), truck loading/unloading (if any), and stormwater detention (if any);**
- 4) **the placement of a note on the site plan requiring a Traffic Impact Study prior to the additional development of Lots 2A and 3A;**
- 5) **compliance with the Sign Regulations of the Zoning Ordinance for any signs located on the existing freestanding sign within the private street; and,**
- 6) **submittal of two copies of the revised site plan to indicate all improvements based on the preceding conditions.**

The motion carried unanimously.

OTHER BUSINESS:

Mr. Olsen advised the Commission of Mr. Miller's current health status.

The Chair asked if Mr. Olsen received any further information regarding Mr. Miller to please e-mail the Commission members.

Hearing no further business, the meeting was adjourned.

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APPROVED: July 2, 2009

William G. DeMouy, Jr., Secretary

Terry Plauche, Chairman.

jsl