

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF AUGUST 21, 2008 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William DeMouy, Secretary
Debra Butler
Stephen Davitt
Nicholas Holmes, III
Roosevelt Turner
John Vallas

Members Absent

Clinton Johnson
James Watkins, III
Mead Miller
Victoria L. Rivizzigno

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
John Forrester,
City Engineering
Jennifer White,
Traffic Engineering

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 #SUB2008-00162 (Subdivision)

Regions Addition to Springhill Avenue Commercial Park Plat Subdivision

2720 Springhill Avenue

Northeast corner of Springhill Avenue and Bay Shore Avenue

Number of Lots / Acres: 1 Lot / 1.6± Acres

Engineer / Surveyor: Sain Associates

Council District 1

(Also see **Case #ZON2008-01867 (Planned Unit Development) Regions Addition to Springhill Avenue Commercial Park Plat Subdivision**, 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. Holmes, with second by Mr. Davitt, to approve the above referenced subdivision, subject to the following conditions:

- 1) placement of a note on the plat stating that the site is limited to one curb-cut onto Spring Hill Avenue and one curb-cut onto Bay Shore Avenue, with the size, design, and location to be approved by Traffic Engineering and ALDOT, and in compliance with AASHTO standards;
- 2) compliance with Engineering comments: *(Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property);* and,
- 3) 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 #ZON2008-01867 (Planned Unit Development)
Regions Addition to Springhill Avenue Commercial Park Plat Subdivision

2720 Springhill Avenue

Northeast corner of Springhill Avenue and Bay Shore Avenue

Planned Unit Development Approval to allow two buildings on a single building site during construction of a new bank and demolition of the existing bank

Council District 1

(Also see **Case #SUB2008-00162 (Subdivision) Regions Addition to Springhill Avenue Commercial Park Plat 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. Holmes, with second by Mr. Davitt, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) approval limited to the site plan as revised;
- 2) demolition of existing structure and all site improvements to be completed prior to the request for final Certificate of Occupancy;
- 3) compliance with Engineering comments: *(Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property);*

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- 4) lighting of the site and parking area to comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance; and,**
- 5) submittal of revised plans for building permits that match the approved PUD plan.**

The motion carried unanimously.

Case #ZON2008-01708 (Planned Unit Development)

Bill Bunch

4960 Dauphin Island Parkway

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

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

Council District 4

(Also see **Case #ZON2008-01380 (Rezoning) Bill Bunch**, 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.

Mr. Olsen advised the Commission the staff had recommended denial for the PUD, even though they recommended approving the rezoning, as the property was being sold and the new owner had plans for redevelopment of the site, which would require the submission of a new PUD application, thereby making the current application unnecessary.

Hearing no further opposition or discussion, a motion was made by Mr. Turner, with second by Mr. Holmes, to deny the above referenced Planned Unit Development, based upon the following:

- 1) insufficient information provided for the Commission to make and informed decision.**

The motion carried unanimously.

Case #ZON2008-01380 (Rezoning)

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

(Also see **Case #ZON2008-01708 (Planned Unit Development) Bill Bunch**, 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.

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

- 1) development limited to an approved PUD;**
- 2) no permits or licenses to be issued until a PUD has been submitted and approved;**
- 3) the site is limited to one curb cut to Dauphin Island Parkway, size, location, and design to be approved by traffic engineering and ALDOT;**
- 4) compliance with Engineering comments: *(Site is located in a VE Zone, therefore, per FEMA Regulations, neither fill nor grading allowed without a CLOMR. 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. 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 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) approval of all applicable federal, state, and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;**
- 6) full compliance with all municipal codes and ordinances; and,**
- 7) development of the site must be undertaken 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 #SUB2008-00152 (Subdivision)

Jackson and Congress Subdivision

Southeast corner of Jackson Street and Congress Street

Number of Lots / Acres: 2 Lots / 0.4± Acre

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

Council District 2

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 Mr. Vallas, to waive Section V.D.9. of the Subdivision Regulations (minimum building setback), and approve the above referenced subdivision, subject to the following conditions:

- 1) **placement of a note on the plat stating that Lot 1 is limited to one curb-cut onto Congress Street and one curb-cut onto North Jackson Street, that Lot 2 is limited to one curb-cut onto North Jackson Street, and that the size, design, and location of all curb-cuts are to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **placement of a note on the plat stating that any existing unused curb-cuts are to be removed if any improvements are made to either lot;**
- 3) **revision of the plat to depict a minimum building setback line of 5 feet along all street frontages, in accordance with the setbacks allowed in R-B districts by the Zoning Ordinance;**
- 4) **revision of the plat to label each lot with its size in square feet;**
- 5) **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. 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,**
- 6) **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.**

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The motion carried unanimously.

Case #SUB2008-00099 (Subdivision)

Grandview Apartments Subdivision

6151 Marina Drive South

East side of Marina Drive South at the mouth of Dog River

Number of Lots / Acres: 2 Lots / 16.1+ Acres

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

Council District 4

(Also see **Case #ZON2008-01863 (Planned Unit Development) Grandview Apartments Subdivision**, 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.

The following people spoke in opposition to the matter:

- Charles Johnson, 6347 Bay Road North, Mobile;
- David Brown, 6359 Bay Road North, Mobile; and,
- Regina Ollinger, 6341 Bay Road North, Mobile

They expressed the following concerns:

- A. what plans were in place for lots 1 and 2;
- B. Bay Road North had never had access to the apartment complex and wondered why it needed to be so now;
- C. Bay Road North has always been a minor road that served 5 residential driveways and is not adequate for the amount of traffic proposed;
- D. drainage issues; and,
- E. the barricade forces Bay Road North to the only ingress/egress to the 96 proposed units.

Mr. Olsen said the plan called for the 96 units to access Bay Road North, with Bay Road North being constructed and its intersection at Bay Road, including necessary improvements to Bay Road so that the roads meet county standards. He added that the two lots would be separated by a gate, as opposed to a full barricade, to allow emergency vehicle access through the property.

Frank Dagley, Frank Dagley and Associates, addressed the concerns on behalf of the applicant, by saying:

- A. it is a county road and the applicant has agreed, at their expense, to bring it up to county standards; and,
- B. the gate between the two lots is specifically for emergency vehicles and has been coordinated with the city's Fire Marshall;

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- C. re-iterated the developer would be responsible for the cost of upgrading the road to county standards, so there would be no “waste of tax payer money”.

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

- 1) **full construction of Bay Road North, and any necessary improvements made to Bay Road and its intersection with Bay Road North, prior to signing of the final plat;**
- 2) **placement of a note on the final plat stating that gating at the entrance shall be located such that there is adequate queuing to not create traffic congestion on Bay Road North; and the gate between Lots 1 and 2 shall be for emergency vehicle access and circulation only; and shall remain closed to maintain separation of the lots;**
- 3) **compliance with Engineering Comments: *(Site is located in a VE Zone, therefore; per FEMA Regulations, neither fill nor grading allowed without a CLOMR. 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. 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 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) **approval of all applicable federal, state, and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;**
- 5) **minimum finished floor elevation be indicated for each lot, and the flood zone(s) should be indicated on the plat; and,**
- 6) **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.**

The motion carried unanimously.

Case #ZON2008-01863 (Planned Unit Development)

Grandview Apartments Subdivision

6151 Marina Drive South

East side of Marina Drive South at the mouth of Dog River

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

Council District 4

(Also see Case #SUB2008-00099 (Subdivision) **Grandview Apartments Subdivision**, above)

(See Case #SUB2008-00099 (Subdivision) **Grandview Apartments Subdivision**, for discussion)

Mr. Olsen pointed out to the Commission that the staff had inadvertently recommended that the matter be denied, however, the staff actually recommended approving the Planned Unit Development subject to the conditions listed.

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. Turner, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **full construction of Bay Road North, and any necessary improvements made to Bay Road and its intersection with Bay Road North, prior to signing of the final plat;**
- 2) **placement of a note on the final PUD plan stating that gating at the entrance shall be located such that there is adequate queuing to not create traffic congestion on Bay Road North; and the gate between Lots 1 and 2 shall be for emergency vehicle access and circulation only; and shall remain closed to maintain separation of the lots;**
- 3) **compliance with Engineering Comments: *(Site is located in a VE Zone, therefore; per FEMA Regulations, neither fill nor grading allowed without a CLOMR. 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. 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 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) approval of all applicable federal, state, and local agencies shall be provided prior to the issuance of any permits or land disturbance activities;
 - 5) minimum finished floor elevation be indicated for each lot, and the flood zone(s) should be indicated on the plat;
 - 6) placement of a note on the final PUD 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;
 - 7) development of Lot 1 will require rezoning and PUD approvals; and,
 - 8) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2008-00173

Ellison Subdivision

4470 Cypress Shores Drive

West side of Cypress Shores Drive, 25'± South of Pointe Road)

Number of Lots / Acres: 1 Lot / 6.3± Acres

Engineer / Surveyor: M. Don Williams Engineering

Council District 4

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 opposition or discussion, a motion was made by Mr. Davitt, with second by Mr. DeMouy, to approve the above referenced subdivision, subject to the following conditions:

- 1) placement of a note stating that the lot is limited to two curb cuts onto Cypress Shore Drive with the size, location, and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) revision of the plat to depict a 30' minimum building setback

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- line along all street frontages;
- 3) labeling of the lot with its size in square feet;
- 4) placement of a note on the plat stating that approval of all applicable Federal, state, and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities; and,
- 5) 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 #SUB2008-00176
New Horizons Credit Union Subdivision
622 Azalea Road
South side of Azalea Road, 375'± West of Village Green Drive
Number of Lots / Acres: 1 Lot / 4.5± Acres
Engineer / Surveyor: M. Don Williams Engineering
Council District 5

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.

Don Williams, Williams Engineering, spoke on behalf of the applicant and addressed the staff's concerns saying:

- A. the applicant would grant the city both the widening strip for the 25 foot by 10 foot strip and the 25 foot by 40 foot strip for the service road;
- B. the applicant would submit a revised plat by Monday of the following week; and,
- C. New Horizons had permits for interior work but none for exterior, and in as much, hoped that by providing the information stated above, the holdover would only be for 2 weeks, rather than 4 weeks.

Mr. Olsen advised the Commission that should they choose the September 4, 2009, date requested by the applicant, the staff would do all in their power to review the plan in those time constraints.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Holmes, to hold the matter over until the September 18, 2008, meeting to allow the applicant to submit a revised plat accurately depicting the existing and proposed parcel/lot boundaries.

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The motion carried unanimously.

Case #SUB2008-00171

Raley's Hammock West Subdivision

Northwest corner of Hammock Road and Private Road 275

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

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.

The following people spoke in opposition to the matter:

- Johnny Thomas, 2461 Hammock Road, Mobile; and,
- Jerry Patrick, 2450 Hammock Road, Mobile.

They expressed the following:

- A. wanted to know details regarding plans for the property because the neighbors were under the impression trailers would be placed on the location and those living there would be transient in nature;
- B. concern that development of the area would cause flooding, as drainage was an issue; and,
- C. concern regarding the impact the development would have on the safety of the children who attended an elementary school nearby.

The Chair advised that as the property was located in the county, the Planning Commission had limited jurisdiction with regards to its use as there was no zoning in the county. At that time he gave the applicant an opportunity to respond.

Brett Orrell, Polysurveying of Mobile, spoke on behalf of the applicant and said it was to be a two lot subdivision that would be residential in nature.

Mr. Vallas asked if there were a maximum number of trailers allowed per lot in the county.

Mr. Olsen advised that as there was no zoning in the county, it was not believed that there was a maximum number of units allowed on the property.

The Chair also advised that even though it was in the county, the developers would have to assure site compliance with the City of Mobile's stormwater and flood control ordinances.

Mr. Vallas advised those with concerns that it would be in their best interest to register those concerns with as many organizations as possible, such as ADEM, the Corps of

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Engineers, and Mobile County, to assure the development was monitored and area residents concerns addressed.

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

- 1) **placement of a note on the final plat stating that lots 15-A and 15-B are limited to 1 curb cut each onto Hammock Road, with the size, design, and location to be approved by County Engineering;**
- 2) **placement of a note stating that no access to Private Road 275 is allowed;**
- 3) **revision of the plat to depict the 25' minimum building setback line along all street frontages;**
- 4) **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.;**
- 5) **placement of a note on the plat stating that approval of all applicable Federal, state, and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities;**
- 6) **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;**
- 7) **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,**
- 8) **labeling of each lot with its size in square feet in addition to acreage.**

The motion carried unanimously.

Case #SUB2008-00172

Raley's Hammock East Subdivision

Northeast corner of Hammock Road and Private Road 275

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

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

- 1) **placement of a note on the final plat stating that lots 14-A and 14-B are limited to 1 curb cut each onto Hammock Road, with the size, design and location to be approved by County Engineering;**
- 2) **placement of a note stating that no access to Private Road 275 is allowed;**
- 3) **revision of the plat to depict the 25' minimum building setback line along all street frontages;**
- 4) **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.;**
- 5) **placement of a note on the plat stating that approval of all applicable Federal, state, and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities;**
- 6) **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;**
- 7) **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,**
- 8) **labeling of each lot with its size in square feet in addition to acreage.**

The motion carried unanimously.

Case #SUB2008-00178

Mattie Webb Subdivision

6605 Nan Gray Davis Road

East side of Nan Gray Davis Road, at the East terminus of Woodside Drive North

Number of Lots / Acres: 2 Lots / 2.7± 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 waive Sections V.D.1. and V.D.3., so the proposed plat would meet the minimum requirements of the Subdivision Regulations, and approve the above referenced subdivision, subject to the following conditions:

- 1) **placement of a note on the final plat stating that each lot is limited to one curb cut to Nan Gray Davis Road, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;**
- 2) **illustration of the 25' minimum building setback lines on the final plat, with the setback for Lot 2 measured from the rear line of Lot 1;**
- 3) **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;**
- 4) **placement of a note on the final plat stating that no further re-subdivision of Lot 2 is allowed until additional frontage on a public street is provided;**
- 5) **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 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;**
- 6) **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,
- 7) **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 #SUB2008-00177

Auto World Subdivision

7950 Tanner Williams Road

North side of Tanner Williams Road, 245'± East of Tanner Williams Court

Number of Lots / Acres: 4 Lots / 11.9± Acres

Engineer / Surveyor: M. Don Williams Engineering

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 waive Sections V.D.1. and V.D.3., so the proposed plat would meet the minimum requirements of the Subdivision Regulations, and approve the above referenced subdivision, subject to the following conditions:

- 1) **revision of the plat to indicate the current right-of-way width along Tanner Williams Road, and dedication of sufficient right-of-way to provide 50' from the centerline of Tanner Williams Road, if currently less;**
- 2) **illustration of the 25' minimum building setback line along Tanner Williams Road for all lots, as measured from any required dedicated right-of-way;**
- 3) **illustration of a 25' minimum building setback line on Lot 3 from the rear line of Lots 1, 2, and 4, and the rear line of Lot 1, Larry & Bradley Ward Subdivision;**
- 4) **placement of a note on the final plat stating that each lot is limited to one curb cut to Tanner Williams Road, with the size, location, and design to be approved by County Engineering and conform to AASHTO standards;**
- 5) **revision of the plat to label each lot with its size in square feet and acreage, or the furnishing of a table on the plat providing the same information;**
- 6) **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 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.

- 7) 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,
- 8) 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.

VACATION REQUEST:

Case #SUB2008-00174

Ronald L Finch

4685 Hoffman Road

Northeast corner of Hoffman Road and Delgene Avenue [unopened public right-of-way street stub]

Request to vacate the Delgene Avenue unopened street stub
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 vacation request.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2008-01982

Ed Majure & Brandon Eubanks

716 Lakeside Drive West

South side of Lakeside Drive West, 300'± East of Cottage Hill Service Road

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between three single building sites.
Council District 4

The Chair stated the applicant was agreeable with the recommendations and asked if

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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. Holmes, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **provision of buffering in compliance with Section 64-4.D. of the Zoning Ordinance where the site abuts residentially zoned properties;**
- 2) **the location of the storage area for a dumpster (for each building site) must be illustrated on the site plan and labeled, and the location and required screening must comply with Section 64-4.D.9. of the Zoning Ordinance, as well as with all other applicable regulations;**
- 3) **submission of a revised Planned Unit Development site plan to the Planning Section of Mobile Urban Development prior to the issuance of any permits or land disturbance activities;**
- 4) **subject to Engineering comments: (*Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit*); and,**
- 5) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2008-00170 (Subdivision)

Renwick Burroughs Subdivision

2700 and 2702 Springhill Avenue

Northwest corner of Springhill Avenue and Mobile Street

Number of Lots / Acres: 1 Lot / 0.9± Acre

Engineer / Surveyor: Polysurveying Engineering - Land Surveying

Council District 1

(Also see **Case #ZON2008-01965 (Planned Unit Development) Renwick Burroughs 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.

Genae Burroughs, the property owner, asked for clarification regarding the dedication of 50 feet for right-of-way as it would extend 8 feet into their building.

Mr. Olsen advised this issue was one of the primary reasons for the holdover. He added that as the widening of Mobile Street was a major project for the Alabama Department of Transportation (ALDOT), the applicant needed to contact them regarding being advised as to the impact this project would have upon the property.

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The applicant stated she had been in contact with ALDOT, who had advised her that Mobile Street would not be widened in the vicinity of her property, having no impact on it.

John Forrester, Traffic Engineering, stated the ALDOT had advised him they did not have a final plan for this intersection, but that he would be glad to assist her in this matter.

The Chair asked Brett Orrell, Polysurveying of Mobile, the engineer of record, for his comments on the matter.

Mr. Orrell advised that his organization believed the wait was for ALDOT to get all of their information to the city with regards to their plans for the intersection.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Davitt, to hold the matter over until the September 18, 2008, meeting, to allow the applicant to address the following:

- 1) **dedication of sufficient right-of-way to provide a minimum 50' from the centerline of Mobile Street;**
- 2) **placement of a note on the final plat stating that the subdivision is limited to the existing curb cuts to Mobile Street and Springhill Avenue;**
- 3) **labeling of the lot with its size in square feet (in addition to acreage), or the provision a table on the plat with the same information;**
- 4) **provision of a buffer in accordance with section V.A.7 where the site abuts residentially zoned property;**
- 5) **revision of the legal description, specifically the point of commencement and a measurement along the Northern boundary of the site;**
- 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; and,**
- 7) **subject to Engineering comments: *(Must comply with all stormwater and flood control ordinances. 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(s) to accept drainage from this property).***

The motion carried unanimously.

Case #ZON2008-01965 (Planned Unit Development)

Renwick Burroughs Subdivision

2700 and 2702 Springhill Avenue

Northwest corner of Springhill Avenue and Mobile Street

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

Council District 1

(Also see **Case #SUB2008-00170 (Subdivision) Renwick Burroughs Subdivision**, above)

(See **Case #SUB2008-00170 (Subdivision) Renwick Burroughs Subdivision** for discussion)

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Davitt, to hold the matter over until the September 18, 2008, meeting, to allow the applicant to address the following:

- 1) **dedication of sufficient right-of-way to provide a minimum 50' from the centerline of Mobile Street;**
- 2) **revision of the site plan to illustrate square footages of all existing and proposed buildings;**
- 3) **provision of a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance;**
- 4) **provision of buffering for residentially zoned properties adjacent to the site, including shielding and directing lighting of parking facilities away from those residentially zoned properties;**
- 5) **placement of appropriate signage at the Springhill Avenue curb cuts indicating that they are one-way in and one-way out;**
- 6) **placement of a note on the site plan stating that if the site is redeveloped, all the internal circulation and driveways will be redesigned and brought up to current city standards;**
- 7) **placement of a note on the site plan stating that the site will be developed in compliance with all local, state, and Federal regulations regarding endangered, threatened, or otherwise protected species;**
- 8) **subject to Engineering comments: (*Must comply with all stormwater and flood control ordinances. 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(s) to accept drainage from this property*); and,**
- 9) **provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development by no later than September 4th.**

The motion carried unanimously.

Case#SUB2008-00169 (Subdivision)
Alabama Bulk Terminal Subdivision

195 Cochrane Causeway

East and West sides of Cochrane Causeway, 585'± North of Dunlap Drive

Number of Lots / Acres: 2 Lots / 85.1± Acres

Engineer / Surveyor: Lawler and Company

Council District 2

(Also see **Case #ZON2008-01894 (Planned Unit Development) Alabama Bulk Terminal Subdivision**, **Case #ZON2008-01895 (Planning Approval) Alabama Bulk Terminal Subdivision**, and, **Case #ZON2008-01896 (Sidewalk Waiver) Alabama Bulk Terminal Subdivision**, 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 conditions:

- 1) **revision of the plat to depict the 25-foot minimum building setback line along the Sixth Street right-of-way (if determined to be a public right-of-way);**
- 2) **placement of a note on the plat stating that Lots 1 and 2 are limited to the two (2) respective existing curb-cuts onto Cochrane Causeway, and denied access to Sixth Street, and that any changes to the size, design, and location of the curb-cuts are to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;**
- 3) **compliance with Engineering comments (*Show Minimum FFE on plans and plat for all lots located within special flood hazard areas. Need to submit a flood proofing plan if the FFE is proposed to be below Min FFE. 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. 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) **placement of a note on the plat stating that approval of all applicable Federal, state, and local agencies is required for floodplain and wetland issues, if any, prior to the issuance of any permits or land disturbance activities; and,**

- 6) **submittal of revised PUD and Planning Approval site plans prior to the signing of the Subdivision plat or application for building permits.**

The motion carried unanimously.

Case #ZON2008-01894 (Planned Unit Development)

Alabama Bulk Terminal Subdivision

195 Cochrane Causeway

East and West sides of Cochrane Causeway, 585'± North of Dunlap Drive

Planned Unit Development Approval to allow multiple structures on two building sites.

Council District 2

(Also see Case#SUB2008-00169 (Subdivision) **Alabama Bulk Terminal Subdivision**, above, and, Case #ZON2008-01895 (Planning Approval) **Alabama Bulk Terminal Subdivision**, and, Case #ZON2008-01896 (Sidewalk Waiver) **Alabama Bulk Terminal Subdivision**, 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 Planned Unit Development, subject to the following conditions:

- 1) **revision of the site plan to show the 25-foot minimum building setback line along Sixth Street (if determined to be a public right-of-way);**
- 2) **revision of the site plan to depict the location of any required parking for a 2,500 square foot office building;**
- 3) **revision of the site plan to depict and label a dumpster, if provided, or to include a note stating that garbage is disposed of via a private service;**
- 4) **compliance with Engineering comments: (*Show Minimum FFE on plans and plat for all lots located within special flood hazard areas. Need to submit a flood proofing plan if the FFE is proposed to be below Min FFE. 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. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 5) **placement of a note on the site plan stating that a new PUD application will be required for any additional development on the site; and,**
- 6) **provision of a revised site plan (overall, East side and West side) to the Planning Section of Urban Development prior to**

the signing of the Subdivision plat, and prior to the application for building permits.

The motion carried unanimously.

Case #ZON2008-01895 (Planning Approval)

Alabama Bulk Terminal Subdivision

195 Cochrane Causeway

East and West sides of Cochrane Causeway, 585'± North of Dunlap Drive

Planning Approval to allow the expansion of an existing petroleum oil bulk terminal and distribution facility in an I-2, Heavy Industry District, to include a 2,500± square-foot office building.

Council District 2

(Also see **Case#SUB2008-00169 (Subdivision) Alabama Bulk Terminal Subdivision**, and, **Case #ZON2008-01894 (Planned Unit Development) Alabama Bulk Terminal Subdivision**, above, and, **Case #ZON2008-01896 (Sidewalk Waiver) Alabama Bulk Terminal Subdivision**, 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 Planning Approval, subject to the following conditions:

- 1) **revision of the site plan to show the 25-foot minimum building setback line along Sixth Street (if determined to be a public right-of-way);**
- 2) **revision of the site plan to depict the location of any required parking for a 2,500 square foot office building;**
- 3) **revision of the site plan to depict and label a dumpster, if provided, or to include a note stating that garbage is disposed of via a private service;**
- 4) **compliance with Engineering comments: (*Show Minimum FFE on plans and plat for all lots located within special flood hazard areas. Need to submit a flood proofing plan if the FFE is proposed to be below Min FFE. 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. Any work performed in the right-of-way will require a right-of-way permit.*);**
- 5) **placement of a note on the site plan stating that a new Planning Approval application will be required for any additional development on the site;**
- 6) **provision of a revised site plan (overall, East side and West**

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side) to the Planning Section of Urban Development prior to the signing of the Subdivision plat, and prior to the application for building permits.

The motion carried unanimously.

Case #ZON2008-01896 (Sidewalk Waiver)

Alabama Bulk Terminal Subdivision

195 Cochrane Causeway

East and West sides of Cochrane Causeway, 585'± North of Dunlap Drive

Request to waive construction of sidewalks along both sides of Cochrane Causeway.

Council District 2

(Also see Case#SUB2008-00169 (Subdivision) **Alabama Bulk Terminal Subdivision**,

Case #ZON2008-01894 (Planned Unit Development) **Alabama Bulk Terminal**

Subdivision, and, Case #ZON2008-01895 (Planning Approval) **Alabama Bulk**

Terminal 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. Turner, with second by Mr. Davitt, to approve the above referenced sidewalk waiver.

The motion carried unanimously.

Case #SUB2008-00175 (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: 2 Lots / 1.3± Acres

Engineer / Surveyor: M. Don Williams Engineering

Council District 4

(Also see Case #ZON2008-01983 (Planned Unit Development) **Dobbs Industrial**

Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2, below)

Don Williams, Williams Engineering, spoke on behalf of the applicant, stating he subdivision application was recommended for tentative approval, however, the PUD was recommended for holdover because of an issue involving traffic. That issue has been resolved, however, the applicant requested a 2 week holdover of both applications to clarify the entire matter.

Mr. Olsen advised the staff had no objections to the length of holdover requested.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the September 18, 2008, meeting, the applicant's request.

The motion carried unanimously.

Case #ZON2008-01983 (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 shared access and parking between two building sites.

Council District 4

(Also see **Case #SUB2008-00175 (Subdivision) Dobbs Industrial Park Subdivision, First Addition, Re-subdivision of Lots 1 & 2**, above)

Don Williams, Williams Engineering, spoke on behalf of the applicant, stating he subdivision application was recommended for tentative approval, however, the PUD was recommended for holdover because of an issue involving traffic. That issue has been resolved; however, the applicant requested a 2 week holdover of both applications to clarify the entire matter.

Mr. Olsen advised the staff had no objections to the length of holdover requested.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over until the September 18, 2008, meeting, the applicant's request, so they could revise the site plan to address the following:

- 1) **illustration of the dumpster location on the site plan;**
- 2) **revision of the site plan to indicate the closure of the 15' drive and the modification of the 30' drive to either a 36' wide three-lane drive or a 24' wide two-lane drive;**
- 3) **revision of the site plan to provide the required frontage landscaping area and required seven over-story frontage trees; and,**
- 4) **resolution of the building encroachment on Lot 1 into the recorded drainage easement.**

The motion carried unanimously.

OTHER BUSINESS:

Mr. Olsen reminded the Commission members that their business meeting was scheduled for September 11, 2008, and the staff would notify them of its time and location, stating Mr. Watkins had offered the use of the conference room at his office as one location, Mr. Plauche had done the same, or it could be held at a location in the Government Plaza. It was decided the meeting would be held at Mr. Plauche's office at 2 p.m. on September 11, 2008.

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Hearing no further business, the meeting was adjourned.

APPROVED: August 6, 2009

William G. DeMouy, Jr., Secretary

Terry Plauche, Chairman.

jsl